



Quipu

A NEWSLETTER PUBLISHED BY THE NEW MEXICO STATE RECORDS CENTER AND ARCHIVES

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QUIPU NEWSLETTER AVAILABLE ON-LINE

The quarterly issues of the *Quipu* newsletters have been available on-line at the Commission of Public Records' web site for well over a year now. In an on-going effort to conserve resources and meet the budget challenges expected in this and next fiscal years, the agency is encouraging those readers who have Internet access to view the newsletter on-line at www.nmcpr.state.nm.us under *Publications and Forms*.

After this issue, the agency will distribute paper copies of the *Quipu* only to those who make a specific request. If you still wish to receive a paper copy, you must call Kathy Mattison at (505) 476-7902 or e-mail her at kmattison@rain.state.nm.us.

We appreciate your readership and hope that you will continue it as we move to predominately on-line publication.

NEW MEXICO REGISTER AND

NEW MEXICO ADMINISTRATIVE CODE

By John Martinez

The Commission of Public Records (CPR) is charged in statute with producing the *New Mexico Register* and the *New Mexico Administrative Code (NMAC)*. The *New Mexico Register* is a semi-monthly publication where notices of intended rule making and text of adopted rules, amendments, and repeals are officially published.

Once rules are published in the *New Mexico Register* and become effective, they are compiled into the *NMAC*, which is a compilation of current rules promulgated by State agencies. The *NMAC* organizes rules by topic within a numerical hierarchy that aids in finding rule material. The *NMAC* is available only in electronic format.

For the last few years, the CPR has used an outside publisher to produce the *New Mexico Register* and the *NMAC*. Now, however, the CPR is producing both in-house. Since August of 2001, the CPR has published the *New Mexico Register* both on-line and in paper. Previously, the *New Mexico Register* was available only through subscription, but the new on-line version is free. Not only is there no charge, but the website also requires no registration to use. Anyone can simply log on to the site at www.nmcpr.state.nm.us/nmregister to view or print the material. Paid subscriptions to the paper version are still available for those who prefer, and order forms can be printed from the website.

The *NMAC* is available on-line at www.nmcpr.state.nm.us/nmac. As with the *New Mexico Register*, there is no charge or registration required to access the *NMAC*. The rules can be found by their assigned *NMAC* numbers. There is also a

search engine that can find a rule by word or phrase.

The CPR hopes that these websites will make State rules more accessible to the people of New Mexico. Questions about the *New Mexico Register* or the *New Mexico Administrative Code* can be sent to rules@rain.state.nm.us.



SECOND TIME AROUND: THE OFFICIAL PAPERS OF GOVERNOR BRUCE KING 1979-1982

By Melissa T. Salazar

The New Mexico Commission of Public Records—State Records Center and Archives announces that the Official Papers of Governor Bruce King, 1979-1982, are now available for research.

Nearly 265 linear feet of documents were processed over a ten-year period. A finding aid will be available on-line by the fall of 2002.

Bruce King was born in Stanley, New Mexico on April 6, 1924, to Will and Molly King. In 1947, he married Alice Marie Martin. After his father died, King and his brothers took over the ranching business.

In 1954, he began his political career when he was elected to the Santa Fe County Commission. There King served two terms, one as chairman of the Commission. In 1959, he was elected to the New Mexico House of Representatives, where he served five consecutive terms, three as Speaker of the House. From 1968 to 1969, he was State Democratic Chairman and was President of the State Constitutional Convention, which was held in Santa Fe in 1969.

With more than a decade of political experience, the popular Bruce King ran for Governor. He was elected in 1970 and served his first term from 1971 to 1974. In November 1978, he ran again and was elected to a second term. He took the oath of office on January 1, 1979, and served from 1979 to 1982. Elected to a third term in 1990, King became the first person in New Mexico's history as a state to be elected to three four-year terms as Governor.

