LEGISLATIVE RESEARCH COMMISSION

DIGITIZATION OF PUBLIC RECORDS BY STATE ARCHIVES



REPORT TO THE 2001 SESSION OF THE 2001 GENERAL ASSEMBLY OF NORTH CAROLINA

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1999 - 2000

LEGISLATIVE RESEARCH COMMISSION

MEMBERSHIP

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Senator Austin M. Allran Senator Linda D. Garrou Senator Jeanne H. Lucas Senator R.L. "Bob" Martin Senator Ed N. Warren Speaker of the House of Representatives James B. Black, Cochair

Rep. James W. Crawford, Jr. Rep. Beverly M. Earle Rep. Verla C. Insko Rep. William L. Wainwright Rep. Steve W. Wood

PREFACE

The Legislative Research Commission, established by Article 6B of Chapter 120 of the General Statutes, is the general purpose study group in the Legislative Branch of State Government. The Commission is cochaired by the Speaker of the House of Representatives and the President Pro Tempore of the Senate and has five additional members appointed from each house of the General Assembly. Among the Commission's duties is that of making or causing to be made, upon the direction of the General Assembly, "such studies of and investigations into governmental agencies and institutions and matters of public policy as will aid the General Assembly in performing its duties in the most efficient and effective manner" (G.S. 120-30.17(1)).

The Legislative Research Commission, prompted by actions during the 1999 Session and 2000 Sessions, has undertaken studies of numerous subjects. These studies were grouped into broad categories and each member of the Commission was given responsibility for one category of study. The Cochairs of the Legislative Research Commission, under the authority of G.S. 120-30.10(b) and (c), appointed committees consisting of members of the General Assembly and the public to conduct the studies. Cochairs, one from each house of the General Assembly, were designated for each committee.

The study of digitization of public records was authorized by Part II, Section 2.1 (1) h of S.L. 1999-395. The relevant portion of Chapter 395 is included in Appendix A.

The Legislative Research Commission authorized this study under authority of G.S. 120-30.17(1) and grouped this study in its Governmental Agency and Personnel Issues area under the direction of REPRESENTATIVE Steve W. Wood. The Committee was chaired by Representative Margaret M. Jeffus and Mr. David Ferriero. The full membership of the Committee is listed in Appendix B of this report. A committee notebook containing the committee minutes and all information presented to the committee will be filed in the Legislative Library by the end of the 1999-2000 biennium.

COMMITTEE PROCEEDINGS

The Legislative Research Commission's (LRC) on Digitization of Public Records by State Archives met four times during the 1999-2000 interim to study issues relating to the digitization of public records. The primary focus of the Committee during the 1999-2000 interim was that of fact finding and information gathering. The Committee received significant information in terms of both content and volume relative to the status of the State's public records system and the requirements of some of the users of the system. However, there was not sufficient time to complete this research prior to the 2000 Short Session. More extensive work and exploration of issues was planned for the 2000-01 interim. The Interim Report to the 2000 Session of the 1999 General Assembly presented the following findings:

- Paper and microfilm continue to offer a more permanent means of maintaining public records. Digitization is a medium for access but not for preservation, and a plan to address public records storage is essential to preservation of archival documents.
- 2) The massive volumes of information held in depositories statewide necessitate development of consistent standards for organization of information and Internet access that follows the old-fashioned library cataloging system, and preparation of a workable plan for access, i.e. digitization.
- 3) The Division of Archives and History needs to resume the input of data into the Manuscript and Archives Reference System (MARS), the primary finding-aid for archival information.
- 4) The recommendation from the Committee was to continue its research of digitized public records systems, and develop a plan with the recommendations for digitization of North Carolina's public records and for the implementation of the system in the future.

OCTOBER 24, 2000

North Carolina Department of Cultural Resources Division of Archives and History

The Legislative Research Commission on Digitization of Public Records by State Archives resumed meetings following the close of the 2000 Short Session. The order of business for this meeting was to revisit the purpose of the Committee (APPENDIX C), to receive a report from the Division of Archives and Records on Information Technology Plans for the five-year period, 2000-2005, to highlight the results of the Town Meetings, and to review a report on the comparison of search fees among the Southeastern States.

