

Alabama Racing Commissions



Functional Analysis & Records Disposition Authority

**Revision Approved by
the Local Government
Records Commission
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Functional and Organizational Analysis of Alabama Racing Commissions

Sources of Information

Representatives of Alabama Racing Commissions

Acts of Alabama, No. 83-575 (Macon County); No. 83-376 (Greene County); and No. 2431[1971] (Mobile), amended by Act No. 86-545

Code of Alabama 1975, Sections 11-65-1 through 11-65-47 (Birmingham)

Birmingham Racing Commission. *Rules Regulating Pari-mutuel and Greyhound Racing Manual*

Mobile Racing Commission. *Rules Regulating Pari-mutuel Greyhound Racing Manual*

Historical Context of Alabama Racing Commissions

Established by a legislative act in 1971, Mobile County's racing commission is by far the oldest in the state. Greyhound racing began in Mobile on August 6, 1973. In 1983, Greene and Macon Counties also established racing commissions. The Alabama Legislature enacted legislation in 1984 that permitted Jefferson County to hold a referendum on authorizing local horse and greyhound racing. Following a favorable election, the Birmingham Racing Commission was incorporated, pursuant to Act No. 84-131. Authorizing legislation for "Class 1 Municipalities" (Birmingham) was later codified in Title 11, Chapter 65 of the Code of Alabama 1975. Since the Birmingham Race Track discontinued live horse racing in 1992, the tracks have run only dog races. Greene County's racing commission discontinued live dog racing in 1998 and now conducts only simulcast racing.

Agency Organization

Alabama presently has four racing commissions, located in the City of Birmingham, Greene County, Macon County, and Mobile County. Although the four racing commissions are organized differently and operate under unique local laws, their duties are substantially the same. Differences will be noted where they do exist. Records treated in this RDA's analysis and disposition sections are common to all four commissions.

Birmingham and Macon County have similar methods of selecting their commissions. In Birmingham, the mayor, the county commission chairman, the county's representatives in the House and Senate, and the lieutenant governor each appoint one member. The commissioners serve four-year terms. Macon County's three commissioners, who serve six-year terms, are likewise chosen by the county commission and the House and Senate representatives. In Greene County, the three commission members are appointed by its legislative delegation. Each member serves a term of three years. In Mobile County, the legislative delegation elects one member and the other two are chosen, respectively, by the Mobile County Foundation for Public Higher Education and by a majority vote of the county's municipalities. In all four cases, racing commissioners must be residents of the county for at least five years prior to appointment, as well as qualified electors. They must be bonded, and none may be a convicted felon or "an officer, director, or employee of any [race track] licensee" (*Acts of Alabama*, No. 83-575, p. 884).

Birmingham's racing commission elects a chairman and vice-chairman from its members and appoints as employees an executive secretary and a treasurer. Originally, the city's finance director filled the treasurer's position, but the chairman may now serve in this capacity (Code of Alabama 1975, Section 11-65-9). The chairman also presides over commission meetings and may call special meetings in addition to the two required per month. To address any business, the commission must have a quorum of three members present. If the chairman is temporarily absent or the chair is vacant, the vice-chairman performs those duties temporarily or succeeds as acting chairman until the vacancy is filled. The Birmingham Racing Commission's executive secretary serves as its administrative head, carrying out its duties, rules, and regulations as prescribed by law. Mobile County's commission also elects a chairman, vice-chairman, and secretary. The Macon and Greene County racing commissions elect no officers, but each appoints its county's treasurer as *ex officio* treasurer of the commission. The treasurers "collect all the license fees, taxes, and monies" their commissions receive, depositing or investing them as directed in their authorizing legislation. They also supervise and audit "the operation of the pari-mutuel racing pools" in their respective counties. Birmingham's and Mobile County's commissions employ certified public accountants to conduct this task.

Agency Function and Subfunctions

The mandated function of Alabama racing commissions is to maintain the integrity of greyhound racing by upholding the State of Alabama's legislative requirements, as well as rules and regulations established by the commissions themselves. The Code of Alabama 1975, Section 11-65-10, mandates the Birmingham Racing Commission to supervise operation of the Birmingham Race Track, which is not a government agency. An association of track operators, known as the Association, is the entity licensed to conduct business at the track. Separate legislative acts empower Mobile and Macon County's racing commissions to supervise their tracks and pari-mutuel betting in their counties. Although some of the commissions' work is administrative (approving dates for live or simulcast races, accounting for the county's share of moneys generated at the tracks, reporting to county or municipal legislative bodies), most activities fall under the Regulation function defined for Alabama local government. In performing that function, the commissions may engage in the following subfunctions:

- **Promulgating Rules and Regulations.** The commissions are responsible for adopting bylaws to regulate their own business affairs, as well as racing and wagering activities at the tracks. The Birmingham Racing Commission meets each October to approve the dates for the two main classifications of greyhound racing: matinees (day-time races) and evening performances (night-time races). The race track's director submits proposed race dates to the commission for consideration. Greene, Macon, and Mobile County's commissions likewise meet annually and are charged with "promulgat[ing] uniform rules and regulations governing the holding, conducting, and operating of all race meetings and races held in the county" (Acts of Alabama, No. 83-575, p. 886). As befits their role as regulatory bodies, Alabama's racing commissions enforce the rules and regulations set forth in their authorizing legislation.
- **Licensing.** Sections 11-65-18 through -20 of the Code of Alabama establish the procedure for obtaining licenses at the Birmingham Race Track. The Association is the entity licensed by the commission to operate the track. It is responsible for reporting stockholder and

wagering information to the commission; allowing commission-sanctioned audits; making purses (prize money) available to kennel owners; ensuring that the track is safe and secure for employees, visitors, and other track personnel; and guarding against corruption. Although track personnel are not commission employees, anyone working at the track must be licensed by the commission. Each potential licensee submits an application to the track personnel office for approval by the track director. Once the track director approves an application, he sends it to the commission for review. The commission issues several types of licenses, e.g.: stewards/judges, chief veterinarians, evidence technicians, permit clerks, compliance monitors, and simulcast officials.

Similarly, in Mobile and Macon Counties, track personnel such as gatekeepers, starters, announcers, officials, dog owners, groomers, veterinarians, wagering machine attendants, and vendors of racing forms must all be licensed. The commissions convene each year “to consider and act upon all permits or licenses applied for” (Acts of Alabama, No. 86-545, p. 1086). All three commissions have the power to revoke licenses if they find violations of the rules and regulations.

Greene County’s commission is not issuing licenses at this time, because the track is not conducting live dog racing. However, if the commission should re-open the track to provide this service, licenses may be issued.

- **Monitoring Race Track Operations.** The Code of Alabama 1975, Section 11-65-10(10), authorizes the Birmingham Racing Commission to investigate and have free access to the office, track, facilities, records, books, or other place of business of all track operators. Investigations at the track may occur after allegations of misconduct by the Association, its employees, or track patrons. If a complaint is filed by a patron or staff member, it is forwarded to the racing inspector’s office. The inspector may conduct an investigation to determine whether probable cause exists for the commission to take disciplinary action. Instances of alleged wrongdoing may include tampering with dogs, soliciting business on Association grounds, or making types of wagers not permitted under the commission’s rules on pari-mutuel betting. The commission has an auditor, veterinarians, and track judges to ensure that track operations are run according to the guidelines in the Code. The legislative acts governing dog racing in Greene, Macon, and Mobile Counties also stipulate various categories of offenses that relate to racing, wagering, and other race track operations. Those counties’ commissions employ similar procedures for monitoring and investigating such offenses. (See Acts of Alabama, No. 83-575 [Macon County]; Nos. 2431[1971] and 86-545 [Mobile County].)
- **Conducting Hearings.** Each of the commission’s licensees has a duty to uphold its regulations. In Birmingham, suspected violations of greyhound racing rules are first reported to track judges. If the judges find an owner or employee guilty of a violation, they may impose any punishment deemed proper under the commission’s rules, such as suspending the person for no more than 60 days or imposing a fine of up to \$1,000. Offenders who do not accept the judges’ ruling may appeal to the commission for a hearing (see *Birmingham Racing Commission, Rules Regulating Pari-mutuel Greyhound Racing*, Section XIII). At

the hearing, the complainant and other witnesses may be examined; then the commission decides whether relief or additional disciplinary action should be taken. The Mobile and Macon County Racing Commissions may, under their legislation, also revoke licenses, impose fines, and conduct hearings on violations of racing or wagering rules. Mobile's legislation cites its commission's "power to summon witnesses before its meetings . . . and to require testimony on any issue before it" (Acts of Alabama, No. 86-545, p. 1087). Macon County's notes that "any aggrieved person [accused of violating racing regulations] shall be entitled to a hearing before the Racing Commission" (Acts of Alabama, No. 83-575, p. 888).

- **Administering Internal Operations.** Much of the racing commissions' work includes general administrative financial, and personnel activities geared to support programmatic areas. The activities of these subfunctions are organized under the following headings:

Managing the agency: Activities include internal office management activities common to most government agencies, such as corresponding and communicating; scheduling; meeting; documenting policy and procedures; reporting; litigating; drafting, promoting, or tracking legislation; publicizing and providing information; managing records; and managing information systems and technology.

Managing finances: Activities include budgeting (preparing and reviewing a budget package, purchasing (requisition and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; assisting in the audit process; investing; and issuing bonds. Regarding audit, Birmingham's racing commission is privately audited, while the Macon Mobile, and Greene County commissions are audited by the Examiners of Public Accounts.

