

*The Committee to Approve Schedules for the
Retention and Disposition of Official State Records
The “State Records Committee”
Minutes for Wednesday May 10, 2017*

1: Call to Order, Welcome, Roll Call

- The meeting was called to order at 1:23 pm. The meeting was held at the Nevada State Library and Archives Board Room, at 100 N. Stewart St, Carson City, NV.

Committee Members:

Kimberely Perondi, for Barbara K. Cegavske, Secretary of State - Present

Kathryn Etcheverria, Governors Appointee - Present

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

Jeff Kintop, Administrator, Nevada State Library, Archives and Public Records – Present

Stacie Hancock, For Patrick Cates, Director of the Department of Administration – Excused

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

Staff:

Sara Martel, State Records Manager, NSLAPR – Present

Gerald Lindsay, Senior Records Analyst, NSLAPR – Present

Adan Aguilera, Administrative Assistant, NSLAPR – Present

Kimbra Ellsworth, Department of Transportation – Present

Guests Present:

Brian Eller, Nevada Department of Wildlife - Present

Kasen Cornmesser, Department of Wildlife - Present

Katie Bavarro, Liquefied Petroleum Gas Board - Present

2: Public Comment

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

- There was no public comment.

3: Review and Approve the Minutes for February 8, 2017

- The minutes were approved as presented. The motion was made by Jim Earl and the second was by Kathryn Etcheverria. The vote was unanimous.

4: Department of Wildlife, Enforcement Division

A.	2017018	Demerit Warnings	New
B.	2017019	License/Permit Suspensions and Revocations	New

A. Recommended New RDA:

Title: *Demerit Warnings*

RDA: *2017018*

Description:

This record series documents the issuance of demerit warning letters to persons violating wildlife laws per NRS Chapter 501 and NAC Chapter 501. The files may contain, but are not limited to: citation, warning letter, certified mail receipts, and return receipts.

Authorized Retention:

Retain this record series for a minimum period of five (5) calendar years from end of the calendar year in which the demerit letter was written.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by the Department of Wildlife, Enforcement Division's Records Officer.

Justification for New RDA 2017018:

A current record series does not exist. Per NRS 501.1814(2), "...the Department shall assess demerit points for the 60-month period preceding a person's most recent wildlife conviction". The Department of Wildlife sends demerit warning letters or license/permit holders for privileges such as hunting, fishing or trapping. Once a person accumulates 9 demerit points, a warning letter is issued. If a person accumulates 12 demerit points in a 5 year period, the license/permit is revoked. The demerit points are tracked for 5 years. After the fifth year, the demerit points are cleared. These letters need to be retained for the entirety of the tracking period.

B. Recommended New RDA:

Title: *License/Permit Suspensions and Revocations*

RDA: *2017019*

Description:

This record series documents the revocation of licenses or permits of persons violating wildlife laws per NRS Chapter 501 and NAC Chapter 501. The files may contain, but are not limited to: citation, revocation letter, certified labels, return receipts, violator's compact report, warden's investigation and court disposition.

Authorized Retention:

Retain this record series for a minimum period of five (5) calendar years from end of the calendar year in which the suspension or revocation expired.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by the Department of Wildlife, Enforcement Division's Records Officer.

Justification for New RDA 2017019:

A current record series does not exist. Per NRS 501.1814(2), "...the Department shall assess demerit points for the 60-month period preceding a person's most recent wildlife conviction". The Department of Wildlife will suspend or revoke a license or permit when the holder accumulates 12 or more demerit points in a 60 month period. The Department keeps the suspension/revocation records for 5 years after the expiration in case the violator accumulates an additional 12 demerit points. Retaining these records are necessary to document repeat offenders which could result in permanent revocation.

Discussion and Vote:

This item was approved as presented. The motion was made by Kathryn Etcheverria and the second was by Jim Earl the vote was unanimous.

