



State & Local Records News

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Open records study task force concludes its preliminary work

On September 19, the Alabama Open Records Study Task Force met in Montgomery to discuss preliminary recommendations from its five subcommittees for changes to Alabama's public records law. Some recommendations will be incorporated into a bill to be presented during the 2007 legislative session.

The task force, chaired by Senator Zeb Little and Representative Blaine Galliher, began its work in October 2005. Besides members of the legislature, it included representatives from various state agencies, local officials' organizations, historical and educational associations, public advocacy groups, and members of the press.

Impetus for a reassessment of the public records laws was generated by a 2003 survey of state and local officials' compliance in providing access to records that are legally open to public inspection. Legislative Act No. 2005-40, which strengthened and clarified requirements for most Alabama government agencies to hold open meetings, was also influential.

After the initial meeting of the task force, it divided into subcommittees to consider the following questions in detail: (1) What defines a public record? (2) What records should be exempted from the Open Records Law? (3) What should be the procedure for accessing a public record? (4)

What should be the penalties for failing to comply with the Open Records Law? (5) What issues relate to the ownership and disposition of public records?

Recommendations of the task force's five subcommittees, if implemented in the final legislation, could profoundly affect access to state and local records in the future:

- They proposed redefining the *Code of Alabama's* definition of a "record" to include, for the first time, records in electronic format.
- They included fourteen new classes of records to be exempted from public inspection, in order "to protect a variety of governmental and private interests."
- They designed a form and procedures for requesting access to, or copies of, records from state or local agencies.
- They raised the crime of intentionally destroying, or improperly withholding access to, a public record from a Class A Misdemeanor to a Class C Felony, with increased penalties for violations.
- They opened the possibility of making all agency records transferred to ADAH available to the public for research 75 years after their transfer.

Although September 19 was the last official meeting of the task force, its members offered further input during a 30-day comment period. Senator Little and Representative Galliher will draft the open records bill, which they hope to have ready by the beginning of the legislative session.

For more information about the proposed open records legislation, contact the offices of Senator Zeb Little or Representative Blaine Galliher. *State and Local Records News* will continue to cover this important bill as it proceeds through the legislative process.

LOCKSS: “Lots of Copies Keep Stuff Safe” (i.e., preserving digital resources)

The Institute of Museum and Library Services has awarded a National Leadership grant to the Network of Alabama Academic Libraries (NAAL), a partnership of all the state’s public and non-profit private four-year colleges and universities, and to other affiliated research libraries, for a two-year research project to develop a state-based, distributed, low-cost model for the long-term archival preservation of locally-created digital resources.

In this two-year project, participants will establish the Alabama Digital Preservation Network (ADPN) and test the feasibility of a collaborative statewide preservation model that relies on distributed technology for the long-term storage of digital content. Because the technology is relatively inexpensive, designed for ease of use, collaboratively supported and maintained, and does not require large investments of staff time or money, it is especially suitable for a large range of repositories, from well-funded ones to those operating on tight budgets.

The ADPN can store a wide range of digital resources created by single institutions, such as local history museums and archives, consortia such

as public library systems, local government and state agencies, or even individuals who have developed such digital resources as botanical field specimen collections. It is especially attractive for statewide implementation because it uses open-source, relatively inexpensive technology. Once the Web servers and LOCKSS caches are operational, a LOCKSS preservation network requires little in the way of scheduled maintenance.

Seven NAAL members are contributing facilities and staff to operate the Network. These institutions (Auburn University, Spring Hill College, Troy University, University of Alabama, University of Alabama at Birmingham, and University of North Alabama), along with the Alabama Department of Archives and History, will each host one of the servers needed for the network. These servers are geographically dispersed to assure that if a disaster strikes one section of the state, the digital archives will be secure at a distance from the disaster site.

As more content becomes available in digital formats, Alabama residents will expect organizations to recover quickly in the event of another disaster. ADPN is an effective solution to prevent loss of digital assets through physical damage from natural events, human intervention or error, or just the ravages of time. It addresses a pressing need for Alabama repositories to ameliorate the risk of physical damage while planning to manage obsolescence threats.

