

Report on the

**Department of Archives and History  
State of Alabama  
Montgomery, Alabama**

**October 1, 2016 through September 30, 2020**

**Filed: September 10, 2021**



**Department of  
Examiners of Public Accounts**

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*Rachel Laurie Riddle, Chief Examiner*





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*Chief Examiner*

**State of Alabama**  
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Honorable Rachel Laurie Riddle  
Chief Examiner of Public Accounts  
Montgomery, Alabama 36130

Dear Madam:

An examination was conducted on the Alabama Department of Archives and History, Montgomery, Alabama, for the period October 1, 2016 through September 30, 2020. Under the authority of the *Code of Alabama 1975*, Section 41-5A-19, I hereby swear to and submit this report to you on the results of the examination.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Charles j Bass'.

Charles Bass  
Examiner of Public Accounts

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Department of  
**Examiners of Public Accounts**

**SUMMARY**

**Department of Archives and History  
October 1, 2016 through September 30, 2020**

The Department of Archives and History (the “Department”) operates under the authority of the *Code of Alabama 1975*, Sections 41-6-1 through 41-6-77. The Department was created to care for and have custody of official archives; collect materials bearing upon the history of the State, including the territory thereof from its earliest time; complete and publish historical materials; encourage historical work and research; and disseminate information about the history and resources of the State.

This report presents the results of an examination of the Department and a review of the Department’s compliance with applicable laws and regulations of the State of Alabama. This examination was conducted in accordance with the requirements of the Department of Examiners of Public Accounts under the authority of the *Code of Alabama 1975*, Section 41-5A-12. Our examination was performed to determine whether the public officers, agents, and employees of the Department properly and lawfully accounted for all money and other public assets or resources received, disbursed, or in the custody of the Department. Our examination included determining compliance by the Department with state laws and regulations that pertain to financial transactions; personnel; safeguarding of state-owned assets, property, and resources; information dissemination, processing, and retention; and official actions, rulemaking procedures, and meetings. As a part of our examination, we also reviewed internal control policies and procedures relating to the areas listed above. Our examination did not encompass managerial and operational matters, such as whether the Department accomplished its mission or its regulatory, enforcement, investigative, or other oversight activities in an efficient, fair, timely, or legal manner.

**FINDINGS**

The following instances of noncompliance with State laws and regulations and other matters were found during the examination, as shown on the Schedule of State Legal Compliance and Other Findings and they are summarized below.

- ◆ 2020-001 Relates to the Department not verifying employees’ employment eligibility through E-Verify within three business days.
- ◆ 2020-002 Relates to the Department not notifying the Secretary of State of board member vacancies.

**EXIT CONFERENCE**

The Director and Board members were invited to an exit conference held on August 18, 2021. Individuals in attendance were: Horace Horn, Board member; Steve Murray, Director; and Tunisia Thomas, Executive Assistant, along with Robin Hutcheson and Charles Bass from the Department of Examiners of Public Accounts.





Department of  
**Examiners of Public Accounts**

**COMMENTS**

**Department of Archives and History  
October 1, 2016 through September 30, 2020**

The Department of Archives and History (the “Department”) operates under the authority of the *Code of Alabama 1975*, Sections 41-6-1 through 41-6-77. The Department was created to care for and have custody of official archives; collect materials bearing upon the history of the State, including the territory therein from its earliest time; complete and publish historical materials; encourage historical work and research; and disseminate information about the history and resources of the State.

The Board of Trustees is comprised of seventeen members: two members from each congressional district, two at-large members, and the Governor. Board members serve six-year terms. When a trustee’s term ends for whatever reason, the remaining trustees elect another trustee from the same district. The Board must then submit the newly elected trustee to the Alabama Senate for confirmation.

The Director, who is elected by the Board of Trustees, supervises the day-to-day operations of the Department. The Director’s term of office is six years and serves until a successor is elected and qualified.

