

*The Committee to Approve Schedules for the
Retention and Disposition of Official State Records
The “State Records Committee”
Minutes for June 10, 2015*

1: Call to Order, Welcome, Roll Call

- The meeting was called to order at 1:20 PM. The meeting was held at the Nevada State Library and Archives Board Room, at 100 N. Stewart St, Carson City, NV.

Committee Members:

Jeff Landerfelt, Chairman, for Barbara K. Cegavske, Secretary of State - Present

Kathryn Etcheverria, Governor’s Appointee - Present

Sarah Bradley, for Adam Laxalt, Nevada Attorney General - Present

Daphne DeLeon, Administrator, Nevada State Library and Archives – Present

Maud Naroll, For Jim Wells, Interim Director of the Department of Administration – Present

Jim Earl, for Shannon Rahming, Interim Administrator, Enterprise Information Technology Services – Present

Staff:

Jeff Kintop, Assistant Administrator for Archives and Records, NSLA – Excused

Teri Mark, State Records Manager, NSLA – Present

Cynthia Laframboise, State Archives Manager, NSLA – Present

Sara Martel, Senior Records Analyst, NSLA – Present

Gerald Lindsay, Senior Records Analyst, NSLA – Present

Michelle Byrne, Administrative Assistant, NSLA – Present

Kimbra Andrews, Department of Transportation – Present

Guests Present:

Scott Anderson – Secretary of State’s Office

Linda Ficklin – Nevada Arts Council

Sidney Merkley – Department of Agriculture, Animal Industry – Via Teleconference

Steve Woodbury – Governors Office of Economic Development

Mary Woods – Department of Administration

2: PUBLIC COMMENT

Comment may be limited to 5 minutes at the discretion of the Chairman.

- Jeff Landerfelt will be the Chairman for the committee when the Secretary of State is not able to be at the meeting. Also, committee member Maud may no longer be on the committee due to the Office of Finance being created within the Department of Administration.

3: Review, Correct if necessary, and approve the minutes for January 14, 2015 and March 11, 2015

- **January 14, 2015** – The minutes were approved with an amended spelling correction under Guests Present. Shelley Blotters name is spelled *Shelley* and not Shelly as it was listed. Also, *Office* was added after Secretary of State under Guests Present. The minutes were approved as amended, with the motion made by Maud Naroll, and a second by Jim Earl. The vote was unanimous.
- **March 11, 2015** – Kimbra Andrews wanted the minutes to reflect that she was present for the meeting. The minutes were approved as amended, with the motion made by Sarah Bradley, and a second by Daphne DeLeon. Maud Naroll abstained from voting.

4: FOR POSSIBLE ACTION

Tourism and Cultural Affairs, Nevada Arts Council

| | | | |
|----|---------|--|----------------------|
| A. | 2002070 | Arts in Public Places Grant Records | Delete – Obsolete |
| B. | 2003075 | Folklife Database | Delete – Non Record |
| C. | 2003067 | Information Services Records | Delete – Non Record |
| D. | 2003068 | Nevada Humanities Committee Files | Delete – Obsolete |
| E. | 2003069 | SOS! Grants Program Files | Delete – Obsolete |
| F. | 2015009 | Program Files | New |
| G. | 2003061 | Artists’ Program Files | Delete - see 2015009 |
| H. | 2003062 | Arts in Education (AIE) Program Files | Delete - see 2015009 |
| I. | 2003063 | Community Arts Development Program Files | Delete - see 2015009 |
| J. | 2003064 | Folklife Program Files | Delete - see 2015009 |
| K. | 2003065 | Governor’s Arts Program Files | Delete - see 2015009 |

A. Recommended Deletion:

Title: ~~Arts in Public Places Grant Records~~

RDA: ~~2002070~~

NSLA staff recommendation:

Delete this RDA

Agency review:

The appraisal by NSLA is supported by the Nevada Arts Council Records Officer.

Justification for deletion of RDA 2002070:

This record series was created in 2002 to allow for the lawful transfer of the records to State Archives. The project has not been used since 1992. All associated records have been transferred to the State Archives. As such, the series is no longer required and should be deleted.