State and Local Records Commissions approve RDAs

At its meeting on October 25, 2006, the **State Records Commission** approved new records disposition authorities (RDAs) for: (1) the Alabama Board of Examiners for Speech-Language Pathology and Audiology and (2) the Joint Fiscal Committee/Legislative Fiscal Office. The commission also approved revised RDAs for the Alabama Office of the Treasurer, Alabama Public Universities, and

the Jefferson County Department of Health. Finally, the commission reviewed annual RDA implementation reports from 21 state agencies.

Also meeting on October 25, the **Local Government Records Commission** approved a new RDA for 9-1-1 emergency communications districts (see the article below), as well as revised RDAs for municipalities and regional planning commissions.

The records commissions' next meetings will be held on **Wednesday, January 24, 2007**. The State Records Commission will convene at 10:00 a.m., and the Local Government Records Commission will begin at 1:30 p.m. Both meetings will be held in the Regions Board Room on the third floor of ADAH.

Records retention requirements established for 9-1-1 districts

The RDA for 9-1-1 emergency communications districts, which was approved by the Local Government Records Commission on October 25, is the first new RDA for local government in several years. Although other local RDAs (county commission, municipal, and law enforcement) already provided disposition for a few 9-1-1 records, the new document should be comprehensive and will place these important agencies on an equal footing.

The ADAH local records staff plans to follow up this project by developing a new RDA for local emergency management agencies (EMAs) during 2007.

The 9-1-1 RDA was created in cooperation with the Alabama Chapter of the National Emergency Number Association (NENA). That organization's current president, Deputy Chief Harold Parker of the Homewood Fire Department, strongly supported the initiative. Lt. Brian Bonner of Homewood and Rod Coleman, executive director of Tuscaloosa's 9-1-1 center, coordinated work with the 9-1-1 districts. Alabama NENA formally

approved the draft RDA at its annual conference in Orange Beach on October 17.

The 9-1-1 RDA may be seen on the ADAH website at: www.archives.alabama.gov/officials/rdas/local/911rda.pdf.

ADAH reference room again open on all Saturdays

Beginning on October 7, ADAH resumed offering reference service to the public on all Saturdays. Due to budget cuts, our reference room had been closed on all but the first Saturday of each month for several years. The resumption of service was made possible through funding in our 2007 budget recommended by Governor Riley and approved by the legislature during its last session.

The reference room's normal hours are once again Tuesday through Saturday, 8:30 a.m. to 4:30 p.m. It will be closed on Sundays and Mondays, as well as on all state holidays designated by the legislature or the governor's office.

For information on holiday closings and other schedule changes, check the ADAH website at: www.archives.alabama.gov/intro/hours.html.

Ask the archivist

Question: *Where can I find information on how to conduct preservation assessments of archival facilities and/or collections?*

The Northeast Document Conservation Center (NEDCC) in Andover, Massachusetts, offers preservation services for a wide variety of collections and collections facilities. Technical publications that address preservation activities, including assessment, are a part of its strong educational outreach component.

Small to mid-sized institutions with non-circulating collections may wish to utilize "Priority Actions for Preservation." This technical leaflet is

on the NEDCC website (www.nedcc.org), under “Caring for your Collections.” It outlines actions to increase staff awareness of common preservation strategies and offers step-by-step solutions.

The activities covered come under a wide range of headings, beginning with building maintenance and ending with fundraising. They include environmental concerns, pest control, security, emergency preparedness, and general storage issues for all materials common to collections. Although activities in the leaflet are not prioritized, readers can use it to develop long-range plans for improving buildings and preserving collections.

For a more in-depth survey, particularly useful for large institutions, NEDCC sells *Assessing Preservation Needs: A Self-Survey Guide*.

More information on this and other records conservation issues is available from Linda Overman, ADAH preservation officer, at (334) 353-4726 or linda.overman@archives.alabama.gov