Senate Bill 180:
Public Records Access

Introduced by

Senator Mike Cooney

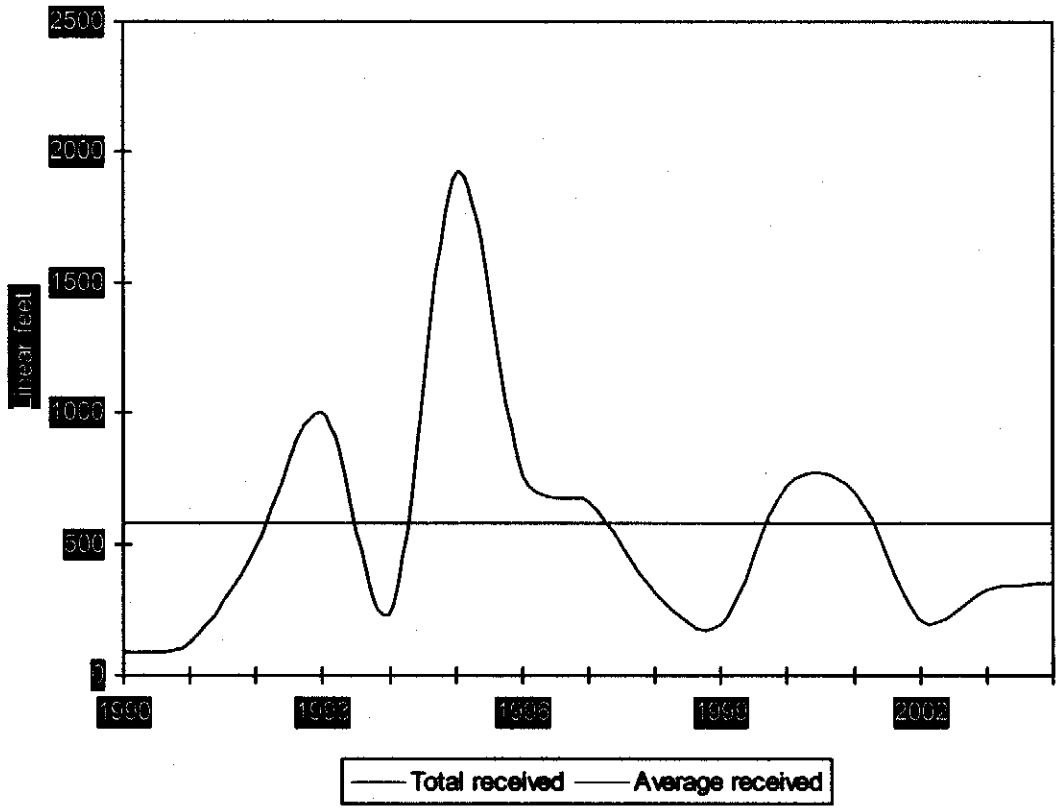
SENATE STATE ADMIN.
EXHIBIT NO. 2
DATE 1.17.05
BILL NO SB 180

The Historical Society Archives…

- Is required by statute (MCA 22-3-202) to preserve historically significant records of state government
- Currently has only 1 archivist who works part time with the state records of all executive and legislative agencies
- Holds over 11,000 feet of state records; 90% of which are currently inaccessible to the public

