

Montana Legislative Branch
Public Records Management
Records Classification Outline And Retention Schedule

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For Approval by Legislative Council
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RESPONSIBLE PARTIES

Legislative Branch

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Legislative Audit Division

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Legislative Fiscal Division

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Legislative Services Division

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Purpose

The purpose of this document is to provide guidance to the Legislative Branch regarding essential files and records of the branch. This policy covers standard filing and disposition procedures for all electronic and paper-based public records of the Legislative Branch according to the definition of public records in 2-6-1002, MCA. The policy provides for efficient filing and retrieval and ensures proper retention of current records and prompt disposition of outdated records to promote efficiency in the fulfillment of branch-wide responsibilities. The system also ensures continuity of information, economical use of equipment and supplies, and access to needed information for management, auditing, and research purposes. The system is designed to allow for development and use of procedures for electronic storage of records. The provisions of this policy and of division filing procedures are designed to implement and supplement the provisions of Title 2, chapter 6, part 10, MCA. In the event of a conflict, the statute governs.

Policy

All Legislative Branch records are subject to the provisions of this policy. Records belong to the branch and not to the individuals who create them. Records must be turned over intact to successors.

All branch records are to be maintained in proper filing cabinets or other specially designated equipment. Official files are not to be kept in individuals' desk drawers. Desk filing limits access for other personnel and makes it difficult to apply records management controls. Therefore, filing in desk drawers is restricted to personal working papers. The same principle applies to filing on electronic media. Records should be filed as finalized reference documents as soon as they become "official" records, such as upon publication or other release from the office. Records, such as databases stored on electronic media in accordance with appropriately documented procedures under the authority of the Division Director, may fulfill the requirement for a reference document.

It is the policy of the branch to maintain standardized control over the classification and handling of all branch records. However, the files themselves will remain decentralized and proximal to the principal users in order to ensure that the people who work with them have adequate access.

In this policy, branch-wide files that need uniform treatment by all divisions are distinguished from division-specific files. Branch-wide files are those for which common systems have been developed.

Personnel and Responsibilities

1. The Legislative Council shall administer the records management plan for the branch, pursuant to 2-6-1012(1), MCA.
2. Branch-wide Records Management Officer. The Legislative Research Librarian serves as Records Management Officer to advise the Division Directors regarding branch files operations and records disposition programs for archivable records. Duties include:
 - a. Advising Division Directors regarding the formulation of standards and procedures for the management of administrative and archivable branch records
 - b. Providing records management assistance for branch-wide files and coordinating file location plans across divisions.

3. Division Records Management Officers. Each division shall designate a Records Management Officer who will be responsible for:
 - a. Monitoring the implementation of records management activities to ensure compliance with applicable statutes, branch policy, and Department of Administration guidelines and advising the appropriate Division Director in that regard.
 - b. Reviewing division filing policies and procedures and advising the Division Director concerning suggested changes to those policies and procedures.
 - c. Supervising routine filing and archive operations.
4. Division Directors. Division Directors and supervisors are responsible for monitoring compliance with the filing policies in their divisions or offices.
5. Responsible Positions are the persons with primary responsibility for filing and retrieval of assigned files. Duties include:
 - a. Creating, maintaining, and disposing of files in accordance with the filing policy.
 - b. Preparing files for transfer to archival or permanent administrative storage under supervision of the division Records Management Officer, Division Directors and direct supervisors.
 - c. Preparing current file location plans for records for which they are directly responsible.
 - d. Recommending changes in the filing categories and procedures.

Scope

This policy applies to public records created or received by the Montana Legislature, and is applicable to all permanent full-time and part-time employees, including those independently contracted, and temporary or seasonal positions.

Retention Designations

Retention Designations (see Records Procedures)	
C	Current
P	Permanent
A	As in after i.e. A(date). A(termination), or A(completion)
D	Discard/recycle
Ar	Offer to Historical Society for archiving prior to discard.

Records Disposition

1. Disposition Functions. Disposition of records may occur in three ways:
 - a. Retirement. Records are retired when they are sent to an inactive storage area (vault, archive, records center). Retirement may be done in phases as needed. Records that are designated as Ar should be offered to the Montana Historical Society so they may determine if the information is of significant historical value.
 - b. Destruction. Records whose retention period has been fulfilled may be destroyed by throwing them away (for small quantities of nonconfidential records) or turning them over to the Department of Administration in bulk for recycling. Destruction may also involve the erasure of information if media, for instance, can be erased and reused securely.