The Executive Papers series contains addresses, proclamations, and appointments. While this series is fairly cut and dry, the proclamations are fun to explore. Where else can you read of "Eye Bank Month," "New Mexico Cowbelle Day," "National Beauty Salon Week," "Men's Wear Week," or "Lawrence Welk Day."

The Legislative Papers series contains records from the 34th and 35th legislative sessions and their special sessions. They include proclamations and Senate and House executive message logs, executive messages, and bills as well as Senate Joint Resolutions.

Perhaps one of the most interesting series is the Governor's Service Centers. The functions of the citizen service centers, established during the administration of Governor Jerry Apodaca, were to provide information about State agencies, assist the public in obtaining services from those agencies, and help to expedite those services. The goal was to provide closer contact with the public and quicker resolution of citizens' problems.

Within this series researchers will find logs, annual and monthly reports, miscellaneous correspondence, and case files. The service centers were shut down in 1982.

Another interesting records series is Correspondence for State Agencies, Boards, Commissions, and Elected Officials. While scholars can research the executive and legislative papers for specific actions taken by the government and government officials, the correspondence written by the general public is fertile ground for studies on social and cultural history.

Here is where one finds out what the common man or woman was concerned about during the late 1970's and early 80's. Some of the material involves issues such as the Dense Pack MX Missile Installation, the Waste Isolation Pilot Plant, and the New Mexico State Penitentiary Riot.

By reading letters written by the public, one gets a sense of their problems and worries. Within the U.S. Department of the Army file, for example, researchers can find hundreds of letters supporting the Dense Pack MX Missile Program

proposed to be built in Clovis, while those opposing it are much fewer in number.

Another intriguing topic within this series involves the installation of the Waste Isolation Pilot Plant (WIPP) in southeastern New Mexico. Beginning operations in March 1999, the WIPP is the world's first underground repository built to permanently dispose of transuranic radioactive waste left from the research and production of nuclear weapons.

In one letter, a woman criticized the Governor for being a "turncoat." In her letter she writes, "How dare you support something this dangerous to all of us, no matter what monetary compensation we might receive from a multi-national multi-million dollar industry. All of you are old enough that it is very likely you won't live to see the legacy you are planning for my children, and I daresay your children's children."

A third topic of interest relates to the 1980 New Mexico State penitentiary riot, one of the worst in prison history. Within the collection there are nearly 30 boxes of records relating specifically to the penitentiary riot. Included among the records are the Attorney General's 1980 Penitentiary Report, Part I, "The Penitentiary, the Riot, the Aftermath" and Part II, "The Last 10 years, Conditions Leading to the Riot, Conclusion and Recommendations."

Although the majority of records are open to the public, some restrictions have been placed on materials in which privacy and confidentiality are essential.



NINA OTERO-WARREN AUTOGRAPH BOOK (1892-1921, 1933)
By Daphne Arnaiz-DeLeon

The Archives and Historical Services Division has received a donation of a Nina Otero-Warren Autograph Book from the College of Santa Fe Fogelson Library. The significance of the book far outweighs its physical dimensions (8¼" x 7"). It is covered in turquoise velvet with silver decoration on the lower right hand corner and contains various messages from friends from the Loretto Academy in Santa Fe, New Mexico and from family. The inscription reads "To Nina from Mama and Papa, Christmas 92/1892."

Nina Otero-Warren was a descendant of a prominent Hispanic ranching family in Los Lunas, New Mexico. Born in 1881, she moved to Santa Fe in 1897 when her uncle Miguel Otero became the first Hispanic territorial governor of New Mexico. Widowed in 1909, Otero-Warren served New Mexico and the United States government in the following capacities: New Mexico Inspector of Indian Services (U.S. Department of Interior), 1922-1924; Superintendent of Santa Fe County Schools, 1917-1929; Interpreter and Liaison Officer for the U.S. Pueblo Lands Board, 1923; and Director of the New Mexico Literacy Program (WPA), 1937. She also published *Old Spain in the Southwest*, a discussion of Spanish customs that are part of New Mexican culture.

