

CIBOLA COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION No. 22-51

A RESOLUTION ESTABLISHING A COUNTY RECORDS AND DISPOSITION POLICY

PREAMBLE

WHEREAS, the Cibola County Board of Commissioners met upon notice of meeting duly published at the Cibola County Administration Building, 700 East Roosevelt Ave., Suite 50, Grants, NM 87020, on September 22, 2022, at 5:00 p.m. as required by law; and,

WHEREAS, NMSA 1978, Section 4-38-18 (1876) vests a county's management in its Board of County Commissioners; and,

WHEREAS, NMSA 1978, Section 3-18-1 (1972) provides that municipalities, and also counties pursuant to NMSA 1978, Section 4-37-1 (1995), have the power to "protect generally the property of its municipality and its inhabitants" and to "preserve peace and order"; and,

WHEREAS, Section 4-37-1 *et seq.* NMSA 1978 provides that counties may adopt Replaces, not inconsistent with statutory or constitutional limitations placed on counties, to discharge those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the county and its inhabitants; and,

WHEREAS, NMSA 1978, Section 4-38-13 (1876) provides that the board of county commissioners shall have power at any session to make such orders concerning the property belonging to the county as they may deem expedient; and,

WHEREAS, the County of Cibola is implementing a Records Management Program; and

WHEREAS, the purpose of the County's Records Management Program is to ensure that certain documents are maintained for legal, fiscal, and other purposes and subject to destruction at set durations; and



WHEREAS, records disposition is the final action after a record's retention period has ended that permits the destruction or further retention of public records; and

WHEREAS, the New Mexico Commission of Public Records, State Records Center and Archives issues Records Retention and Disposition Schedules some of which are applicable to New Mexico counties; and

WHEREAS, NMSA 1978, Section 14-7-1 (1967) provides that “[t]he following county records shall be deemed obsolete and may be destroyed: A. purchase vouchers which are six years old; B. chattel mortgages six years after the expiration of their term; C. security agreements filed under the Uniform Commercial Code six years after the expiration of their term; D. copies of state highway project contracts filed by the chief highway engineer three years after the date of filing; E. duplicate information reports filed in the offices of county officials, including but not limited to duplicate reports of the county treasurer, sheriff, county agricultural agents and county health officers, which are two years old; F. chattel mortgage releases six years after the date of filing; and G. termination statements filed under the Uniform Commercial Code six years after the date of filing;” and,

WHEREAS, NMSA 1978, Section 14-1-8 (1961) provides that “[o]bsolete county records; notice of proposed destruction; preservation desired by state records administrator; delivery of documents An official charged with the custody of any records and who intends to destroy those records, shall give notice by registered or certified mail to the state records administrator, state records center, Santa Fe, New Mexico, of the date of the proposed destruction and the type and date of the records he intends to destroy. The notice shall be sent at least sixty days before the date of the proposed destruction. If the state records administrator wishes to preserve any of the records, the official shall allow the state records administrator to have the documents by calling for them at the place of storage;” and,

WHEREAS, NMSA 1978, Section 14-3-18 (2005) provides that recognized counties have a right and duty to formulate programs for the disposition of public records maintained in county offices; and,

WHEREAS, NMSA 1978, Section 14-3-18 (2005) provides that recognized counties have a right and duty to formulate programs for the disposition of public records maintained in county offices; and,

WHEREAS, until its repeal on November 30 2015 the New Mexico Administrative Code (NMAC) provided Record Retention and Disposition Schedules for local governments, however now local governments are required to create their own schedules; and,

WHEREAS, on November 30, 2015 the State Records Administrator issued NMAC Rule 1.21.3 as a guide to local government which this policy is based on; and,

WHEREAS, NMSA 1978, Section 14-16-12 (2001) provides that:



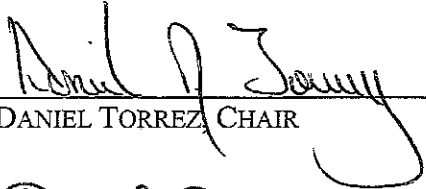
- (a) If a law requires that a record be retained, the requirement is satisfied by retaining an electronic record of the information in the record which:
- (1) accurately reflects the information set forth in the record after it was first generated in its final form as an electronic record or otherwise; and
 - (2) remains accessible for later reference.
- (b) A requirement to retain a record in accordance with Subsection (a) does not apply to any information the sole purpose of which is to enable the record to be sent, communicated or received.
- (c) A person may satisfy Subsection (a) by using the services of another person if the requirements of that subsection are satisfied.
- (d) If a law requires a record to be presented or retained in its original form, or provides consequences if the record is not presented or retained in its original form, that law is satisfied by an electronic record retained in accordance with Subsection (a).
- (e) If a law requires retention of a check, that requirement is satisfied by retention of an electronic record of the information on the front and back of the check in accordance with Subsection (a).
- (f) A record retained as an electronic record in accordance with Subsection (a) satisfies a law requiring a person to retain a record for evidentiary, audit or like purposes, unless a law enacted after the effective date of the Uniform Electronic Transactions Act specifically prohibits the use of an electronic record for the specified purpose.
- (g) This section does not preclude a governmental agency of this state from specifying additional requirements for the retention of a record subject to the agency's jurisdiction.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Cibola that the County adopts and follows the following policy and the Retention and Disposition Schedules as set forth below.

