



MAX MILLSTONE
SECRETARY

STATE OF MARYLAND
DEPARTMENT OF GENERAL SERVICES
HALL OF RECORDS
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EDWARD C. PAPENFUSE
STATE ARCHIVIST AND
COMMISSIONER OF LAND PATENTS
GREGORY A. STIVERSON
ASSISTANT STATE ARCHIVIST

AGENDA

HALL OF RECORDS COMMISSION MEETING
Hall of Records Building, Second Floor
Corner of St. John's Street & College Avenue
Annapolis, Maryland

June 27, 1978

12:00 Noon

-
1. Call to order by the Chairman, and minutes of the last meeting (attachment)--Judge Murphy.
 2. New archives area in Executive/Archives Building, a progress report--Dr. Papenfuse.
 3. Temporary storage space for the archives, status report--Mr. Zee.
 4. Second Conference on Maryland History, a report.
 5. Summer and Continuing Internship Program, status report.
 6. Acting Governor Lee's support of the Legislative History Project (see attachment).
 7. Publications Program--Dr. Stiverson
 - a. status report/demo of text-editing system
 - b. FY 1980 proposals
 - A Guide to the State House
 - Finding aids for the records of the Court of Appeals, Comptroller's Office, and Treasurer's Office.
 8. Maryland Manual
 - a. new staff
 - b. format--proposed continuation of the design for 1977-1978 Manual
 - c. distribution
 9. Records Retention and Disposal Schedules--the new law (attachments)

10. Legislation for 1979 General Assembly
 - a. revive consolidated publications account bill?
 - b. uniform recordation fee for plats?
 - c. designate the Hall of Records Commission as the Maryland Commission on the Bicentennial of the Federal Constitution 1981-1989.
11. New assignments:
 - a. Maryland Commission on Artistic Properties
 - b. State House Trust
12. Baltimore City Archives
13. Forms Management--Mr. Schneider
14. Other Business
15. Next Meeting
16. Adjournment

Minutes of the Hall of Records Commission Meeting
June 27, 1978

A meeting of the Hall of Records Commission was held in Annapolis in the office of Dr. Edward C. Papenfuse, State Archivist, in the Hall of Records Building, on Tuesday, June 27, 1978.

The following members were in attendance:

The Honorable Robert C. Murphy
Chairman, Hall of Records Commission
Chief Judge, Court of Appeals of Maryland

Dr. Richard D. Weigle
Vice Chairman, Hall of Records Commission
President, St. John's College

The Honorable Louis L. Goldstein
Comptroller of the Treasury

The Honorable J. Max Millstone
Secretary, Department of General Services

Also present were:

Edward C. Papenfuse, Secretary
Hall of Records Commission
State Archivist and Commissioners of Land Patents,
Archives Division, Hall of Records

Robin J. Zee, Director
Office of Central Services
Department of General Services

Cynthia H. Requardt
Manuscript Librarian
Maryland Historical Society

Edwin A. Quist
Librarian
Peabody Institute Library

Philip F. Schneider
Records Administrator
Records Management Division, HRC

Gregory A. Stiverson
Assistant State Archivist
Archives Division, HRC

The meeting was called to order by the chairman at 12:40 p.m.

1. Judge Murphy called for additions or corrections to the minutes of the last Commission meeting held November 15, 1977. Hearing none, he dispensed with the reading of the minutes and they were approved as circulated.

2. Dr. Papenfuse discussed mobile shelving that he had seen on his European trip. He then showed a movie he had taken of mobile shelving units in Paris, Edingurgh, and London, demonstrating hand cranked and power driven models manufactured by Brunzeel and Lundia. Dr. Papenfuse indicated that the specifications developed by Brunzeel for the new Hall of Records Archives have been given to the architects and will be the basis for the specs submitted for the shelving for the new Archives building.

Mr. Millstone commented on progress on the news Archives facility, noting that none of the families presently living in the Housing Authority units will be evicted. The turnover rate for residents in the complex is high, and it is anticipated that none will still be there when construction is ready to commence this fall.

