

MINUTES
STATE RECORDS COMMISSION
April 22, 2004

The State Records Commission met on Thursday, April 22, 2004, at 10:00 a.m. at the Alabama Department of Archives and History. Members present were Ed Bridges, Chairman, representing the Department of Archives and History; Lisa Dorr, representing the University of Alabama; Jeff Jakeman, representing Auburn University; Eliza Marshall, representing the Secretary of State; Bill Morrison, representing the Department of Revenue; John Norris, representing the Examiner of Public Accounts; and Alyce Robertson, representing the Attorney General;. Also present were James Nuckles, representing the Department of Education; Willie Owens, Monica Vandiver, and John Beans, representing the Alabama Sickle Cell Oversight and Regulatory Commission; Rebekah Harrison, representing the Board of Heating and Air Conditioning Contractors; Dudley Perry, representing the Department of Youth Services; Lester Thomas, Chris Thorn, Jerome Webb, and Debbie Coulter, representing the State Department of Human Resources; Nancy Barfield, representing the Real Estate Commission; and Doug Lunsford, representing the State Personnel Department.

Government Records staff members present included Tracey Berezansky, Richard Wang, Tom Turley, Frank Brown, and Corlis Floyd.

Ed Bridges called the meeting to order by summarizing the purpose, responsibility, and composition of the commission, and welcomed those present.

A motion to accept the minutes of the January 22, 2004, meeting was made by Alyce Robertson and seconded by Lisa Dorr. The minutes were unanimously approved.

Old Business

- University of Alabama System - Attorney General Opinion:

Tracey Berezansky informed the commission that a request for an attorney general's opinion had been submitted, regarding the University of Alabama Systems' position that it was not under the jurisdiction of the commission with respect to its records. We are presently awaiting a response from the attorney general and will provide a copy of the decision to the commission at its July meeting.

New Business

- Agency Annual RDA Implementation Monitoring Reports (copy attached):

Staff members provided the commission with a summary report outlining the records management activities of those agencies with RDAs approved in previous Aprils. Agencies that submitted reports are: Board of Athletic Trainers, Alabama State Board of Auctioneers, Child Abuse and Neglect Prevention Board, Alabama Crime Victims Compensation Commission, Board of Dental Scholarship Awards, State Board of Education/State Department of Education, Alabama Commission on Higher Education, Alabama Board of Electrical Contractors, Department of Finance-Division of Risk Management, Geological Survey of Alabama, Jefferson

County Department of Health, Judicial Inquiry Commission, Alabama Liquified Petroleum Gas Board, Alabama Manufactured Housing Commission, Board of Examiners in Marriage and Family Therapy, Board of Medical Scholarship Awards, Commercial Mobile Radio Service Emergency Telephone Services Board, Board of Examiners of Nursing Home Administrators, State Oil and Gas Board, Board of Optometric Scholarship Awards, Alabama Board of Optometry, Alabama State Personnel Department, Department of Post Secondary Education, Department of Public Health, Board of Physical Therapy, Alabama Board of Examiners in Psychology, Alabama Sickle Cell Oversight and Regulatory Commission, Alabama Sports Hall of Fame, and St. Stephens Historical Commission.

Richard Wang provided the commission with the following highlights: (1) among those agencies who were due to report this quarter, two reported a lack of manpower to implement their RDAs, and one agency did not submit its implementation report; (2) the most important permanent records transferred to the Archives were the Board of Education's meeting minutes (7 cubic feet); (3) the largest amount of obsolete records destroyed by an individual state agency last year was 8000 cubic feet by the Department of Public Health; and (4) the Child Abuse and Neglect Prevention Board transferred permanent records to the Archives after the completion of the summary report. The report will be amended to reflect the transmittal of those records by the board.

Dr. Bridges commended agencies who are implementing their RDAs and submitting their annual implementation reports. Due to recent budget cuts, some agencies that had RDAs in place are now defunct, and Dr. Bridges pointed out that some legislators had asked him about the disposition of the records for these agencies. The commission may be asked for advice as to the proper disposition of records for defunct agencies.

