

# **Legislative Reapportionment Office**

## **Functional Analysis & Records Disposition Authority**

**Presented to the  
State Records Commission  
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# **Functional and Organizational Analysis of the Legislative Reapportionment Office**

## **Sources of Information**

Representatives of Legislative Reapportionment Office

Code of Alabama, Sections 29-2-50 through 29-2-53

Website, Alabama Legislature

*Alabama's Legislative Process and Legislative Glossary*, McDowell Lee (1985)

## **Historical Context**

The Legislative Reapportionment Office was established by Act 90-388 which became effective on January 1, 1991. The purpose of the office is to study policy, legal, and technical issues to prepare for the redistricting process for the State of Alabama; and to prepare for and develop proposed redistricting plans to be passed by the legislature, signed by the governor, and submitted to the U.S. Justice Department for approval.

## **Agency Organization**

The Legislative Reapportionment Office is under the supervision of the Joint Legislative Reapportionment Committee, the Secretary of the Senate, and the Clerk of the House of Representatives. The office employs non-merit system personnel to assist in carrying out its required functions.

Established in 1990, the committee prepares and develops redistricting plans for the state following each decennial census. When the legislature is involved in redistricting, the committee consists of eleven members each from the House of Representatives and the Senate. When redistricting is not in process, membership decreases to three members from each house. The committee does not have a staff.

## **Agency Function and Subfunctions**

The mandated function of Legislative Reapportionment Office is to serve as the link between the United States Census Bureau and the Alabama Legislature. The office provides technical assistance in drawing legislative and congressional district plans and serves as custodian for census population and redistricting data for the State of Alabama. In addition to providing redistricting information to state legislators, the Reapportionment Office provides technical assistance to local governments in drawing county commission, city council, and school board district plans. The office also schedules and provides technical assistance for the Joint Briefing Room.

In the performance of its mandated functions, the Legislative Reapportionment Office may engage in the following subfunctions:

■ **Reapportioning and Redistricting.** Following each ten-year census, state legislative, congressional, and school districts are redrawn to equalize the population amongst them. Reapportionment is the apportioning of districts according to their population. Redistricting is the redrawing of the district lines based on the census data.

■ **Administering Internal Operations.**

As the Legislative Reapportionment Office is a joint entity under the supervision of the House of Representatives and the Senate, many of the records typically created by a government agency are not held by this office but by the agencies that oversee it.

**Managing the Agency:** Activities include internal office management activities common to most government agencies such as corresponding and communicating; scheduling; meeting; documenting policy and procedures; reporting; drafting, promoting, or tracking legislation; publicizing and providing information; managing records; and managing information systems and technology.

**Managing Human Resources:** Activities involved in managing human resources may include the following: supervising employees (evaluating performance, disciplining, and granting leave) and training of personnel.

# **Analysis of Record Keeping System and Records Appraisal of the Legislative Reapportionment Office**

## **Agency Record Keeping System**

The Legislative Reapportionment operates a hybrid record keeping system composed of paper and electronic records.

Electronic records: The office utilizes ESRI-GIS, an Oracle database, and ESRI Redistricting Solution. For mapping districts, the office uses ESRI ArcGIS. The office's server is hosted on the cloud through ESRI. ESRI is responsible for resolving problems with its software. Bills are processed by software created for the Alabama Legislature, which, along with the office's hardware, is managed by the Legislative Computer Center. The office's e-mail software is Microsoft Outlook 2007.

## **Records Appraisal**

The following is a discussion of the two major categories of records created and/or maintained by the Legislative Reapportionment Office: Temporary Records and Permanent Records.

**I. Temporary Records.** Temporary records should be held for what is considered their active life and be disposed of once all fiscal, legal, and administrative requirements have been met. Example(s) of the temporary records created by the Legislative Reapportionment Office are discussed below.

- **Correspondence Related to Reapportionment.** This series contains correspondence relating to the setting up and notification of public hearings. Because the series does not contain any policy or decision making documentation, the suggested retention is three years.

**II. Permanent Records.** The Government Records Division recommends the following records as permanent.

### **Reapportioning and Redistricting:**

- **Reapportionment Database.** This series contains census geography, maps, and population statistics for state legislative, congressional, and State Board of Education districts. Maps may be arranged by county, city, voting district, and, the remainder, by various variables. (RDA page 7) (**Bibliographic Title: Reapportionment Database**)
- **Approved and Rejected Reapportionment Plans.** This series includes approved and proposed, but rejected, reapportionment plans for state legislative, congressional, and State Board of Education districts. (RDA page 7) (**Bibliographic Title: Reapportionment Plans**)

- **Transcripts of Public Hearings on Reapportionment.** This series contains the transcripts of the Reapportionment Committee’s public hearings on proposed reapportionment plans for state legislative, congressional, and State Board of Education districts. (RDA page 7) **(Bibliographic Title: Transcripts of Public Hearings on Reapportionment)**
  
- **City Annexation Reports.** This series includes information regarding annexations of localities by municipalities, which cities are required to submit to the agency, per Act 2006-249. (RDA page 7) **(Bibliographic Title: City Annexation Reports)**
  
- **Meeting Agendas, Minutes, and Packets of the Reapportionment Committee.** Policy decisions for the office are made during committee meetings. The committee is made up of six members, three from the House of Representatives and three from the Senate, who are chosen during the quadrennial organization session. The office holds these records. (RDA page 7) **(Bibliographic Title: Meeting Agendas, Minutes, and Packets of the Reapportionment Committee)**