B. Recommended Deletion:

Title: ~~Folklife Database~~

RDA: ~~2003075~~

NSLA staff recommendation:

Delete this RDA.

Agency review:

The appraisal by NSLA is supported by the Nevada Arts Council Records Officer.

Justification for deletion of RDA 2003075:

This schedule is for an index database. As a non-record, this RDA should be deleted from the schedule.

C. Recommended Deletion:

Title: ~~Information Services Records~~

RDA: ~~2003067~~

NSLA staff recommendation:

Delete this RDA.

Agency review:

The appraisal by NSLA is supported by the Nevada Arts Council Records Officer.

Justification for deletion of RDA 2003067:

The newsletters described in the record series are considered publications and are therefore non-records, as are the copies of documents. The remaining items such as “other accounting documents” and “related correspondence” are covered under the General Schedule.

D. Recommended Deletion:

Title: ~~Nevada Humanities Committee Files~~

RDA: ~~2003068~~

NSLA staff recommendation:

Delete this RDA.

Agency review:

The appraisal by NSLA is supported by the Nevada Arts Council Records Officer.

Justification for deletion of RDA 2003068:

The Nevada Humanities Committee is no longer a function of the Nevada Arts Council or of the State. As stated in the description, the program was discontinued. Since the authorized retention period will have allowed all records to be lawfully transferred, this series should be deleted.

E. Recommended Deletion:

Title: ~~SOS! Grants Program Files~~

RDA: ~~2003069~~

NSLA staff recommendation:

Delete this RDA.

Agency review:

The appraisal by NSLA is supported by the Nevada Arts Council Records Officer.

Justification for deletion of RDA 2003069:

This record series was created in 2003 to allow for the lawful transfer of the records to State Archives. All related records were transferred in 2003. As such, the series is no longer required and should be deleted.

Recommended New RDA:

F. Title: *Program Files*

RDA: *2015009*

NSLA staff recommendation:

This new RDA meets the agency's administrative and fiscal needs.

Agency review:

The appraisal by NSLA is supported by the Nevada Arts Council Records Officer.

Recommended New RDA 2015009:

The current agency specific schedule has five (5) retention schedules which cover similar record types and have the same authorized retention. This new RDA is being created to simplify the retention and disposition of the records. The retention is being changed to federal fiscal to accommodate the longest retention required for fiscal reporting.

G. Recommended Deletion:

Title: ~~Artists' Services Program Files~~

RDA: ~~2003061~~

NSLA staff recommendation:

Delete this RDA.

Agency review:

The appraisal by NSLA is supported by the Nevada Arts Council Records Officer.

Justification for deletion of RDA 2003061:

A review of the Nevada Arts Council agency specific retention schedule discovered multiple schedules which cover similar record types. This RDA is being deleted and merged to RDA 2015009.

H. Recommended Deletion:

Title: ~~Art in Education (AIE) Program Files~~

RDA: ~~2003062~~

NSLA staff recommendation:

Delete this RDA and merge to new RDA.

Agency review:

The appraisal by NSLA is supported by the Nevada Arts Council Records Officer.

Justification for deletion of RDA 2003062:

A review of the Nevada Arts Council agency specific retention schedule discovered multiple schedules which cover similar record types. This RDA is being deleted and merged to RDA 2015009.

I. Recommended Deletion:

Title: ~~Community Arts Development Program Files~~

RDA: ~~2003063~~

NSLA staff recommendation:

Delete this RDA and merge to new RDA.

Agency review:

The appraisal by NSLA is supported by the Nevada Arts Council Records Officer.

Justification for deletion of RDA 2003063:

A review of the Nevada Arts Council agency specific retention schedule discovered multiple schedules which cover similar record types. This RDA is being deleted and merged to RDA 2015009.

J. Recommended Deletion:

Title: ~~Folklife Program Files~~

RDA: ~~2003064~~

NSLA staff recommendation:

Delete this RDA and merge to new RDA.