Managing human resources: Activities include recruiting and hiring eligible individuals to fill positions within the agency; providing compensation to employees; providing benefits to employees, such as leave, health insurance, unemployment compensation, worker's compensation, injury compensation, retirement, and death benefits; supervising employees by evaluating performance, promoting, granting leave, and monitoring the accumulation of leave; training and providing continuing education for employees; and disciplining.

Managing properties, facilities, and resources: Activities include: inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; constructing buildings and facilities, leasing and/or renting offices or facilities; providing security for property owned by the agency; insuring property; and assigning, inspecting and maintaining agency property, including vehicles.

Analysis of Record-Keeping Systems and Records Appraisal of Alabama Racing Commissions

Agency Record-Keeping Systems

All four Alabama racing commissions operate hybrid record-keeping systems. Their records are created on computer and maintained primarily in paper format; however, Birmingham and Mobile County's commissions also back up records stored on their computer systems. Both the Birmingham and Macon County Racing Commissions store records they consider permanent with commercial records storage vendors. The Greene County Racing Commission's records are all maintained in office space.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by Alabama racing commissions: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered to be their active life and disposed of once all fiscal, legal, and administrative requirements have been met. Records discussed below have been added, or revised in disposition, since the last revision of the RDA.

- **Records of Greyhound Disposition (3.05).** Under racing commission rules and regulations (see item 1.05), "the Kennel Operator must provide to the Racing Secretary, within ten (10) days of the end of the race meet or the greyhounds [*sic*] removal from the race meet, a written notification of the disposition of each greyhound that raced during the race meet. Such notification must include what track the greyhound was moved to, which adoption agency the greyhound was given to, or what veterinarian euthanized the greyhound, or such other information necessary for the Judges to determine disposition of the greyhound (Birmingham Racing Commission, *Rules Regulating Pari-Mutuel Greyhound Racing* [2002], III/A: Kennels and Kennel Owners, Section 1, No. 12). Because of recent publicity over the inhumane execution of large numbers of "retired" greyhounds, these records possess legal significance. The Code of Alabama classes "Cruelty to Animals" (Section 13A-11-14) as a Class B misdemeanor, and Section 15-3-2 imposes a statute of limitations on prosecuting misdemeanors of "12 months after commission of the offense." However, these records are also auditable, because the commissions' own regulations call for them to be created. Their proposed retention period is therefore "2 years following audit."

In addition, various changes and additions have been made in the RDA sections entitled "Administering Internal Operations" (including general administrative, financial, and personnel records) in order to bring disposition requirements for such racing commission records into line with those the commission has already approved for similar records created by other local government agencies. These changes and additions are minor and should be apparent in the text.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Promulgating Rules and Regulations

- **Commission Meeting/Hearing Minutes, Agendas, and Packets (1.01).** Under the Code of Alabama and their authorizing legislation, racing commissions are charged with developing and implementing rules and regulations on greyhound racing and pari-mutuel wagering. These records are minutes documenting meetings and hearings held by the commission. They include agendas and packet materials reviewed by commission members prior to meetings. As primary source materials, these records are essential to document the evolution of commission policies and procedures and the fulfillment of mandated responsibilities toward race tracks under their jurisdiction.
- **Administrative Correspondence (1.04).** These records include correspondence and related files of commission members, racetrack officials, or administrative staff regarding commission policies or procedures, as well as broad questions of administration. Administrative correspondence provides essential documentation of the implementation of commission policies and procedures.
- **Greyhound Rule Books (1.05).** Greyhound rule books explain rules and regulations that authorize and permit greyhound racing by operators at the race tracks. They provide detailed information that defines and regulates greyhound racing and pari-mutuel betting, detail the obligations of everyone licensed at the track, and describe the kinds of services provided. Rule books provide essential documentation of racetrack operations and are the basis for regulatory decisions made by the commissions.

Licensing

Permanent records documenting this subfunction are found in Commission Meeting/Hearing Minutes as described under Promulgating Rules and Regulations.

Monitoring Race Track Operations

Permanent records documenting this subfunction are found in Commission Meeting/Hearing Minutes as described under Promulgating Rules and Regulations.

Conducting Hearings

Permanent records documenting this subfunction are found in Commission Meeting/Hearing Minutes as described under Promulgating Rules and Regulations.

Administering Internal Operations—Managing the Agency

- **Historical and Publicity Files (5.02).** These records may include press releases, newsletters, scrapbooks, brochures, photographs, videotapes, audiotapes, speeches, and public service announcements designed to publicize events or programs at the track. They

document the “public relations” aspects of racing operations and, cumulatively, provide an ongoing history of the commission/race track’s role in the community.