The Five-Year Technology Plan for the Archives and Records Section emphasized four goals: 1) utilizing information technology to enhance services, 2) physical and intellectual control (bar-coding to improve and make more efficient the transfer, accessioning, and disposition of records),3) reformatting of SCHEDS and FAIDS and allied databases, 4) reformatting the Manuscript and Archives Reference System (MARS) and other archival databases to a web-format database, 5) archival preservation program for electronic records, 6) development of a digital repository for the storage and maintenance of archival electronic records and to provide access to digital material in the custody of the Archives, and 7) expansion of web presence.

The means presented by the Division to achieve the goals, particularly digitized information, were outlined in the Expansion Budget request. The initial years of the budget, if funded in total, would require \$708,000 in Fiscal Year 2001-02 and \$575,000 in Fiscal Year 2002-03, and approximately \$500,000 to \$537,000 annually in subsequent years. Total estimate of the program is \$2.8 million. However, costs for subsequent years are approximate as increases in replacement hardware and software requirements are not included. As presented, the budget entails support for 12 positions to increase staffing for the Information Technology Branch that was created with funds in the existing budget during Fiscal Year 2000-01 and currently has a staff of two.

The 12 positions are a combination of technical and archival personnel with a mission of promoting the Electronic Records Branch's focus of online access to finding aids and selected

digitized images of State agency and county records, private manuscript collections, and photographs, and preservation of public records. The anticipated outcomes of the Branch are four fold: 1) implementation of a digitization program for the preservation of valuable permanent material, whether to provide access to fragile documents or to scanned county records for county and State agencies, 2) to staff the newly created Electronic Records Branch for the purpose of assisting in the digitization effort, 3) increasing the number of records in the Manuscript and Archives Reference System (MARS) from the current 362,000 records to over 552,000 descriptions, and 4) reengineering MARS to a more user-friendly, web-based database. In the budget request, \$172,000 in Fiscal Year 2001-02 has been identified for MARS upgrades for the Division. An additional \$104,400 is also included in Fiscal Year 2002-03 to provide technology upgrades at the departmental level that are required to implement changes to MARS. The essential outcome is accelerated and expanded public access to records of informational, historical, and evidential value.

It is anticipated that selected public records in the custody of the Division of Archives and History will be electronically available regardless of location at any hour of the day of the week. The Division has presented a <u>tentative</u> five-year schedule for digitization of records as indicated below:

Year 2001-2002

Secretary of State Wills, 1663- (8,280 images) Colonial Court Records, Estate Papers, 1665-1775 (approximately 28,000 images) Poster Collection (184 images; approximately 2 months) Finding Aids to Governor's Papers, Terry Sanford to James Hunt.

Year 2002-2003

Treasurer and Comptrollers, Revolutionary War Pay Vouchers (72,000 images) Finding Aid to the Military Collection with selected scanned images of documents within the collection

Year 2003-2004

Treasurer and Comptrollers, Revolutionary War Pay Vouchers (72,000 images; continued from previous year) Finding Aids to the Jeanelle Coulter Moore Papers, 1964-1975; Gertrude Weil Papers, 1865-1971; Tucker Littleton Papers, 1922-1976; Walter Clark Papers, 1783-1920; Pettigrew Papers, 1722-1912; Bryan Grimes Papers, 1778, 1812-1912; W. Vance Brown Papers, 1779-1894;

Year 2004-2005

Treasurer and Comptrollers, Revolutionary War Pay Vouchers (72,000 images; continued from previous year)

Josiah Collins Papers, 1761-1892; James Iredell Waddell Papers, 1775-1919; Dr. Thomas Fanning Wood Papers, 1861-1923; Isaac London Papers, 1769-1964; L. Polk Denmark Papers; Nell Battle Lewis Papers, 1865, 1898, 1920-1956; Little-Mordecai Papers, 1713-1959; McAllister Family Papers; Jane McKimmon Collection, 1910-1945; Elizabeth Moore Collection, ca. 1724-1974

Year 2005-2006

Division of Archives and History Survey and Planning Branch Photographic Negatives (approximately 25,000 images) Brimley Photograph Collection (2,500 images) Finding aid to the Brimley Photograph Collection Selected exhibits based on scanned images from the Archives and Records Section Iconographic Collection based on subject matter pertinent to North Carolina elementary, middle and high school students.

Another item of discussion were the town meetings held during the late summer in Asheville, Greenville, and Raleigh. The town meetings were for a global strategic plan for the Division Of Archives and History. The character of the meetings was somewhat different in each instance. The interest ranged from concerns about support for specific historic sites, to questions about the lack of funding for the Division of Archives and History, to interest in genealogy and the archives.