The significance of the autograph book lies in its ability to document a period of Otero-Warren's life that has been missing from the collections of the Archives and Historical Services Division. Her professional papers, including research files for *Old Spain in the Southwest*, reside in the Bergere Family Collection and images of her and her family can be found in the Bergere Family Photograph Collection; however, documentation of her childhood is scarce, and the autograph book helps fill that gap.



Bergere Family Photograph Collection, Image #21237 (Left to right) Mrs. Van Houton, Anita, Nina, Maria, and May in San Diego, 1915

Message from Nina's sister Anita:

My dear sister,

When you fall down and skin your knees
Just jump up and think of me.

Your sister,
Anita Bergere
Dec. 16th 1899

The autograph book is being processed

and will be available to patrons in March 2002.

The finding aid for the Bergere Family Papers is available at the On-line Archives of New Mexico website (<http://eLibrary.unm.edu/oanm>).



LOCAL GOVERNMENTS AND PUBLIC RECORDS-WHAT THE LAW REQUIRES AND WHAT THE COMMISSION OF PUBLIC RECORDS CAN DO

By L. Elaine Olah

Local governments are required by law to perform certain services and to create and maintain certain records - records that may be kept for a few days, months, a year, several years, or forever. These records document the transactions of government but are also used everyday by people to document their rights or simply to discover more about themselves through their families and communities.

What are some of the laws that affect records created at the local government level? There are many, but let's start with those about newspapers, which provide a treasure trove of information about people and communities throughout New Mexico. **Section 4-40-6 NMSA 1978** requires county clerks to subscribe to one copy of each of the newspapers printed and published in their respective counties, and **Section 4-40-8 NMSA 1978** requires county clerks to subscribe and preserve newspapers published in their counties.

Chapter 14 of the NMSA 1978, *Records, Legal Notices and Oaths*, sets requirements for maintaining, making accessible, reproducing, and destroying public records. **Sections 14-1-5 and 14-1-6 NMSA 1978** authorize any public official to order his records reproduced through microphotography, photography, or filming and deem such records to be original records. **Section 14-1-7 NMSA 1978, Destruction of obsolete county records**, sets retention periods for various county records. **Section 14-1-8 NMSA 1978** requires county officials to notify the State Records Administrator of proposed destruction of obsolete records so that she may determine whether to obtain the

records. These statutes apply to county governments and are augmented by regulations adopted by the Commission of Public Records to guide disposition of county records. A county official - that is, the official custodian of the government records - must notify the State Records Administrator of his or her intention to destroy **ANY** records at least 60 days before the proposed date of destruction. This allows the Administrator to assess the records to be destroyed and claim them if they appear to warrant continued preservation. This decision is not made lightly since it carries with it an obligation of State resources to continue to preserve the claimed records. Once approved for destruction, records can be disposed of through various methods as defined by regulation (see 1.13.30 *NMAC, Destruction of Public Records*).

The Public Records Act (Chapter 14, Article 3 NMSA 1978) establishes the requirements for managing public records. Some of the provisions of this Act also affect local governments. **Section 14-3-15 NMSA 1978** allows any public official to reproduce public records through microphotography, photography, or filming according to standards established by the State Records Administrator. **Section 14-3-18 NMSA 1978, County and municipal records**, allows the State Records Administrator to advise and assist county and municipal officials in the formulation of programs for the disposition of public records maintained in county and municipal offices.

What can local governments do to address records issues? Local governments must start by developing a policy that supports a records and archival management program. The next two steps should occur concurrently. One step is allocating resources to develop, implement, and maintain the program. These resources include space, equipment, supplies, staff (assigning specific responsibilities to individuals), and staff training. The other step involves adopting standards—the record retention and disposition schedule (the standard for keeping and disposing of records) and standards for alternative storage media (microfilm, digitization, and electronic records). Once standards are in place they must be disseminated and enforced. **Subsection B of Section 14-**

8-12.2 NMSA 1978 permits counties to charge, in addition to the recording fee, an equipment recording fee for each instrument recorded and photocopied. These equipment recording fees must be used only for equipment associated with "recording, filing, maintaining or reproducing documents in the county clerk's office and for staff training on office procedures and equipment." There may be similar opportunities for municipalities; however, a review of statutes did not reveal such a provision.