- Annual Report of the Status of the State RDA Development Program (copy attached):

Dr. Wang informed the commission that staff members have completed RDAs for 112 agencies. For informational purposes, a detailed listing of those agencies with approved RDAs was provided to the commission. Alyce Robertson asked if the Office of Prosecution Services, listed on the status report, had signed its approved RDA. Dr. Wang stated that in spite of numerous contacts, the agency has not yet signed the RDA. Ms. Robertson indicated that all of her telephone calls to this agency were not returned.

Records Disposition Authorities (Minor Revision)

- Board of Heating and Air Conditioning Contractors (memorandum attached):

A motion to approve the RDA revision as presented was made by Ms. Robertson and seconded by John Norris, and was unanimously approved by the commission

- Department of Youth Services (memorandum attached):

A motion to approve the RDA revision as presented was made by Ms. Robertson and seconded by Jeff Jakeman, and was unanimously approved by the commission

- Revision to the Standard Retention of Inventory Lists (memorandum attached):

Tracey Berezansky explained the reason for the request to revise the standard retention period of property inventory lists stating that the State Auditors Office now maintains property inventory lists for all agencies electronically instead of the traditional paper-based system previously maintained by each individual agency. Ms. Berezansky also pointed out that the Code of Alabama states that “all property managers shall keep at all times in their files a copy of all inventories . . .”. Since the request for revision seems to be in conflict with the Code, Ms. Berezansky asked the commission for a decision.

Mr. Norris stated that the Examiners of Public Accounts, for audit purposes, consider the State Auditor’s inventory database as the official property inventory listing. Mr. Norris informed the commission that each agency updates its inventory electronically with the State Auditor on a regular basis.

Discussion continued and Dr. Bridges suggested that the revision be withdrawn and held over. Staff will consult with Jerry Bassett, Legislative Reference Service, to determine how to proceed with drafting a bill to address this issue. In addition, staff may want to investigate all other Code requirements concerning records retention that may need to be addressed by the legislature.

- Addition of Agency Website Disposition to Approved RDAs for Agencies that were Due for Annual Review in April (memorandum attached):

A motion to approve the addition of the agency website records series to the RDA for the 19 agencies listed on the memorandum dated February 11, 2004, was made by Dr. Jakeman and seconded by Mr. Norris, and was unanimously approved by the commission.

Records Disposition Authorities (New)

- State Department of Human Resources:

Dr. Bridges commented that all the social welfare case files created by this agency may contain a wealth of historical and genealogical information that document social and family problems and issues in Alabama. Due to the records’ classification as “confidential,” much of the information would never be available to researchers, but Dr. Bridges mentioned because of the records valuable research potential, steps may be taken to figure out a way to extract some of the information from the files before their final disposition.

Jerome Webb and Lester Thomas of the Department of Human Resources assured the commission that Human Resource staff members tend to keep files longer than required and the commission may address this issue in the future if needed.

A motion to approve the RDA as presented was made by Dr. Dorr and seconded by Bill Morrison, and was unanimously approved by the commission.

- Real Estate Commission:

Dr. Wang provided the commission with a memorandum, dated April 16, 2004, (copy attached) requesting an additional change in the title and description of records series “Licensure Examination Questions.”

A motion to approve the RDA with the requested change as set out in the memorandum dated April 16, 2004, was made by Mr. Norris and seconded by Ms. Robertson, and was unanimously approved by the commission.

Dates for Future Meetings

Because a few commission members have scheduling conflicts with the current Thursday meeting day, the next meeting of the State Records Commission is scheduled for 10:00 a.m., on Wednesday, July 21, 2004. For planning purposes, the October meeting of the commission is scheduled for Wednesday, October 27, 2004.

The meeting was adjourned at 10:47 a.m.

Corlis Floyd, Secretary
State Records Commission

Edwin C. Bridges, Chairman
State Records Commission