



Virginia
Regulatory
Town Hall

Final Regulation Agency Background Document

Agency Name:	15
VAC Chapter Number:	20
Regulation Title:	Standards for Microfilming Public Records
Action Title:	Amend Standards for Microfilming Public Records
Date:	March 6, 2001

Please refer to the Administrative Process Act (§ 9-6.14:9.1 *et seq.* of the *Code of Virginia*), Executive Order Twenty-Five (98), Executive Order Fifty-Eight (99) , and the *Virginia Register Form, Style and Procedure Manual* for more information and other materials required to be submitted in the final regulatory action package.

Summary

Please provide a brief summary of the new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment; instead give a summary of the regulatory action. If applicable, generally describe the existing regulation. Do not restate the regulation or the purpose and intent of the regulation in the summary. Rather, alert the reader to all substantive matters or changes contained in the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. Please briefly and generally summarize any substantive changes made since the proposed action was published.

The revisions update the standards required for the transferal of public records to microfilm. These standards apply to all records with an administrative, legal, fiscal, or historical value and to the procedural microfilming process used in the Circuit Court Clerk's offices. Reference standards approved by the American National Standards Institute (ANSI), the Association for Information and Image Management International (AIIM) and the International Standards Organization (ISO) are updated and a section on resolution requirements for procedural microfilm recording is added.

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency: including the date the action was taken, the name of the agency taking the action, and the title of the regulation.

The Library Board approved the amendments and revisions to Standards for Microfilming Public Records at its meeting on January 19, 2001.

Basis

Please identify the state and/or federal source of legal authority to promulgate the regulation. The discussion of this statutory authority should: 1) describe its scope and the extent to which it is mandatory or discretionary; and 2) include a brief statement relating the content of the statutory authority to the specific regulation. In addition, where applicable, please describe the extent to which proposed changes exceed federal minimum requirements. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority, shall be provided. If the final text differs from that of the proposed, please state that the Office of the Attorney General has certified that the agency has the statutory authority to promulgate the final regulation and that it comports with applicable state and/or federal law.

Section 42.1-8 of the Code of Virginia requires the Library Board to make rules and regulations, not inconsistent with law, for the government and use of The Library of Virginia. Section 42.1-82 of the Code of Virginia authorizes the board to issue regulations to facilitate the preservation and storage of records by all agencies. Such standards shall relate to the quality of the film used, preparation of the records for filming, proper identification of the records so that any individual document or series of documents can be located on the film with reasonable facility, and that copies contain all significant record detail, to the end that the photographic or microphotographic copies shall be of archival quality.

The Office of the Attorney General has certified that the Library Board has the statutory authority to promulgate the final regulation and that it comports with applicable state and/or federal law.

Purpose

Please provide a statement explaining the need for the new or amended regulation. This statement must include the rationale or justification of the final regulatory action and detail the specific reasons it is essential to protect the health, safety or welfare of citizens. A statement of a general nature is not acceptable, particular rationales must be explicitly discussed. Please include a discussion of the goals of the proposal and the problems the proposal is intended to solve.

The recent revisions are minor and mostly technical in nature. This standard is required to ensure that public records transferred to microfilm are retained in that form for the life of the record,

that vital and historical records of the Commonwealth will be preserved, and that the legal requirements for maintaining these records on film are met.

Substance

Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. Please note that a more detailed discussion is required under the statement of the regulatory action's detail.

17 VAC 15-20-30 has been updated to reflect current versions of the American National Standards Institute (ANSI), Association for Information and Image Management (AIIM) and the International Standards Organization (ISO): 17 VAC 15-20-80 has been amended to provide resolution requirements for procedural microfilm recording; and 17 VAC 15-20-160 has been amended to clarify the splicing process.

Issues

Please provide a statement identifying the issues associated with the final regulatory action. The term "issues" means: 1) the advantages and disadvantages to the public of implementing the new provisions; 2) the advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, please include a sentence to that effect.

These regulations have been in effect since 1986 with periodic updates to the references and changes in text to reflect national standards. The changes have no economic impact on the regulations already in effect, and there are no disadvantages to the changes for the agency or the Commonwealth. Revision of the regulation means that the most recent and accurate reference standards will be followed ensuring that the public records are preserved for the agency and the citizens of the Commonwealth. The revision therefore is an advantage for the agency and the Commonwealth.

Statement of Changes Made Since the Proposed Stage

Please highlight any changes, other than strictly editorial changes, made to the text of the proposed regulation since its publication.

The text of the final regulations contains no changes from the proposed text.

Public Comment

Please summarize all public comment received during the public comment period and provide the agency response. If no public comment was received, please include a statement indicating that fact.

There were no public comments received during the public comment period.

Detail of Changes

Please detail any changes, other than strictly editorial changes, that are being proposed. Please detail new substantive provisions, all substantive changes to existing sections, or both where appropriate. This statement should provide a section-by-section description - or crosswalk - of changes implemented by the proposed regulatory action. Include citations to the specific sections of an existing regulation being amended and explain the consequences of the changes.

The text of the final regulations contains no changes from the proposed text.

Family Impact Statement

Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The regulations have no direct impact on the family and family stability. This standard is required to ensure that public records transferred to microfilm are retained in that form for the life of the record, that vital and historical records of the Commonwealth will be preserved, and that the legal requirements for maintaining these records on film are met.