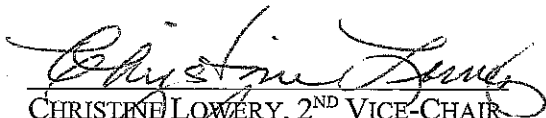


BOARD OF COUNTY COMMISSIONERS

APPROVED, ADOPTED, AND PASSED on this 22nd day September 2022.


DANIEL TORREZA, CHAIR


MARTHA GARCIA, 1ST VICE-CHAIR


CHRISTINE LOWERY, 2ND VICE-CHAIR


RALPH LUCERO, MEMBER


ROBERT WINDHORST, MEMBER

ATTEST BY:


MICHELLE E. DOMINGUEZ, COUNTY CLERK



CIBOLA COUNTY RECORDS AND DISPOSITION POLICY

1. PURPOSE

This policy is to ensure the uniform application of efficient maintenance, retention and disposition of County public records in accordance with state law.

2. POLICY

Cibola County shall maintain, retain and dispose of public records in accordance with state law and other public records requirements. Non-records or non-essential records shall be retained as the custodial department deems necessary.

3. DEFINITIONS

- a. Computer- means an electronic device designed to accept data (input), perform prescribed mathematical and logical operations at high speed (processing) and supply the results of these operations (output). This includes, but is not limited to, mainframe computers, minicomputers and microcomputers, personal computers, portable computers, pocket computers, tablet computers, telephones capable of storing information, PDAs, MDTs, and other devices.
- b. Confidential- means information provided to, created by or maintained by a government agency and that is exempt from release under state or federal laws, because disclosure would cause substantial harm or constitute an invasion of privacy or is otherwise prohibited by law.
- c. Custodial department- means the department responsible for the maintenance, care or keeping of public records, regardless of whether the records are in that department's actual physical custody and control.
- d. Custody- means the guardianship of records, archives and manuscripts, which may include both physical possession (protective responsibility) and legal title (legal responsibility).
- e. Degaussing- means the process of removing magnetism from magnetically recorded tape thereby rendering most of the information non-reconstructable.
- f. Destruction- means the disposal of records of no further value by shredding, burial, pulping, electronic overwrite or some other process, resulting in the obliteration of information contained on the record.
- g. Disposition- means the final action that puts into effect the results of an appraisal decision for a record series (e.g., transfer to archives or destruction).
- h. Electronic public record- means any information that is recorded in a form that



only an electronic device can process and that satisfies the definition of a public record in Subsection G of Section 14-3-2 NMSA 1978.

- i. Non-records or non-essential records- means extra copies of documents kept solely for convenience of reference, stocks of publications, records not usually included within the scope of the official records of an agency or government entity and library material intended only for reference or exhibition. The following specific types of materials are non-records: materials neither made nor received in pursuance of statutory requirements nor in connection with the functional responsibility of the officer or agency; extra copies of correspondence; preliminary drafts; blank forms, transmittal letters or forms that do not add information; sample letters; and reading files or informational files.
- j. On-site destruction- means that once a department has received approval from the County Records Custodian and archives to destroy records, the department has the option to destroy records on-site at the physical location of the department using an approved method of destruction.
- k. Permanent records- means records considered unique or so valuable in documenting the history or business of an organization that they are preserved in an archives.
- l. Public records- means all books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, made or received by the County in pursuance of law or in connection with the transaction of public business and preserved or appropriate for preservation, by the County or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government or because of the informational and historical value of data contained therein (Section 14-4-2 NMSA 1978).
- m. Records- means information preserved by any technique in any medium now known or later developed, that can be recognized by ordinary human sensory capabilities either directly or with the aid of technology (1.13.70 NMAC).
- n. Records center- means a facility designed and constructed to provide effective storage for records that have become inactive but have not reached their disposition date. The County's records center is the principal County facility for the storage, disposal, allocation or use of non-current records of departments or materials obtained from other sources.
- o. Records custodian- means the County employee appointed by the Board of County Commission to administer this policy. The records custodian has responsibility for archiving, tracking and disposing of all County public records.
- p. Records liaison officers- means a person in each department responsible for



authorizing the transfer, withdrawal or destruction of records and who liaisons with the records custodian.