- **Annual Reports (5.03).** These records are annual, cumulative narrative or financial reports describing commission or track activities during a calendar or fiscal year. Annual reports provide summary documentation of the commission’s functions, projects, and activities during the year. They may be submitted to the “parent” local government, published, or retained for the commission’s own use.
- **Websites (5.10).** Racing commissions may develop websites for providing information on such matters as operating hours and special events, and for responding to public inquiries. The disposition statement calls for permanently preserving a complete copy of the website annually, or as often as significant changes are made.

Administering Internal Operations—Managing Finances

- **Budgeting Records (6.01).** These records document preparing an agency budget request package and reporting the status of funds, requesting amendments of allotments, and reporting program performance. Permanent items include copies of final annual budgets (6.01a), as approved by the parent local government, and annual financial reports (6.03c).
- **Audit Reports (6.02).** These records document the findings of the commissions’ auditors during each audit period. Birmingham’s racing commission, as a municipal agency, contracts with an independent auditor. The Examiners of Public Accounts audit the Macon, Mobile, and Greene County Racing Commissions, although Mobile’s also employs a certified public accountant to audit the operation of its pari-mutuel racing pools. Audit reports include a summary of each racing commission’s financial status and its current accounting, bookkeeping, and record-keeping practices. The reports are essential for providing long-term fiscal accountability and are the only permanent financial documentation of commission finances other than the general ledger.
- **General Ledgers—general ledgers and detailed year-end trial balances created prior to 1975 (6.03b).** These are records of final entry for all financial transactions: collecting fees and other revenue, purchasing, investing, administering state and federal funds, and general accounting. Originally, general ledgers were manually created and were appraised as permanent. These records and another financial summary, the detailed year-end trial balance, are now often electronically created. This revision of the RDA stipulates that general ledgers and trial balances to records created before 1975 will be retained permanently. Post-1975 records retain the 10-year period previously approved for general ledgers and trial balances in electronic format. Audit Reports (6.02) and Annual Financial Reports (6.01c) provide permanent documentation of racing commissions’ financial practices.
- **Grant Project Final Narrative Reports (6.07b).** These records document the commission’s application for federal, state, or private funds to purchase items or materials, construct facilities, or carry out programs. They also document the conduct of grant projects and the

expenditure of funds, and may include correspondence with the granting agency or parent local government. Final narrative reports are submitted according to the requirements of the funding agency. They summarize the goals of the grant, how the money was used, and what was accomplished.

Administering Internal Operations—Managing Human Resources

- **Employee Handbooks (7.04).** These records provide guidance to new employees about personnel rules and other policies and procedures. They offer “snapshot” documentation of the commission’s personnel policies and, collectively, help to document such policies over time.
- **Employee Newsletters (7.05).** Internal newsletters are created for commission employees to communicate personnel policies, news of important events, and information on individual employees. They provide additional documentation of agency personnel policies over time.

Administering Internal Operations—Managing Properties, Facilities, and Resources

- **Track or Facility Construction and Renovation Files (8.01).** These files document the design, construction, and renovation of race tracks and other facilities. Included may be track or building specifications, blueprints, plans of proposed work, lists of materials, correspondence, memoranda, reports, site plans, elevation details, and financial records. Plans, specifications, and blueprints provide important historical documentation of the track or facility’s appearance over time, as well as necessary information for future renovation or construction.

Alabama Racing Commissions Permanent Records List

Promulgating Rules and Regulations

1. Commission Meeting/Hearing Minutes, Agendas, and Packets
2. Administrative Correspondence
3. Greyhound Rule Books

Administering Internal Operations–Managing the Agency

1. Historical and Publicity Files
2. Annual Reports
3. Websites

Administering Internal Operations–Managing Finances

1. Budgeting Records (approved annual budgets, annual financial reports)
2. Audit Reports
3. General Ledgers (general ledgers and trial balances created prior to 1975)
4. Grant Project Final Narrative Reports

Administering Internal Operations–Managing Human Resources

1. Employee Handbooks
2. Employee Newsletters

Administering Internal Operations–Managing Properties, Facilities, and Resources

1. Track or Facility Construction and Renovation Files (plans, specifications, and blueprints)

Alabama Racing Commissions Records Disposition Authority

This records disposition authority (RDA) is issued by the Local Government Records Commission under authority granted by the Code of Alabama 1975, Section 41-13-5 and 41-13-22 through -24. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the records commission's staff, in cooperation with representatives of Alabama racing commissions. The RDA lists records created and maintained by racing commissions in carrying out their mandated function and subfunctions. It establishes retention periods and disposition instructions for those records and provides the legal authority for racing commissions to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their office. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successors in office and made available to members of the public. Records must also be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975, Section 36-12-2, 36-12-4, and 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334)242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules or RDAs governing the retention of racing commissions' records. Copies of superseded schedules or RDAs are no longer valid and should be discarded.
- This RDA establishes retention and disposition instructions for records of Alabama racing commissions. It does not require the creation of any record not normally created in the conduct of business, although the creation of certain records may be required by administrative procedures, work responsibilities, audit requirements, or legislative mandates. Individual racing commissions may not necessarily create all of the records listed below.
- This RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Certain other short-term records that do not materially document the work of an agency may be disposed of under this RDA. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; and (2) transitory records, which are temporary records created for short-term, internal purposes that may include, but are not limited to: telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about social activities. They may be disposed of without docu-

