

# **Montana State Records Committee**



## **Report to the Governor and Montana State Legislature Report Period: Fiscal Year 2021 and 2022**

**August 30, 2022**

## State Records Committee Responsibilities

The State Records Committee (SRC) is authorized by statute ([2-6-1107, MCA](#)). The purpose of the committee is to act as a resource for executive branch agencies and others by staying at the forefront of records management best practices. The statutory duties established in [2-6-1108, MCA](#) include:

- Gathering and disseminating information on all phases of records management;
- Advise the Secretary of State in developing records management standards, guidelines, and training materials;
- Developing guidelines to assist agencies identify, maintain, and secure essential records;
- Serve as a forum for continuing collaboration among records management, information technology, and legal professionals throughout state agencies;
- Provide recommendations to the Secretary of State for rule making regarding public records management;
- Regularly review existing public records laws and make recommendations to the Secretary of State regarding pursuing legislative change; and
- Report biennially to the Governor and the Legislature on the activities of the committee in accordance with [5-11-222, MCA](#).

The SRC is comprised of representatives from the Department of Administration, the Legislative Auditor, the Attorney General, the Secretary of State, the Montana Historical Society, the Governor, the Clerk of the Supreme Court, the Chief Information Officer, and five members representing executive branch agencies (the five representing members serve a two-year rotational term).

## Committee Members (during reporting period):

Member Name	Representing	Term
Yvette Englert	Dept. of Administration	10/1/2021 – current
Molly Plummer	State Auditor's Office	10/1/2021 – current
Laray Jenks	Department of Justice	3/17/2022 – current
Ray Dagnall, Chair	Secretary of State's Office	3/18/2018 – 8/4/2022
Rich Aarstad	Montana Historical Society	1/1/2021 – current
Anita Milanovich	Governor's Office	2/22/2021 – current
Bowen Greenwood	The Clerk of the Supreme Court	1/1/2019 – current
Kevin Gilberston	State Chief Information Officer's Office	1/1/2021 – current
Jill Hamilton	Dept. of Revenue	10/1/2021 – 9/30/2023
Tracy Cuddy	Dept. of Transportation	10/1/2021 – 9/30/2023
Jacob Griffith	Office of Public Instruction	10/1/2021 – 9/30/2023
Ben Reed	Public Service Commission	10/1/2021 – 9/30/2023
Deborah Butler	Legislative Audit Division	10/1/2021 – 9/30/2023
Sundi West	Dept. of Military Affairs	10/1/2019 – 9/30/2021
Karen De Herman	Dept. of Natural Resources and Conservation	10/1/2019 – 9/30/2021
Becky Docktor	Dept. Fish, Wildlife, and Parks	10/1/2019 – 9/30/2021
Danielle Vincent	Dept. Health and Human Services	10/1/2019 – 9/30/2021
Evan Waters	Dept. of Livestock	10/1/2019 – 9/30/2021

## **State Records Committee Deliberations**

The recordings of all State Records Committee Meetings are available on the Secretary of State website at <https://sosmt.gov/records/minutes/>.

### **Biennium Topics for Records Management Improvement**

- Administrative Rules of Montana Cleanup
- Updated Email Retention Guidelines
- Records Management for Social Media and Messenger Services
- Records Rolling Disposal Form Updates/Process Improvements
- Basic Records and Information Management (RIM) Online Trainings
- Simplification of Data Migration Plans
- Updated resources posted on Secretary of State Website

### **September 1, 2020**

The first committee meeting was held via Zoom. The committee had discussion on the Montana Operations Manual (MOM) policy related to social media and records management implications around messenger services (Skype and Microsoft Teams).

### **November 13, 2020**

This committee meeting was held via Zoom. The committee held discussions on email policies, records management for Microsoft Teams, and potential improvements to the rolling disposal form & process.

### **December 29, 2020**

This committee meeting was held via Zoom. The committee focused its discussion on email standards and updating the current email retention guidelines.