- q. Records management- means the systematic control of all records from creation or receipt through processing, distribution, maintenance and retrieval, to their ultimate disposition.
- r. Records retention and disposition schedules- means rules adopted by the state commission of public records pursuant to Section 14-3-6 NMSA 1978 describing records of an agency, establishing a timetable for their life cycle and providing authorization for their disposition.
- s. Recycling- means the process that recovers the raw materials of a medium allowing for the reuse of various media. Overwriting on magnetic media is a means of recycling.
- t. Reformatting- means the process in which hard drives and floppy drives are reinitialized.
- u. Retention- means the period of time during which records must be maintained by the County because they are needed for operational, legal, fiscal, historical or other purposes.

4. ASSIGNMENT OF RESPONSIBILITIES

- a. The County Commission appoints a "*Records Custodian*" to carry out the purposes of the Public Records Act. The records custodian is responsible for establishing records management programs within the organization for the purpose of ensuring the efficient and economical management of public records throughout their lifecycle from their creation, utilization, maintenance, retention, preservation and final disposition.
- b. The records custodian is hereby delegated the authority to order the routine retention and or destruction of public records, in accordance with the adopted records retention and disposition schedules and the process established by the State Commission of Public Records regulations and shall prescribe the appropriate method of destruction of public records.
- c. Each department is responsible for appointing a "records liaison officer" to cooperate with, assist and advise the records custodian in the performance of his or her duties and to provide such other assistance and data as shall enable the records custodian to properly carry out the purposes of the Public Records Act (Section 14-3-4 NMSA 1978).

5. DISPOSITION OF PUBLIC RECORDS



- a. The County shall select a records center for public records storage and retention.
- b. Records liaison officers shall complete "*records disposition*" forms for each box or bundle of records requiring storage.
 - i. The completed *records disposition form* should be securely taped or affixed to the front of the records container or box and archived in a safe and manageable manner.
 - ii. *Records disposition forms* for records considered unique or have historically value or are permanent records shall be marked "PERMANENT". Permanent public records shall NOT be destroyed.
- c. Departments shall ensure the proper authorized disposition of their records regardless of format or medium so that permanent records are preserved and records no longer of use to the County are promptly deleted or destroyed based on retention periods established in records retention and disposition schedules and subject to the written approval of the records custodian.
- d. Departments shall secure written approval from the records custodian before destroying any public record or before transferring records to County archives.
- e. Departments shall follow regulations issued by the records custodian governing the methods of destruction.
- f. Departments shall at least annually, inspect department archived records and make arrangements with the records custodian to dispose of records exceeding trigger dates.

6. DESTRUCTION OF NON-RECORDS

- a. Destruction of non-records is the sole responsibility of the custodial department and does not require prior approval of the records custodian. This responsibility includes identifying whether the information is a non-record or a public record.
 - b. Non-records that contain confidential or sensitive information exempt from disclosure by statute shall be destroyed in such a manner that the information cannot be read, interpreted or reconstructed. Non-records that contain confidential or sensitive information shall be destroyed by shredding, macerating or recycling through a bonded document destruction vendor.
 - c. Non-records without confidential requirements or that do not contain personal identifiers may be destroyed by any of the following methods discarded in a waste receptacle, dumpsite burial, recycled through a recycler, or shredded.
- 6.4 Electronic non-records that do not contain confidential or sensitive information



may be destroyed by physical destruction of the media or erasure of the data from all media including back-up media.

7. DESTRUCTION OF PUBLIC RECORDS

- a. Destruction of public records may occur on-site at the department or through the records custodian. Departments choosing to store public records on-site for the life cycle of the records shall contact the records custodian when the records have met their legal retention period.
- b. The records liaison officer shall complete and submit the County's "*request for disposition*" form to the records custodian. The records liaison officer shall indicate on the form that the records are to be destroyed on-site.
- c. The records custodian shall either approve or deny the request. If denied, the records custodian shall identify the appropriate trigger date.
- d. When appropriate the records custodian shall conduct a review and appraisal of the records to make a determination.
- e. The records custodian shall then give notice by registered or certified mail to the state records administrator, state records center, Santa Fe, New Mexico, of then date of the proposed destruction and the type and date of the records he intends to destroy. The notice shall be sent at least sixty days before the date of the proposed destruction. If the state records administrator wishes to preserve any of the records, the records custodian shall allow the state records administrator to have the documents by calling for them at the place of storage. The Records Disposition Form, incorporated into this policy.
- f. If the records listed on the *request for disposition* have met their legal retention period and are eligible for destruction, the department shall receive a letter/email from the records custodian authorizing destruction of the records.
- g. The records custodian shall notify a department in writing if the request for on-site destruction is denied.
- h. Departments that destroy records on-site shall certify the destruction in writing. A certificate of destruction shall be submitted to the records custodian. For legal and audit purposes, records liaison officer(s) shall retain a copy of the certification on file. Departments shall use only approved methods for department on-site destruction of public records as identified below.
- i. Records that contain confidential or sensitive information shall be destroyed in such a manner that the information cannot be read, interpreted or reconstructed by:



- 1) witnessed shredding, then pulping through a bonded document destruction vendor, or
- 2) witnessed macerating through a bonded document destruction vendor.

ii. Records without confidentiality requirements shall be destroyed by:

- 1) recycling by a bonded document destruction vendor,
- 2) shredding;
- 3) macerating; or
- 4) witnessed dumpsite burial.

h. Electronic records shall be destroyed pursuant to 1.13.3 NMAC (Repealed), Management of Electronic Records.

8. CONVERSION OF PAPER RECORDS TO ELECTRONIC FORMAT

- a. Paper records may be scanned or otherwise converted to electronic format the original paper record destroyed if the conversion (1) accurately reflects the information set forth in the record after it was first generated in its final form as an electronic record or otherwise; and (2) remains accessible for later reference.
- b. Section 8 (a) is inapplicable if the original records is required to be retained in its original format.
- c. Original records shall not be considered destroyed if they are converted and retained pursuant to this section.

9. RECORDS RETENTION SCHEDULE

1.19.5.109 INMATE FILES:

A. Program: county jail

B. Maintenance system: local government preference

C. Description: records concerning inmates incarcerated at the county jail. Portions of file are used as input into the *inmate management system*. File may include *booking authority* form, *inmate data* sheet, *classification and housing separation profile* form (date, booking number, file number, race, DOB, age, sex, inmates name, citizenship, religious preference, educational history, confinement history, primary factors for classification and separation of inmates, officer signature, housing assignment, cell number), *initial custody assessment* form, (severity of current offense, offense history, escape history, disciplinary history, alcohol or drug abuse, stability factors, scale summary and recommendations), social security number, offense, arraignment information, probable cause statement, criminal complaints, served warrants, medical clearance, property inventory, bond information sheet, extradition information, date of commitment, arresting agency, copy of arrest report, amount of bond, release orders, segregation information, trustee information, protective custody information, date released, judgment and sentence orders, copy of release orders, fingerprints, mug shots, etc.



D. Retention: ten years from date of release

E. Confidentiality: Portions of this record may be confidential per 5 USC Section 552a (i.e., social security number); Section 14-6-1 NMSA 1978 (i.e., medical information).

[1.19.5.109 NMAC - Rp, 1.19.5.127 NMAC, 04/24/2006]

1.19.5.110 INMATE MANAGEMENT SYSTEM:

A. Program: county jail

B. Maintenance system: local government preference

C. Description: system used to track and monitor number of incoming and outgoing inmates at the county jail. Data may include inmate name, address, telephone number, date of birth, emergency contact, classification, mug shots, fingerprints, social security number, prior arrests, releases, offense, judgment and sentence, medical information, etc.

D. Retention: ten years from date of release

E. Hardcopy input documents: all documents used as input for *inmate management system* are entered from the *inmate file*; those documents may include the *classification and housing profile*, *arrest report*, inmate information sheet, jail incidents, etc.

F. Hardcopy output documents: Because this is a data-based system, ad hoc reports may be generated upon request.

G. Confidentiality: Portions of this record may be confidential per 5 USC Section 552a (i.e., social security number), Section 14-6-1 NMSA 1978 (i.e., medical information).

[1.19.5.110 NMAC - N, 04/24/2006]

1.19.5.111 TEMPORARY INMATE FILES:

A. Program: county jail

B. Maintenance system: local government preference

C. Description: records concerning state prisoners housed temporarily at the county jail and inmates that are held less than forty eight hours. File may include name of inmate, DOB, property inventory sheet, length of sentence, offense committed, corrections classification pending transfer log, etc.

D. Retention: ten years from date of transfer or release

E. Confidentiality: Portions of this record may be confidential per 5 USC Section 552a (i.e., social security number).

[1.19.5.111 NMAC - N, 04/24/2006]

1.19.5.112 INMATE TELEPHONE SYSTEM:

A. Program: county jail

B. Maintenance system: local government preference

C. Description: records concerning recordings of telephone calls made by inmates. Data may include inmate name, telephone number called, date, time of call, verbatim recording, etc.