3. Dr. Papenfuse distributed a memorandum of March 13, 1978, written by him to Robin Zee concerning the critical shortage of space confronted by the Hall of Records. Mr. Zee reported that additional space in the Cheltenham Warehouse has been secured to at least partly serve the needs of the Archives. The Hall of Records Commission already has between 10,000 and 12,000 square feet of space in the Cheltenham Warehouse--most of it used by Records Management--and the Archives will receive some of this space in addition to the additional 5,000 square feet of space. Although this will not satisfy the requirements of the Archives for the next three years, Records Management will be moving into their new warehouse facility sometime in the fall of 1979, and this will free up additional space for the Archives. Mr. Zee stated that Mr. Millstone had agreed that funds would be found for the purchase of the additional shelving that will be required for the additional 5,000 square feet of space in the Cheltenham Warehouse that will be allocated to the Archives Division.

On a motion introduced by Mr. Goldstein and seconded by Dr. Weigle, it was agreed that the Hall of Records Commission, Archives Division, utilize the 5,000 sq. ft. of space available at the Cheltenham Warehouse, and that shelving be purchased for that space for the storage of records.

4. Dr. Papenfuse presented a report on the Second Conference on Maryland History, held at the Francis Key Auditorium, St. Johns College, May 24-26, 1978.

Dr. Papenfuse noted that we were most fortunate to have Margaret Koontz as Conference Coordinator, adding that she has agreed to continue on as a continuing Intern to assist in compilation of the new edition of the Maryland Manual.

Dr. Papenfuse thanked the members of the Hall of Records Commission who participated in the Conference, presenting photographs to Judge Murphy, Mr. Goldstein, and Dr. Weigle taken at the Conference. A photograph of the Deputy Secretary, Mr. Klasmeier, was given to Mr. Millstone for presentation to Mr. Klasmeier.

Judge Murphy asked that the minutes contain an expression of thanks by the Hall of Records Commission to Dr. Papenfuse and his staff for the fine job they did in producing the Second Conference on Maryland History.

5. Dr. Papenfuse reported on the Summer Internship and Continuing Internship Programs at the Hall of Records. There were 85 applicants for this summer's internship program, of whom 19 were selected to participate. Under the direction of the professional staff, one intern will work on the Scharf Collection, one on the Legislative History Project, two with Stephanie Tooles accessioning plats and handling correspondence, four, including Margaret Koontz, will work with Diane Frese on the State Publications and Reports Inventory, six will work with Sue Collins, Chris Allan, and Teresa Fountain in the photolab, and six will work with Pat Vanorny on an inventory of the stacks and Guide to the Records of St. Mary's County. Through the efforts of Teresa Fountain, the Archives Division has been fortunate to receive the aid of a CETA employee, who has worked in the photolab for the past few months and who will work there this summer.

6. Dr. Papenfuse noted that as a result of the last Hall of Records Commission meeting, and with assistance from Comptroller Goldstein, Acting Governor Lee was requested to insure funding of the Legislative History Project, 1790-1865, in the executive budget. Dr. Papenfuse reported that not only had Governor Lee submitted a request for funds for the Project, he also specifically mentioned the Project in the narrative description of the Hall of Records in the budget book.

7. Dr. Stiverson reported on the Hall of Records publications program. The Bicentennial Bulletin had to be discontinued following the death of Frank White, Jr., because of a lack of time and staff. Mr. Goldstein suggested that we might explore means to resume publication of the Bulletin once more.

Dr. Stiverson reported that A Guide to Local, Judicial, and Administrative Records on Microform, Allegany through Baltimore Counties, Including Baltimore City, the first in a series of guides to local records on microform, will be published within the month. This 231-page volume includes references to approximately 30,000 reels of microfilm, and it provides two important benefits: 1) allows the Hall of Records to distribute records on microform to patrons throughout the state and nation through interlibrary loan, thus effectively decentralizing the Archives, 2) because the book was keyboarded on an in-house text editing system it proved to be very economical to produce. In FY '76 the cost of composing and printing the Guide was estimated to be \$13,000. Because of economies achieved by using the in-house text editor, author alterations were reduced

substantially and the cost of page composition was much lower than expected. Furthermore, since much of the sorting was done by computer from magnetic tapes generated on the text editor, the margin of error was considerably reduced. Because of these savings, the book will be published for approximately \$9,000, or about \$4,000 less than predicted three fiscal years ago. This money saved will revert to the general fund.