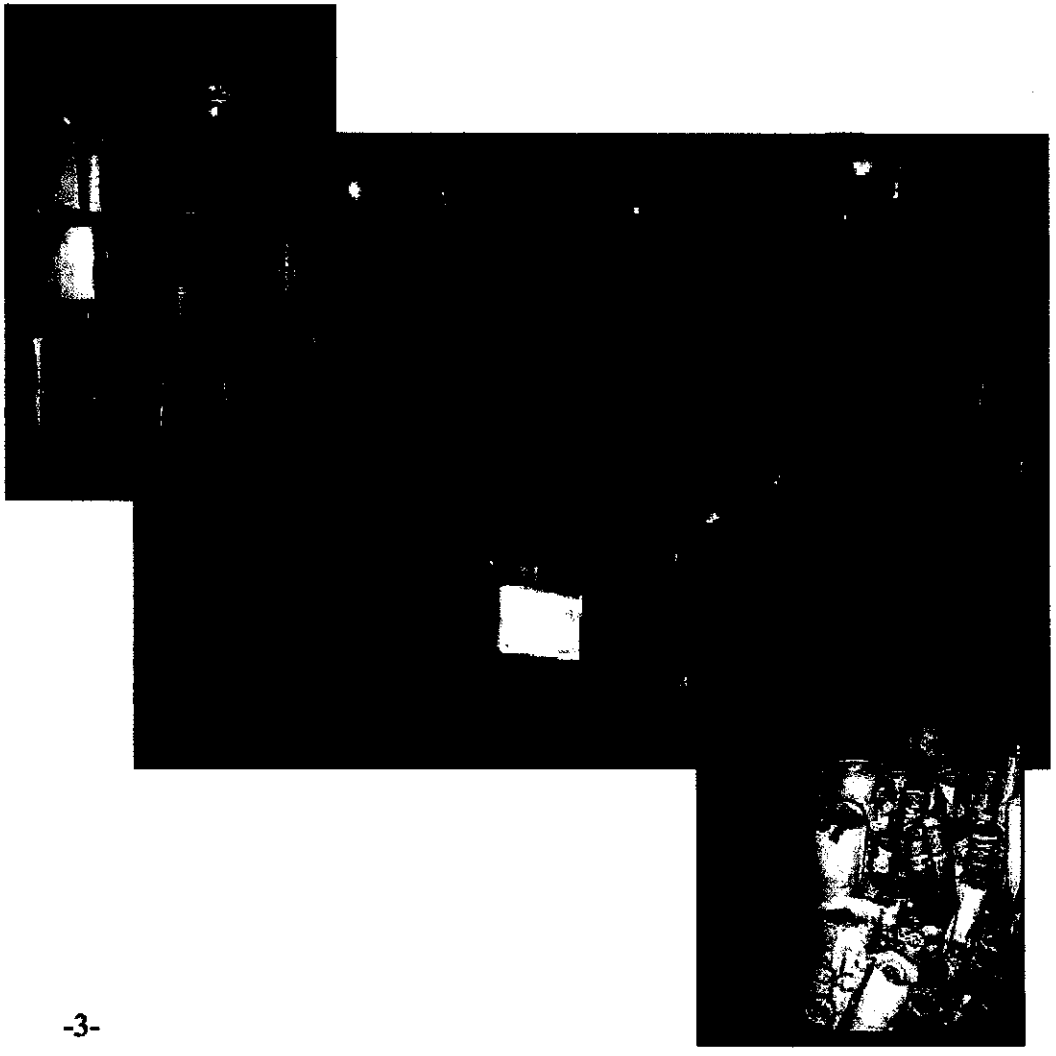
The Historical Society Archives….

- Receives an average of 600 feet of state records annually



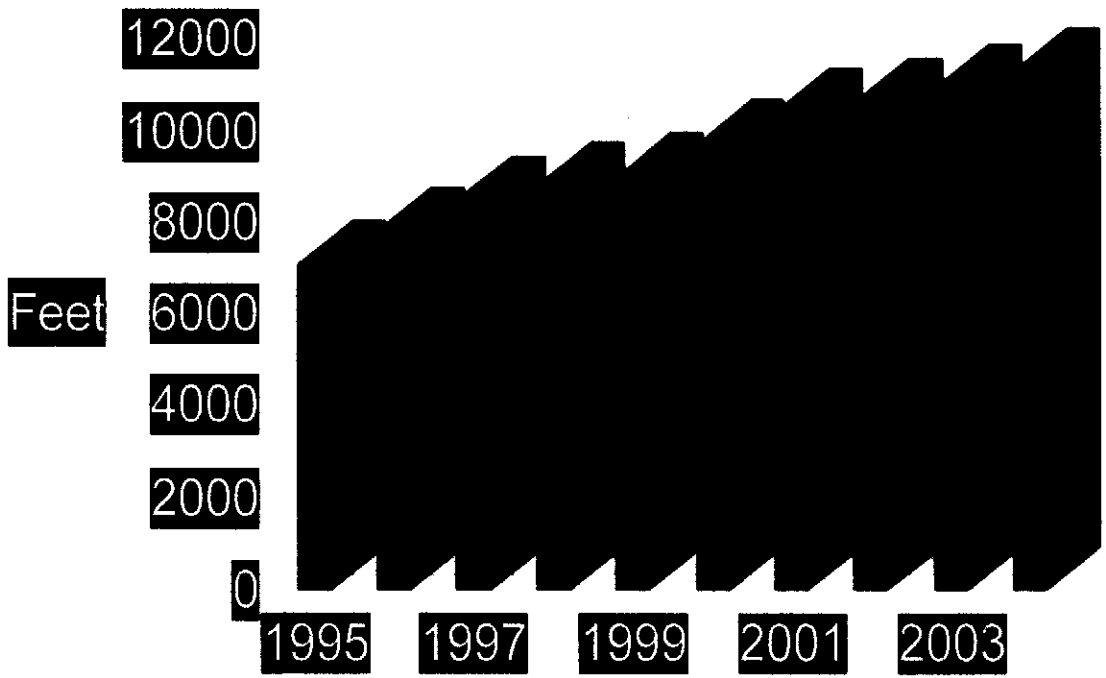
The Historical Society has a crisis of space