**Permanent Records List**  
**Legislative Reapportionment Office**

**Reapportioning and Redistricting:**

1. Reapportionment Database
2. Approved and Rejected Reapportionment Plans
3. Transcripts of Public Hearings on Reapportionment
4. City Annexation Reports
5. Meeting Agendas, Minutes, and Packets of the Reapportionment Committee

# **Legislative Reapportionment Office Records Disposition Authority**

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975, Sections 41-13-5 and 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Legislative Reapportionment Office. The RDA lists records created and maintained by the Legislative Reapportionment Office in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for the agency to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Records must also be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975, Sections 36-12-2, 36-12-4, and 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Services Division at (334) 242-4452.

## **Explanation of Records Requirements**

- This RDA shall govern the disposition of all records, regardless of format, created by the agency from its creation to dissolution.
- This RDA supersedes any previous records disposition schedules and/or RDAs governing the retention of records of the Legislative Reapportionment Office. Copies of superseded schedules or/and RDAs are no longer valid and should be discarded.
- The RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain other record-like materials are not actually regarded as official records and may be disposed of under this RDA. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintain the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationary, blank forms, or other surplus materials that are not subject to audit and have become obsolete; (4) transitory records,

which are temporary records created for short-term internal purposes that may include, but are not limited to, telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about social activities; and (5) honorary materials, plaques, awards, presentations, certificates, and gifts received or maintained by the agency staff. They may be disposed of without documentation of destruction.

## **Records Disposition Requirements**

This section of the RDA is arranged by subfunctions of the Legislative Reapportionment Office and lists the groups of records created and/or maintain by the agency as a result of activities and transactions performed in carrying out these subfunctions. The agency may submit requests to revise specific records disposition requirements to the States Records Commission for consideration at its regular meetings.

### **■ Reapportioning and Redistricting:**

REAPPORTIONMENT DATABASE  
Disposition: PERMANENT RECORD

APPROVED AND REJECTED REAPPORTIONMENT PLANS  
Disposition: PERMANENT RECORD

Correspondence relating to reapportionment  
Disposition: Temporary Record. Retain 3 years.

CITY ANNEXATION REPORTS  
Disposition: PERMANENT RECORD

TRANSCRIPTS OF PUBLIC HEARINGS ON REAPPORTIONMENT  
Disposition: PERMANENT RECORD

### **■ Administering Internal Operations:**

#### **Managing the Agency**

MEETING AGENDAS, MINUTES, AND PACKETS OF THE REAPPORTIONMENT COMMITTEE  
Disposition: PERMANENT RECORD.

Routine Correspondence  
Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

#### Administrative Reference Files

Disposition: Temporary Record. Retain for useful life.

#### Mailing Lists

Disposition: Temporary Record. Retain until superseded.

Records documenting the implementation of the agency's RDA (copies of transmittals forms to Archives or State Records Center, evidence of obsolete records destroyed, and annual reports to the State Records Commission)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

#### Copy of RDA

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the RDA is superseded.

System Documentation (hardware/software manuals and diskettes, warranties)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which former hardware and software no longer exists anywhere in the agency and all permanent records have migrated to a new system.

### **Managing Finances**

All records relating to finances are maintained by the Senate.

### **Managing Human Resources**

All records relating to human resources are maintained by the Senate.

### **Managing Properties, Facilities, and Resources**

All records relating to properties, facilities, and resources are maintained by the House of Representatives and the Senate.

## **Requirements and Recommendations for Implementing the Records Disposition Authority**

Under the Code of Alabama 1975, Section 41-13-21, "no state officer or agency head shall cause any state record to be destroyed or otherwise disposed of without obtaining approval of the State Records Commission." This Records Disposition Authority constitutes authorization by the State Records Commission for the disposition of the records of the Legislative Reapportionment Office (hereafter referred to as the agency) as stipulated in the document.

One condition of this authorization is that the agency submits an annual Records Disposition Authority (RDA) Implementation Report on agency records management activities, including

documentation of records destruction, to the State Record Commission in October of each year. In addition, the agency should make every effort to establish and maintain a quality record-keeping program through the following activities:

- The agency should designate a records liaison, who is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring the permanent records held on alternative storage media (such as microfilms and digital imaging systems) are maintained in compliance with national and state standards, and ensuring the regular implementation of the agency's approved RDA.
- Permanent records in the agency's custody should be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis – for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA's provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The agency should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records' permanent preservation and accessibility.
- Electronic mail contain permanent, temporary, or transitory record information, Although e-mail records can be printed out, filed, and retained according to the RDA's requirements, the division should preferably employ an electronic records management system capable of sorting e-mail into folders and archiving messages having long-term value.
- The staff of the State Records Commission or the Examiners of Public Accounts may examine the condition of the permanent records in the custody of the agency and inspect records destruction documentation. Government Records Division archivists are available to instruct the agency staff in RDA implementation and otherwise assist the agency in implementing its records management program.

The State Records Commission adopted this records disposition authority on October 23, 2013.

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Steve Murray  
Chairman, State Records Commission

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Date

Receipt acknowledged:

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Bonnie P. Shanholtzer  
Staff Director, Legislative Reapportionment Office

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Date