- c. Change of medium. Electronic storage of paper records is the common example of changing medium. This may be done when the cost and availability of space exceeds the cost of electronic storage of legislative records.
2. Implementation of Retention Schedules. The retention schedules incorporated in the records table identify when records are to be sent to inactive storage, offered to the Montana Historical Society, and when they are to be destroyed. The schedules may not be altered or deviated from without consulting the supervisor.
 - Annual Files Review. Once the appropriate period for current use of a file is discontinued the responsible position must review the file for disposition with the advice and assistance of the records management officer. The records management officer will review and weed all files before transmission to the archives or recycling. When immediate destruction is indicated, dispose of the records directly. In the case of records designated for retirement to a storage area, estimate the volume involved and obtain the necessary records storage boxes.
 - Packing Records.
 - a. All records in a given box must have the same retention period. Otherwise, the entire box has to be kept until the longest retention period is met, which wastes storage space.
 - b. Place records in the box in an upright position.
 - c. Arrange records in their original filing order.
 - d. Do not pack files too tightly. Leave about 1 inch in the box for working space.
 3. Labeling Boxes. After filling the boxes, type a storage label for each and attach it to the center of the box front. The label should note office, first and last classifications, inclusive dates, destruction date, and consecutively assigned office box number.
 - The size of some bound materials does not permit boxing. In such cases, place labels on the binding spines. The capacity of the standard 10-inch x 12-inch x 15-inch storage container is 1 cubic foot. Full letter size and legal size file drawers hold 2 cubic feet and 1-1/2 cubic feet respectively. Storage boxes hold legal files lengthwise and letter files the other direction.
 4. Listing Box Contents. Prepare a box list for each box or group of boxes, listing the box label information, the records center storage locator (to be provided by the records management officer) and the file folder label identifiers. The format for the labels is the same as a file location plan, which can be adapted to this purpose. Keep the box list at the files location and provide a copy to the records management officer.
 - Box lists serve as retrieval aids. They should be reviewed periodically for records that are eligible for destruction. Line out boxes when the boxes are disposed of and note exact destruction dates. Notify the records management officer in each case. Retain all box lists permanently.
 5. Retrieval of Inactive Files from Storage. All retrieval of records from storage areas is controlled by the records management officer.
 - Retrieval of Boxes. Boxes retrieved from storage areas must be so noted on all copies of the box list. Document returned boxes that are kept in offices on the annual files location plan.
 - Retrieval of Files. When retrieving single folders from boxes, be sure to file charge-out cards in their places. Individual records may not be removed from folders; the entire folder must be retrieved and refiled as a unit.
 6. Destruction of Records in Inactive Storage. The records management officer is responsible for scheduled destruction of all records in inactive storage areas. Appropriate individuals will be notified of pending destruction action prior to the scheduled date. A summary record describing records destroyed will be prepared. The records management officer will evaluate requests for extended retention.

Physical Location

Locations	
V5	Vault room 5 of the Capitol Building
10 (Comm)	Publications Information Officer in room 10 of the Capitol Building
10 RC	Legislative Reference Center in room 10 of the Capitol Building
10 IT	Information Technology Office in room 10 of the Capitol Building
74	Legislative Services Division Session Printing office in room 74 of the Capitol Building
112	Legislative Services Executive Director's office in room 112 of the Capitol Building
123	Legal Office in room 123 of the Capitol Building
136	Research Office in room 136 of the Capitol Building
154	Fiscal/Financial Services in room 154 of the Capitol Building
171	Environmental Policy Office in room 171 of the Capitol Building

Schedules

I. Administration and Operations

ADM (Administration and Operations)				
Characteristics: The purpose of Section 1 of this document is to provide an overview of documentation regarding the general administration and operation of the Legislative Services Division.				
Number	Item Name/Description	Responsible Position	Location	End of life
1.1	Reading File /current and upcoming events in the LSD, informs Exec. Dir. Of pertinent information. Put together by committee secretaries and staffers	Executive Director	112	2/Discard
1.2	Management			
1.2.1	Executive Director Correspondence/official correspondence from the Exec. Dir. Either original or in response to inquiries	Executive Director	Docreq/112	3/archive
1.2.2	Staff Evaluation Questionnaires /when an employee is specifically named it is retained in their personnel file	Human Resource Manager	154	3/archive
1.2.2.1	Completed Legislators' Questionnaire/personnel information for legislators, including information for the Copper Books	Human Resources Specialist	154	5/Archive
1.2.3	Session Committee Staffing/ personnel information for temporary employees hired to staff legislative session	Secretary of Senate or Clerk of the House	112	2/Discard
1.3	Administrative Policy			
1.3.1	Administrative Manual/information, policies and procedures relating to employment with the Montana Legislative Branch	Human Resources Manager	154	Current/Discard
1.3.2	Office Policy Memoranda	Human Resources Manager	154	Current/Discard
1.4	Filing Procedure	Librarian	R:\Reference\FILING	1/Current/Discard
1.5	Contracts /contracts for equipment, leases, and vendors that is not IT related.	Facilities Coordinator	154	10/10/Discard
1.6	Montana Safety and Employee Safety Program	Facilities Coordinator	154	2/Permanent

II. Committee Records

COM (Committee Records)				
The following records are reflective of documentation produced for or by a standing Legislative Committee staffed by the Legislative Services Division. Appendix A provides further description regarding the content of each document or record.				
Number	Item Description	Responsible Position	Location	End of life
2.1	Interim Study Polls	ORPA Director	111	2/2/Discard
2.1.1	Interim Study Poll Ballots/ballots completed by legislators regarding which issues they would like studied during the interim.	ORPA Director	111	2/2/Discard
2.2	Committee Appointments	Executive Director	112	4/Discard
2.3	Sub Files for Each Committee File (See Appendix A):			
2.3.1	1. Committee/Commission Members	Committee Secretary	136/171	2/4/archive
2.3.2	2. Letters/Emails Received	Committee Secretary	136/171	2/4/archive
2.3.3	3. Letters/Emails Sent	Committee Secretary	136/171	2/4/archive
2.3.4	4. News Releases	Committee Secretary	136/171	2/4/archive
2.3.5	5. Mailed Materials (also: Meeting Mailings)	Committee Secretary	136/171	2/4/archive
2.3.6	6. Minutes with Exhibits	Committee Secretary	136/171	2/4/archive
2.3.7	7. Meeting Packets	Committee Secretary	136/171	2/4/archive
2.3.8	8. Study Plans/Staff Reports/Legal Memos	Committee Secretary	136/171	2/4/archive
2.3.9	9. Work Papers	Committee Secretary	136/171	2/4/archive
2.3.10	10. Rule Review - when applicable	Committee Secretary	136/171	2/4/archive
2.3.11	11. Bill Drafts	Committee Secretary	136/171	2/4/archive
2.4	Administrative Committees			
2.4.1	Branch Information Technology Planning Council	Committee Secretary	136	Current/4/Permanent
2.4.2	Districting and Apportionment Commission/Census Planning	Committee Secretary	136	10/Permanent
2.4.3	Legislative Council (Leg. Council Sub Committees have their own sub files: Letters Sent / Letters Received / Minutes-if any / Staff Reports)	Committee Secretary	136	Current/4/Permanent
2.5	Interim Committees	Responsible Position	Location	End of life
2.5.1	Children, Families, Health, and Human Services Interim Committee	Committee Secretary	136	Current/4/Permanent
2.5.2	Economic Affairs Interim Committee	Committee Secretary	136	Current/4/Permanent
2.5.3	Education Interim Committee	Committee Secretary	136	Current/4/Permanent
2.5.4	Energy and Telecommunications Interim Committee	Committee Secretary	171	Current/4/Permanent
2.5.5	Environmental Quality Council	Committee Secretary	171	Current/4/Permanent
2.5.6	Law and Justice Interim Committee	Committee Secretary	136	Current/4/Permanent
2.5.7	Local Government Interim Committee	Committee Secretary	136	Current/4/Permanent
2.5.8	Revenue and Transportation Interim Committee	Committee Secretary	136	Current/4/Permanent