- The Society is currently at 98% capacity.
- Additional staff could reduce the amount of storage space required.

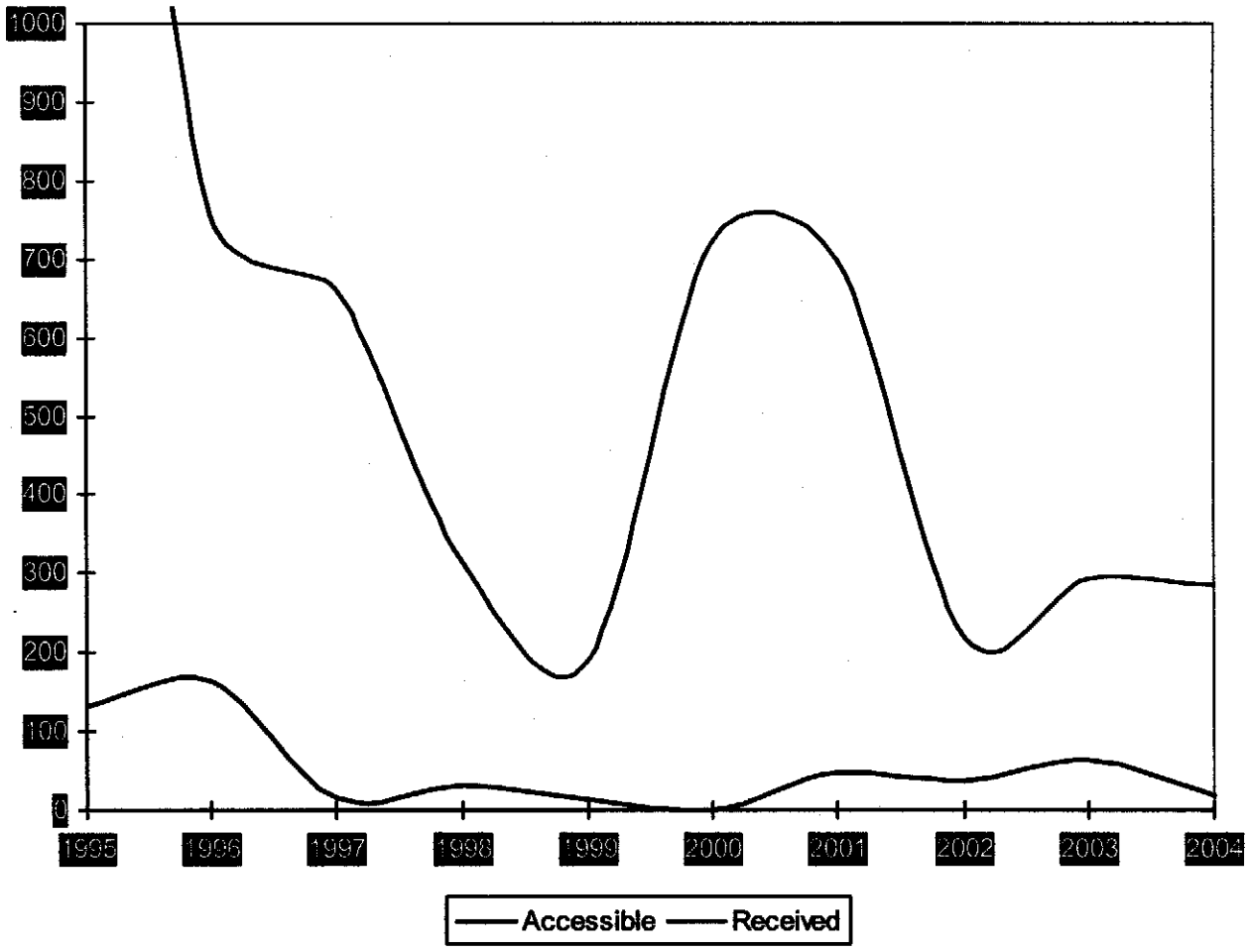


Growth in State Records

•Over the past 10 years the Historical Society Archives has seen a continual growth in the amount of state records they maintain.

