

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2389 Session of
1976

INTRODUCED BY MESSRS. CAPUTO AND GEISLER, MAY 18, 1976

SENATOR MURPHY, LOCAL GOVERNMENT, IN SENATE, AS AMENDED,
SEPTEMBER 21, 1976

AN ACT

1 Amending the act of August 14, 1963 (P.L.839, No.407), entitled,
2 as amended, "An act creating a county records committee;
3 imposing powers and duties upon it; authorizing the
4 Pennsylvania Historical and Museum Commission to assist and
5 cooperate with it; defining county records; and authorizing
6 the disposition of certain county records by county officers
7 in counties of the second A and third to eighth class,"
8 including counties of the second class, INCREASING THE
9 MEMBERSHIP OF THE COMMITTEE AND PROVIDING FOR A CHAIRMAN AND
10 FOR MEETINGS OF THE COMMITTEE. <—

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. The title and ~~section~~ SECTIONS 1, 3 AND 4, act of <—
14 August 14, 1963 (P.L.839, No.407), entitled, as amended, "An act
15 creating a county records committee; imposing powers and duties
16 upon it; authorizing the Pennsylvania Historical and Museum
17 Commission to assist and cooperate with it; defining county
18 records; and authorizing the disposition of certain county
19 records by county officers in counties of the second A and third
20 to eighth class," amended November 22, 1968 (P.L.1083, No.335),
21 are amended to read:

AN ACT

Creating a county records committee; imposing powers and duties upon it; authorizing the Pennsylvania Historical and Museum Commission to assist and cooperate with it; defining county records; and authorizing the disposition of certain county records by county officers in counties of the [second A and third] second to eighth class.

SECTION 1. THERE IS HEREBY CREATED A COUNTY RECORDS COMMITTEE WHICH SHALL CONSIST OF [THIRTEEN] FIFTEEN MEMBERS WHO SHALL BE APPOINTED BY THE GOVERNOR FOR A TERM OF FOUR YEARS. ONE MEMBER OF THE COMMITTEE SHALL BE THE CHIEF JUSTICE OF THE PENNSYLVANIA SUPREME COURT, OR HIS JUDICIAL REPRESENTATIVE, ONE A REPRESENTATIVE OF THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION, ONE AN ATTORNEY, ONE A PROTHONOTARY, ONE A CLERK OF COURTS, ONE A COUNTY COMMISSIONER, ONE A COUNTY CONTROLLER OR AUDITOR, ONE A DISTRICT ATTORNEY, ONE A COUNTY TREASURER, ONE A SHERIFF, ONE A REGISTER OF WILLS, ONE A RECORDER OF DEEDS, ONE A JURY COMMISSIONER, ONE A CORONER, AND THE OTHER A MEMBER OF THE GENERAL PUBLIC. THE COMMITTEE SHALL SELECT ONE OF ITS MEMBERS TO SERVE AS CHAIRMAN. WITHIN THE MEANS AT ITS COMMAND, THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION SHALL ASSIST AND COOPERATE WITH THE COUNTY RECORDS COMMITTEE BY PROVIDING FOR ITS NECESSARY EXPENSES, BY PROVIDING FOR EXAMINING AND INVENTORYING COUNTY RECORDS FOR THE PREPARATION OF SCHEDULES, AND BY ENFORCING SUCH SCHEDULES AS THE COUNTY RECORDS COMMITTEE MAY MAKE OR REVISE UNDER THE PROVISIONS OF THIS ACT.

SECTION 3. IT SHALL BE THE DUTY OF THE COMMITTEE TO MEET [FROM TIME TO TIME] AT LEAST ONCE A YEAR TO MAKE OR REVISE SCHEDULES SETTING FORTH THE CONDITIONS UNDER WHICH COUNTY RECORDS FILED IN ANY OFFICE OF COUNTY GOVERNMENT MAY BE DISPOSED

1 OF, EITHER WITH OR WITHOUT MICROFILMING, BUT THE SCHEDULES SHALL
2 DISTINGUISH CLEARLY BETWEEN RECORDS OF TEMPORARY VALUE AND
3 RECORDS OF PERMANENT VALUE, AND NO SCHEDULE SHALL BE MADE OR
4 REVISED WHICH WILL PERMIT THE DESTRUCTION OF COUNTY RECORDS OF
5 PERMANENT VALUE UNLESS THE SAME ARE MICROFILMED. IF THE SAID
6 RECORDS ARE NO LONGER IN ACTIVE USE BUT HAVE VALUE FOR
7 HISTORICAL RESEARCH, THE COUNTY RECORDS COMMITTEE MAY AUTHORIZE
8 THEIR DISPOSITION BY TRANSFER TO THE PENNSYLVANIA HISTORICAL AND
9 MUSEUM COMMISSION OR TO OTHER DEPOSITORIES DESIGNATED BY THE
10 COMMISSION. MEETINGS OF THE COMMITTEE SHALL BE CALLED BY THE
11 EXECUTIVE DIRECTOR OF PENNSYLVANIA HISTORICAL AND MUSEUM
12 COMMISSION; HOWEVER, MEETINGS MAY ALSO BE CALLED BY THE CHAIRMAN
13 OR BY A MAJORITY OF THE MEMBERS OF THE COMMITTEE WHENEVER THE
14 CHAIRMAN OR THE MAJORITY OF MEMBERS DEEMS IT NECESSARY.

15 Section 4. County officers in counties of the second, second
16 A, third, fourth, fifth, sixth, seventh and eighth class may
17 dispose of all county records in their custody, provided they
18 follow the schedules prescribed by the county records committee
19 which is created under the provisions of this act, and provided
20 that the Pennsylvania Historical and Museum Commission through
21 its executive director, certifies that such disposal is in
22 accordance with the established schedules.

23 Section 2. This act shall take effect in 60 days.