2.5.9	State Administration and Veterans' Affairs Interim Committee	Committee Secretary	136	Current/4/Permanent
2.5.10	State-Tribal Relations Interim Committee	Committee Secretary	136	Current/4/Permanent
2.5.11	Water Policy Interim Committee	Committee Secretary	171	Current/4/Permanent
2.5.12	Other Committees Authorized by Study Bill	Committee Secretary	136/171	Current/4/Permanent

III. Equipment on hand

EQP (Equipment on hand)				
Inventory, maintenance, and related issues files for equipment the Legislative Branch entities own or have use of. Files related to the ownership and maintenance of computer programs (software) are listed, since they are capital assets to the state system. Files related to prospective purchases of equipment are listed within purchasing files.				
	Record	Responsible Position	Location	End of life
3.1	Inventory (agency records) /Hardware, furniture	Financial Services Manager	Online/SABHRS	2/3/Discard

IV. Facilities and Services

FAS (Facilities and services [Dept. of Admin and Legislative Branch Facilities])				
Material related to office space and other services provided by the Department of Administration principally through the General Services Division or State Information Technology Services Division (SITSD) to Legislative Branch entities. Materials related to services provided by the accounting division, publications and graphics, and personnel divisions or SITSD training programs should be filed under the appropriate functional area or in the case file to which the service relates.				
	Record	Responsible Position	Location	End of life
4.1	Capitol Building – Space /agreement for lease of physical space within the Capitol Building or any other location.	Facility Coordinator	154	Current/5/Discard
4.2	Office of Legislative Information Services	Chief Information Officer		
4.2.1	Training and Support/training information pertinent to information technology that legislative staff uses	Chief Information Officer	The Insider intranet	Current/Discard

V. Financial and Accounting

FIN (Financial and accounting)				
Materials related to the financial cycle of the Legislative Branch from budget development through fiscal management to audit and closure.				
Record	Responsible Position	Location	End of life	
5.1	Budget Development and Authorization			
5.1.1	Correspondence/memos relating to the budget and the financial issues of the branch	Financial Services Manager	154	2/3/Discard
5.1.1.1	Budget Office/documentation and correspondence from the Budget Office	Financial Services Manager	154	2/3/Discard
5.1.2	Council Budget/documentation regarding the Legislative Council budget	Financial Services Manager	154	2/3/Discard
5.1.3	Feed Bill Budget/documentation for the feed bill budget, which is the budget for session	Financial Services Manager	154	2/3/Discard
5.1.4	Fiscal Note Work Paper/documentation and notes for preparing fiscal notes as needed for bills	Financial Services Manager	154	C/4/Discard
5.2	State Accounting Systems Reports /reports from the State Accounting System relating to the branch	Financial Services Manager	154	
5.2.1	Division (LSD/LFD/LAD)	Financial Services Manager	154	2/3/Discard
5.3	Office Financial Administration			
5.3.1	Salaries/documentation regarding salaries for branch employees and market surveys	Human Resource Manager	154	2/2/Discard
5.3.2	Billing Support Documentation (invoices)/documentation such as receipts and purchase orders to support bills that the branch pays	Financial Services Manager	154	5/Discard
5.3.3	Daily Cash Receipts/receipts for cash received during the business day	Financial Services Manager	154	2/3/Discard

VI. Information and Reference

INF (Information and reference)				
Materials related to the Office of Legislative Information Services of the Legislative Services Division in support of the Legislative Branch. These are collections of materials retained specifically for the purpose of reference in order to provide information in response to information requests or to provide records of information so provided.				
	Record	Responsible Position	Location	End of life
6.1	Library Collection	Librarian	10 – Reference Center	Varies
6.1.1	Books/books that are used as reference. The end of life depends on the volume as some have historical value while others become outdated quickly.	Librarian	10 – Reference Center	Current
6.1.2	Interim Committee Reports/Reports prepared by legislative staff	Librarian	10 – Reference Center http://leg.mt.gov/css/Web%20Reports/rptweb.asp	Permanent
6.1.3	Serials/magazines, journals, and periodicals to which the branch subscribes	Librarian	10 - Reference Center	Varies
6.1.4	Annual Reports from State Agencies/Statutorily required reports from state agencies to the Legislature	Librarian	http://leg.mt.gov/css/Web%20Reports/rptweb.asp	4/Archive
6.2	Memorandum File /official memos from the Legislative Branch	Librarian	10 /Online http://leg.mt.gov/css/Web%20Reports/rptweb.asp	Permanent
6.2.1	Initiative Review/legal review of proposed initiatives	Librarian	10 /Online http://leg.mt.gov/css/Web%20Reports/rptweb.asp	Permanent
6.2.2	Memoranda/white papers, information requests, and memos written by research staff and attorneys	Librarian	10 – Reference Center/Online http://leg.mt.gov/css/Web%20Reports/rptweb.asp	Permanent
6.3	Rule Review – Overview, Policy, Historical /Individual committees retain specific materials	Librarian	10 –Online http://leg.mt.gov/css/Web%20Reports/rptweb.asp	Current/Permanent
6.4	Information Requests	Librarian	10-Info request system	Permanent
6.4.1	Requestor File/Response Doc	Librarian	10 – RC, info request system	4/Archive