Agency review:

The appraisal by NSLA is supported by the Nevada Arts Council Records Officer.

Justification for deletion of RDA 2003064:

A review of the Nevada Arts Council agency specific retention schedule discovered multiple schedules which cover similar record types. This RDA is being deleted and merged to RDA 2015009.

K. Recommended Deletion:

Title: ~~Governor's Arts Awards Program Files~~

RDA: ~~2003065~~

NSLA staff recommendation:

Delete this RDA and merge to new RDA.

Agency review:

The appraisal by NSLA is supported by the Nevada Arts Council Records Officer.

Justification for deletion of RDA 2003065:

A review of the Nevada Arts Council agency specific retention schedule discovered multiple schedules which cover similar record types. This RDA is being deleted and merged to RDA 2015009.

Discussion and Votes:

- This item was approved as presented with no further discussion. The motion was made by Maud Naroll, with a second by Daphne DeLeon. The vote was unanimous.

5: FOR POSSIBLE ACTION

Governor's Office of Economic Development

A. 2015010 Emerging Small Business Certification Applications New

A. Recommended New RDA:

Title: *Emerging Small Business Certification Applications*

RDA: *2015010*

NSLA staff recommendation:

The retention period meets administrative needs.

Agency review:

The appraisal by NSLA is supported by the Governor's Office on Economic Development's Records Officer.

Justification for new RDA 2015010

These records contain administrative value. The businesses are certified for two years. After receiving a re-certification affidavit, the businesses can apply to be re-certified. Businesses can be certified indefinitely as long as they continue to apply and be re-certified through this program. Keeping the applications for one year after expiration or denial allows the investigator to review previous applications during the re-certification process. This record series does not contain any confidential information.

Discussion and Votes:

- This item was approved as amended. Additional information was provided to committee staff that showed there is confidential information in the records. The recommended disposition was changed to Destroy **Securely** to reflect the additional information. The motion was made by Maud Naroll and the second was by Jim Earl. The vote was unanimous.

6: FOR POSSIBLE ACTION

Department of Agriculture, Animal Industry

- | | | | |
|----|---------|---------------------------------------|-----|
| A. | 2015011 | Livestock Assessment/Head Tax Program | New |
|----|---------|---------------------------------------|-----|

A. Recommended New RDA:

Title: *Livestock Assessment/Head Tax Program*

RDA: *2015011*

NSLA staff recommendation:

The retention period meets fiscal and legal needs.

Agency review:

The appraisal by NSLA is supported by the Department of Agriculture’s Animal Industry’s Records Officer.

Justification for new RDA 2015011:

These records contain fiscal and legal value. Each year, livestock owners are required to submit a “Declaration of Bill of Livestock Assessment”. Per NRS 575.205, “...the Department may assess the tax at any time within 5 years after the date on which the tax became due”. Per the Department’s Legal Council, these documents are tax returns and therefore considered confidential.

Discussion and Votes:

- This item was approved as presented with no further discussion. The motion was made by Maud Naroll, and was second by Jim Earl. The vote was unanimous.

7: FOR POSSIBLE ACTION

General Records Retention and Disposition Schedule

- | | | | |
|----|---------|---|----------------------|
| A. | 2015003 | Calendars | New |
| B. | 2015013 | Public Records Requests | New |
| C. | 2014189 | Public Records Request Log | Delete - see 2015013 |
| D. | 2009048 | Public Records Requests – Denied | Delete - see 2015013 |
| E. | 2009047 | Public Records Requests – Granted | Delete - see 2015013 |
| F. | 2015012 | Alcohol and Drug Testing Records – Negative Results | New |

Recommended New RDA:

A. Title: *Calendars*

RDA: *2015003*

NSLA staff recommendation:

The retention period meets administrative needs.

This item was tabled at the January 14, 2015 meeting. As per Committee direction, staff researched calendar retention in other states. “Calendar Retention Comparison” was provided.

This item was tabled at the March 11, 2015 meeting. Per Committee direction, staff should provide a clearer definition of “appointed/key staff”.

