

Schedule 34-10

SECRETARY OF STATE

LICENSING DIVISION

September 20, 2013

Nebraska Records Management Division
440 South 8th Street, Suite 210
Lincoln, NE 68508
(402) 471-2559

**REQUEST FOR APPROVAL
OF RECORDS RETENTION
AND DISPOSITION SCHEDULE**

SCHEDULE

34-10

AGENCY, BOARD OR COMMISSION

SECRETARY OF STATE

DIVISION, BUREAU OR OTHER UNIT

LICENSING DIVISION

**TO: STATE RECORDS ADMINISTRATOR
STATE OF NEBRASKA**

Supersedes Edition July 28, 2011

PART I – AGENCY STATEMENT:

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.

SIGNATURE

Catherine A. Dabaly

TITLE

*Deputy Secretary of State for Records
Management*

DATE

September 6, 2013

PART II – APPROVAL OF STATE ARCHIVES:

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

SIGNATURE

Gayle Kauter

DATE

9/6/2013

PART III – APPROVAL OF AUDITOR OF PUBLIC ACCOUNTS:

The attached schedule has been reviewed, all audit material has been properly identified, and this schedule is approved as submitted.

SIGNATURE

Dawn Haffner

DATE

9/17/13

PART IV – APPROVAL OF STATE RECORDS ADMINISTRATOR:

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.

SIGNATURE

Jim A. Gale

DATE

9/20/13

INSTRUCTIONS FOR USING THIS SCHEDULE

Records retention and disposition schedules are designed to serve as your records management guideline for storing and disposing of agency records, **regardless of the media on which they reside**, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. This schedule was written specifically for records unique to your office and the State Agencies General Records Schedule 124 contains those records common to most state government agencies. These retention schedules, which are approved by the State Records Administrator, provide your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying your schedule.

DISPOSING OF RECORDS

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over State Agencies General Records Schedule 124 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods.
3. For records requiring a review of, or transfer to the **NE State Historical Society (State Archives)**, your agency is required to contact the State Archives to negotiate the transfer. Additionally, **once the records are accessioned into their collection, they become the property of the State Archives** (Neb. Rev. Stat. §82-105). The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Neb. Rev. Stat. §82-107). Please contact their office by calling (402) 471-4783.
4. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is the 2nd to the last page of this schedule. Remove the form, photocopy it, complete the form, make a photocopy for your records, and send the completed form to the Records Management Division at the address below. If you wish, you may receive this form electronically by contacting the Records Management Division. This report establishes that the destruction was performed in your normal course of business. **Please remember to retain the blank form for future use.**

NON-SCHEDULED RECORDS

Contact a Records Management Specialist in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

SCHEDULE UPDATE

It is the responsibility of each agency to periodically update their schedule. A Records Management Specialist in Records Management can assist you with the schedule update which may involve adding new records series and making revisions to existing items. Keeping your schedule current will ensure you have the ongoing authority to discard records when their useful life has ended.

QUESTIONS

If you have any questions about these procedures, please contact your agency Records Officer or your Records Management Specialist in Records Management. We will help you with any questions the schedule may present including transferring records to the State Records Center or microfilming records, scanning records, etc.

**Records Management Division
440 South 8th Street, Suite 210
Lincoln, NE 68508-2294
402-471-2559**

**SCHEDULE 34-10
SECRETARY OF STATE
LICENSING DIVISION
September 20, 2013**

Retention requirements are for all records, regardless of the media on which they reside, unless otherwise noted.

Supersedes Edition of July 28, 2011

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
034-010-017-000-000-000-000	APPLICATIONS - NOT COMPLETED	Applications and miscellaneous documents received by the Licensing Division, where the application process was stopped or never completed by the applicants.	3 years after application date OR received date (whichever is sooner)	
034-010-001-000-000-000-000	ATHLETE AGENTS DATABASE	Computer database which contains a record for each certificate of registration. Record includes name, address, contact information, registration number for each registered athlete agent and expiration date. Certificate and list of athlete agents registered in the state is generated from the database.	AGENT RECORD: 2 years after expiration of certificate of registration or athlete agent ceases doing business in Nebraska (whichever is sooner)	Neb. Rev. Stat. §48-2601 to §48-2619
034-010-002-000-000-000-000	ATHLETE AGENTS FILES	Files maintained on registered agents. Typical file may include applications and renewals, supporting documents and correspondence.	2 years after expiration of certificate of registration or athlete agent ceases doing business in Nebraska (whichever is sooner)	Neb. Rev. Stat. §48-2601 to §48-2619
034-010-003-000-000-000-000	BACK-UP COPIES OF ELECTRONIC DATA	The Secretary of State (SOS) contracts with the Office of the Chief Information Officer (OCIO) to provide back-up services for electronic records. Data (records) on the SOS systems/networks is copied to tapes. The data is only to be used for the purposes of business continuity which includes disaster recovery (not for archiving). Servers are located at the OICO's IM Services Data Center, State Capitol, and the Records Management Division. Tapes will be maintained by the OCIO, then overwritten or destroyed following the retention rotations.	ELECTRONIC RECORDS ON FILE SERVERS (DISK TO TAPE): DAILY BACK-UPS: Erase (scrub; wipe) after 1 week END-OF-WEEK BACK-UPS: Erase (scrub; wipe) after 1 month	E-MAIL (EXCHANGE/OUTLOOK): See DISASTER RECOVERY DATA FOR THE ENTERPRISE EMAIL SYSTEM, item 124-043
034-010-004-000-000-000-000	CIVIL LITIGATION DATABASE	Computer database which contains a record for each registered company. Record includes name, address, company owners, contact information, and registration number for each registered company. Certificate of registration and list of companies registered in the state is generated from the database.	LICENSEE RECORD: 5 years after expiration of registration or company ceases doing business in Nebraska (whichever is sooner)	Neb. Rev. Stat. §25-3301 to §25-3309