Dr. Stiverson also reported that the first volume of the Biographical Dictionary of the Maryland Legislature, 1635-1789 is progressing on schedule. The frontmatter for the 720-page book has been typeset, the 80 pages of session lists are nearly completed, and sample pages from the biographies, which include all men who sat in the Maryland General Assembly from 1635 to 1789, have been received. Here again the text editor resulted in substantial saving, in addition to making for a more accurate final product by allowing last-minute editorial control. Samples of pages from both the microform guide and the biographical dictionary appear as appendixes to these minutes.

Dr. Papenfuse then discussed another possible Hall of Records publication, this an illustrated Guide to the Maryland State House. Dr. Papenfuse indicated that 5,000 copies of a Guide similar to one published by South Carolina would cost approximately \$30,000, largely because of the cost of color illustrations. Mr. Goldstein suggested that a smaller per unit cost could be achieved by having a larger press run.

On a motion by Dr. Weigle it was seconded and approved that the Hall of Records Commission propose to the Office of Economic and Community Development that they publish the Guide to the Maryland State House written by Dr. Papenfuse and Sarah Hanan with funds available in their revolving publications account.

Mr. Millstone then suggested that since it would be a year or so before the Guide was ready for publication that if DECD was unwilling to publish it that by then the Hall of Records would be able to consider the project if the Consolidated Publications Account bill passes the next legislature.

Comptroller Goldstein suggested that the South Carolina Guide should be shown to Acting Governor Lee and the State House Trust with a proposal for doing a similar book for Maryland so that the idea can be presented to the Board of Public Works, which then could direct DECD to consider publication of the Guide.

Dr. Papenfuse then reviewed the finding aids program of the Hall of Records, specifically the guide to county records on microform, the guide to the records of St. Mary's County, and the proposed guides to the records of the Court of Appeals, the Comptroller's Office, and the Treasurer's Office. Dr. Papenfuse then asked if the Hall of Records Commission approved of the Archives Division proceeding with the finding aids program as outlined.

On a motion by Mr. Goldstein that was seconded and approved, the Hall of Records Commission endorsed the Archives Division finding aids program and agreed that it should be continued as presently structured.

8. The Archives Division faces special problems this year with the Maryland Manual due to the death last January of Frank White, Jr., who had compiled all of the editions since 1961. In addition, since this is an election year additional problems will be encountered because much of the information necessary for the new edition of the Manual will not be available until early November, and yet the deadline for having the first copies of the Manual out is February 1979. In addition, because of mandates from the Hall of Records Commission and the Board of Public Works, we must produce a full Manual this year, including the Constitution, historical section, election returns, and other sections deleted from the last Manual.

The staff for production of the new Manual will be: Dr. Papenfuse, managing editor; Dr. Stiverson, editor; Ms. Frese, assistant editor; and Ms. Koontz, editorial assistant.

Dr. Papenfuse then posed several questions concerning the new edition of the Manual, which, on the motion of Comptroller Goldstein, the Commission resolved as follows:

1) The new Manual should be set 9/10 instead of 10/12 to achieve a saving of 15%-20% in typeset pages.

2) Responding to an observation by Judge Murphy that the Judiciary does not receive equal treatment with the other branches of government in the Manual it was agreed that it is especially appropriate since this is the 200th anniversary of the Court of Appeals that short biographical sketches of the ranking judges be included, as well as photographs of judicial leaders.

3) On a motion by Dr. Weigle it was agreed that the new Manual should continue the design changes implemented with the 1977-78 Manual.

4) It was agreed that the new Manual would contain no color except for the cover, and that the text editing system would be utilized in producing the new Manual. A temporary typist can be employed for three to four months to assist with typing copy for the new Manual.

Dr. Papenfuse concluded the discussion of the Manual by noting that we hope not to exceed the present press run of 9,500 copies. We will make every effort to see that everyone in government who needs a Manual receives one, but that by streamlining the distribution list savings on the number of free copies distributed should be achieved. Dr. Papenfuse will submit a proposed distribution list to the next Hall of Records Commission meeting in the fall.

President Weigle moved that a resolution be prepared on behalf of the Hall of Records Commission extending the condolences of the Commission

to the family of Frank White, Jr. (see the attached resolution).