Justification for new RDA 2015003:

These records contain administrative value.

B. Recommended New RDA:

Title: *Public Records Requests*

RDA: *2015013*

NSLA staff recommendation:

Delete this RDA.

Justification for new RDA 2015013:

The RDAs 2014189, 2009047, and 2009048 are being deleted and combined into RDA 2015013 to simplify retention. A three (3) calendar year retention will allow agencies to provide statistics for legislative use.

C. Recommended Deletion:

Title: ~~Public Records Requests Log~~

RDA: ~~2014189~~

NSLA staff recommendation:

Delete this RDA

Justification for deletion of RDA 2014189:

RDA 2014189 is being deleted and combined into RDA 2015013 to simplify retention.

D. Recommended Deletion:

Title: ~~Public Records Requests -- Denied~~

RDA: ~~2009048~~

NSLA staff recommendation:

Delete this RDA.

Justification for deletion of RDA 2009048:

The RDA 2009048 is being deleted and combined into RDA 2015013 to simplify retention. A three year retention will allow agencies to provide statistics for legislative use.

E. Recommended Deletion:

Title: ~~Public Records Requests -- Granted~~

RDA: ~~2009047~~

NSLA staff recommendation:

Delete this RDA.

Justification for deletion of RDA 2009047:

The RDAs 2009047 is being deleted and combined into RDA 2015013 to simplify retention.

F. Recommended New RDA:

Title: *Alcohol and Drug Testing Records – Negative Results*

RDA: *2015012*

NSLA staff recommendation:

The retention period meets administrative and legal needs.

Justification for new RDA 2015012:

Per Code of Federal Regulations (CFR) 40.333 (4) “.....keep negative and cancelled drug test results and alcohol test results with a concentration of less than 0.02 for one year”

Discussion and Votes:

- Item A – 2015003 Calendars was tabled. Committee staff will contact members of the Executive Branch to see if the calendars should be kept longer than one year. Items B – E were approved as amended. The retention statement was changed on item B to “...end of the calendar year in which the response was completed.” The motion was made by Jim Earl and the second was by Sarah Bradley. Item F was approved as presented, with the motion made by Sarah Bradley and the second by Maud Naroll. The votes were unanimous.

8: Department of Administration: Archives and Records

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|----|---------|------------------------------------|-------------------|
| A. | 1992429 | Unscheduled Official State Records | Delete - Obsolete |
| B. | 1992430 | Non-State Government Records | Delete - Obsolete |

Discussion and Votes:

- This item will be brought back at the next meeting. This item was tabled due to not being marked “for possible action.”

9: Department of Transportation Update

- There is no update for the Department of Transportation.

10: Legislative Updates

- AB135 – Passed. The fiscal note dropped.
- SB111/AB162 – Passed. This deals with body cameras for State and Local uniformed officers. The agencies will need to work with Committee staff on the retention of the recorded data.
- SB70- Passed. This deals with Open Meeting Law and posting agendas.
- The Office of Finance within the Office of the Governor will be created in July.
- Per the discussion of the creation of the Office of Finance, committee members suggested creating a sub committee to review NRS 239.073, which dictates who should be appointed to the committee.

11: FOR POSSIBLE ACTION

Discuss Future Agenda Items

- Department of Education;
- Department of Corrections;
- Department of Health and Human Services: Marijuana Health Registry;
- Peace Officers’ Standards and Training (POST);
- General Schedule: Law Enforcement: Portable Recordings;
- Army National Guard;
- Office of the Controller

12: Confirm time of next meeting

- The next meeting scheduled for July 8, 2015 at 1:15 pm at the NSLA Board Room, 100 N. Stewart St, Carson City, NV.

13: Public Comment

Comment may be limited to 5 minutes at the discretion of the Chairman.

- Committee members would like to thank Sara Martel for the changes that she has made to the formatting of the meeting.

14: Adjourn – Chairman

- The meeting was adjourned at 2:57 pm, with the motion made by Maud Naroll. The vote was unanimous.