

OVERSIGHT COMMITTEE ON PUBLIC RECORDS
Regular Meeting October 17, 2012

12-10-17-01

CALL TO ORDER AND ROLL

A regular meeting of the Oversight Committee on Public Records was held Wednesday, October 17, 2012. The meeting was called to order by Vice Chairperson Caroline Bradley, Designee for Brian Arrowood, Chief Information Officer, Office of Technology, at 1:30 p.m. in Conference Room 10 Indiana Government Center South-First Floor. Members present constituting a quorum: Pam Bennett, Director, Indiana Historical Bureau; Jerry Bonnet, Designee for Connie Lawson, Secretary of State; Jim Corridan, Director & State Archivist, Indiana Commission on Public Records; John Jacob, Designee for Bruce Hartman, State Examiner, State Board of Accounts; and Micah Vincent, Governor's Office.

Members absent: Roberta Brooker, Director, Indiana State Library; Joe Hoage, Public Access Counselor; Connie Smith, Designee for Robert D. Wynkoop, Commissioner, Department of Administration. Commission staff in attendance: Ted Cotterill, Deputy Director; Amy Robinson, Records Management; Beverly Stiers, County and Local Government Records Management. Guests in attendance: None.

12-10-17-02

NEXT MEETING

Caroline Bradley announced the next meeting would be held November 21, 2012 at 1:30 p.m. in Conference Room 10, Indiana Government Center South, 1st Floor. Jim Corridan stated this would probably have to be changed and we will get in touch with the OCPR members.

12-10-17-03

PREVIOUS MEETING

John Jacob moved approval of the September 19, 2012 minutes as presented, seconded by Jim Corridan. Pam Bennett asked if the word ran could be changed to run on the bottom of page 4. Caroline Bradley then stated on page 3, in the middle of County/Local General Retention Schedule, the three (3) retention should have the word year added before retention. Jerry Bonnet moved to adopt the minutes as amended, seconded by John Jacob. Motion carried.

12-10-17-04

OLD BUSINESS

None

12-10-17-05

DIRECTOR'S REPORT

Jim Corridan stated a written report was sent in the packets to the OCPR Committee. Mr. Corridan stated most of the Department of Revenue's records have been transferred to the Records Center, about 48,000 boxes. Mr. Corridan stated they have also invited the State Bicentennial Commission to come to the State Archives for one of their meetings, so they can enjoy the history and ambiance there.

12-10-17-06

AGENCY REQUESTS-RECORDS RETENTION AND DISPOSITION SCHEDULES(S)

The Oversight Committee on Public Records took the following action regarding retention and disposition schedules.

1. DEPARTMENT OF REVENUE

Tax Administration

A motion was made by John Jacob and seconded by Pam Bennett to approve Schedule No. 1 as submitted. Motion carried.

2. DEPARTMENT OF REVENUE

Tax Administration Support

A motion was made by Pam Bennett and seconded by John Jacob to approve Schedule No. 2 as submitted. Motion carried.

3. FAMILY AND SOCIAL SERVICES ADMINISTRATION

DMHA, Logansport State Hospital

A motion was made by John Jacob and seconded by Pam Bennett to approve Schedule No. 3 as submitted. Motion carried.

12-10-17-07

NEW BUSINESS

1. Administrative Rule 60 IAC 3 – Forms

Jim Corridan – there are two proposed Administrative Rules; the first one has to do with State forms. This has already been proposed once, approved by the Budget Agency, had gone to the Governor's office, approved by the Governor's office and between the Budget Agency and the Attorney General's office it vanished probably six (6) to nine (9) months ago. They have a copy but the problem is so much time has lapsed and no one can find it and they were told they would have to start again. It is really not even an action item. Ted Cotterill stated the statute of Commission on Public Records regulates forms in State government and all this rule does is codify what we use as the State Forms Catalog or its successor as the means by which Agencies have to publish forms. It specifically does two (2) things – those files have to be in the forms catalog and Agency websites have to link to the forms catalog. Mr. Corridan stated it basically moves us from the paper world to the electronic world as far as the way a forms central repository is required to be kept by statute. He does not think it will be controversial but they are trying to get it corrected so it is in the Administrative Rule correctly.

2. Administrative Rule 60 IAC 4 – Electronic Data

Jim Corridan said this is more urgent and it might be helpful to do some research because there is a way to maybe consider doing an emergency rule even though our statute does not say we have the authority to do this. The dilemma is they have been contacted by a for profit corporation who wants access to all of the indexes at the State Archives, all of the electronic indexes, so that they can then and if we had them on line – all of the digital images related to those indexes - the vast work that the volunteers have done for decades, they want access to all that information in a public records request, so that they can turn around and put it on his website and then sell that information. Mr. Corridan stated the way the law is written we cannot reject it now but by adopting this rule, in the future if someone asks us to sell it, we would never have to give them this information. Mr. Corridan said he believes they will be the first Agency to ever adopt this concept for rules and statute. Pam Bennett asked if this rule would stop the current request and Mr. Corridan stated they cannot stop this because they have already made the request. Jerry Bonnet stated the Secretary of State's office sells some of their databases to vendors. Jim Corridan stated this will allow us to sell it to someone if we have a contract with them, but what they are trying to do is get the information through a public records request. Caroline Bradley asked if we have to provide it for free. Mr. Corridan stated there is a caveat that if we had to reprogram our software in order to extract it and give it to them, we could charge them for whatever that cost would be, but we have it in Excel spreadsheet. We could probably charge them for a copy of the CD. Jerry Bonnet asked if this relates only to the Commission on Public

Records and Mr. Corridan said yes. Mr. Bonnet said so our approval is part of the rule. Mr. Corridan stated we are not asking for approval today, but when it goes through the whole process and comes back for final approval, this is just information at this point. The statute on this is IC 5-14-3-3.

12-10-17-08

ADJOURNMENT

There being no further business, John Jacob moved that the meeting be adjourned. Micah Vincent seconded. Motion carried. Meeting adjourned at 1:44 p.m.