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SFA

BILL ANALYSIS

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House Bill 4949 (Substitute H-1 as reported with amendment)
House Bill 4950 (Substitute H-1 as reported with amendment)
Sponsor: Representative Joseph Rivet (H.B. 4949)
Representative Paula K. Zelenko (H.B. 4950)
House Committee: Commerce
Senate Committee: Government Operations

CONTENT

House Bill 4949 (H-1) would amend the Management and Budget Act to transfer from the Secretary of State to the Department of History, Arts, and Libraries (DHAL) the following responsibilities:

- Reviewing and approving proposed schedules for the retention and disposal of records maintained by State agencies.
- Determining whether records listed on a schedule have archival value, and disapproving or requiring modification of a schedule that proposes to destroy such a record.
- Maintaining custody of records transferred to the Department.
- Inspecting or inventorying records in the custody of a State agency.
- Initiating legal action to recover records that have archival value.

In addition, the Act requires the Department of Management and Budget periodically to give the Department of State listings of all records in the custody of the Records Center that are due for disposal, before releasing them for destruction. Within 30 days, the Department of State must report to the Records Center regarding each list submitted, and may disapprove the destruction of any or all records listed. Any record that is considered to have potential archival value by the Department of State must be transferred to it. The bill would replace these references to the Department of State with references to the DHAL.

House Bill 4950 (H-1) would amend the Records Media Act to refer to the Department of History, Arts, and Libraries, instead of the Department of State, in a provision that requires the Department of State and the Department of Management and Budget jointly to promulgate rules that govern the creation, processing, indexing, storage, retrieval, durability, and inspection of reproductions by a governmental entity or official.

The bills would take effect August 6, 2001, and are tie-barred to House Bill 4941, which would create the DHAL.

MCL 18.1284 et al.

Legislative Analyst: G. Towne

FISCAL IMPACT

Please see **FISCAL IMPACT** on House Bill 4941 (S-1).

Date Completed: 7-11-01

Fiscal Analyst: M. Tyszkiewicz
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