mentation of destruction. Other items that may be disposed of without documentation of destruction include: (1) catalogs, trade journals, and other publications received that require no action and do not document activities; (2) stocks of blank stationery, blank forms, or other surplus printed materials that are not subject to audit and have become obsolete.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions and lists records created and/or maintained by Alabama racing commissions in carrying out those subfunctions. A racing commission may submit requests to revise specific records disposition requirements, or to create requirements for additional records, to the Local Government Records Commission for consideration at its regular quarterly meetings.

1. Promulgating Rules and Regulations

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
1.01	Commission Meeting/Hearing Minutes, Agendas, and Packets. These records are minutes documenting meetings and hearings held by the commission. They include agendas and packet materials reviewed by commission members prior to meetings.	PERMANENT
1.02	Recordings of Commission Meetings. Audio or video recordings provide a verbatim account of discussion at racing commission meetings. They normally are used only as an aid to preparation of the minutes.	Retain until official minutes are adopted and signed.
1.03	Commission Meeting Notices. These records are public notices of the time and place of racing commission meetings.	Retain 2 years following audit.
1.04	Administrative Correspondence. These records include correspondence and related files of commission members, racetrack officials, or administrative staff regarding commission policies or procedures, as well as broad questions of administration.	PERMANENT

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
1.05	Greyhound Rule Books. These records explain rules and regulations that authorize and permit greyhound racing by operators at the race tracks. They provide detailed information that defines and regulates greyhound racing and pari-mutuel betting, detail the obligations of everyone licensed at the track, and describe the kinds of services provided.	PERMANENT
1.06	Racing Date Files. These records document the dates of races to be held at the tracks, as approved by the commission.	Retain 1 year.

2. Licensing

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
2.01	Licensing Files. These records are submitted by commission license applicants to document they have met all mandated requirements. Most licenses are annually renewed. Information in the files may include the license applicant's name, department, social security number, date and place of birth, physical description, background information, license number, and license code assigned by the commission.	Retain 5 years after termination of employment or cancellation of licensee's right to work at the track.

3. Monitoring Race Track Operations

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
3.01	Investigation Files. These files document the investigation of complaints conducted by authorized track or commission personnel. Information available may include the name of the complainant; the nature of the complaint; the name of alleged offenders; the location, date, and time of the incident; reports of any evidence collected, and results of the investigation.	Retain 12 years after case settlement and exhaustion of all appeals.

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
3.02	<p>Audited Race Results. These records document the results of races run and wagering on them. Information available may include: the name of the track and number of the race, type of race, listing of the names of dogs, time that wagers were placed on races, amounts wagered, results of races, and the amount of dollars paid.</p> <p><u>Note:</u> If these records become part of an investigation or hearing file, follow the disposition for investigation or hearing records.</p>	Retain 2 years following audit.
3.03	<p>Veterinarian Reports. These records document physical examinations of greyhounds by duly licensed veterinarians. Information in them may include: the name of the veterinarian, the name of the owner, the name of the dog, the type of test conducted (urine, blood or other specimens), and any type of drug present or administered.</p> <p><u>Note:</u> If these records become part of an investigation or hearing file, follow the disposition for investigation or hearing records.</p>	Retain 6 years.
3.04	<p>Greyhound and Horse Breeding Development Files. These files document research on greyhound or horse breeding conducted by research institutions. They may be retained by racing commissions or race tracks for reference purposes.</p>	Retain for useful life.
3.05	<p>Records of Greyhound Disposition. These records document the disposition of individual greyhounds after races at the track. Within ten days of each race, the kennel operator must provide the racing secretary with written information on each greyhound that raced, e.g.: what track it was moved to, which adoption agency it was given to, what veterinarian euthanized it, or any other information on its disposition.</p>	Retain 2 years following audit.

4. Conducting Hearings

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
4.01	Hearing Case Files. These records document hearings on complaints and rulings made by the commission. Information available may include the name of the complainant, the nature of the complaint, and the names of suspects or witnesses. Track judges' rulings on race results, wagers, and photo finishes may also be found in these files.	Retain 6 years after commission's decision and settlement of all appeals.