A query from the Committee questioned the infrastructure and if there is a budget for equipment. The Committee was informed that the Division's equipment budget is low, and, to replace or purchase new computers, it has been necessary to divert resources from other budgets. It took them forty years to replace microfilm readers in the reading room.

The final item of discussion was to revisit a request to review search fees among the Southeastern States from the March 6, 2000. By way of background, in 1978, the Division of Archives and History received legislative authority to charge an out-of-state search fee up to

\$10.00 per request. At that time, the charge was \$2.00, which was later raised to \$5.00. Currently the fee is \$8.00, and effective January 1, 2001, the fee will be \$10.00. Reviewing the data, North Carolina is somewhat in the middle of search fees charged among the Southeastern states. Georgia and Virginia charge non-residents \$25.00 and \$20.00, respectively, to search material. Whether the proposed \$10.00 search fee covers the cost of providing the requested information is not possible to determine. However, the nature of some requests suggests the \$10.00 fee will not cover the entire cost. The Section has not conducted a study of this issue.

In regards to budgeting, the Division's Archives and Record Section is required to make a certain level of receipts. A couple of years ago that level was \$140,000, but this fiscal year the Section raised a copy clerk position from a twenty-hour a week position to a thirty-two hour a week position. Since this was done, it was necessary to find money in receipts to support the increased salary requirements. This year the Section will be required to make \$163,000 in receipts. However, the Section restructured fees, which will have new implication for fees, and presented the request to the NC Historical Commission for approval. By the public record law, the Section cannot charge fees that cover indirect costs. When electrostatic copies and copies of hundreds of reels of microfilm are made annually for libraries, individuals, research institutions, and county offices, the Section is not allowed to charge a fee.

NOVEMBER 27, 2000

North Carolina Department of Cultural Resources Site Visit - Division of Archives and History

The Committee held its second meeting for the interim, which was organized as a second site visit to the Department of Cultural Resources, Division of Archives and History to peruse archival documents having the potential for digitization. Additionally, in response to a request from the co-chairs following the October 24 meeting, the Division of Archives and History considered and presented to the Committee a definition of e-Government that would support (or provide a relationship to) digitization efforts. These items and the continued review of the Division of Archives and History's Expansion Budget request were the topics of this meeting.

During all the presentations, it had not been pointed out how e-Government is going to serve the State. E-government refers to the government's use of web-based technologies, Internet communications and in many cases, interconnected applications to facilitate communications and enhance the delivery of government information and services to its citizens, businesses, employees and other governments. Also, it is to improve the efficiency and effectiveness in the performance of businesses and processing. In pursuing digitization as the medium by which public records under the administration of the Division will be available, it can be determined that it is compatible with the concept of e-Government. As defined and applied by the Division of Archives and History, digitization is the process of taking an original record (document, map, poster, photograph, etc.), scanning it to create a digitized image, building an index for subsequent access, and publishing the digitized image on the Internet.

The Division's expansion budget request includes funding for four different endeavors: 1) the implementation of the digitization program in order to preserve the valuable material in the custody of State Archives and to provide access to fragile documents and preservation duplicates. Digitization provides better service to clients by offering off-site research. It will enable registers of deeds and clerks of courts to transfer documents to the State Archives for safekeeping. School children across the State will have the opportunity to learn first-hand their heritage. Vast amounts of school children are unable to learn of the extensive history of this

state through reviewing these documents and to have a better understanding of the history of this state. Currently, it is only convenient for students in Wake and near by counties to become familiar with the documents available.

The Committee revisited the discussion of the Expansion Budget from the October 24 meeting. Specifically, the second aspect of the Expansion Budget of digitization is staffing the Information Technology Branch created in Fiscal Year 2000-01 to assist the proposed digitization program through programming, technical support, maintenance and other computing services and the worldwide access to these. The Electronics Records Branch would provide the infrastructure necessary for a long-term digitization program. Another request in the Expansion Budget is to increase the number of records in the Manuscript and Archives Records System (MARS), to make it more user friendly, and to make it available over the Internet.