9. Dr. Papenfuse then discussed the change in approval of records retention schedules imposed by the last session of the General Assembly. To accommodate the requirements of the new law, he submitted for consideration a Resolution (copy attached) outlining the procedure whereby the Hall of Records Commission approves records retention schedules reviewed by the State Archivist. The Resolution submitted by the State Archivist was approved as amended (see copy attached).

10a. After brief discussion, it was agreed that the Hall of Records Consolidated Publications Account bill, which was passed the Senate and House in the last two legislative assemblies, should be prefiled for the upcoming General Assembly. The only changes that will be made to the bill will be to delete the word "early" in "early Maryland history" and to specifically exclude the Maryland Manual from being financed from the account.

10b. Dr. Papenfuse noted that the current law governing the recordation of plats is such a quagmire that it is impossible to determine why some counties claim exemption from recording plats with the Hall of Records and/or for paying the recordation fee levied against most counties for this service. It was the consensus of the Hall of Records Commission that an opinion from the Attorney General's Office should be solicited to determine the necessity of new regulations or legislation to clarify the matter of recording fees for plats. The Assistant Attorney General assigned to the Department of General Services will be asked to advise on the matter, and if a fee split arrangement for all counties is agreed upon, the split will be 50-50, with the Hall of Records receiving half of the fee collected by the respective counties.

10c. It was agreed to defer the issue of whether the Hall of Records should seek to become the Maryland Commission on the Bicentennial of the Federal Constitution until the next Hall of Records Commission meeting.

On a motion by Comptroller Goldstein that was seconded and approved, the Hall of Records Commission was enabled to act as a conduit to receive any and all Federal funds made available for the celebration of the Federal Bicentennial.

11. Secretary Millstone announced that Dr. Papenfuse has been appointed Secretary to both the Maryland Commission on Artistic Properties and to the State House Trust.

12. Dr. Papenfuse noted that since the last meeting of the Hall of Records Commission, when the matter of the Baltimore County records in the custody of the Baltimore City Archives had been discussed, that a new records administrator had been appointed by Mayor Schaeffer. This may have been a result of discussions Dr. Papenfuse and Comptroller Goldstein had with the mayor about this problem, and in any case the Commission agreed with Dr. Papenfuse's recommendation that the matter of the Baltimore County

record should be deferred until the new records administrator, Richard Cox, has settled into his new position.

13. Mr. Schneider discussed the impact of the new Forms Management law that will go into effect July 1, 1978. The intent of the law is, in the long run, to reduce the amount of paperwork generated by state agencies. Immediately, however, the major thrust of the law is to encourage interagency discussion of means to eliminate or reduce paperwork. Mr. Schneider reported that Records Management is ready to implement the law on July 1, and that it will submit a report annually to the legislative auditors concerning the effectiveness of the Forms Management Program.

Judge Murphy expressed concern that the responsibilities outlined in SB 388 concerning Forms Management vested in the Hall of Records Commission executive authority that might pose a conflict of interest to him in his role as chairman of the Hall of Records Commission. On a motion by Comptroller Goldstein that was seconded and approved, it was agreed that the responsibilities outlined in SB 388 be delegated by the Hall of Records Commission to the Secretary of the Department of General Services according to the provisions of Article 41 of the Annotated Code of Maryland.

14. Other Business

Mr. Zee presented a Draft Opinion from the Attorney General's Office concerning the issue of replevin of public records discussed at the last Hall of Records Commission meeting. The Draft Opinion states that all records generated by public agencies remain public records and are thus the property of the State. The Opinion also indicates that the Hall of Records may pay a finders fee to individuals who in good faith secure possession of public documents that rightfully belong to the State. A discussion followed concerning the desirability of submitting in the next Hall of Records budget a request for funds to make possible paying a reasonable finders fee for public documents that come into the possession of private individuals or dealers.

Dr. Papenfuse discussed the forthcoming celebration of the 200th anniversary of the Court of Appeals, and showed the Arguments and Opinions of the Court of Appeals for the year 1827, which was the year that Roger B. Taney first served in the court as Attorney General. Dr. Papenfuse proposed, and the Commission agreed, that it would be a fitting contribution of the Hall of Records Commission to restore and bind in leather the volume of Arguments and Opinions for presentation at the ceremonies commemorating the 200th anniversary of the Court of Appeals.