5: Department of Corrections, Offender Management

A.	1991496	Departmental Count Sheets	Modify
B.	1991494	Meritorious Service Credit Referral	Modify
C.	1991493	Work Good Time Credit Report	Delete
D.	1999079	Inmate Personal Data Card	Delete
E.	1991495	Nevada Correctional Information System Data Base	Delete
F.	1991499	Inmate Identification Number Assignment Log	Delete
G.	1999080	Inmate Legal Data Card	Delete

A. Recommended Modification:

Title: Departmental Count Sheets

RDA: 1991496

Description:

This record series ~~consists of departmental forms which track all~~ *is used to track* the daily movement of inmates among institutions, medical facilities outside the institutions, medical/mental health units within the system, court appearances and other movements (firefighting, etc.). Includes

data on ID number, name, movement, counts (number of movements, etc.) for each institution. (Department of Corrections Administrative Regulation 570)

Authorized Retention:

Retain for a period of three (3) calendar years from effective date *the end of the calendar year in which the count sheet was created.*

Recommended Disposition:

Destroy

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by the Department of Corrections, Offender Management Records Officer.

Justification for Modification of RDA 1991496:

This proposed modification is to clarify the retention period triggering event.

B. Recommended Modification:

Title: *Work and Meritorious Service Credit Referral Reports*

RDA: 1991494

Description:

~~This record series contains the~~ *consists of reports* e.g., Meritorious Service Credits *received from Department of Corrections institutions and facilities detailing work and meritorious credits earned by an inmate. Credits are documented for the purpose of awarding "good time" sentence credits.* Referral, to the Correctional Case Records Manager, containing notification of educational achievement, vocational achievement, or a meritorious act of achievement by an inmate for fire suppression, acts of heroism, and other charitable or exceptional acts deemed meritorious by the Director, which is used for the purpose of awarding Meritorious Good Time (MGT) sentence credits [Department of Corrections Administrative Regulation 562-IV (A) (4) & V (A) (1) (c) 563].

Authorized Retention:

~~After verification of data entry~~ Retain for a period of three (3) calendar years from the end of the calendar year to which they pertain *in which the report was created.*

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by the Department of Corrections, Offender Management Records Officer.

Justification for Modification of RDA 1991494:

This proposed modification is to reflect changes made to the Department of Corrections Administrative Regulations, which combined work and meritorious credits together.

C. Recommended Deletion:

Title: ~~Work Good Time Credit Report~~

RDA: 1991493

Description:

~~This record series contains the monthly reports from DOC institutions and facilities to Correctional Case Records Manager (CCRM) detailing the Work Good Time (WGT) credits earned for participation in work, education, or training programs (NRS 209.433(3); 209.443(3); 209.446; 209.449; and DOP A.R. 562 & 563).~~

Authorized Retention:

~~Retain the records until verification of data entry.~~

Recommended Disposition:

~~Destroy Securely~~

NSLAPR staff recommendation:

~~Delete this RDA~~

Agency review:

The appraisal is supported by the Department of Corrections, Offender Management Records Officer.

Justification for Deletion of RDA 1991493:

This record can be deleted because the record information is contained in RDA 1991494.

D. Recommended Deletion:

Title: ~~Inmate Personal Data Card~~

RDA: 1999079

Description:

~~This record series was used as a quick reference guide to vital information about inmates. The file consists of cards (appx. 5X8) including: DOC-C-540 Inmate Personnel Data Card (the card is printed as Personnel where it should have been Personal) which is an orange card, DOC-1623~~

~~(5/83) Inmate Personnel Card (white or pink cards) and NSP-C-150 (Nevada State Penitentiary) Inmate Personnel Data Card (white and tan cards). Information contained on all these cards includes: name, back number, aliases, details on the crime (charge, sentence date, etc.), date of birth, SSN, residence, details on relatives (name, address, relationship, etc.), citizenship, details on physical characteristics (height, weight, scars, etc.), educational background, and other personal details.~~

Authorized Retention:

~~Retain this record series for a period of twenty-five (25) calendar years from the date of release from the system.~~

Recommended Disposition:

~~Destroy Securely~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by the Department of Corrections, Offender Management Records Officer.