D. Retention: six months after date of call

E. Input: outgoing calls are automatically recorded and maintained electronically

F. Hardcopy output documents: Because this is a data-based system, recordings may be generated upon request for up to six months from date of call

[1.19.5.112 NMAC - N, 04/24/2006]

[If investigation evolves into a court proceeding then the case recordings are incorporated into the investigation file]

1.19.5.113 JAIL INCIDENT REPORTS:

A. Program: county jail

B. Maintenance system: local government preference



C. Description: records concerning incidents involving correctional officers or inmates. File may include name of inmate or correctional officer involved, date of incident, description of incident, disciplinary action taken, etc.

D. Retention: four years after date of final action

[1.19.5.113 NMAC - N, 04/24/2006]

[Copy placed in correctional officer personnel file or inmate file]

1.19.5.114 JAIL VISITORS LOG:

A. Program: county jail

B. Maintenance system: local government preference

C. Description: log of daily visitors to facility. Log may include visitor name, address, driver's license number, inmate name, badge number, date, relationship to inmate, time in, time out, date, officer on duty, etc.

D. Retention: three years from close of calendar year in which created

[1.19.5.114 NMAC - N, 04/24/2006]

N.M. Admin. Code § 1.19.5

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To the extent that it is a medical record:

1.15.8.101 MEDICAL RECORDS:

A. Program: all public entities

B. Maintenance system: chronological by year, then alphabetical by client surname

C. Description: records which document the illness, treatment, care and diagnostic studies of individual

D. Retention:

(1) **adult medical records:** inactive records shall be kept 10 years

(2) **minor medical records:** inactive records shall be kept 10 years, or one year after the person reaches the age of 21; whichever period of time is greater

E. Confidentiality: Portions of this record may be confidential pursuant, but not limited to Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 (1996) (i.e., health information).

[2/12/79; 1.15.8.101 NMAC - Rn, 1 NMAC 3.2.90.40.M 101, 10/01/2000; A, 04/30/2012]

1.15.8.102 NOTICE OF PRIVACY PRACTICES ACKNOWLEDGMENT FORM:

A. Program: all public entities

B. Maintenance system: chronological by year, then alphabetical by client surname

C. Description: form signed by clients acknowledging receipt of the health care provider's privacy policies regarding the individual's medical information. Form may show the organization's current privacy policy, date, client signature, etc.

D. Retention: six years from date in which client signed form

N.M. Admin. Code § 1.15.8

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To the extent that it is administrative in nature:

1.15.3.101 NON-RECORD MATERIALS:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: the following specific types of materials are defined as "non-record" and may be disposed of at the convenience of the agency when they have no more value/use to the agency: extra copies of correspondence and other documents preserved only for convenience of reference; blank forms, books, etc., which are outdated; materials neither made nor received in pursuance of statutory requirement nor in connection with the functional responsibility of the office/agency; preliminary drafts of letters, reports, and memoranda which do represent significant basic steps in preparation of record documents; shorthand notes, steno tapes, mechanical recordings which have been transcribed, where noted on agency retention schedule; routing and other interdepartmental forms which do not add any significant material to the activity concerned; stocks of publication already sent to archives and processed documents preserved for supply purposes only; form and guide letters, sample letters, form paragraphs. All other materials either related or received in pursuance of statutory requirements or in connection with the transaction of public business which belong to the office concerned are government property and not personal property of the officer or employees concerned. Therefore, any material not included in the above definition cannot be destroyed, given, or taken away, or sold without complying with all the statutory requirements specifically relating to said records.

D. Retention: none

[7/13/98; 1.15.3.101 NMAC - Rn, 1 NMAC 3.2.90.11.A 101, 10/1/2000; A, 1/6/2002]

1.15.3.102 SUBJECT FILES:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: correspondence, memoranda, publications, reports and other information received by agency and filed by subject. Also referred to as reading files or information files.

D. Retention: until superseded or until information no longer needed for reference

[7/13/98; 1.15.3.102 NMAC - Rn, 1 NMAC 3.2.90.11.A 102, 10/1/2000; A, 1/6/2002]

1.15.3.103 PRIMARY MISSION RECORDS:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: files concerning the establishment of the agency, its development and policies, its progress, operation summaries, plans for the future development, etc.

D. Retention: permanent

[7/13/98; 1.15.3.103 NMAC - Rn, 1 NMAC 3.2.90.11.A 103, 10/1/2000; A, 1/6/2002]

1.15.3.104 AGENCY ORGANIZATIONAL CHARTS:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records that reflect the organizational structure of the agency and its divisions. Information includes a diagram, which shows a systematic and symbolic arrangement of an agency's divisions and program areas by name and function.