6.4.2	Staff experts/subject area expertise of staff	Librarian	Online W:\Data\LEG\COMMON\Intranet\content\gen_info\Staff-Subject-Expertise.pdf	Current
6.5	Document Request System /staff interim committee reports, memos and information requests prepared by legislative staff	Librarian	Online http://leg.mt.gov/css/Web%20Reports/rptweb.asp	Permanent
6.6	Legislative Procedure	Librarian	10 – Reference Center	Current/Permanent
6.7	Interested Persons	Committee secretary	Web page	Current/1.5/Discard
6.8	FOIA Requests /Freedom of Information Act Requests	Executive Director	112 (Note: Need to set up common drive for IT search files, email files, etc.)	4/Permanent
6.9	Service Desk Tickets	Chief Information Officer	4/Help Desk System	C/2/Discard

VII. Interstate Cooperation

ISO (Interstate cooperation)				
Files related to organizations, committees, or activities of an interstate or international character for which the branch has an administrative responsibility.				
	Record	Responsible Position	Location	End of life
7.1	Membership and appointments Legislative Council and leadership appointments to various boards and committees of legislators and legislative staff	Executive Director	112	Current/Discard
7.2	Council of State Government – Western Legislative Academy	Executive Director	112	Current/2/Discard

VIII. Legislation Drafting and Review

LEG (Legislation – drafting and review)				
Materials related to the bill drafting and bill processing services of the branch conducted by the Legislative Services Division.				
	Record	Responsible Position	Location	End of life
8.1	Forms and Procedures			
8.1.1	Blank Bill Draft Request Forms/blue form that is completed by or for a legislator to request a bill draft	Code Commissioner	123/ http://webapp-prod.legmt.gov/bill_draft_management/login/?next=/bill_draft_management/	Current/Discard
8.1.2	Signatures (H/S members)	Document Processing Supervisor	10 (Doc Processing)	Current/2/Discard
8.2	Bill Drafting Seminar Outlines /training sessions for legislative staff and other state agency personnel regarding bill drafting	Code Commissioner	123/Online	Current/2/Discard
8.3	Bill Drafting and Processing	Code Commissioner	123/ https://leg.mt.gov/content/Publications/2018-bill-drafting-manual.pdf	Current/4/Discard
8.3.1	Request Records/formerly actual log books for bill draft requests which is now online	Code Commissioner	Vault/ http://laws.leg.mt.gov/legprd/LAW0217W\$BAIV.return_all_bills?P_SESS=20171 For specific session, use that session year to link to the item.	Current/Permanent
8.3.2	Bill Drafting Progress Reports/various reports on the drafting progress of the bills	Code Commissioner	123/ http://webapp-prod.legmt.gov/bill_draft_management/login/?next=/bill_draft_management/	Current/Permanent
8.3.3	Status Records and Reports	Code Commissioner	123/ http://webapp-prod.legmt.gov/bill_draft_management/login/?next=/bill_draft_management/	Current/Permanent
8.3.4	Draft Request Archive (Junque) Pre-session intro. Authorization attached/documentation	Bill Processors/Librarian	10/V5	2 sessions/Discard

	and checklists for bill drafts, including correspondence			
8.3.5	Governor's Amendments and Vetoes/documentation from the Governor's office on bills that have been amended or vetoed	Code Commissioner	123/ http://webapp-prod.legmt.gov/bill_draft_management/login/?next=/bill_draft_management/	Current/Permanent
8.3.6	Bill Drafting Manual/biennial publication that provides guidelines for bill drafting, such as language suggestions and formatting	Code Commissioner	123/Online	Current/Permanent
8.4	Ballot Issue Review (initiatives)	Code Commissioner	136/Online	Current/Permanent
8.4.1	Ballot Issue Correspondence/letters received and sent regarding ballot issues and legal review of initiatives	Code Commissioner	136/10	2/Permanent

IX. Montana Code Annotated Codification and Annotation

MCA (Montana Code Annotated – codification and annotation)				
Files used by the Code Commissioner and staff to document activities related to the preparation of MCA documents for publication. Preparation is distinguished from the printing and distribution functions. Activities are conducted by the Legislative Services Division.				
	Record	Responsible Position	Location	End of life
9.1	Procedures (includes surveys)	Code Commissioner	123	Current/Discard
9.2	Periodic Reports	Code Commissioner	123	Current/Permanent
9.2.1	Code Commissioner Correspondence	Code Commissioner	123	Current/Permanent
9.3	Codification			
9.3.1	Printouts (proofs, corrections, etc.)	Publications Officer	10B	6 mo. /Discard
9.3.2	Session Law Proofs	Publications Officer	10B	6 mo./Discard
9.4	Ancillary Publications /Session laws, History and Final Status, Legislative Review and MCA Compilations specifically made for State Agencies	Publications Officer	10B	6 mo./Discard
9.5	Annotations	Code Commissioner	123/ "C:\Program Files (x86)\Montana Legislative Service\NFO\MCA2017SS.nfo"	Current/2/Discard
9.5.1	Case Notes	Code Commissioner	123/Vault	Current/4/Discard
9.5.2	Cross References	Code Commissioner	123/Vault	Current/4/Discard
9.5.3	Printouts	Publications Officer	10B	6 mo./Discard
9.6	Publisher Correspondence			
9.6.1	West	Code Commissioner	123	Current/5/Discard
9.6.2	State Reporter Publishing Co.	Code Commissioner	123	Current/5/Discard
9.6.3	Lexis - Nexis	Code Commissioner	123	Current/5/Discard
9.7	Index	Code Commissioner	123	Current/Discard
9.8	Problems-Suggestions	Code Commissioner	123	Current/permanent