The Commission of Public Records adopts model schedules for local governments. There are generally two types of schedules developed, those for support records and those addressing the records of particular offices, such as the county assessor, county treasurer, etc. The Records Management Division develops the schedules with help from interested parties from local governments. The Commission's Records Retention and Disposition Schedule Committee, comprised of the State Records Administrator, the Deputy Administrator, and the Directors of Archives and Historical Services and Records Management Divisions, review proposed schedules. Schedules are then reviewed by the Attorney General's Office before being submitted to the Commission of Public Records for consideration and adoption. Adopted schedules are formally filed as State rules. Unlike schedules adopted and promulgated for state government, model schedules adopted for local governments are not binding because these entities are not subject to the Public Records Act. Rather, these schedules must be formally adopted through resolution or ordinance by the appropriate governing body. General and program specific guides can be viewed at <http://www.nmcpr.state.nm.us/nmac> and clicking on *Browse Compilation*, then selecting Title 1, then Chapters 15 and 19. Other Commission-adopted standards such as the *Microphotography Standards* and the *Performance Guidelines for the Legal Acceptance of Public Records Produced by Information Technology Systems* that apply only to State agencies may serve as guides to local governments.

The Commission also purchases storage boxes and acid-free (archival) containers in bulk then resells these to local

government organizations and other historical record repositories. Storage boxes are available in three sizes - cubic foot, map and plan drawings, and microfilm storage. These boxes are appropriate for storing transitory records. Archival supplies and containers come in a variety of sizes and shapes and include document storage, record storage (cubic foot), full telescope, clam shell, and newspaper boxes along with legal and letter size folders and corrugated board. Items available for sale and their prices can be found in the Commission fee schedule, 1.13.2 *NMAC*, which can be viewed at <http://www.nmcpr.state.nm.us/nmac/parts/title01/01.013.0002.htm>.

Training sessions are held throughout the state for a nominal fee of \$25.00 for a single day and \$40.00 for a day and a half workshop. A copy of the training schedule can be viewed on our the agency's Web site at <http://www.nmcpr.state.nm.us>.

A basic records management workshop is offered, along with sessions on more advanced topics such as filing systems, records appraisal, and management of electronic records. Workshops focusing on archival methods include a two-day workshop on basic preservation and conservation that gives participants hands-on experience. Building on that session are others covering subjects such as arrangement and description, planning and implementation for digitizing records, and finding aids. The Fiscal Year 2002 schedule runs through April 26, 2002, and the 2003 schedule will be finalized and available by February 15, 2002.

It is vital that local government record keepers, among the most important caretakers of the state's patrimony, have all the tools possible to care for the records in their custody—records that belong to the people of New Mexico. For more information about taking advantage of the Commission's products and services, please contact Don Padilla at (505) 476-7920 or by e-mail at dpadilla@rain.state.nm.us.



THE CHANGING OF THE GUARD
By Erica Garcia

One of the most difficult aspects of my

job as Grant Administrator to the New Mexico Historical Records Advisory Board (NMHRAB) is the departure of people dedicated to the preservation of New Mexico's history—people like Elvis E. Fleming, NMHRAB member and a retired professor of History at Eastern New Mexico University whose appointment expired in September of 2001.

The process of finding new Board members is time consuming and carefully considered. Those who are to be recommended to the Governor for appointment must be willing to commit their time and energy to fulfill the NMHRAB's strategic plan for promoting preservation of and public access to New Mexico's historical records. Recommendations are sought from the remaining Board members and other interested organizations. Being a novice to the appointment process, I decided to talk to Mr. Fleming about his experience serving on the Board.