Justification for Deletion of RDA 1999079:

This record series is no longer created. The official record containing the inmate personal data is the "Inmate Central File" RDA # 1992717. Any remaining data cards (if applicable) can be destroyed when no longer needed for reference purposes.

E. Recommended Deletion:

Title: Nevada Correctional Information System Data Base

RDA: 1991495

Description:

~~This record series consists of an electronic data base (began August 1986) and computer listings of data compiled on classification and management of inmates pursuant to NRS Chapter 209 and DOC Administrative Regulation 500 Series. The data base contains files regarding: (1) demographics, (2) classification status, (3) parole information, (4) holds and detainers, (5) contract inmates, (6) sentence management data, (7) credit history, (8) transportation needs, (9) medical management data, and (10) employee information.~~

Authorized Retention:

~~Retain the computer printout until superseded.~~

Recommended Disposition:

~~Destroy Securely~~

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by the Department of Corrections, Offender Management Records Officer.

Justification for Deletion of RDA 1991495:

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

F. Recommended Deletion:

Title: ~~Inmate Identification Number Assignment Log~~

RDA: 1991499

Description:

~~This record series documents the assignment of inmate identification number by the Department statistician. This log (aka Pink Book) contains the inmate name, social security number, date of birth, sex, arrest date, and codes for race county of commitment status, offense, sentence and date received by intake unit.~~

Authorized Retention:

~~Retain for a period of ten (10) calendar years.~~

Recommended Disposition:

~~Permanent: Transfer to State Archives~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by the Department of Corrections, Offender Management Records Officer.

Justification for Deletion of RDA 1991499:

This log is no longer created. Identification numbers are now assigned and maintained in the Department of Corrections database. The State Archives Manager determined this record series would not have archival value.

G. Recommended Deletion:

Title: ~~Inmate Legal Data Card~~

RDA: 1999080

Description:

~~This record series was used as a quick reference guide to vital information about inmates. The file consists of cards (appx. 4X6) including: DOC-504, Form 14-NSP-5-57-500, Form 14-NSP-8-65-5M and DOC 1598 (5/83) Inmate Legal Data (all white cards varying in size from 4-5/16X5-5/8 to 4X6). The information on the cards includes; Name, DOC#, Crime, Sentence, County, Judge,~~

~~Sentence date, plea, date received, case # counts, parole date, expiration date, pardon date, date of birth, SSN and a remarks field.~~

Authorized Retention:

~~Retain this record series for a period of twenty-five (25) calendar years from the date of release from the system.~~

Recommended Disposition:

~~Destroy Securely~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by the Department of Corrections, Offender Management Records Officer.

Justification for Deletion of RDA 1999080:

This record series is no longer created. The official record containing the inmate legal data is the "Inmate Central File" RDA # 1992717. Any remaining data cards (if applicable) can be destroyed when no longer needed for reference purposes.

Discussion and Vote:

This item was taken out of order. This item was approved as presented. The motion was made by Kathryn Etcheverria and the second was by Jeff Kintop the vote was unanimous.

6: Board for the Regulation of Liquefied Petroleum Gas

A. 2017020 Licensing Records New

A. Recommended New RDA:

Title: *Licensing Records*

RDA: 2017020

Description:

This record series documents the licensing of individuals by the Liquefied Petroleum Gas Board in accordance with NRS Chapter 590.465 to 590.645 and NAC Chapter 590.010 to 590.690. Records may include but are not limited to application form, proof of insurance, investigative records, examination results, renewal forms, continuing education and training verification records, verified statements, financial information, proof of payment of required fees, and similar records.

Authorized Retention:

Retain this record series for a period of three (3) calendar years from the expiration, suspension, or revocation of the license.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by the Board of Liquefied Petroleum Gas Records Officer.

