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OFFICE OF THE GOVERNOR
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AUGUSTA, MAINE
04333-0001

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Paul R. LePage
GOVERNOR

December 29, 2015

Senator Roger Katz, Senate Chair
Representative Chuck Kruger, House Chair
Maine State Legislature
Government Oversight Committee
82 State House Station
Augusta, Maine 04333-0082

Dear Senator Katz and Representative Kruger:

Please forgive my delay in responding to your June letter regarding records management and retention efforts. As you know, there were a variety of issues that unfolded and required my attention over the course of the summer and fall. I offer much appreciation to Beth Ashcroft who, in recognition of both of our recent heavy workloads, reminded me that the GOC is reviewing this issue at its next meeting and that I had not previously responded to your inquiry. I also appreciate your patience.

With respect to the Governor's Office, I am pleased to report that we are fully engaged in records management and retention improvements and have been for several months. Consistent with the recommendations made by the GOC, our office convened a committee (of which I am a part), that has been meeting regularly over the last three months. When we initially met to discuss how to best manage our records, it became apparent relatively quickly that resolving weaknesses in records management and retention systems is much more complex than one might imagine. Consequently, we determined early on that making the effort in our own office and fully understanding the challenges and pitfalls was the best place to start.

We began our work by first meeting with Archives Director Tammy Marks and Records Management Analyst Felicia Kennedy, who proved to be invaluable in helping us determine where and how to start. At their suggestion, we reviewed the *Records Management Basic Principles for Maine State Employees* PowerPoint presentation and our own hard-to-read and outdated records retention schedule. From there, we spent several weeks conducting an inventory of our records. Each individual staff member retains and manages different records in different ways. Hence, we were surprised to find that conducting a records inventory is much more time-consuming and difficult than we had imagined. In sum, this was by no means an easy project. During the course of the inventory, we had regular contact with Ms. Marks and Ms. Kennedy, as well as Assistant Attorney General Brenda Kielty, the Freedom of Access Act Ombudsman. We also met with John Barden, Director of the State Law and Legislative Reference Library, who helped us to better understand where archival and historic records are kept. We also met with Chief Technology Officer Greg McNeal and with IT Project Manager Eric Stout for some education on the technological aspects of records keeping.



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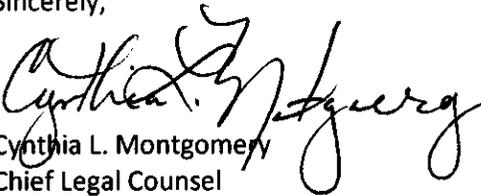
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After conducting our inventory, our committee then met regularly to examine each identified group of records and apply the four part criteria for determining retention – administrative use, legal requirements, fiscal requirements, and historical/archival value. As we began drafting a retention schedule, we met with Ms. Marks and Ms. Kennedy to make sure we were on the right track. We submitted a first draft of our retention schedule to Ms. Kennedy, along with the necessary paperwork to update it. We are currently waiting for Ms. Kennedy's feedback.

Once we have an updated retention schedule that has been vetted and approved by Archives, our committee will meet with and train our staff. At the same time, we will meet with the Executive Branch communications' staffs and work with them to begin their own records management and retention improvements.

Thank you for your time and attention.

Sincerely,



Cynthia L. Montgomery
Chief Legal Counsel

Cc: Beth Ashcroft, Director OPEGA