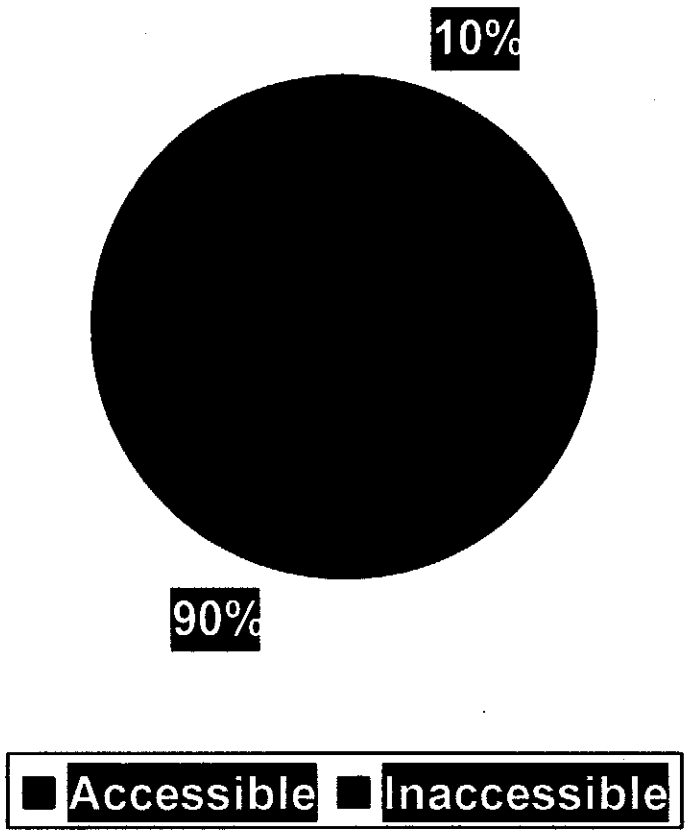


State records are largely inaccessible to the public



Records Accessible to the Public

•The majority of state records are currently inaccessible to the public.



What is SB180?

- Authorizes the Historical Society to charge an annual fee to cover the cost of storage, management, and access to public records.
- This fee is based on each agency's authorized FTE, as recognized in the state budget.

Why base the fee on FTE?

Larger agencies deposit more records.

Smaller agencies deposit fewer records.

Public Health & Human Services	2677 FTE	2485 Feet
Corrections	1114 FTE	1072 Feet
Transportation	724 FTE	1953 Feet
Secretary of State	44 FTE	234 Feet
Board of Public Education	8 FTE	20 Feet

Why not assess the fee per box?

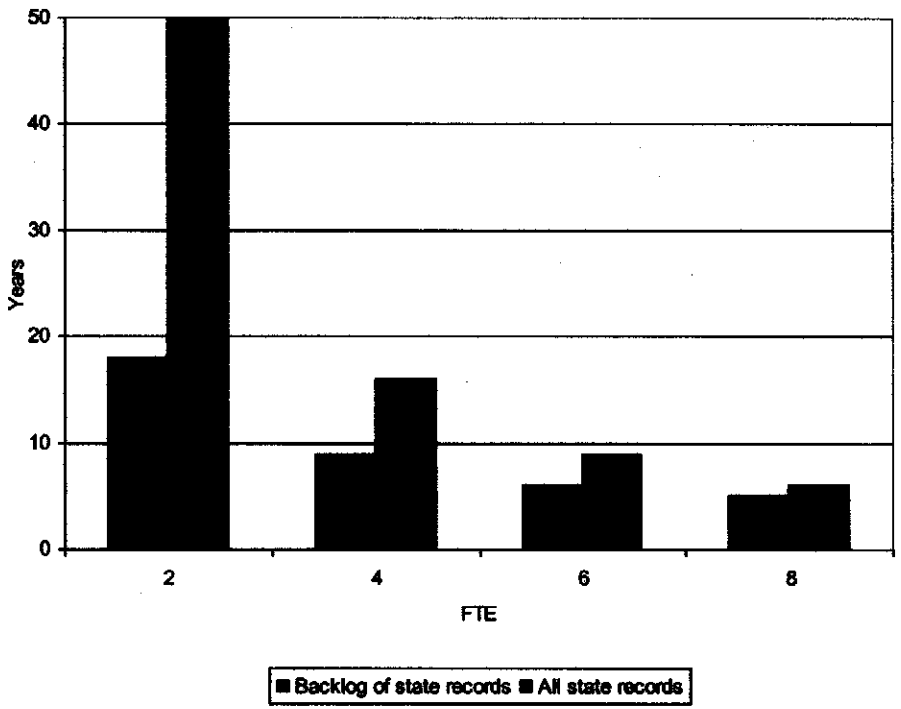
- A per box fee would discourage agencies from sending records to the Archives.
  - If they don't send any boxes, they won't pay a fee.
- This system would result in the loss of historically significant state records.