D. Retention:

(1) Executive copy (agency director, deputy director, and division director): until superseded and until no longer needed for reference, then transfer to archives

(2) Non-executive copies: until superseded by new organizational chart

[7/13/98; 1.15.3.104 NMAC - Rn, 1 NMAC 3.2.90.11.A 104, 10/1/2000; A, 1/6/2002]

1.15.3.105 ADMINISTRATIVE RULES:



A. Program: administrative records
B. Maintenance system: entity preference
C. Description: rules, regulations, orders, statements of policy, and amendments as defined and filed in compliance with the state rules act (Section 14-4-3 NMSA 1978). Administrative rules shall be filed with state records center, rules division (Section 14-3-3 NMSA 1978).

D. Retention:

(1) **Agency copy:** until superseded or rescinded
(2) **State records center (copy filed in rules and publications division):** permanent
[7/13/98; 1.15.3.105 NMAC - Rn, 1 NMAC 3.2.90.11.A 105, 10/1/2000; A, 1/6/2002]

1.15.3.106 ADMINISTRATIVE FILES (EXECUTIVE LEVELS):

A. Program: administrative records
B. Maintenance system: entity preference
C. Description: records documenting actions of an agency director, deputy director, or division directors. Files may include memoranda and reports concerning agency policy, organizational and program development records, and non-routine fiscal data and personnel information. These records reflect administration of policy, coordination of agency functions, and management of program activity.

D. Retention: after five years transfer to archives for appraisal and final disposal
[7/13/98; 1.15.3.106 NMAC - Rn, 1 NMAC 3.2.90.11.A 106, 10/1/2000; A, 1/6/2002]

1.15.3.107 ADMINISTRATIVE REFERENCE FILES (NON-EXECUTIVE LEVELS):

A. Program: administrative records
B. Maintenance system: entity preference
C. Description: routine office management files retained below the agency director, deputy director, and division director levels. Included are convenience copies of memoranda, reports, printed matter, and other reference materials. Topics include such subjects as: job activities, program material, general office information, professional associations, charitable affairs, parking for staff, disaster preparedness, and other related topics.

D. Retention: until no longer needed for reference
[7/13/98; 1.15.3.107 NMAC - Rn, 1 NMAC 3.2.90.11.A 107, 10/1/2000; A, 1/6/2002]

1.15.3.108 ADMINISTRATIVE CORRESPONDENCE FILES (EXECUTIVE LEVELS):

A. Program: administrative records
B. Maintenance system: entity preference
C. Description: correspondence is related to the administration of an agency or division. Communications concern coordination of programs, agency policy, and responsibilities of a non-routine nature that impact on the agency or its divisions. These letters are usually found at the agency director, deputy director, and division director levels. This record group includes the correspondence files of all elected and appointed officials.

D. Retention: two years after close of fiscal year in which created, then transfer to archives for appraisal and final disposal
[7/13/98; 1.15.3.108 NMAC - Rn, 1 NMAC 3.2.90.11.A 108, 10/1/2000; A, 1/6/2002]

1.15.3.109 GENERAL CORRESPONDENCE FILES (NON-EXECUTIVE LEVELS):

A. Program: administrative records
B. Maintenance system: entity preference
C. Description: routine correspondence created or retained below the levels of agency director, deputy director, and division director. Letters and memoranda reflect communication regarding program procedures, general work activities, and responses to information requests.

D. Retention: one year after close of fiscal year in which created
[7/13/98; 1.15.3.109 NMAC - Rn, 1 NMAC 3.2.90.11.A 109, 10/1/2000; A, 1/6/2002]



1.15.3.110 INTERSTATE COMPACTS:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: interstate compact or other intergovernmental agreement as defined in the public records act (Section 14-3-20 NMSA 1978). Interstate compacts and intergovernmental agreements shall be filed with state records center, rules and publications division (Section 14-3-20 NMSA 1978).

D. Retention:

(1) **Agency copy:** six years after termination of compact or agreement

(2) **State records center (copy filed in rules and publications division):** permanent
[7/13/98; 1.15.3.110 NMAC - Rn, 1 NMAC 3.2.90.11.A 110, 10/1/2000; A, 1/6/2002]

1.15.3.111 EXECUTIVE ORDERS, PROCLAMATIONS, AND LEGISLATIVE ADVISORIES:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: instructions issued by the governor as the chief executive of state government.

D. Retention:

(1) **Agency copy:** until superseded or rescinded

(2) **Governor's office copy:** until transferred to archives for review

(3) **Copy filed with state records center, rules and publications division (14-4-2 and 14-4-4, NMSA 1978):** permanent

[7/13/98; 1.15.3.111 NMAC - Rn, 1 NMAC 3.2.90.11.A 111, 10/1/2000; A, 1/6/2002]

1.15.3.112 GOVERNING BOARD FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records concerning agency dealings with the governing board of said agency. File may include original or copy of minutes of meetings, reports, related documentation, correspondence, etc.

