

Senate Study Bill 2052

Bill Text

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1 1 Section 1. Section [7E.5](#), subsection 1, paragraphs c and m,
1 2 Code 1997, are amended to read as follows:
1 3 c. The department of general services, created in section
1 4 18.2, which has primary responsibility for property

~~and~~

1 5

~~records~~

- management, risk management, purchasing, printing, and
1 6 data processing.

1 7 m. The department of cultural affairs, created in section
1 8 303.1, which has primary responsibility for managing the
1 9 state's interests in the areas of the arts, history, the state
1 10 archives and records program, and other cultural matters.

1 11 Sec. 2. Section [303.2](#), subsection 2, paragraph d, Code
1 12 1997, is amended to read as follows:

1 13 d. Administer the state archives

~~of the state as defined~~

1 14

~~in section~~

- and records program in accordance with sections

1 15 303.12 through 303.15, and 304.6.

1 16 Sec. 3. Section [304.3](#), subsections 2 and 8, Code 1997, are
1 17 amended to read as follows:

1 18 2. The director of the department of cultural affairs, who
1 19 shall act as secretary of the commission.

1 20 8. The director of the department of general services

~~who~~

1 21

~~shall act as secretary of the commission~~

1 22 Sec. 4. Section [304.6](#), Code 1997, is amended to read as
1 23 follows:

1 24 304.6 ADMINISTRATION POWERS AND DUTIES.

1 25 The primary agency responsible for providing administrative
1 26 personnel and services for the commission is the department of

1 27

~~general services~~

- cultural affairs. The purchase, rental or

1 28 lease of equipment and supplies for record storage or

1 29 preservation by agencies is subject to the approval of the

1 30 commission except as otherwise provided by law. The

1 31 commission shall review all record storage systems and

1 32 installations of agencies and recommend any changes necessary

1 33 to assure maximum efficiency and economic use of equipment and

1 34 procedures, including but not limited to, the type of

1 35 equipment, methods and procedures for filing and retrieval of

2 1 records, and the location of equipment. The commission has
2 2 the authority to examine all forms, records and other papers
2 3 in the possession, constructive possession, or control of
2 4 state agencies for the purpose of carrying out the goals of
2 5 this chapter. The commission shall annually review the
2 6 effectiveness of the forms management program and the forms
2 7 management practices of individual state agencies, and
2 8 maintain records that indicate dollar savings and the number
2 9 of forms eliminated, simplified, or standardized through forms
2 10 management. The commission shall review forms and may reject
2 11 forms that are not neutral in regard to gender, race,
2 12 religion, or national origin or that request information on
2 13 gender, race, religion, or national origin when there is an
2 14 inadequate state interest in obtaining that information for
2 15 the purpose of that form. The commission shall file an annual
2 16 report on the forms management program with the general
2 17 assembly and the governor. The commission shall perform any
2 18 act necessary and proper to carry out its duties.

2 19 Sec. 5. Section [304.10](#), Code 1997, is amended to read as
2 20 follows:

2 21 304.10

~~ADMINISTRATOR~~

- STATE ARCHIVIST OF THE HISTORICAL

2 22 DIVISION OF THE DEPARTMENT OF CULTURAL AFFAIRS DUTIES TO
2 23 COMMISSION.

2 24 All lists and schedules submitted to the commission shall
2 25 be referred to the

~~administrator~~

- state archivist of the

2 26 historical division of the department of cultural affairs, who
2 27 shall determine whether the records proposed for disposal have
2 28 value to other agencies of the state or have research or
2 29 historical value. The

~~administrator~~

- state archivist shall

2 30 submit the lists and schedules with recommendations in writing
2 31 to the commission and the final disposition of the records
2 32 shall be according to the orders of the commission.

2 33 EXPLANATION

2 34 This bill transfers the records management duties from the
2 35 department of general services to the department of cultural
3 1 affairs.

3 2 The bill provides that the director of the department of
3 3 cultural affairs replaces the director of general services as
3 4 the secretary to the state records commission and that the
3 5 department of cultural affairs replaces the department of
3 6 general services as the primary agency responsible for
3 7 providing administrative personnel and services to the
3 8 commission.

3 9 Currently, the Code requires the state records commission
3 10 to turn over to the administrator of the historical division
3 11 of the department of cultural affairs all lists and schedules
3 12 for the disposal of records. The administrator is charged
3 13 with determining whether the lists and schedules of records
3 14 have research or historical value, or any value to other state
3 15 agencies. The bill transfers these responsibilities of the
3 16 administrator with the state archivist. Accordingly, the
3 17 state archivist, under the bill, is responsible for submitting
3 18 recommendations regarding the lists and schedules to the
3 19 commission.

3 20 LSB 3510XL 77

3 21 kh/jl/8.1