X. Personnel

PER (Personnel)				
Materials related to the recruiting, training, pay, and administration of personnel for the Legislative Branch. Broad office policies on personnel may properly belong in administration, but material specifically related to individuals or individual details of personnel administration belong in this classification. All personnel paperwork should be in the Financial Human Resources Office (FHRO) of the Legislative Services Division.				
	Record	Responsible Position	Location	End of life
10.1	Hiring Process /materials relating to the hiring and recruitment of personnel, including vacancy announcements, interview process and paperwork for hiring staff and legislators	Human Resource Manager	154	Current/Discard
10.2	Employment Applications/Inquiries /Applications completed by persons seeking employment with the branch	Human Resource Manager	154	Current/2/Discard
10.3	Personnel Records /files on current and past staff and legislators	Human Resource Specialist	154	Current/50/Destroy
10.3.1	Time Sheets for Session/Temp Staff/Short Term/paper records of hours worked by employees	Human Resource Specialist	154	Current/Permanent
10.4	Personnel Financial Records /documentation regarding pay and benefits for staff and legislators	Human Resource Specialist	154	Current/Permanent
10.5	Benefits Plans		http://benefits.mt.gov/	
10.5.1	Workers' Compensation/records for workers comp premiums paid and claims	Human Resource Specialist	154	Current/Discard
10.5.2	Unemployment Insurance/ records for unemployment premiums paid and claims	Human Resource Specialist	154	Current/Discard
10.5.3	EEO/Equal Employment Opportunity documentation	Human Resource Manager	154	Current/Discard
10.5.4	Family & Medical Leave Act/forms and documentation for staff on medical leave	Human Resource Manager	154	Current/Discard
10.6	Training and Continuing Education – Office Programs	LAD Training Administrator	LAD	Current/50/Destroy
10.7	Orientation Checklist /form to ensure that all proper hiring information is obtained from legislators	Human Resource Specialist	154	Current/Discard
10.8	Classification and pay plan /documentation for branch pay plans and position classification	Human Resource Manager	154	Current/4/Discard
10.8.1	Job Descriptions/position descriptions for legislative staff outlining duties and expectations of the position	Human Resource Manager	154	Current
10.8.2	Performance Appraisal/completed performance appraisals for legislative staff	Human Resource Manager	154	5/Discard

XI. Publications

PUBS (Publications) – Legislative Services Division				
These files relate to the printing and distribution of publications for which the branch has responsibility. Documents are organized in files related to specific editions of each publication. Files related to the preparation of the text within the publication are located in an appropriate functional area such as MCA or LEG.				
	Record	Responsible Position	Location	End of life
11.1	Montana Code Annotated Statute Text (file by year)/text of the Montana Code as codified by staff attorneys and made printer ready	Code Commissioner	123	2/2/Permanent
11.1.1	General Correspondence/inquiries for printing the codes	Code Commissioner	123	2/2/Permanent
11.1.2	Contractor Solicitation and Response (bids)/bids and solicitation for bids from publishers	Code Commissioner	123	2/2/ Permanent
11.2	Montana Code Annotated Annotations (file by year)	Code Commissioner	123	2/2/ Permanent
11.2.1	Correspondence/with publishers and purchasers of the annotations	Code Commissioner	123	2/2/ Permanent
11.2.1.1	General	Code Commissioner	123	2/2/ Permanent
11.2.1.2	Contractor	Code Commissioner	123	2/2/ Permanent
11.2.2	Contractor Solicitation and Response (bids)	Code Commissioner	123	2/2/ Permanent
11.3	History and Final Status/Session Law			2/2/ Permanent
11.3.1	Correspondence/with publishers and purchasers of the annotations	Code Commissioner	123	2/2/ Permanent
11.3.1.1	General	Code Commissioner	123	2/2/ Permanent
11.3.1.2	Contractor	Code Commissioner	123	2/2/ Permanent
11.3.1.3	Suggestions	Code Commissioner	123	2/2/ Permanent
11.3.2	Contractor Solicitation and Response (bids)	Code Commissioner	123	2/2/ Permanent
11.4	The Interim /Newsletter containing information about interim activities	Operations Manager	4/ https://leg.mt.gov/css/Publications/Interim-Newsletter/default.html	Permanent
11.4.1	Correspondence	Operations Manager	4	2/2/Discard

11.4.2	Distribution Lists/lists of those who have requested the Interim updates	Operations Manager	4	Current
11.4.3	The Interim/physical publication and online posting	Librarian	10/ https://leg.mt.gov/css/Publications/Interim-Newsletter/default.html	Permanent
11.5	Telephone Directory /listing of staff phone numbers	Facilities Manager	154/ W:\Data\LEG\COMMON\Intranet\content\default.htm	Current
11.6	Bill Drafting Manual /book that outlines the process for drafting bills	Code Commissioner	123/ https://leg.mt.gov/content/Publications/2018-bill-drafting-manual.pdf	Current
11.7	Legislator's Handbook /Guide with pertinent information for legislators and about the legislative process	Executive Director	112/10	Permanent
11.8	Committee Minutes		Online [r:inf\session\year]	2/2/Archive
11.9	Exhibits		Online [r:inf\session\year]	2/2/Archive
11.10	Copper Books /booklets that contain photos and brief biographies of the Legislators	Publications Officer	10A	Permanent

XII. Purchasing

PUR (Purchasing)				
Records relating to the requisition, pricing, and purchasing of items for the Legislative Branch. After purchase records are included in EQP or other appropriate files. Pre-purchase documents are either working files held by proposers, budget files, or other functional files. Coordinated through the Legislative Services Division.				
	Record	Responsible Position	Location	End of life
12.1	Purchase Orders / document and first official offer issued by a buyer to a seller, indicating types, quantities, and agreed prices for products or services	Financial Services Supervisor	154	2/3/Discard
12.2	Policy and Procedures /requirement of purchasing items for the branch	Financial Services Supervisor	154	Current/Discard
12.3	Agency Purchasing Authority /documentation providing permissions for purchasing items	Financial Services Supervisor	154	Current/3/Discard