A potential product of MARS was the sample documents issued for payment for service during the Revolutionary War, which were on display for the Committee's review. Currently, the only means to view these documents is to visit the Archives. The next project is to make available over the web the Revolutionary War documents that are over 200 years old and in fragile condition and heavily used. The grant received through the courtesy of the State Library will allow the Division's genealogical intern to begin "pressing" documents for microfilming and preservation so that records will no longer be handled. From the preservation microfilm, a master index will be created. A preservation copy of the original document will be provided through public access, utilizing a database. In addition to this project, the Division is microfilming land grants (they are now handled through New Hanover County).

The newly created Information Technology Branch maintains, preserves, and digitizes electronic records, including web pages created by State government, and oversees all of the data entry and standardization of descriptions in the Manuscript and Archives Reference System (MARS). This Branch is responsible for the purchase, maintenance, and trouble shooting for over 76 computers and 5 servers. Digitizing records will have two significant benefits: 1) the means to expedite preservation, thereby reducing the physical loss and deterioration of records resulting from handling, and 2) enhanced public access to these records. There are between

13,000 and 16,000 requests through mail, visitors, and e-mail each year. It has been noted that once records are made available on the web, the demand goes up, visitation goes up, and mail requests go up. The Branch will microfilm and make these records available, but will always be behind as far as the preservation issue is concerned.

A new dimension to the Committee discussion was the consideration of approaches to use in promoting digitization to the General Assembly. According to the Division, the collection [of records] in the Archives is very important to attorneys, who frequently conduct research. There is a wealth of important information here, not only to genealogists and historical scholars, but business and legal groups as well. Land Grants are the specific area of archival records that underscore the importance of the Collection to the legal profession. Additionally, it was thought that the business community might benefit as well, but no concise area was identified.

The balance of the discussion was devoted to a series of queries similar to those explored at the previous meeting, i.e. revenue derived from search and electrostatic fees, public access to records, the benefits of archival searches to the economy of North Carolina or enhancements to travel and tourism, and continued concerns about MARS capability. In regards to access and fees, the Division would like to establish online service for credit cards by 2001.

The final consideration of the Committee was recognition of the lack of space for record retention. Although acknowledged as outside of the Committee's purview, there was interest in going on record to support the need for a new State Records Center, a need that has been on the drawing board for the past ten years.

DECEMBER 18, 2000

The Committee met to discuss and approve the final report.

FINDINGS AND RECOMMENDATIONS

FINDINGS

From the information presented the Committee finds that:

- A digitization program will preserve valuable records entrusted to the care of the Department of Cultural Resources/Division of Archives and History, and provide access to fragile documents and preservation duplicates. Digitization is the means by which the resources of Archives and History will be aligned with the rapidly emerging e-Government initiatives of State government.
- 2) The Manuscript and Archives Records System (MARS) is essentially an electronic card catalog and index to the holdings in the Archives. Through MARS, the Division's collections can be searched by information such as providing author, title, and subject. As part of North Carolina's e-Government activities, MARS will provide Internet access to historical and archived records. The reengineering of MARS is essential to accomplishing this goal.
- 3) The types of archival information requested in order of frequency are: Wills and Estates, death certificates and Confederate service, Land Grant Records, marriage bonds, and in a miscellaneous category Revolutionary War service, War of 1812, court minutes, census, cemetery, and marriage licenses.
- 4) Archival information requests, presented through correspondence and e-mail, have increased over the past nine (9) years. During the period 1991-1999, the Archival Services Branch received 89,099 letters. The Branch received 8,987 letters in 1991 and 11,431 in 1999, which represented a 21.4% increase for the nine-year period. Additionally, with the advent of e-mail, the public has another medium through which to transmit requests. Although the Branch has not maintained a body of statistics related to

e-mail requests, data for ten (10) months of calendar year 2000 may serve as a sample. Between January and October the Branch received an average of 205 requests per month and responded to an average of 173, or 84.4% of the e-mail inquiries.

5) The total estimate of the program is \$2.8 million. The initial years of the budget, if funded in total, would require \$708,000 in Fiscal Year 2001-02, \$575,000 in Fiscal Year 2002-03, and approximately \$500,000 to \$537,000 annually in subsequent years. However, costs in subsequent years are approximate as increases in replacement hardware and software requirements are not included.