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
034-010-005-000-000-000-000	CIVIL LITIGATION FILES	Files maintained on registered companies. Typical file may include initial certificate of registration or renewal, applications, and correspondence.	5 years after expiration of registration or company ceases doing business in Nebraska (whichever is sooner)	Neb. Rev. Stat. §25-3301 to §25-3309
034-010-006-000-000-000-000	COLLECTION AGENCY DATABASE	Computer database which contains a record for each licensed agency. Record includes name, address, agency owners, contact information, license number, and formal complaint history for each licensed agency. Database generates licenses and lists of collection agencies licensed in the state.	LICENSEE RECORD: 5 years after expiration of license or company ceases doing business in Nebraska (whichever is sooner)	<ul style="list-style-type: none"> • Prior to 2006, a new database was created annually • After 2006, new entries added to existing database to create a history • License renewed annually
034-010-007-000-000-000-000	COLLECTION AGENCY FILES	Files maintained on licensed agencies. Typical file may include initial applications for licensing, agency bonds, copies of licenses, renewal applications, solicitors' lists, and correspondence.	LIST OF SOLICITORS: 1 year RENEWAL APPLICATIONS: 5 years INITIAL APPLICATIONS, BONDS, COMPLAINTS, COPIES OF LICENSES, AND CORRESPONDENCE: 5 years after expiration of license or company ceases doing business in Nebraska (whichever is sooner)	
034-010-008-000-000-000-000	COLLECTION CONSUMER COMPLAINTS	Complaints received about Collection Agencies and any follow-up correspondence done by Licensing Division.	3 months after collectively reported to Board	
034-010-009-000-000-000-000	DEBT MANAGEMENT DATABASE	Computer database which contains a record for each licensed company. Records name, address, contact information and date of license issued for each licensed company. Database generates licenses and lists debt management companies licensed in the state.	LICENSEE RECORD: 5 years after expiration of license or company ceases doing business in Nebraska (whichever is sooner)	<ul style="list-style-type: none"> • Prior to 2006, a new database was created annually • After 2006, new entries added to existing database to create a history • License renewed annually
034-010-010-000-000-000-000	DEBT MANAGEMENT FILES	Files maintained on licensed companies. Typical file may include initial applications for licensing, bonds, complaints, copies of licenses, renewal applications, branch applications and correspondence.	5 years after expiration of license or company ceases doing business in Nebraska (whichever is sooner)	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
034-010-011-000-000-000-000	DETECTIVE AND PLAIN CLOTHES INVESTIGATOR DATABASE	Computer database containing names of licensed detective agencies, licensed private detectives, and licensed plain-clothes investigators. Records name, address and owner of each agency, name of their bonding company, license, card number and names and card numbers of the agency's licensed plain-clothes investigators. Records name and address for each private detective; records bonding company, license and card number. Database generates licenses and lists of licensed detectives, detective agencies, and plain-clothes investigators in the state.	LICENSEE RECORD: 5 years after expiration of license or licensee ceases doing business in Nebraska (whichever is sooner)	<ul style="list-style-type: none"> • Prior to 2006, inactive licenses were removed from database after 6 months • After 2006, new entries added to the existing database to create a history • License renewed biannually
034-010-012-000-000-000-000	DETECTIVE AND PLAIN CLOTHES INVESTIGATOR FILES	Files on licensed detectives, detective agencies and plain-clothes investigators. Typical file may include initial applications for licensing, written exam, background check, fingerprints, photographs, bonds and correspondence.	BACKGROUND CHECK/FINGERPRINT RECORDS: PRIOR TO 9/1/13: Immediate disposal AFTER 9/1/13: FINGERPRINT: Transfer to the Nebraska State Patrol BACKGROUND: 90 days after all appeals and no unfinished matter is pending ALL OTHER RECORDS: 5 years after expiration of license or licensee ceases doing business in Nebraska (whichever is sooner)	<ul style="list-style-type: none"> • License renewed biannually • Neb. Rev. Stat. §71-3210 to §71-3211 • Neb. Rev. Stat. §84-913
034-010-013-000-000-000-000	RULES AND REGULATIONS DATABASE	Access database of superseded or current Rules and Regulations filed with the Secretary of State. Database is indexed by Agency, Title, Chapter, images of Rules and Regulations and supporting records which may include, but are not limited to, the following: Certificate of Adoption or Repeal, Affidavit of Publication, Waiver of 30-day Notice (if applicable), Fiscal Statement and Explanatory Statement.	Permanent	RULES AND REGULATIONS IMAGES: See RULES AND REGULATIONS FILINGS, item 034-010-014