The Department operates primarily from appropriations from the General Fund and the Education Trust Fund. Additionally, the Department utilizes the following four Special Revenue Funds maintained in the State Treasury:

- ◆ **Memorial Fund – Fund 0334** – Gifts and donations used for a specific purpose approved by the Board of Trustees or designated as memorial gifts by the donors.
- ◆ **Archives and History: Federal Grants – Fund 0572** – Accounts for federal grants received.
- ◆ **Archives Historical Collection – Fund 0723** – Revenue collected from the sale or transfer of any historical materials that no longer fall within the Department’s collecting guidelines, that are duplicate items in the collection, or that are no longer deemed appropriate for the Department’s collection.

- ◆ *Archives Services Fund – Fund 0729* – Revenue collected for services, such as federal grants, search and handling fees, records center and micrographics storage, and service fees.

The Department owned nonconsumable personal property consisting of automobiles, office furniture, computers, and equipment. Nonconsumable personal property in the custody of the Department was compared with property records maintained by the Property Inventory Control Division of the State Auditor's Office. No discrepancies were noted.

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*Schedule of State Legal  
Compliance and Other Findings*

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***Schedule of State Legal Compliance and Other Findings***  
***For the Examination Period Ended September 30, 2020***

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Ref. No.	Finding/Noncompliance
2020-001	<p><b><u>Finding:</u></b></p> <p>The Department did not verify three employees' employment eligibility through E-Verify by the third business day after the employees started work for pay. The employees' eligibility was verified seven to twenty-one days after the employees started work. As a result of the Department not verifying the employees' employment eligibility through E-Verify within 3 days of starting work, the Board could hire and employ an unauthorized alien.</p> <p>The <i>Code of Alabama 1975</i>, Section 31-13-15 (a) states, "No business entity, employer, or public employer shall knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the State of Alabama."</p> <p>The <i>Code of Alabama 1975</i>, Section 31-13-15 (b) states, "Effective April 1, 2012, every business entity or employer in this state shall enroll in E-Verify and thereafter, according to the federal statutes and regulations governing E-Verify, shall verify employment eligibility of the employee through E-Verify."</p> <p>Furthermore, the <i>E-Verify User Manual</i>, Section 2.2 states, "E-Verify cases must be created no later than the third business day after the employee starts work for pay."</p> <p><b><u>Recommendation:</u></b></p> <p>The Department should E-Verify all new employees within three business days of the employee's first day of employment.</p>

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***Schedule of State Legal Compliance and Other Findings***  
***For the Examination Period Ended September 30, 2020***

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Ref. No.	Finding/Noncompliance
2020-002	<p><b><u>Finding:</u></b></p> <p>The Department did not submit vacancy notices to the Secretary of State for seven members whose terms expired and for two members who resigned from the Board of Trustees. In addition, the Department submitted a vacancy notice five months after the death of a member. As a result, interested candidates were not given sufficient notice of upcoming board member appointments.</p> <p>The <i>Code of Alabama 1975</i>, Section 36-14-17(d)(1) states, “The chair of an existing board shall notify the Secretary of State by electronic means of a vacancy scheduled to occur on the board as a result of the expiration of a term at least 45 days before the vacancy occurs.”</p> <p>The <i>Code of Alabama 1975</i>, Section 36-14-17(d)(2) states, “The chair of an existing board shall give electronic notification to the Secretary of State of each vacancy occurring as a result of a newly created board position and of every other vacancy occurring for any reason other than the expiration of a term as soon as possible and in any case within 15 days after the occurrence of the vacancy.”</p> <p><b><u>Recommendation:</u></b></p> <p>The Board should notify the Secretary of State of vacancies at least 45 days before the members’ terms expire and within 15 days for all other vacancies.</p>

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***Schedule of Cash Receipts, Disbursements and Balances  
For the Period October 1, 2016 through September 30, 2020***