RECOMMENDATIONS

- The Digitization Committee recommends that funding be made available to Cultural Resources' Division of Archives and History for digitization of records.
- 2) To leverage investments in technology and contain costs, the committee recommends that the Division of Archives and History work with the Information Resource Management Commission (IRMC) staff to explore outsourcing potentials for the digitization of records. This effort should result in a dual strategy of outsourcing and inhouse capabilities and include a review of the current technical capabilities, both staffing and technical resources, within Cultural Resources. The IRMC should report their findings and recommendations to the standing Senate and House Committees on Information Technology and the Joint Appropriations Subcommittee on General Government by March 31, 2001.
- 3) Although the Division of Archives and History received preliminary approval of their IT expansion budget by the IRMC staff, the committee believes this project is of significant importance to the future of digitization and e-Government within North Carolina. To ensure its success, the committee recommends that formal Project Certification be obtained from the Information Resource Management Commission (IRMC). The

committee further recommends that \$50,000 of the Division's IT Expansion Budget be made available to complete the project planning and IRMC Project Certification. Of the remaining IT expansion budget funds (\$1.2 million), none should be expended prior to review of the IRMC Project Certification by the Joint Select Committee on Information Technology. The results of the IRMC Project Certification should be presented to the Joint Select Committee on Information Technology no later than December 31, 2001. Finally, the committee recommends enacting legislation to support this recommendation.

4) The General Assembly should enact legislation to amend G.S.121-5 (d) to increase the rate for non-resident search fees up to \$25.00. The increased revenue will provide additional funds to defray expanding costs for services, yet allow the search fee in North Carolina to remain competitive with fees in the other Southeastern states.

APPENDIX A

SESSION LAWS 1999 - 395

AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE VARIOUS STUDY COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, AND TO AMEND OTHER LAWS.

The General Assembly of North Carolina enacts:

PART I.----TITLE

Section 1. This act shall be known as "The Studies Act of 1999".

PART II.----LEGISLATIVE RESEARCH COMMISSION

Section 2.1. The Legislative Research Commission may study the topics listed below. When applicable, the bill or resolution that originally proposed the issue or study and the name of the sponsor is listed. Unless otherwise specified, the listed bill or resolution refers to the measure introduced in the 1999 Regular Session of the 1999 General Assembly. The Commission may consider the original bill or resolution in determining the nature, scope, and aspects of the study.

(1) h. Digitization of public records by the Division of State Archives (Jeffus)

PART XXIII.----EFFECTIVE DATE AND APPLICABILITY

Section 23.1. Except as otherwise specifically provided, this act becomes effective July 1, 1999. If a study is authorized both in this act and the Current Operations Appropriations Act of 1999, the study shall be implemented in accordance with the Current Operations Appropriations Act of 1999 as ratified.

In the General Assembly read three times and ratified this the 21st day of July, 1999.

- s/ Dennis A. Wicker President of the Senate
- s/ James B. Black Speaker of the House of Representatives
- s/ James B. Hunt, Jr. Governor

Approved 9:03 p.m. this 5th day of August, 1999

APPENDIX B

DIGITIZATION OF PUBLIC RECORDS BY STATE ARCHIVES COMMITTEE

Membership 1999-2000

Pro Tem's Appointments

Mr. David Ferriero, Cochair Duke University Librarian & Vice Provost for Library Affairs PO Box 90193 Durham, NC 27708 919/660-5800

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APPENDIX G EXPLANATION OF RECOMMENDED LEGISLATION

Legislative Proposal I

AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR COMPLETION OF THE INFORMATION TECHNOLOGY EXPANSION PROJECT AND THE INFORMATION RESOURCE MANAGEMENT PROJECT CERTIFICATION

Summary of Proposed Legislation

Section 1 appropriates \$50,000 from the General Fund to the Department of Cultural Resources for Fiscal Year 2001-02 to complete the project planning for the Information Technology Expansion Project and Information Resource Management Commission (IRMC) Project Certification. The legislation prohibits additional expenditure of funds for information technology expansion prior to review of the IRMC Project Certification by the Joint Select Committee on Information Technology. The results of the IRMC Project Certification should be presented to the Joint Select Committee on Information Technology no later than December 31, 2001.

Section 2 makes this act effective July 1, 2001.

Legislative Proposal II

AN ACT TO ALLOW THE DEPARTMENT OF CULTURAL RESOURCES TO INCREASE THE FEE CHARGED NONRESIDENTS FOR SEARCHES OF ARCHIVED PUBLIC RECORDS

Summary of Proposed Legislation

Section 1 amends G.S. 121-5(d) giving the Department of Cultural Resource the authority to increase the rate for non-resident search fees up to \$25.00.

Section 2 makes this act effective when it becomes law.