XIII. Session Services

Session Services				
Files related to the activities of offices/functions operated by the Legislative Services Division just before and during legislative sessions. Some of the file series listed here are analogous to files identified in the location plans under office locations. They are organized this way to facilitate their transfer in whole to those who operate the session service. Other files will be maintained in the main office according to the referendum schedule.				
Record	Responsible Position	Location	End of life	
13.1	Legislative Information Desk /Legislator messages received by the Information Desk during session.	Information Desk Manager	W:\DEVAPPS\PhoneMessages U:\LegWebMessage	Permanent
13.2	Legislative Printing	Bill Distribution Supervisor		
13.2.1	Printing/printing of bills for interested parties	Bill Distribution Supervisor	74	2/2/Archive
13.2.2	Data Distribution/documentation of individuals and organizations that request session related materials such as bills	Bill Distribution Supervisor	74/ W:\DEVAPPS\PubMgmt	2/2/Archive
13.2.3	Proceedings/Daily journals	Bill Distribution Supervisor	74	2/2/Archive
13.3	Canvas of Votes		10	4/Discard
13.3.1	Legislator Resignation/Appointments Etc.	Human Resource Specialist	154	2/50/Ar/Destroy
13.4	Housing Assistance (Master Forms)	LSD Administrative Assistant	110	Current/Discard
13.5	Pre-session Activity			
13.5.1	Legislator Orientation	Operations Manager	10 RC/ W:\Data\LEG\COMMON\Intranet\content\default.htm	Current/4/Archive
13.5.2	Letters to Freshman/Veteran Legislators	Operations Manager	4	2/Archive
13.5.3	Addresses of Legislators	Human Resources Specialist	154	Current
13.5.4	Committee Staffing	Human Resource Manager	154	2/Archive

13.5.5	Reports in LAWS	Executive Director	Online/ http://lawsfrm.leg.mt.gov/forms/frmservlet?config=laws_jvm	10/Permanent
13.5.6	Session Staff Job Applications	Human Resources Manager	154	Current
13.5.7.1	Letters Sent	Operations Manager	10 (Comm)	2/2/Discard
13.5.7.2	Letters Received	Operations Manager	10 (Comm)	2/2/Discard

Appendix A – Interim Committee Filing Structure

Basic Structure & Definitions

1. Committee/Commission Members
 - A. Purpose: to provide a list of committee/commission members and their contact information.
 - B. Content: a list of all committee/commission members printed from Committee Members tab on a committee's web page.
2. Letters/Emails Received
 - A. Purpose: to provide a hard copy of correspondence received related to this committee/commission's work.
 - B. Content: a hard copy of correspondence received related to this committee/commission's work. This folder should include Appointment Letters if there are such.
 1. Letters/Emails Received
3. Letters/Emails Sent
 - A. Purpose: to provide a hard copy of correspondence sent to the committee/commission members that is related to this committee's/commission's work.
 - B. Content: a hard copy of correspondence sent to the committee/commission members that is related to this committee/commission's work. Documents (e.g., Lyris Messages or Rule Reviews) that are sent on the Researcher's or Attorney's behalf and that are filed in different folders, do not need to be filed in this folder.
 1. Letters/Emails Sent
4. News Releases
 - A. Purpose: to provide a hard copy of news releases related to this committee/commission's work.
 1. Press Releases
 - i. Press Release refers to the official announcement and distribution of information to the public and media regarding legislative committee/commission activities or other newsworthy information regarding the Legislative Branch. A researcher sends a completed press release to the communications department via the email address: legpressreleases@mt.gov. The communications department then posts the press release to the state's news site (news.mt.gov) as well as to the Legislative Branch's Facebook and twitter accounts. The communications department then distributes the press release to the major media outlets throughout the state of Montana. General Public can access the information once it is posted.
 - ii. Legislative Branch Press Releases can be viewed at:
<http://news.mt.gov/Home/PID/24469/ev/1/CategoryID/229/CategoryName/Legislative-Branch>
 - B. Lyris Messages
 1. an email list hosted on the Legislative Branch's website that allows users to subscribe to receive information via email about specific legislative committees/commissions or other categories of news about the Legislative Branch. Legislative Branch staff (researchers, secretaries, or other staff) are given access via a login and password to manage each Lyris email list (contact the IT help desk at ext. 0912 for information regarding access). When a staff member sends a message through a particular Lyris list, an email is sent to those who have subscribed or have been

manually added by a staff member with access to the list. Staff members with access to a list have the ability to add or remove email addresses from the list; additionally, subscribers have access to unsubscribe or remove their own emails from the list.

a. Only subscribers receive this information.

2. Miscellaneous Information

a. Some committees/commissions have both Press Releases and Lyris Messages while others only have one.

3. Content: press releases: a hard copy of articles (press releases); Lyris email messages usually start with 'You are receiving this email as a subscriber to the School Funding Interim Commission email list' but always end with 'To Unsubscribe please visit this website: http://leg.mt.gov/css/email_logon.asp'.

5. Mailed Materials

A. Purpose: to provide a hard copy of all materials mailed on a particular day in preparation for a particular meeting. Content: any materials that were mailed. When filed, they should be placed in a manila folder labeled as shown in the example above. There can be more than one mailing (and, therefore, more than one manila folder) for a particular meeting. This folder includes both types of mailings: sent via traditional mail or e-mail.

