

1 HOUSE BILL NO. 66

2 INTRODUCED BY K. SWANSON

3 BY REQUEST OF THE SECRETARY OF STATE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT THE STATE RECORDS COMMITTEE IS
6 ADMINISTERED BY THE SECRETARY OF STATE; PROVIDING THAT THE SECRETARY OF STATE'S
7 REPRESENTATIVE IS THE PRESIDING OFFICER; PROVIDING RULEMAKING AUTHORITY; AND AMENDING
8 SECTIONS 2-6-203 AND 2-15-1013, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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12 **Section 1.** Section 2-6-203, MCA, is amended to read:

13 **"2-6-203. Secretary of state's powers and duties -- rulemaking authority.** (1) In order to ~~insure~~
14 ensure the proper management and safeguarding of public records, the secretary of state shall ~~undertake the~~
15 following:

16 (a) establish guidelines for inventorying, cataloging, retaining, and transferring all public records of state
17 agencies;

18 (b) review and analyze all state agency filing systems and procedures and approve filing system
19 equipment requests;

20 (c) establish and operate the state records center, as authorized by appropriation, for the purpose of
21 storing and servicing public records not retained in office space;

22 (d) gather and disseminate information on all phases of records management, including current
23 practices, methods, procedures, and devices for the efficient and economical management of records;

24 (e) operate a central microfilm unit ~~which~~ that will microfilm, on a cost recovery basis, all records
25 approved for filming by the office of origin and the secretary of state; ~~and~~

26 (f) approve microfilming projects and microfilm equipment purchases undertaken by all state agencies;
27 and

28 (g) adopt rules regarding the management of public records.

29 (2) Upon request, the secretary of state shall assist and advise in the establishment of records
30 management procedures in the legislative and judicial branches of state government and shall, as required by

1 them, provide services similar to those available to the executive branch."
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3 **Section 2.** Section 2-15-1013, MCA, is amended to read:

4 **"2-15-1013. Records committee -- composition and meetings.** (1) There is a committee to be known
5 as the state records committee composed of representatives of:

6 (a) the department of administration;

7 (b) the legislative auditor;

8 (c) the attorney general;

9 (d) the secretary of state; and

10 (e) the Montana historical society.

11 (2) The representatives are to be designated by the head of the respective agencies, and their
12 appointments ~~shall~~ must be submitted in writing to the secretary of state.

13 (3) The committee shall meet at least quarterly.

14 (4) Committee members shall serve without additional salary but are entitled to reimbursement for travel
15 expense incurred while engaged in committee activities as provided for in 2-18-501 through 2-18-503. ~~Such~~
16 ~~expenses shall~~ Expenses must be paid from the appropriations made for operation of their respective agencies.

17 (5) The state records committee is administered by the secretary of state, and the secretary of state's
18 representative serves as the presiding officer for the committee."

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20 NEW SECTION. **Section 3. Directions to code commissioner.** Section 2-15-1013 is intended to be
21 renumbered and codified as an integral part of Title 2, chapter 6, part 2.

22 - END -