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
034-010-014-000-000-000-000	RULES AND REGULATIONS FILINGS	Filings may include proposed regulations, notice of hearings, other accompanying documentation and the adopted state agency administrative rules and regulations. Supporting documents may include, but are not limited to: Hearing notice, Certificate of Adoption or Repeal, Affidavit of Publication, Waiver of 30-day Notice (if applicable), Fiscal Statement and Explanatory Statement.	APPROVED REGULATION: Scan to database and microfilm after copying and distribution of updates (no later than 45 days after filing), dispose of 3 years after microfilming PROPOSED REGULATION: After adoption or termination SUPPORTING DOCUMENTS: 3 years after microfilming SECURITY MICROFILM: State Archives MICROFILM WORK COPY: Permanent	<ul style="list-style-type: none"> • Starting in 1975 all Rules and Regulations were refiled with the Reviser of Rules and Regulations, which was abolished in 1986 • Secretary of State (SOS) receives two copies of the approved Rules & Regulations, one filed in current code book and one filed in drawer • Only approved Rules & Regulations and supporting documents are microfilmed
034-010-015-000-000-000-000	TRUTH AND DECEPTION EXAMINERS DATABASE	Computer database containing the name, company name, address, license number and date of license issued for each licensed examiner. Database generates list of examiners licensed in the state.	LICENSEE RECORD: 5 years after expiration of license or licensee ceases doing business in Nebraska (whichever is sooner)	<ul style="list-style-type: none"> • Prior to 2006, a new database was created annually • After 2006, new entries added to existing database to create a history • License renewed annually
034-010-016-00-000-000-000	TRUTH AND DECEPTION EXAMINERS FILES	Typical file may include initial applications for licensing, fingerprints, photographs, correspondence, renewal applications, copies of licenses, exams, and complaints.	5 years after expiration of license or licensee ceases doing business in Nebraska (whichever is sooner)	<ul style="list-style-type: none"> • License is renewed annually • Neb. Rev. Stat. §81-1916 to §81-1917

RECORDS DISPOSITION REPORT

TO: SECRETARY OF STATE RECORDS MANAGEMENT DIVISION 440 S. 8 TH STREET SUITE 210 LINCOLN, NE 68508-2294	AGENCY
	DIVISION
	SUB-DIVISION

REQUIRED INFORMATION:

In accordance with the Records Management Act, records of this agency have been disposed of under the authorization granted by the following schedule(s):

SCHEDULE NUMBER(S) ONLY (DO NOT INCLUDE SECTION AND ITEM NUMBERS)	TOTAL VOLUME DISPOSED (SEE REVERSE)

OPTIONAL INFORMATION (FOR YOUR USE ONLY):

You may include detailed information which will be useful to you in recording exactly what records were disposed of and under what authority. This might include such things as schedule section and item numbers, title of records, inclusive dates of records, etc. This information is not required to be filed with Records Management.

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DATE	SIGNATURE
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SEND ORIGINAL TO RECORDS MANAGEMENT. MAKE A PHOTOCOPY FOR YOUR RECORDS.

RMA 03006D

VOLUME ESTIMATING GUIDE

(PLEASE NOTE THAT FOR REPORTING PURPOSES, A BALLPARK ESTIMATE OF THE TOTAL VOLUME OF MATERIAL DISPOSED IS ADEQUATE.)

Container	Cubic Feet	Weight (lbs)	Sheets of Paper (8.5" x 11")	Electronic Data Equivalent
			1	20 Kb
			52	1 Mb (1024 Kb)
			53,687	1 Gb (1024 Mb)
N/A	N/A	2,204 lbs (1 metric ton)	220,000	4.1 Gb
Records center carton	1 Cu. Foot	16.66 lbs	1,667	32 Mb
Vertical File Cabinet, 4 drawer letter- size	6 Cu. Feet	100 lbs	10,000	190 Mb
Vertical File Cabinet, 4 drawer legal- size	8 Cu. Feet	133.3 lbs	13,333	254 Mb
About a pickup load	50 Cu. Feet	7,500 lbs	748,638	14 Gb