Mr. Fleming taught history at Eastern New Mexico University and authored books and articles on local history. He first got interested in preserving historical records when he was asked to establish a research center at the Historical Center for Southeast New Mexico in Roswell when it first opened in 1976. Since then, he has done volunteer work as an archivist for the local historical museum and served as a board member of the Historical Society of New Mexico and as the honorary official historian of the City of Roswell.

His service on the NMHRAB began when a friend who had been asked to accept an appointment to the Board declined; she gave the information to Mr. Fleming and encouraged him to represent southeastern New Mexico on the NMHRAB. After writing a letter of interest to the governor's office, he was appointed in early 1997. He quickly became the advocate for the local historical societies and museums. This remained the main focus of his activities on the Board, because as he said, "... I could see that those most in need of help were the least likely to receive it – unless they were encouraged to apply for grants and received help from consultants, etc."

It was his opinion that most people in a position to do something about the

preservation of records are so swamped with other issues that take up their time and energy that preservation tends to be a lower priority. Constant changes in personnel, managers, and policies mean that it is not only difficult to reach the appropriate people, but it is also very difficult to keep the information up to date with new people entering the picture all the time.

Mr. Fleming praised the expertise provided by the staff of the State Records Center and Archives in workshops, and the material developed to promote the Board and the New Mexico Historical Records Grant Program. He also applauded the backing provided by the Federal government and the support of the New Mexico Legislature. The biggest concern he expressed dealt with the historical records grant application process and "the difficulty for lay members of volunteer organizations to complete the complex grant application forms. I know some are discouraged from applying because of the complexity of trying to figure out how the required information applies to non-profit local societies. I always felt that the Board was requiring a higher degree of expertise than that possessed by the Board itself." He conceded that staff developed training to assist applicants and Board members in understanding the process and the forms.

When asked what he found to be the most satisfying aspect to being part of the NMHRAB, Mr. Fleming's reply was "Seeing local non-profit groups get the grants they applied for and then reporting to the HRAB how much they appreciated it, how well the program worked, their own sense of accomplishment." Continuing, he noted, " Also, I was well received by a number of county clerks and museum personnel in various parts of the state as I traveled around doing my own research." Mr. Fleming was instrumental in assisting helping several organizations develop collection policies. His letter to local historical societies, museums, libraries, etc. was widely circulated and resulted in numerous requests for copies of the collection policy he developed for his own historical society.

It has been a great privilege for me to serve the NMHRAB during Mr. Fleming's

appointment. His experience, and that of the other members, has helped give me a strong commitment to helping New Mexico's repositories with their permanent and historical collections.



UPCOMING TRAINING OFFERED BY THE COMMISSION OF PUBLIC RECORDS

For the past three years the New Mexico Commission of Public Records—State Records and Archives has offered training in records, information, and archival management (RIAM). The training program was initially created through a grant that the New Mexico Historical Records Advisory Board received from the National Historical Publications and Records Commission. Upon completion of the grant, the Commission itself assumed responsibility for the continuation of the training program, which is now supported by offering the courses for a nominal fee. The courses noted below will be available from February through April, 2003.

- **Finding Aids:** February 11, 2002 - Albuquerque, NM, \$25.00. Trainer: Daphne Arnaiz-DeLeon, NMSRCA
- **Basic Records Management:** March 15, 2002—Albuquerque, NM, \$25.00. Trainer: Donald Padilla, NMSRCA
- **Electronic Records:** April 25-26, 2002—Santa Fe, NM, \$40.00. Trainer: Contractor
- **Implementing an Archival Preservation Program:** May 2, 2003—Santa Fe, NM, \$25.00. Trainer: Sandra Jaramillo, NMSRCA



MEMBERS OF THE NEW MEXICO COMMISSION OF PUBLIC RECORDS

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