D. Retention: five years then transfer to archives for appraisal and final disposition

[7/13/98; 1.15.3.112 NMAC - Rn, 1 NMAC 3.2.90.11.A 112, 10/1/2000; A, 1/6/2002]

1.15.3.113 COMMITTEES OR COUNCILS FILES:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records concerning various committees/councils with which office or department deals. File may contain copies of minutes of meetings, reports, notifications, correspondence, memoranda, related documentation, etc.

D. Retention: five years after close of fiscal year in which created

[7/13/98; 1.15.3.113 NMAC - Rn, 1 NMAC 3.2.90.11.A 113, 10/1/2000; A, 1/6/2002]

1.15.3.114 MANUALS OF PROCEDURES:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: manuals of procedure prepared and published by state agencies for the guidance of public officers and employees engaged in operations required for the efficient operation of state and local government, including but not limited to acquiring space, budgeting, accounting, purchasing, contracting, vouchering, printing, appointment and dismissal of employees, record maintenance, etc.

D. Retention:

(1) **Agency copy:** until superseded by new manual of procedure

(2) **State records center copy (copy filed as publication with state records center):** permanent



[7/13/98; 1.15.3.114 NMAC - Rn, 1 NMAC 3.2.90.11.A 114, 10/1/2000; A, 1/6/2002]

1.15.3.115 POLICIES AND PROCEDURES FILES:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: reference copies of current policies and procedures of government and non-government entities with which an agency deals.

D. Retention: until superseded or obsolete

[7/13/98; 1.15.3.115 NMAC - Rn, 1 NMAC 3.2.90.11.A 115, 10/1/2000; A, 1/6/2002]

1.15.3.116 LEGISLATION, AGENCY FILES:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: documents pertaining to bills' prospective legislation. Copies of bills and proposed (drafted) legislation. Includes supporting material relating to legislation, such as newspaper clippings, reports, correspondence, memoranda, etc.

D. Retention:

(1) **Enacted legislation:** four years, then transfer to archives for review and final disposal

(2) **Failed or vetoed legislation:** four years after close of fiscal in which created

[7/13/98; 1.15.3.116 NMAC - Rn, 1 NMAC 3.2.90.11.A 116, 10/1/2000; A, 1/6/2002]

1.15.3.117 REPORTS:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: [RESERVED]

D. Retention:

(1) **Annual, biennial, or other periodic reports required by Article V, Section 9, N.M. Constitution, or by specific statute:** permanent

(2) **Routine, interim, or progress reports:** two years after close of fiscal year in which created

(3) **Ad hoc reports:** none

[7/13/98; 1.15.3.117 NMAC - Rn, 1 NMAC 3.2.90.11.A 117, 10/1/2000; A, 1/6/2002]

1.15.3.118 ACCIDENT REPORT FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: reports of accidents involving agency personnel.

D. Retention:

(1) **Files resulting in no action/claim/litigation:** two years after date of accident

(2) **Files resulting in action/claim/litigation:** until incorporated into workers' compensation file

[7/13/98; 1.15.3.118 NMAC - Rn, 1 NMAC 3.2.90.11.A 118, 10/1/2000; A, 1/6/2002]

1.15.3.119 MINUTES OF MEETINGS:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records of official proceedings of governing bodies. Information includes agenda, date, place, list of attendees, and a summary of discussion and decisions. Official minutes may also include all informational attachments such as reports, surveys, proposals, studies, and charts distributed to members for discussion and for use in making decisions on agency policy, planning, and administrative matters. Official minutes shall include only those documents and attachments that have been formally introduced as part of a record.

D. Retention:

(1) **Minutes of meetings of boards, commissions, and/or other policy-making bodies, as defined in open meetings Act (10-15-1, NMSA 1978):** permanent



(2) **Minutes of meetings of all other bodies:** five years, then transfer to archives for appraisal and final disposal

(3) **Tapes or recordings of meetings:** after minutes have been transcribed and accepted at next meeting but no longer than two years after meeting date

(4) **All other documentation including agenda, agenda package, etc:** after next meeting date but no longer than two years after meeting date

[7/13/98; 1.15.3.119 NMAC - Rn, 1 NMAC 3.2.90.11.A 119, 10/1/2000; A, 1/6/2002]

1.15.3.120 APPLICATIONS FOR EMPLOYMENT FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: applications for employment within particular office or department. File may contain application, resume, letters of reference or recommendation, correspondence, memoranda, related documentation, etc.

D. Retention:

(1) **Applications and records for individuals hired:** transfer to personnel office when individual accepts position

(2) **Applications and records for individuals not hired:** transfer to personnel office when position is filled

(3) **Unsolicited applications:** transfer to personnel office when received

[7/13/98; 1.15.3.120 NMAC - Rn, 1 NMAC 3.2.90.11.A 120, 10/1/2000; A, 1/6/2002]

1.15.3.121 PUBLIC RELATIONS FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: information concerning agency publicity. File may include press releases, biographies, newspaper clippings, promotional materials, bulletins, broadcast scripts, photographs, visual documentation, and other related items.

