

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 599

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE IDAHO STATE HISTORICAL SOCIETY; AMENDING SECTION 67-4126,
2 IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE POWERS AND DUTIES OF
3 THE BOARD AND TO CLARIFY THAT CERTAIN RECORDS ARE NOT EXEMPT FROM THE
4 PUBLIC RECORDS ACT; AMENDING CHAPTER 41, TITLE 67, IDAHO CODE, BY THE
5 ADDITION OF A NEW SECTION 67-4129C, IDAHO CODE, TO ESTABLISH THE RECORDS
6 MANAGEMENT SERVICES FUND; AMENDING CHAPTER 41, TITLE 67, IDAHO CODE, BY
7 THE ADDITION OF A NEW SECTION 67-4131, IDAHO CODE, TO ESTABLISH PROVI-
8 SIONS RELATING TO RECORDS MANAGEMENT SERVICES AND RULES, GUIDELINES AND
9 PROCEDURES; REPEALING SECTION 67-5751, IDAHO CODE, RELATING TO RECORDS
10 MANAGEMENT; REPEALING SECTION 67-5751A, IDAHO CODE, RELATING TO HIS-
11 TORICAL RECORDS; REPEALING SECTION 67-5752, IDAHO CODE, RELATING TO A
12 RECORDS MANAGEMENT MANUAL; AND REPEALING SECTION 67-5753, IDAHO CODE,
13 RELATING TO MICROFILMING SERVICES.
14

15 Be It Enacted by the Legislature of the State of Idaho:

16 SECTION 1. That Section 67-4126, Idaho Code, be, and the same is hereby
17 amended to read as follows:

18 67-4126. POWERS AND DUTIES OF BOARD. The board of trustees of the soci-
19 ety shall have powers and duties as follows:

20 1. To appoint a director of the society as provided herein and advise
21 him in the performance of his duties and formulate general policies affect-
22 ing the society.

23 2. To encourage and promote interest in the history of Idaho and encour-
24 age membership in the society.

25 3. To collect for preservation and display artifacts and information
26 illustrative of Idaho history, culture and society.

27 4. To print such publications and reports as may be deemed necessary.

28 5. To encourage creation of county historical societies and museums in
29 the counties of Idaho.

30 6. To facilitate the use of Idaho records for official reference and
31 historical research.

32 7. To be responsible for records management services for state govern-
33 ment. Records management services include the management, storage and re-
34 trieval of all state created records under retention. State created records
35 shall mean any document, book, paper photograph, sound recording or other
36 material, regardless of physical form or characteristic, made or received
37 pursuant to law or in connection with the transaction of official state busi-
38 ness. The board may charge reasonable amounts for records management ser-
39 vices. The records managed pursuant to this subsection will not be subject
40 to the exemption in public records law provided in section 9-337(15), Idaho
41 Code.

1 8. To accept from any state, county, or city, or any public official,
 2 any official books, records, documents, original papers, newspaper files,
 3 printed books, or portraits, not in current use. When such documents are
 4 so accepted, copies therefrom shall be made and certified under the seal of
 5 the society upon application of any person, which person shall pay for such
 6 copies reasonable fees established by the society.

7 ~~8~~9. To require that any state, county, or city, or any public official,
 8 deposit official books, records, documents, or original papers, not in cur-
 9 rent use, which are of definite historical importance, in the society for
 10 preservation and to provide methods whereby such materials, which have no
 11 significance, may be destroyed.

12 ~~9~~10. To establish such rules as may be necessary to discharge the duties
 13 of the society.

14 ~~10~~11. To employ such personnel as may be necessary for the administration
 15 of its duties in accordance with the rules of the administrator of the divi-
 16 sion of human resources promulgated pursuant to chapter 52, title 67, Idaho
 17 Code.

18 ~~11~~12. To have and use an official seal.

19 ~~12~~13. To delegate and provide subdelegation of any such authority.

20 ~~13~~14. To identify historic, architectural, archaeological, and cultural
 21 sites, buildings, or districts, and to coordinate activities of local his-
 22 toric preservation commissions.

23 ~~14~~15. To serve as the geographic names board of the state of Idaho.

24 SECTION 2. That Chapter 41, Title 67, Idaho Code, be, and the same is
 25 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
 26 ignated as Section 67-4129C, Idaho Code, and to read as follows:

27 67-4129C. RECORDS MANAGEMENT SERVICES FUND. There is hereby created
 28 in the state treasury the "records management services fund." Moneys in the
 29 fund shall consist of funds received from state and local governmental agen-
 30 cies for records management services. The Idaho state historical society
 31 shall have the authority to charge and receive payment from such agencies in
 32 accordance with rules promulgated or procedures or guidelines established
 33 by the agency. Moneys received pursuant to this section are for the oper-
 34 ations of maintaining, storing and retrieving governmental records. The
 35 legislature shall appropriate all moneys in the records management services
 36 fund.

37 SECTION 3. That Chapter 41, Title 67, Idaho Code, be, and the same is
 38 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
 39 ignated as Section 67-4131, Idaho Code, and to read as follows:

40 67-4131. RECORDS MANAGEMENT SERVICES -- RULES, GUIDELINES, PROCE-
 41 DURES. (1) The Idaho state historical society may develop, subject to the
 42 provisions of chapter 52, title 67, Idaho Code, rules and procedures per-
 43 taining to records management services. Rules, or if rules are not adopted,
 44 guidelines and procedures shall be established:

45 (a) Pertaining to retention periods for all state created records;

46 (b) Prescribing conditions and procedures for destruction of state
 47 created records;

1 (c) Ensuring efficient utilization of manpower, building space and
2 supplies with regard to paper flow and forms usage;

3 (d) Pertaining to proper and efficient utilization of microfilming and
4 imaging services; and

5 (e) Pertaining to protocols for an electronic records management pro-
6 gram.

7 (2) The Idaho state historical society shall develop and shall provide
8 to all state agencies a records management manual containing all the rules
9 and procedures developed for records management. Such manual may be pro-
10 vided to state agencies in an electronic format.

11 SECTION 4. That Section [67-5751](#), Idaho Code, be, and the same is hereby
12 repealed.

13 SECTION 5. That Section [67-5751A](#), Idaho Code, be, and the same is hereby
14 repealed.

15 SECTION 6. That Section [67-5752](#), Idaho Code, be, and the same is hereby
16 repealed.

17 SECTION 7. That Section [67-5753](#), Idaho Code, be, and the same is hereby
18 repealed.