Mr. Zee noted that there had been some question as to what constitutes a quorum for the Hall of Records Commission, suggesting that a change in the law might be necessary to ensure a quorum for conducting business. A discussion of the fact that neither the president of Johns Hopkins nor the president of the Peabody ever attend followed. Mr. Goldstein suggested that the new head of Legislative Reference would be a good person to add to the Commission; Mr. Millstone suggested the State

Treasurer; Dr. Papenfuse said he would like to see a member of the history department at the University of Maryland on the Commission, perhaps the person in charge of the combined history/archives program. It was agreed that Dr. Papenfuse and Mr. Millstone would devise recommendations concerning changing the composition of the Commission.

15. Next Meeting

It was agreed that the next meeting of the Hall of Records Commission will occur at the Maryland Historical Society on November 9 at noon, subject to confirmation by Ms. Requardt who must ascertain that the conference room is available.

16. There being no further business, Judge Murphy entertained a motion for adjournment at 3:15 p.m.


Robert C. Murphy, Chairman
Hall of Records Commission


Edward C. Papenfuse, Secretary

Addenda
to the
Hall of Records Commission Minutes
June 27, 1978

RESOLUTION

Whereas Frank White, Jr., well and faithfully served the Hall of Records Commission for nineteen years as an archivist on the staff of the Hall of Records, and

Whereas he compiled and indexed the successive editions of the Maryland Manual from 1960-1961 through 1977-1978, and

Whereas he frequently and ably represented the Hall of Records Commission by giving public lectures and attending civic events,

Now, therefore, the Hall of Records Commission extends to the family of Frank White, Jr., its sincere condolences.

RESOLUTION

That all Records Retention Schedules submitted for the approval of the Hall of Records Commission shall be reviewed by the Archivist and shall be effective from the date of signing by the Archivist subject to written confirmation by the Commission at its next meeting. The Archivist may, after careful review of a schedule, require that schedules be rewritten in consultation with the Records Management Division to insure the proper preservation and care of records that in his opinion are permanently valuable. To aid in the review of schedules the Archivist may call upon experts to advise him as to the disposition of records.

At each meeting of the Commission the Archivist will submit a list of schedules signed since the previous meeting and shall bring to the attention of the Commission any problems of consequence that should arise from the scheduling process.

Adopted as amended.

78-040

BUDGET MESSAGE

TO THE

General Assembly of Maryland

and the

Budget in Brief



Annapolis, January 18, 1978

are received by the State Treasurer, as custodian of the funds, and the cost of operations is paid monthly in advance from actual receipts. The premiums for coverage of State employees are in each agency's budget; in 1979 the total request for State premium is \$5,710,626, 72 percent more than 1978, reflecting a need for the State Accident Fund to augment the reserves it maintains for State claims. The recommended 1979 budget is \$1,357,610 which represents a 17.9 percent increase over the 1978 appropriation of \$1,151,163.

STATE PLANNING

The Department of State Planning is the principal staff planning agency for State government. In addition to comprehensive State planning, the Department provides technical assistance to local governments and areawide planning organizations, serves as a clearinghouse for the review of Federal grants, develops the Capital Budget, and coordinates the Executive Planning System. The Regional Planning Council which serves as a consultative and coordinating agency for the Baltimore metropolitan area, is assigned to the Department of State Planning. The recommended budget for fiscal 1979 provides an increase in General Funds of 5.3 percent over the 1978 appropriation.

	General Funds	Special Funds	Federal Funds	Total Funds
1978 Appropriation	\$2,147,771	\$388,171	\$2,171,446	\$4,707,388
1979 Recommended Allowance .	2,261,843	424,978	2,005,810	4,692,631
Increase (Decrease)	<u>\$ 114,072</u>	<u>\$ 36,807</u>	<u>\$ (165,636)</u>	<u>\$ (14,757)</u>

Net Number of New Positions: -2

GENERAL SERVICES

The Department of General Services is the principal engineering staff agency for the State government. It contracts and oversees the implementation of the Capital Budget program, manages State owned and leased space, and provides central business services such as purchasing, printing, communications and records management. The recommended 1979 budget provides a 8.6 percent increase in General Funds over the 1978 appropriation.