	2019-2020	2018-2019	2017-2018	2016-2017
<b>Receipts</b>				
General Fund Allotment	\$ 1,664,750.00	\$ 1,769,750.00	\$ 1,664,750.00	\$ 1,666,454.00
Education Trust Fund Allotment	7,025,056.00	6,516,141.00	6,710,999.00	5,573,705.00
Interfund State Program			58,620.00	
Archives Search and Handling Fee	279,049.85	291,105.25	276,057.35	291,981.10
Non-Government Operating Contribution	1,120.00	2,508.00	2,504.00	2,318.00
Federal Operating Grants	97,888.75	44,519.72	57,576.53	31,834.00
Salvage Equipment Proceeds	125.42	61.42	83.85	37.76
Total	9,067,990.02	8,624,085.39	8,770,590.73	7,566,329.86
<b>Disbursements</b>				
Personnel Costs	2,976,127.83	2,739,423.53	2,417,136.02	2,254,176.30
Employee Benefits	1,245,377.22	1,141,542.13	1,004,687.03	843,535.80
Travel In-State	4,266.64	12,617.66	6,922.06	9,900.61
Travel Out-of-State	12,327.33	38,631.86	27,462.37	10,035.72
Repairs and Maintenance	16,720.81	14,893.62	4,764.43	2,331.28
Rentals and Leases	2,609,783.85	2,838,290.62	2,817,313.07	2,629,007.06
Utilities and Communication	155,900.28	106,943.33	67,049.79	55,901.78
Professional Services	313,455.23	300,053.93	506,171.48	199,159.25
Supplies, Materials and Operating Expenses	268,841.54	310,363.97	257,545.44	187,993.06
Transportation Equipment Operation	3,693.60	8,608.16	915.00	981.50
Grants and Benefits	970,896.23	851,575.19	766,213.63	28,125.61
Transportation Equipment Purchases	23,710.00	286,927.09	66,238.63	102,029.20
Other Equipment Purchases	92,087.82			
Transfer to AL Building Renovation Finance Authority		57,000.00		
Education Trust Fund Reversion	645,341.42	151,913.97	758,318.08	1,139,418.58
General Fund Reversion				14,817.28
Total	9,338,529.80	8,858,785.06	8,700,737.03	7,477,413.03
Excess (Deficiency) of Receipts over Disbursements	(270,539.78)	(234,699.67)	69,853.70	88,916.83
Cash Balances at Beginning of Year	1,335,629.46	1,570,329.13	1,500,475.43	1,411,558.60
Cash Balances at End of Year	1,065,089.68	1,335,629.46	1,570,329.13	1,500,475.43
Reserved for Year-End Obligations	(271,449.59)	(531,504.55)	(878,746.88)	(720,075.70)
Unreserved Cash Balances at End of Year	\$ 793,640.09	\$ 804,124.91	\$ 691,582.25	\$ 780,399.73

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***Board Members and Official***  
***October 1, 2016 through September 30, 2020***

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<b>Board Members</b>		<b>Term Expires</b>
Hon. Joel Daves	Chairman	2021
Hon. Oscar Lipscomb	Member	2016 (3)
Hon. Vaughan Morrissette	Member	2020
Hon. Elizabeth Stevens	Member	2022
Hon. Horace Horn	Member	2022
Hon. Gale Main	Member	2023
Hon. Delores Boyd	Member	2024
Hon. Fred Gray	Member	2025
Hon. Barbara Patton	Member	2023
Hon. Bobby Junkins	Member	2025
Hon. Morris Savage	Member	Deceased
Hon. Alyce Spruell	Member	2020
Hon. Beth Thorne Stukes	Member	2020 (1)
Hon. Julian Butler	Member	2021
Hon. Lynwood Smith	Member	2020



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***Board Members and Official***  
***October 1, 2016 through September 30, 2020***

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<b>Board Members</b>		<b>Term Expires</b>
Hon. Leah Rawls Atkins	Member	2024
Hon. Gillian Goodrich	Member	2021
Hon. June Davis	Member	2018 (2)
Hon. George Evans	Member	2024
Hon. Leigh Davis	Member	2025
Hon. Kay Ivey	Member	Ex-Officio

**Official**

Mr. Steve Murray                      Director  
624 Washington Avenue  
Montgomery, AL 36130  
Phone: (334) 242-4441  
[www.archives.alabama.gov](http://www.archives.alabama.gov)

- (1) Resigned August 2019  
(2) Resigned January 2018 and Deceased September 2018  
(3) Deceased July 2020