5. Administrating Internal Operations—Managing the Agency

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
5.01	Administrative Reference Files. These records include materials, not created by the racing commission or track, that are collected and used only as reference sources of information.	Retain for useful life.
5.02	Historical and Publicity Files. These records may include racing programs, press releases, newsletters, scrapbooks, brochures, photographs, videotapes, audiotapes, speeches, and public service announcements designed to publicize events or programs at the track.	PERMANENT
5.03	Annual Reports. These records are annual, cumulative narrative or financial reports describing commission or race track activities during a calendar or fiscal year.	PERMANENT
5.04	Routine Correspondence. This type of correspondence documents the daily conduct of track operations in contacts with licensees, dog owners, patrons, or the general public. Routine correspondence relates to “everyday” matters such as answering inquiries and providing information, rather than to policy development or issues of long-term administrative impact.	Retain 3 years.
5.05	Legal Case Files. These records document lawsuits files against the racing commission, as well as litigation they initiate.	Retain 6 years after the case is closed.

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
5.06	Mailing Lists. These records include various standard lists of names and addresses used by agency staff members.	Retain for useful life.
5.07	Telephone Logs and Fax Machine Logs. These records are lists of telephone and fax machine contacts and related data.	Retain for useful life.
5.08	Calendars. These records include desk calendars and other scheduling devices for agency personnel.	Retain 1 year.
5.09	Records Management Documentation	
	<p>a. Records documenting implementation of the RDA. These records include records management plans, records inventories, finding aids, and records destruction notices.</p>	Retain 2 years following audit.
	<p>b. Copy of approved RDA. The RDA provides legal guidelines for the disposition of all agency records. The racing commission should maintain a signed copy of its RDA.</p>	Retain 2 years following the audit period in which the RDA was superseded.
	<p>c. Local records deposit agreements. These are formal agreements that may be executed by the health center so that a local records repository (library, archives, or historical society) may maintain its long-term records. The agreement should include an inventory of records in the repository.</p>	Retain 10 years after termination of the agreement.
5.10	Websites. Racing commissions may develop websites for providing information on such matters as operating hours and special events, and for responding to public inquiries.	PERMANENT Preserve a complete copy of website annually, or as often as significant changes are made.

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
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5.11 Computer Systems Documentation. These files include hardware and software manuals and diskettes and warranties.

Disposition: Retain former system documentation 2 years after the audit period in which the former hardware and software no longer exist anywhere in the agency and all permanent records have been migrated to the new system.

6. Administering Internal Operations—Managing Finances

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
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6.01 Budgeting Records. These records document preparing an agency budget request package and reporting the status of funds, requesting amendments of allotments, and reporting program performance.

a.	Approved annual budgets. These are final agency budgets as approved by the county commission or municipal council.	PERMANENT
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b.	Records documenting budget performance during the budget cycle (budgeted and actual revenue reports, revenue reports, investment reports, expenditure reports, encumbrance reports, etc.)	Retain 2 years following audit.
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c.	Annual financial reports	PERMANENT
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6.02	Audit Reports. These records document the findings of the racing commission’s auditors during each audit period. Audit reports include a summary of the commission’s financial status and current accounting, bookkeeping, and record-keeping practices.	PERMANENT
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6.03 Accounting Records

a.	Routine accounting records. These are records of original entry for routine accounting transactions, such as lists of fees collected, journals, registers, ledgers, canceled checks, check stubs, deposits, bank statements, and receipts.	Retain 2 years following audit.
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<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
6.03	b. General ledgers/detailed year-end trial balances. These are records of final entry for all financial transactions: collecting fees and other revenue, purchasing, investing, administering state and federal funds, and general accounting. Records created prior to 1975 Records created in or after 1975	PERMANENT Retain 10 years after the end of the fiscal year in which the records were created.
6.04	Purchasing Records. These records document the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products.	Retain 2 years following audit.
6.05	Contracts, Leases and Agreements. These records document the negotiation, fulfillment, and termination of all contracts, leases, and agreements entered into by the commission, including final contracts that are subject to the bid process.	Retain 10 years after expiration of the contract (Code of Alabama 1975, Section 6-2-33).
6.06	Records of Formal Bids. These records document the bid process, including the commission's requests for proposals and unsuccessful responses from service vendors.	Retain 7 years after the date the bids were opened (Code of Alabama 1975, Section 41-16-62).