	General Funds	Special Funds	Federal Funds	Total Funds
1978 Appropriation	\$11,783,367	\$303,046	—	\$12,086,413
1979 Recommended Allowance ...	12,797,006	324,553	—	13,121,559
Increase	<u>\$ 1,013,639</u>	<u>\$ 21,507</u>	<u>—</u>	<u>\$ 1,035,146</u>

Net Number of New Positions: 6

Fifty-eight percent of this increase is associated with the increased costs of operating and maintaining the existing buildings and grounds in the Baltimore and Annapolis office complexes. In 1979 the cost per usable square foot in Annapolis is expected to rise from \$6.66 to \$7.44; in Baltimore the anticipated increase is \$5.79 to \$6.69 per usable square foot. The 1979 budget also includes: \$10,000 for one time renovation to the Washington Cemetery (for Southern Civil War dead) at Hagerstown; \$67,500 for painting both inside and outside of the Lowe Building; \$9,625 for second of a seven phase plan of art restoration under the Artistic Property Commission; \$29,000 for the development of a directory and biographical dictionary of Maryland legislators from 1789 to 1861 (a phase of the Hall of Records' legislative history project); \$10,488 for the State's share of the increase in the cost of operating the War Memorial Building in Baltimore City; and one new position to augment the existing staff which is establishing standards and policies for building repairs and maintenance in accordance with Chapter 970, Acts of 1977.

TRANSPORTATION

In 1979 twenty-three cents of every budgeted dollar will be spent by the Department of Transportation on one of the four transportation modes—water, rail, road and air. The Department of Transportation was established in 1971 to provide integrated transportation services within the State. Of the major State transportation programs, only the toll facilities of the Maryland Transportation Authority are not included in the budget of the Department; these projects are operated under trust agreements. The operating and capital programs of the Department are supported not only by various dedicated taxes and charges and Federal grants, but also by bond sales. The Department is authorized to issue Consolidated Transportation Bonds secured by the various income sources available to the Department. The outstanding balance of the bonds may not exceed \$950 million at any given time; as of the end of fiscal year 1977, \$393 million was outstanding. It is anticipated that \$50 million of Consolidated Transportation Bonds will be issued during the 1979 fiscal year to fund the Department's various capital expenditure programs if they cannot be financed from the various taxes, fees and other receipts available to the Department. The recommended 1979 budget provides for a 10.3 percent increase in spending and a reduction of 74 positions. A ceiling of 9,000 filled positions has been established and there are 105 authorized positions which will remain unfilled.

	Special Funds	Federal Funds	Bond Funds	Total Funds
1978 Appropriation	\$454,348,040	\$355,229,114	\$100,000,000	\$ 909,577,154
1979 Recommended				
Allowance	500,090,413	453,349,858	50,000,000	1,003,440,271
Increase (Decrease) .	\$ 45,742,373	\$ 98,120,744	\$ (50,000,000)	\$ 93,863,117

Net Number of New Positions: —74

SENATE OF MARYLAND

8lr1235

No. 192
(PRE-FILED)

By: Senator Conroy (Departmental - TF/BPW)	27
Requested: October 19, 1977	29
Introduced and read first time: January 11, 1978	30
Assigned to: Constitutional and Public Law	31
	32
Committee report: Favorable with amendments	33
Senate action: Adopted	34
Read second time: January 18, 1978	35
	36

CHAPTER _____ 39

AN ACT concerning 43

Hall of Records - Approval to Destroy Certain Materials 46

FOR the purpose of permitting the Hall of Records Commission 50
to approve the destruction of certain materials under 51
certain circumstances in lieu of the Board of Public 52
Works; modifying and clarifying the exclusion of 52
certain materials required by law to be retained for 53
certain periods; requiring the Commission to give, at a 54
certain time, written approval to schedules for the 55
destruction of records; deleting an obsolete reference;
and clarifying language.

