

HJR 2 ERM Work Group Findings and Recommendations<sup>1</sup>  
(030314; with revisions following 2/19/14 work group meeting)

All findings and recommendations reflect that Montana needs to ensure that public records are managed to uphold the rights of Article II, Sections 8, 9, and 10 of the Montana Constitution—the right of participation, the right to know, and the right to privacy.

*Recommendations in italics are also part of the recommended rewrite of public records laws (see Rec. 3.1)*

Finding #1: Improving ERM needs to be viewed as a long-term effort, and strategies for improving ERM need to utilize technology and be coordinated, effective, implemented and sustained with collaboration between the IT and RM communities .

Recommendations:

1.1a The Secretary of State in consultation with the Records and Information Management Advisory Council (see Rec 1.3) should ~~procure and~~ utilize a 3rd party consultant to assess enterprise ERM and develop strategic and tactical plans.

1.1b The Legislature should appropriate sufficient funding to the Secretary of State for the purpose of the Secretary of State, in consultation with the Records and Information Management Advisory Council (see Rec 1.3), utilizing a 3rd party consultant to assess enterprise ERM and develop strategic and tactical plans.

1.2 Require joint approval of records management equipment or systems by SOS and DOA (2-6-214 (2), MCA)

1.3 Create a statutory Records and Information Management Advisory Council (RIMAC) that must be consulted in any/all matters related to state records management programs (development of rules, standards, and guidelines; strategic planning; etc.)

Finding #2: Records management needs to be a higher priority.

Recommendations:

2.1 Require agencies to provide records management training for all employees (2-6-213, MCA)

2.2 Strengthen qualification req'ts of agency records custodians (2-6-213, MCA)

2.3 Make agency directors responsible for RM (2-6-213, MCA)

2.4 Strengthen/clarify compliance authority of SOS (2-6-203, MCA)

2.5 Add RM requirements to agency IT strategic planning (2-17-524, MCA)

2.6 Create enough statutory and rule requirements for RM so that compliance can be audited, and strengthen audit requirements for RM (statute)

2.7 DOA should establish occupational levels/series/certification for RM.

Finding #3: Statutes for records management need to be clarified.

Recommendations:

3.1 Statutes need to address both public records and public information (definitions)

3.2 MT Public records law should be reorganized (See separate statutory options document and numerous individual recommendations)

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<sup>1</sup> Note that many of the recommendations address more than one finding.

Finding #4: Any ERM improvements need to be adequately funded with dedicated resources (capital/technology, human).

Recommendations:

4.1 Funding strategies TBD (funding subgroup working on this)

4.2 ~~The executive planning process should place greater emphasis on records management.~~ Agencies should emphasize records management through the executive planning process.

Finding #5: State and local governments need more guidance related to records management.

Recommendations:

5.1a The Secretary of State in consultation with RIMAC should improve web-based resources and increase training opportunities for RM.

5.1b The Legislature should appropriate sufficient funding to the Secretary of State for the purpose of improving web-based resources and increasing training opportunities for RM.

5.2 The Secretary of State and Department of Administration in consultation with RIMAC should further exercise their rule, standard, and guideline authority.

Finding #6: Montana needs a way to permanently archive electronic records that are deemed to be of permanent value both at agencies and at MHS.

Recommendations:

6.1a MHS should utilize an independent consultant to develop a plan to create a digital archives, contract with a vendor, or pursue cooperative opportunities with other states in order to permanently archive electronic records (or the development of this plan should be included as part of Rec. 1.1).

6.1b The Legislature should appropriate sufficient funding to MHS for the purpose of utilizing an independent consultant to develop a plan to create a digital archives, contract with a vendor, or pursue cooperative opportunities with other states in order to permanently archive electronic records (or the development of this plan should be included as part of Rec. 1.1).

6.2 SOS and DOA should ensure agency ERM systems have permanent archiving capability through the approval process pursuant to 2-6-214(2), MCA (see Rec. 1.2).