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
6.07	<p>Grant Project Files. These records document the racing commission’s application for federal, state, or private funds to purchase items or materials, construct facilities, or carry out programs. They also document the conduct of grant projects and the expenditure of funds, and may include correspondence with the granting agency or parent local government.</p>	
a.	<p>Financial records, interim reports, and supporting documentation. These records include background materials, interim narrative reports, financial reports, correspondence, and other supporting documentation for the expenditure of grant funds awarded. Also included are records related to unsuccessful applications.</p>	Retain 6 years after submission of final financial report or denial of application.
b.	<p>Final narrative reports. Final narrative reports are submitted according to the requirements of the funding agency. They summarize the goals of the grant, how the money was used, and what was accomplished.</p>	PERMANENT
6.08	<p>Travel Records (including Commissioners’ Compensation Files). These records document requests by commission personnel for authorization to travel on official business, and related materials such as travel reimbursement, forms, and itineraries.</p>	Retain 2 years following audit.

7. Administering Internal Operations—Managing Human Resources

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
7.01	<p>Position Classification Files. These files document job classifications and pay rates for all positions covered by the agency’s personnel system. They comprise reports, job classification lists, and pay plans. Information available includes department, job title, pay rate, and step increase scale for each pay rate.</p>	Retain 4 years after position is reclassified.
7.02	<p>Job Recruitment Materials. These records document efforts by the commission to advertise positions and attract qualified personnel.</p>	Retain 3 years.

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
7.03	Employment Applications. These are applications by individuals for employment in agency positions.	
	a. Successful applications	Retain in employee personnel file.
	b. Unsuccessful applications	Retain 3 years.
	c. Supplemental data forms. Information on these forms includes the job applicant's name, Social Security number, date of birth, race, gender, and recruitment source. The form may be separated and filed separately from other information on the employment application.	Retain 6 years after employee separation or 3 years after an unsuccessful application.
	d. I-9 Forms. These federal forms are used to verify that persons seeking employment are eligible for work in the United States, Disposition of the employing agency's copy is provided by 8 CFR 274a.2.	Retain 3 years after employment or 1 year after termination, whichever is longer.
7.04	Employee Handbooks. These records provide guidance to new employees about personnel rules and other policies and procedures.	PERMANENT
7.05	Employee Newsletters. Internal newsletters are created for commission employees to communicate personnel policies, news of important events, and information on individual employees	PERMANENT
7.06	Employee Personnel Files. These records document each employee's work history; they are generally maintained as case files. A file may include information on an employee's training, performance evaluations, disciplinary actions, promotions and demotions, and awards.	Retain 6 years after separation of employee.
7.07	Employee Work Schedules. These records document the daily and weekly work schedules of all employees.	Retain 2 years following audit.

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
7.08	Leave and Attendance Records. These records document the attendance and leave status of agency personnel, both generally and for individual employees.	
	a. Individual employee leave and attendance records (including time sheets). These are records documenting hours worked, leave earned, and leave taken by individual employees.	Retain 2 years following audit.
	b. Employee cumulative leave/attendance records. These records document the final leave status (cumulative leave) of individual employees.	Retain 6 years after separation of employee.
	c. Employee sick leave donation records. These records document the donation of sick leave to their colleagues by employees.	Retain 2 years following audit.
7.09	Payroll Records. These records document agency payrolls, as well as pay status and payroll deductions for individual employees.	
	a. Annual payroll earnings reports/records documenting payroll deductions for tax purposes. These are summaries of employees' earnings during a fiscal year, including all deductions on federal Form 941.	Retain 50 years after the end of the tax year in which the records were created.
	b. Records documenting agency payrolls. These records include pre-payroll reports, payroll check registers, payroll action forms, payroll/overtime certification reports, etc.	Retain 2 years following audit.
	c. Records documenting payroll deduction authorizations. These records document payroll deductions for taxes (including W-4 forms, retirement and insurance contributions, and all other deductions withheld from the pay of individual employees.	Retain 6 years after separation of employee.
	d. Records documenting payroll deductions. These records document taxes (including W-2 forms) retirement contributions, and all other deductions withheld from the pay of individual employees.	Retain 2 years following audit.
	e. Employee "cafeteria plan" (flexible benefits) records. These records document salary-reduction type plans authorized by the U.S. Internal Revenue Service, Section 125.	
	General information about the plan	Retain until superseded.

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
7.09	Employee applications, correspondence, enrollment cards and files	Retain 6 years after termination of the plan.
7.10	Employee Insurance Program Enrollment and Claims Files. These files document the commission's efforts to assist employees and their dependents to enroll in health/life insurance programs.	
	a. General information on the program	Retain until superseded.
	b. Employee applications, correspondence, and enrollment cards and files	Retain 4 years after program termination or employee separation.
	c. Employee claims files	Retain 2 years following audit.
7.11	Workman's Compensation Insurance Claim Files. These files document all claims pertaining to work-related injuries or diseases made by agency employees (See the Code of Alabama 1975, Section 25-5-4.)	Retain 12 years after the end of the fiscal year in which the transaction occurred.
7.12	Unemployment Compensation Files. These files provide documentation related to employee claims for unemployment compensation.	Retain 2 years following audit.
7.13	Training Records. These records document the agency's provision of in-service training and professional development for its employees, including workshop records and evaluations.	Retain 3 years.