How would SB180 help?

- Funds generated by this bill will allow the Historical Society to hire 2 additional full-time, professional archivists to:
  - Assess state records for historic value
  - Arrange state records for ease of use
  - Preserve state records
  - Catalog state records to make them accessible to the public

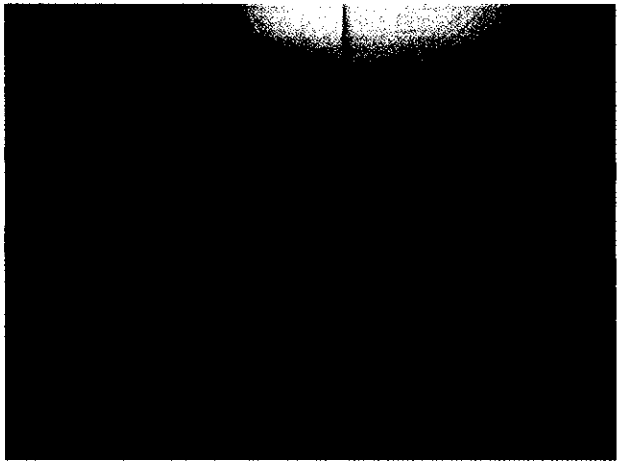
How much can 2 archivists do?

- 2 archivists can address
  - 3 feet or 6,000 pieces of paper per day
  - 500 boxes or 1.5 million pieces of paper per year
- At this rate
  - currently inaccessible records would be accessible in 18 years
  - all records received would be accessible in 50 years

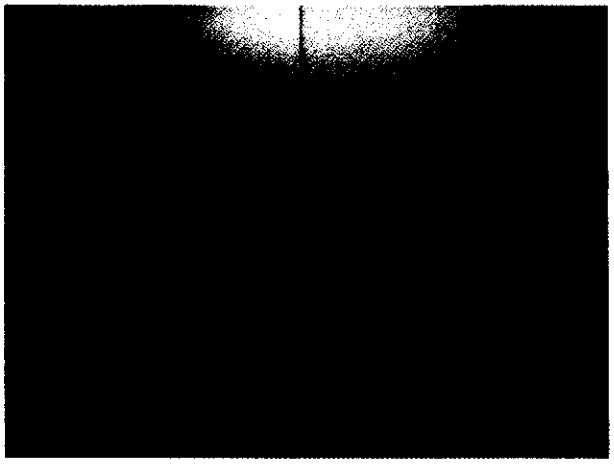


With additional Archivists the amount of state records can be reduced:

A group of 350 boxes…

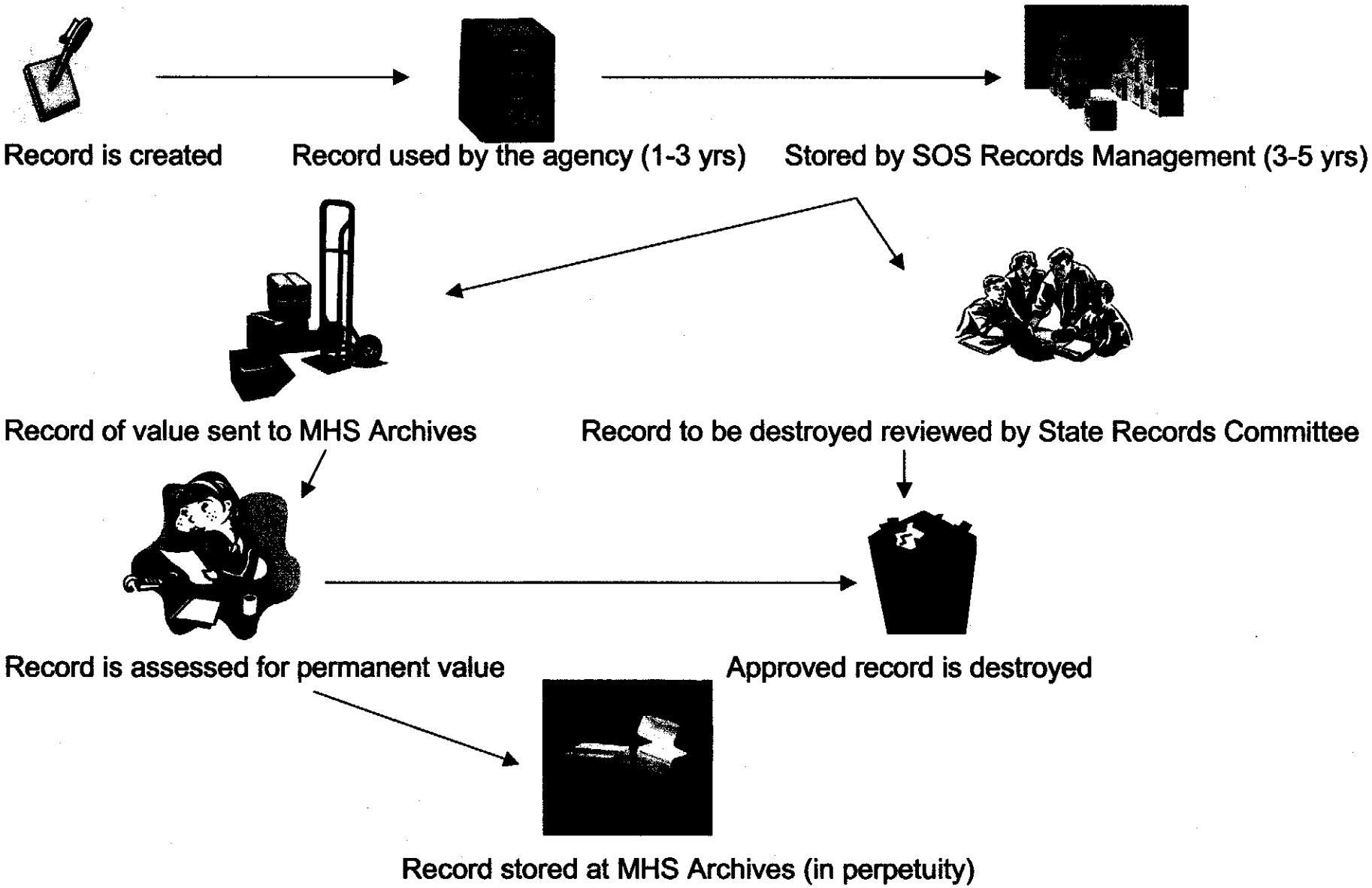


…could be reduced by as much as 140 boxes (40%)…



…or up to 210 boxes (60%).

The Lifecycle of a State Record



How does the Historical Society decide what to keep?

- Some examples of records that ARE retained include:
  - Governor's correspondence
  - Correspondence of agency directors / elected officials
  - Unpublished reports
  - Minutes of meetings
  - Attorney General's case files and opinions
  - Materials devoted to particularly significant issues
  - Supreme Court case files
  - Legislative minutes, bills, etc.

How does the Historical Society decide what NOT to keep?

- **Records NOT retained include:**
  - Duplicate records (such as 2nd copies of letters or reports)
  - Correspondence that is routine
  - Published reports
  - Records that have been microfilmed
  - Other materials that have no significant content

What if SB180 is not passed?

- MHS will be forced to refuse to accept state records of historical significance.
- Agencies will be forced to store and provide access to their own records .
  - access to state records will be greatly reduced or completely gone
- MHS will be forced to turn public space, such as museum galleries, into storage for state records.
- MHS will have to request funds to rent additional storage space.