

One of the reasons why some agencies encounter difficulties is that they give little, or no thought, to the proper disposal of their non-current records until an emergency arises. All too often we have received frantic telephone calls from agencies preparing to move to new quarters within a week. They wish to dispose of records because they have less space in their new quarters or because they want to save the trouble of moving records they no longer need. Perhaps we should take a more active part in guiding and advising state agencies in their record problems, but we cannot assume this additional function with our present staff. We have, therefore, included in our budget request for fiscal year 1952 a new position, "Public Record Examiner." This request will give the Governor and the General Assembly an opportunity to study the problem and to decide whether its solution should be assigned to the Hall of Records.

A list of the agencies whose records were offered to the Hall of Records Commission under the terms of the disposal law and a report of the action taken follows:

BALTIMORE CITY POLICE DEPARTMENT

Elsewhere in this report we describe a project for photocopying certain records of this Department. An unexpected difficulty arose over the question of whether the originals could be destroyed after they had been photocopied. We had supported the passage of Chapter 518 of the Acts of 1949 for the express purpose of permitting destruction in such cases. However, the Attorney General, who had also been consulted by the Police Commissioner, ruled that these records constituted a special case because of the provisions of Section 553 of the *Charter and Public Local Laws of Baltimore City*, Flack, 1949, which require the Police Commissioner to keep certain records and to have such records and "all other documents in the possession of said Commissioner" always open to inspection by the General Assembly and by the Mayor and City Treasurer. The Attorney General considered that photocopies could be used to fulfill the latter requirement, but he ruled that the original records could not be destroyed because Section 127A of Chapter 755 prohibits the destruction of "public records required by statute to be maintained permanently." This decision left the Police Commissioner no recourse but to secure the passage of a special act permitting the records to be destroyed. Such authority is given by Chapter 454 of the Acts of 1951.