8. Administering Internal Operations—Managing Properties, Facilities, and Resources

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
8.01	<p>Track or Facility Construction and Renovation Files. These files document the design, construction, and renovation of race tracks and other facilities. Included may be track or building specifications, blueprints, plans of proposed work, lists of materials, correspondence, memoranda, reports, site plans, elevation details, and financial records. Disposition is as follows:</p>	
a.	Plans, specifications, and blueprints	PERMANENT
b.	All other records	Retain for life of track or building.
8.02	<p>Space Management Plans/Records of Space Assignments. These records document the assignment of office space in agency buildings and facilities. They include operating plans for the assignment of such space.</p>	Retain until superseded or no longer useful.
8.03	<p>Annual Inventory Records. These records document all personal property, equipment, or capital outlay by the commission on an annual basis.</p>	Retain 2 years following audit.
8.04	<p>Receipts of Responsibility for Property. These records document the temporary use or possession of the agency's property by its employees.</p>	Retain until return of item to property manager.
8.05	<p>Track/Facilities/Building Maintenance Work Orders. These records document routine maintenance activities in commission/track buildings or facilities.</p>	Retain 1 year.

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
8.06	Facilities/Building Inspection Records. These records document the routine safety and maintenance inspection of track or commission buildings and facilities.	Retain 5 years.
8.07	Motor Pool Use Records. These records document the use of motor pool vehicles by agency employees.	Retain 2 years following audit.
8.08	Parking Records. These records document the use of agency parking facilities by employees or visitors. They may include parking permits, cards, and applications for these items.	Retain 2 years following audit.
8.09	Vehicle and Equipment Maintenance Files. These records document the maintenance of all vehicles and other equipment owned or maintained by the commission.	Retain 2 years after the audit period in which the property was sold or replaced.
8.10	Long-Distance Telephone Logs. These records document use of the agency's long-distance telephone systems by employees during business hours.	Retain 2 years following audit.

Requirement and Recommendations for Implementing the Records Disposition Authority for Alabama Racing Commissions

Under the Code of Alabama 1975, Section 41-13-23, “no county, municipal, or other local government official, shall cause any . . . record to be destroyed or otherwise disposed of without first obtaining the approval of the local government records commission.” This RDA constitutes authorization by the Local Government Records Commission to dispose of records as stipulated, with the condition that the responsible official must submit a Local Government Records Destruction Notice to the ADAH Government Records Division to document the destruction. The ADAH, which serves as the records commission’s staff, retains local records destruction documentation as a permanent record. (For more information, see the ADAH procedural leaflet *Records Destruction Procedures for Local Governments*.)

In addition to authorizing a procedure for legally destroying temporary racing commission records, the Local Government Records Commission urges the racing commission to establish a quality record-keeping program that will meet its legal and public service needs. Such a program should include the following activities:

- The racing commission should designate a records officer who is responsible for ensuring the regular implementation of this RDA, maintaining records in compliance with national and state standards, and coordinating the destruction of disposable records.
- Permanent records in the commission’s custody will be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis—for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA’s provisions, no record should be destroyed that is necessary to comply with audit requirements or any legal notice or subpoena.
- The racing commission should maintain full documentation of any computerized record-keeping system it employs.. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the commission chooses to maintain records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records’ permanent preservation and accessibility for the period legally required.
- Microforms of permanent records should conform to quality standards set by the American National Standards Institute (ANSI) and the Association for Image and Information Management (AIIM). According to the Code of Alabama 1975, Section 41-13-44, no microfilmed record may be legally destroyed “until the microfilm copy has been processed and checked with the original for accuracy.” Government Records Division staff may examine agency microfilm for compliance prior to destruction of the original records.

- The racing commission should notify the ADAH Government Records Division if a new records officer is appointed or if other significant changes occur in records storage conditions or records management procedures. It may also contact the division to request revision of this RDA. Normally, RDA revisions will be submitted to the Local Government Records Commission every two years. ADAH Government Records Division staff will notify the agency of any changes in record-keeping requirements approved by the Local Government Records Commission that apply to racing commissions on a statewide basis.

The staff of the Local Government Records Commission may examine the condition of permanent records maintained in the racing commission's custody and inspect records destruction documentation. Government Records Division archivists are available to instruct racing commission staff in RDA implementation and otherwise assist the commission in implementing its records management program.

The Local Government Records Commission adopted the enclosed revisions on January 25, 2006.

By: _____ Date: _____
Edwin C. Bridges, Chairman, by Tracey Berezansky

By: _____ Date: _____
Chairman
_____ Racing Commission