Justification for New RDA 2017020:

The Board for the Regulation of Liquefied Petroleum Gas requested this record series be added to their agency specific schedule because the thirty (30) calendar year retention period found in the State General Schedule (RDA# 2006059 Licensing: Professional and Occupational Licensing) exceeds their agency business needs. The Board for the Regulation of Liquefied Petroleum Gas believes a three (3) calendar year retention period is adequate for their administrative needs.

NAC 590.243 Period of validity of license. ([NRS 590.505](#), [590.515](#), [590.549](#)) A license issued pursuant to the provisions of [NRS 590.465](#) to [590.645](#), inclusive, is valid for 1 year and expires on the last day of the month the license was issued.

(Added to NAC by Bd. for Reg. of Liquefied Petrol. Gas by R148-05, eff. 2-23-2006)

Discussion and Vote:

This item was approved as presented. The motion was made by Jim Earl and the second was by Kathryn Etcheverria the vote was unanimous.

7: Nevada Department of Transportation

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|----|---------|---|--------|
| A. | 2014106 | Permit Files – Event and Temporary Use | Modify |
| B. | 2017022 | Permit Files – Permanent Installations | New |
| C. | 2017023 | Permit Files – Long Term Installations | New |
| D. | 2014107 | Permit Files – Over-Dimensional Vehicle | Delete |

A. Recommended Modification:

Title: Permit Files-~~Short-term Activities and Events~~ Event and Temporary Use **TRDA:** 2014106

Description:

These records document the issuing (or denial) and receipt of fees for ~~event permits or use permits~~ *issued for activities and events lasting less than one year. Examples include right-of-way temporary occupancy permits, over-dimensional vehicle permits, etc.* The records may contain, but are not limited to: applications, *permits*, copies of site plans, ~~copies of deeds, permits, approval or denial letters,~~ related correspondence and similar *and related* documents. **Note: If a short-term permit becomes associated with a long-term permit or other subject file, the short-term permit will be filed with and assume the retention of the specified subject file.**

Authorized Retention:

Retain for ~~three (3)~~ *seven (7)* calendar years from the date of permit expiration or date of last action.

Recommended Disposition:

Destroy

Agency review:

The appraisal is supported by the Nevada Department of Transportation, Records Officer.

Justification for Modification of TRDA 2014106:

The proposed changes clarify the types of permits in this record series, and extend the retention period for legal purposes. These records document the agency giving permission to parties for street repairs, hazardous material cleanup, parades and other temporary uses of State roadway or adjoining State right-of-way. At times, a claim or lawsuit may arise that pertains to a specific area that involved a temporary permit, and it may be necessary to identify the details of the permit in order to remove responsibility or liability from the agency. A party may take up to six years to file a claim or lawsuit (statute of limitations, NRS 11.190), and several months may pass before the agency is served or notified of the claim or lawsuit. The 7 year retention period meets the agency's administrative needs.

B. Recommended New TRDA:

Title: *Permit Files – Permanent Installations*

TRDA: *2017022*

Description:

These records document the issuing (or denial) and receipt of fees for permits issued for permanent installations. Examples include right-of-way standard encroachment permits, utility occupancy permits, etc. The records may contain, but are not limited to: applications, permits, copies of site plans, and related documents.

Authorized Retention:

Retain permanently in the electronic records repository.

Recommended Disposition:

Permanent

Agency review:

The appraisal is supported by the Nevada Department of Transportation, Records Officer.

Justification for New TRDA 2017022:

A category for permits issued for permanent installations does not currently exist and needs to be added to the agency retention schedule. These records document the agency giving permission to parties to install utilities, traffic signals, and other permanent uses that encroach on State right-of-way per NRS 408 and NAC 408. Due to the permanent nature of the installations and administrative needs, the agency requires permanent retention in the electronic records repository.