1. [Committee/Commission Name] Mailing for [Month Day, Year] Meeting // Mailed: [Month Day, Year]

a. Example: School Funding Mailing for Jan. 11-13, 2015 Meeting Mailed: Dec. 31, 2015

6. Minutes with Exhibits

A. Purpose: to provide a hard copy of Minutes Log and all Exhibits and Attachments.

1. [Committee/Commission Name] // [Month Day, Year]

B. Exhibits

1. Materials that are distributed and/or discussed during the meeting.

C. Attachments

1. All other materials, something that is not discussed by the committee members. These are documents such as Roll Call, Roll Call Vote forms, Visitor List. Agenda is also an attachment. In some rare cases, a presenter may provide additional materials shortly after the meeting that are important to his or her presentation; the committee's Researcher then may decide to include this document in the Minutes Log. Such document is marked as an Attachment as opposed to Exhibit.

D. Content

1. Minutes Log, Exhibits, and Attachments in a manila folder that contains documents for one meeting only. It is helpful to also include a printout of a meeting webpage for that particular meeting (especially if it is a conference call meeting) that provides a list of all documents that are linked on the committee's website. This includes Public Comment unless it has to be filed as a separate folder due to its volume.

7. Meeting Packets

A. Purpose: to provide a hard copy of documents that were distributed to the committee/commission members but that cannot be filed in other folders. Usually items that are not discussed in the meeting and do not become exhibits.

B. Content: any documents that cannot be filed in other folders. It might be articles printed from Internet or documents that were not produced by the committee/commission staff.

1. [Committee/Commission Name] // [Month Day, Year]

8. Study Plans/Staff Reports/Legal Memos
 - A. Purpose: to provide a hard copy of documents that are directly connected with the work of the committee/commission. This folder will include documents which are compiled based on the committee's/commission's requests and documents that allow the committee/commission members to perform the duties assigned to them.
 - B. Study Plans
 1. Work plans that outline statutory responsibilities and proposed roadmap on how to complete committee's/commission's work (including meeting schedule).
 - C. Staff Reports
 1. Any reports prepared by the Researchers. These documents can be identified by this phrase: "prepared by [Researcher's Name]".
 - D. Legal Memos
 1. Legal opinions requested by the committees that are typically drafted by staff Attorneys.
 - a. Content: study/work plans, staff reports (including briefing papers), and individual bill studies (e.g., SJR 13 or HB 142)
9. Work Papers
 - A. Purpose: these are documents that researchers use for preparation of any kind of reports for the consideration of the committee/commission and find important enough to keep on file. These documents are not intended to be distributed to the committee/commission members. These are not reports but tools.
 1. Content: Secretaries should be directed by Researchers if any documents need to be filed in this particular folder.
10. Rule Review – for applicable committees
 - A. Purpose: the purpose is for the legal staff to prepare memos or rule review reports (which, in essence, are analyses of rules) regarding proposed rules by an agency for a committee's/commission's consideration.
 1. Content: memos and rule review reports.
11. Bill Drafts
 - A. Purpose: to provide a hard copy of bill drafts that are prepared at the request of the committee/commission. Committee/Commission Researchers or Attorneys process bill drafts.
 1. Content: committee/commission bill drafts. They may be referenced by a CL #.

Appendix B - Montana Code Annotated Definitions

Montana Code Annotated 2017

TITLE 2. GOVERNMENT STRUCTURE AND ADMINISTRATION

CHAPTER 6. PUBLIC RECORDS

Part 10. General Provisions

Definitions

2-6-1002. Definitions. As used in this chapter, the following definitions apply:

- (1) "Confidential information" means information that is accorded confidential status or is prohibited from disclosure as provided by applicable law. The term includes information that is:
 - (a) constitutionally protected from disclosure because an individual privacy interest clearly exceeds the merits of public disclosure;
 - (b) related to judicial deliberations in adversarial proceedings;
 - (c) necessary to maintain the security and integrity of secure facilities or information systems owned by or serving the state; and
 - (d) designated as confidential by statute or through judicial decisions, findings, or orders.
- (2) "Constitutional officer" means the governor, lieutenant governor, attorney general, secretary of state, superintendent of public instruction, or auditor, who are the constitutionally designated and elected officials of the executive branch of government.
- (3) "Constitutional officer record" means a public record prepared, owned, used, or retained by a constitutional officer.
- (4) "Essential record" means a public record immediately necessary to:
 - (a) respond to an emergency or disaster;
 - (b) begin recovery or reestablishment of operations during and after an emergency or disaster;
 - (c) protect the health, safety, and property of Montana citizens; or

- (d) protect the assets, obligations, rights, history, and resources of a public agency, its employees and customers, and Montana citizens.
- (5) "Executive branch agency" means a department, board, commission, office, bureau, or other public authority of the executive branch of state government.
- (6) "Historic record" means a public record found by the state archivist to have permanent administrative or historic value to the state.
- (7) "Local government" means a city, town, county, consolidated city-county, special district, or school district or a subdivision of one of these entities.
- (8) "Local government records committee" means the committee provided for in 2-6-1201.
- (9) "Permanent record" means a public record designated for long-term or permanent retention.
- (10) "Public agency" means the executive, legislative, and judicial branches of Montana state government, a political subdivision of the state, a local government, and any agency, department, board, commission, office, bureau, division, or other public authority of the executive, legislative, or judicial branch of the state of Montana.
- (11) "Public information" means information prepared, owned, used, or retained by any public agency relating to the transaction of official business, regardless of form, except for confidential information that must be protected against public disclosure under applicable law.
- (12) "Public officer" means any person who has been elected or appointed as an officer of state or local government.
- (13) "Public record" means public information that is:
 - (a) fixed in any medium and is retrievable in usable form for future reference; and
 - (b) designated for retention by the state records committee, judicial branch, legislative branch, or local government records committee.
- (14) "Records manager" means an individual designated by a public agency to be responsible for coordinating the efficient and effective management of the agency's public records and information.
- (15) "State records committee" means the state records committee provided for in 2-6-1107.

History: En. Sec. 2, Ch. 348, L. 2015.