BY repealing and reenacting, with amendments, 57

Article 54 - Hall of Records 60
Section 8 and 10 (a) 61
Annotated Code of Maryland 62
(1972 Replacement Volume and 1977 Supplement) 63

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 66
MARYLAND, That section(s) of the Annotated Code of Maryland 67
be repealed, amended, or enacted to read as follows: 68

Article 54 - Hall of Records 71

8. 74

If the Commission [shall decline] DECLINES to accept 77
any original papers, official books, records, documents or 78
files offered to it under the provisions of §7, then [the] 79
THEIR custodian [thereof], with the written approval of the 80
[Board of Public Works, is authorized and empowered to]

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike out~~ indicates matter stricken by amendment.

COMMISSION, MAY destroy [the same] THEM. After [such] THE 81
 records are destroyed, [the] THEIR custodian [thereof] shall 82
 file with the Hall of Records a list of all papers, books, 83
 documents and files destroyed and a certificate of 84
 destruction. [Such] THESE lists shall be retained in the 85
 custody of the Archivist and shall be available at 86
 reasonable times to inspection by the members of the public. 87
 [Nothing in this] THIS section [shall] DOES NOT authorize 88
 the destruction of (a) papers, books, documents or files 89
 which have been in custody for a period of less than three 90
~~years or such other period as may be DESIGNATED FOR~~ 91
RETENTION FOR A PERIOD OF TIME expressly prescribed by 92
 statute, (b) public records expressly required by statute to 93
 be maintained permanently, except in those cases where the 94
 original record has been photographed, photocopied, or 95
 microphotographed in accordance with the provisions of §11 96
 of this article, [provided that] IF the copy or reproduction 97
 of the original record [be] IS available upon request in the 98
 same manner as the original record, (c) permanent books of 99
 account, (d) the records of any court of record in this 100
 State, except as provided for in §1-605(d-3) and §2-206 of 101
 the Courts Article of the Code, (e) the land records 102
 recorded by the respective clerks of the circuit court for 103
 the several counties and the clerk of the Superior Court, of 104
 Baltimore City[; but old]. OLD records of which accurate 105
 transcriptions have been made and placed in use[, under the 106
 terms of Article 26, §17,] and the "housekeeping" records or 107
 the records of internal management of the offices of clerks 108
 of court and registers of wills [shall] MAY not be 109
 considered "records of a court" for the purpose of this 110
 section and §§9 and 10 and shall be subject to disposal as 111
 described above[, provided, however, that]. HOWEVER, the 112
 books, accounts, and records pertaining to the financial 113
 operations of any agency or department, officers, boards and 114
 commissions of the State of Maryland, and of all the clerks 115
 of courts, registers of wills, and all collectors of the 116
 State taxes of the State of Maryland, including the City of 117
 Baltimore, insofar as they affect the collection of State 118
 taxes, [shall] MAY not be destroyed until such time as the 119
 requirements of Article 40, §§61A to 61E, inclusive, 120
 relating to the audit of such books, accounts and records by 121
 the State Auditor, shall have been complied with. 122

10.

116
 (a) [It shall be the duty of each] EACH State agency 119
 [to] SHALL develop a continuing program for the economical 120
 and efficient management of its records, including the 121
 establishment and/or revision of record retention schedules, 122
 in order to insure prompt and orderly disposal of records 123
 not required by the operations of the agency. Prior to 124
 becoming operative all such retention schedules [must] SHALL 125
 receive the approval of the Hall of Records Commission.[, 126
 but schedules] SCHEDULES providing for the destruction of 127
 records [must] also SHALL receive the written approval of 128
 the [Board of Public Works] COMMISSION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1978.

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Approved:

Acting Governor.

President of the Senate.

Speaker of the House of Delegates.

PROPOSED RESOLUTION:

That all Records Retention Schedules submitted for the approval of the Hall of Records Commission shall be reviewed by the Archivist and shall be effective from the date of signing by the archivist subject to confirmation by the Commission at its next meeting. The Archivist may, after careful review of a schedule, require that schedules be written to insure the proper preservation and care of records that in his opinion are permanently valuable. To aid in the review of schedules the Archivist may call upon experts to advise him as to the disposition of the records.

At each meeting of the Commission the Archivist will submit a list of schedules signed since the previous meeting and shall bring to the attention of the Commission any problems of consequence that should arise from the scheduling process. Acceptance of the list by the Commission shall constitute final approval of the schedules by the Commission.