C. Recommended New TRDA

Title: *Permit Files –Long Term Installations*

TRDA: *2017023*

Description:

These records document the issuing (or denial) and receipt of fees for permits issued for non-permanent installations lasting one year or longer, such as outdoor advertising signs.

The records may contain, but are not limited to: applications, permits, copies of site plans, and related documents.

Authorized Retention:

Retain for twelve (12) years from the removal of the structure or the date of last action, whichever is longer.

Recommended Disposition:

Destroy

Agency review:

The appraisal is supported by the Nevada Department of Transportation, Records Officer.

Justification for New TRDA 2017023:

A category for permits issued for long-term installations does not currently exist and needs to be added to the agency retention schedule. These records document the agency giving permission to parties to install non-permanent structures on or adjacent to State right-of-way. These permits can be cancelled due to land zoning changes or other reasons, and then a new application for the same location *may be* received several years later. Rejected applications involving land lease investments have been raised as far up as the Governor's office, and agency staff have had to look back as far as 12 years to identify the history and past reasons for cancellation and rejection. Agency staff reference these records to ensure consistency in approving or rejecting an application, in order to reduce vulnerability to lawsuits. Additionally, a permit may be revoked and the structure remains, in which case the agency may hire a third-party to remove the structure, and then retain the Attorney General's office to collect on the fees from the permittee; this process can take several years. The retention period of 12 years from the removal of the structure meets the agency's administrative needs.

D. Recommended Deletion:

Title: ~~Permit Files — Over-Dimensional Vehicle~~

TRDA: 2014107

Description:

~~These records document the issuing (or denial) and receipt of over-dimensional vehicle permits. The records may contain, but are not limited to: applications, approval or denial letters; permit copies; and related correspondence.~~

Authorized Retention:

~~Retain for two (2) calendar years from the date of permit expiration or date of last action.~~

Recommended Disposition:

Destroy

Agency review:

The appraisal is supported by the Nevada Department of Transportation, Records Officer.

Justification for Deletion of TRDA 2014107:

Over-dimensional vehicle permits are included in TRDA 2014106 Permit Files – Short-term Activities and Events (previously called Event and Temporary Use permits). TRDA 2014107 is redundant.

Discussion and Vote:

This item was approved as amended. There were 2 minor corrections that were made to the “Justification” portion of part C. The first was the addition of “may be” in the third sentence after the words “same location”, to read “same location may be”. The second was also on the third sentence where “s” was added to the end of the word “year” to read “years”. The motion was made by Jim Earl and the second was by Kathryn Etcheverria the vote was unanimous.

8: AB 42 & 2017 Legislative Update:

Sara informed the Committee that AB 42 did not meet its deadline out of committee and failed. Sara also informed the Committee of any pertinent bills that affected state records directly.

9: Discuss future agenda items

Sara informed the Committee that State Records staff is reviewing all retention schedules that have not been reviewed since 2012 or earlier. State Records is working on retention schedule changes from Attorney General, Dept. of Education, Dept. of Administration Risk Management Division, and Deferred Compensation Committee for future State Records Committee meetings. The Chair mentioned that Deferred Compensation Committee might need to be pushed to July’s meeting because they may move to a new department. To avoid having Deferred Compensation attend multiple meetings, State Records will wait to see if there are future changes to their retention schedule as a result of legislative action.

10: Public Comment

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

- Sara informed the Committee that the plans for the E-Records forum are in the works. More information will be available later.
- Jeff Kintop informed the Committee that he will not be attending the next scheduled meeting. Jeff said he could have Teri Mark be his designee if one is needed.
- Jim Earl informed the Committee that he may not be attending the next scheduled meeting, and if needed he could send in a designee in his stead.

11: Determine time of next meeting

- The next meeting is scheduled for June 14, 2017 at 1:15 pm in the Nevada State Library and Archives Board room.

12: Adjourn

- The meeting was adjourned at 2:22 pm with the motion made by Chair Kim Perondi. The vote was unanimous.