Appendix C - Records Procedures

- I. Records Management Components
- II. Types of Files
- III. Biennial Program Review
- IV. Filing Procedures
- V. Records Maintenance

I. Records Management System Components

- A. Retention Schedules. The retention schedules in the policy define how long records must be kept. The schedules indicate when to remove records to inactive storage, and when to destroy them. The retention schedules are based on legal, operational, and historical requirements. They are linked directly to the files classification outline to simplify identification of records eligible for purging.
- B. Refer to Records Retention Table (See Above)
- C. Retention and Disposition Codes. Retention periods for each files classification are coded in the last column of the outline. The retention codes consist of numbers and/or letters divided by one or more slashes. Time in office space appears before the first slash, with time in Capitol storage space noted immediately after it. The time in office storage and Capitol storage together must equal or exceed the office storage requirement published by the Department of Administration. Records are to be removed to Historical Society Archives, the State record center, or destroyed as appropriate following office storage.
 - 1. The numbers denote years. Some letter codes are also used as follows: "C" means retain while current or relevant; "P" means retain permanently; and "D" means discard or destroy. "Ar" means that the file should be offered to the Historical Society Archives prior to discarding or destroying.
 - 2. Retention codes are read as follows: "c/4/p", for example, means retain in office space while current, 4 years in the vault, then permanently in archives. c/4/d means retain in office while current, 4 years in the vault, then destroy or discard.

II. Types of Files/Records

- A. Reading Files. A reading file consists of second copies of outgoing correspondence arranged in chronological order for the Executive Director. It is used to limit extra courtesy copies and to keep managers informed on day-to-day correspondence.
- B. Transitory Files. Files volume can be greatly limited by using transitory files. They are set up to hold all records of short-term or otherwise limited value. These may include meeting and training announcements, hotel and travel reservations, subscription offers, etc. Transitory files should be purged every three months.
- C. Working Files. In bulky files, working papers should be filed separately from official documents. Normally working files should be kept at the desk of the person creating them or in the individual's H:\ drive. Collaborative efforts may require a central location that should be carefully identified. Working papers include preliminary drafts, notes, and informal documents that are normally purged from a file when it is closed. Having these materials filed separately makes the official file much easier to use. Furthermore, working papers can be destroyed much earlier than the official file. Working papers for interim committee activity, for example, are usually discarded at the end of committee work prior to archiving them unless they have been discarded earlier. However, a staff member may wish to retain reference material in a desk file.
- D. Reference Files. Generally, of a technical nature, these materials include reports, periodicals, and special studies. They typically originate outside the office. Placing them in correspondence files hinders efficient retrieval, retirement, and destruction of records. Reference material should be segregated from correspondence files wherever possible. When files are archived, items in reference files will normally be listed bibliographically and retained in the library or discarded as appropriate. Whenever possible, reference documents should be handled as library materials even before archival work is done.

III. Biennial Program Review

- A. The records management officer will review all files location plans at least twice a biennium, at the end of the Fiscal Year in odd years and the fall of even years. The review will be timed to coincide with the cutoff of files from the previous biennium. Actual inspection of the files will be made as necessary. Compliance with the manual will be a major factor in the records management officer's reports to the Executive Director.

IV. Records Filing Procedures

- A. Filing is in the first instance the responsibility of the people in the office who generate and receive documents. The writer and primary user must be familiar with these procedures and initiate filing by marking the document to be filed, classifying it, and submitting it for filing. The secretary or support staff can help by screening obvious problems and by otherwise following procedures.
- B. File on a Daily Basis. The records most frequently requested are those most recently received. The best way to keep track of them is in the files.
- C. File Only What is Necessary. Unnecessary filing wastes time, space, and equipment. Limiting the creation and filing of records from the outset is the best control.
 - 1. Avoid formal communications about routine matters.
 - 2. Limit copies to the exact number required.
 - 3. Do not file routine communications that require no record after action is taken.
 - 4. Limit the filing of reference materials. Submit reference materials to the library for retention.

V. Records Maintenance

- A. Preparation of hard copies. Ready documents for filing as follows:
 - 1. Remove rubber bands, paper clips, pins, and other temporary fasteners. Staples may be left in place.
 - 2. Ensure that the file is complete and that all enclosures are accounted for.
 - 3. Mend or reinforce the records with transparent tape if necessary.
 - 4. Destroy all duplicates except originals and official or annotated file copies.
 - 5. See that parts of another file are not accidentally attached.
 - 6. Remove all copies of mail control forms and routing slips except those that contain remarks of record value. Also remove envelopes unless address is needed or date of receipt must be documented.
- B. Restricted Access Records. If access to certain records is restricted, note this in the files location plan. Secure filing equipment should be used for these records. Personnel and financial records relating to individual privacy are the only records generally to be restricted.
- C. Checkout System. There are checkout pages in Vault 5 for the junque files. Complete the required information (LC number, who is checking out the document, date out, and date returned) on the sheet when you take a file and make sure you check the file back in by indicating the check-in date on the sheet.

D. Electronic Files

1. Personal H:\Drive – Staff are assigned an H: drive on the network to store their electronic files. This should be reviewed annually and documents that are no longer needed should be deleted. Suggested annual review date is July 1, the start of the new fiscal year. Organizational structure is up to individual staff, although assistance can be provided by the branch Records Manager.
2. Email - Practice good records management by deleting non-records and archiving records regularly. To make that easier, set up folders in your Inbox and in Archive for different categories that correspond with retention schedules. As you receive emails, you can place them in the appropriate folders. Move emails in your mt.gov account Inbox that contain public information from the Inbox into Archive folders regularly and keep them for the required retention period (this helps keep the Inbox below the 250MB limit). Sent items must be managed similarly.

Other Resources

[Montana Secretary of State Glossary of Terms](#)

[State of Montana Email Guidelines](#)

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