### **March 24, 2021**

This committee meeting was held via Zoom. This meeting was held during 2021 Legislative Session. Chairman Ray Dagnall provided the committee Legislative updates on Senate Bill 276 concerning microfilming and Senate Bill 229 concerning public information requests. Other topics of discussion included review of administrative rules pertaining to delegation authority and continued discussions concerning updates to email standards and guidelines.

### **July 8, 2021**

This committee meeting was held via Zoom. Chairman Dagnall provided an update to the committee regarding Legislative activity. Additionally, the committee had discussion on creating basic records management trainings and improving data migration plans in accordance with ARM 44.14.101. The rule was determined to be obsolete and created difficulties for agencies to digitize their records.

### **September 30, 2021**

This committee meeting was held via Zoom. This was the last meeting for the committee members who held a rotational seat. Chairman Dagnall provided a brief update regarding the reconstruction of the Helena Iron Mountain facility. The committee also had follow-up discussion from the July 8, 2021,

meeting concerning data migration plans. A motion was made to provide the Secretary of State's office the recommendation to repeal ARM 44.14.101. The motion passed unanimously.

### **December 22, 2021**

This committee meeting was held via Zoom. Chairman Dagnall introduced the new committee members representing the executive branch agency rotational seats. A status update was also provided for both the email retention guidelines and administrative rules.

### **April 20, 2022**

This committee meeting was held via Zoom. Chairman Dagnall reported to the SRC regarding testimony provided during the April 13, 2022, hearing on behalf of the committee to the Legislature Special Select Committee on Judicial Transparency and Accountability regarding Montana's public record laws.

## **State Records Committee Activity and Recommendations**

This section provides a summary of the activities that took place and recommendations made during the biennium:

The SRC and Secretary of State's Office worked on enhancements to the Records Management section of the SOS website with additional records management tools and resources for agencies to access.

The SRC had worked with the Secretary of State's Office in the interim on drafting and providing updated guidelines regarding email retention. The goal was to update the guidance into a usable document that provided agencies more of a procedural approach to email retention best practices. Practical examples, screen shots, recommendations, and additional resources would also be included in the document. The drafted guidelines are currently in internal review of the Secretary of State's Office while feedback from other stakeholders is still being received.

The SRC in the interim worked on providing recommendations to the Secretary of State's Office regarding updates and cleanup of Records Management related Administrative Rules. The Secretary of State's Office agreed with the recommended changes and was drafting a Notice of Repeal of ARM 44.14.101 and 44.14.308 through 44.14.312 pertaining to records and information management fees and Notice of Amendment of 44.14.106, 44.14.201, 44.14.202, and 44.14.203 pertaining to delegation authority for records disposal of public records and records storage system requirements.

SRC Chairman Ray Dagnall and Committee Member Rich Aarstad, provided testimony during the Special Select Committee on Judicial Transparency and Accountability hearing regarding Montana's public record laws. This hearing was held on April 13, 2022.

## **Records Management Areas Requiring Further Improvement**

This section provides a brief list of areas in records management requiring further improvement that the SRC has recommended to discuss over the next biennium. The SRC is also planning to determine additional areas requiring improvement at their next meeting.

- Records Management Administrative Rules of Montana
- Records Management for Social Media
- Additional Educational Resources and Guidance for Agencies
- Records Management for Geographic Information System Mapping (GIS)

## **Records Management Resources and Guidelines Provided by Secretary of State's Office on Behalf of State Records Committee**

- Records Management Information and Resources – <https://sosmt.gov/records/>
- The State General Retention Schedules – <https://sosmt.gov/records/state/>
- “RIM Toolkit” (provides guidance on many different areas of government records management) – <https://sosmt.gov/records/toolkit/>
- Training Modules discussing retention and disposition:
  - <https://sosmt.gov/records/toolkit/rim-retention/>
  - <https://sosmt.gov/records/toolkit/disposing-records/>