D. Retention: until no longer needed for reference, then transfer to archives for appraisal and final disposal

[7/13/98; 1.15.3.121 NMAC - Rn, 1 NMAC 3.2.90.11.A 121, 10/1/2000; A, 1/6/2002]

1.15.3.122 MOTION PICTURES OR VIDEO RECORDINGS:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: [RESERVED]

D. Retention:

(1) **Documentary or training films produced or funded by agency:** until informational value ends, then transfer to archives for review

(2) **Films acquired from outside sources for personnel and management training:** until informational value ends

(3) **Routine surveillance footage or recordings:** 30 days after date created

(4) **Footage or recordings that document routing meetings:** 30 days after date created

[7/13/98; 1.15.3.122 NMAC - Rn, 1 NMAC 3.2.90.11.A 122, 10/1/2000; A, 1/6/2002]

1.15.3.123 NEWSPAPER RELEASES:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: includes news or press releases issued by the agency.

D. Retention: four years after close of fiscal year in which created, then transfer to archives for review

[7/13/98; 1.15.3.123 NMAC - Rn, 1 NMAC 3.2.90.11.A 123, 10/1/2000; A, 1/6/2002]



1.15.3.124 PHOTOGRAPHS:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: photographic proofs and negatives of agency activities. Photographs may include identification according to time, place, and agency activity.

D. Retention: until no longer needed for reference, then transfer to archives for review
[7/13/98; 1.15.3.124 NMAC - Rn, 1 NMAC 3.2.90.11.A 124, 10/1/2000; A, 1/6/2002]

1.15.3.125 PROPERTY FILES:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records of deeds and leases to real property owned or used by agency. Information includes description and location of the property, maps, sale agreements, land acquisition forms, deeds, lease agreements, and related correspondence.

D. Retention:

(1) **Deeds and related documentation (property control copy):** permanent. After property is sold, disposed of, or relinquished, files may be transferred to archives

(2) **Leases and related documentation (property control copy):** six years after termination of lease, then transfer to archives for appraisal and final disposal

(3) **Deeds or leases and related documentation (agency information copy):** six years after termination of lease or six years after property is sold, or disposed of, or relinquished

[7/13/98; 1.15.3.125 NMAC - Rn, 1 NMAC 3.2.90.11.A 125, 10/1/2000; A, 1/6/2002]

1.15.3.126 BUILDING DRAWINGS, PLANS, AND BLUEPRINTS:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: original of photographic reproduction of architectural plans or technical drawings. Access to documentation of restricted or security areas (i.e., correctional facilities, museum and archival vaults, etc.) shall be limited to authorized personnel only.

D. Retention:

(1) **Property control copy:** permanent. After no longer needed for reference, files may be transferred to archives

(2) **Agency information copy:** until no longer needed for reference, then transfer to archives for appraisal and final disposal

[7/13/98; 1.15.3.126 NMAC - Rn, 1 NMAC 3.2.90.11.A 126, 10/1/2000; A, 1/6/2002]

1.15.3.127 SURVEYS OR MAPS:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: surveys or maps developed by an agency to carry out its mission and function. Information concerns roads, property lines, corners, monuments, road marker placements, structures, sites, and other related data.

D. Retention: until no longer needed for reference, then transfer to archives for appraisal and final disposal

[7/13/98; 1.15.3.127 NMAC - Rn, 1 NMAC 3.2.90.11.A 127, 10/1/2000; A, 1/6/2002]

1.15.3.128 MAINTENANCE SERVICE FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records concerning maintenance services conducted for office or department. File may include work orders, maintenance reports, related documentation, correspondence, memoranda, service agreements, etc.



D. Retention:

(1) **Service agreements:** six years after termination of agreement

(2) **All other records:** three years after date of last entry

[7/13/98; 1.15.3.128 NMAC - Rn, 1 NMAC 3.2.90.11.A 128, 10/1/2000; A, 1/6/2002]

1.15.3.129 SUPPLIES AND EQUIPMENT FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records concerning supplies and equipment. File may contain accounting records, operating manuals, warranties, inventories, related documentation, correspondence, memoranda, etc.

D. Retention:

(1) **Warranties:** six years after termination of warranty

(2) **Equipment records, including operating manuals:** until disposition of equipment

(3) **Supply records:** three years after audit report released

[7/13/98; 1.15.3.129 NMAC - Rn, 1 NMAC 3.2.90.11.A 129, 10/1/2000; A, 1/6/2002]

1.15.3.130 SURPLUS PROPERTY FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records concerning surplus property and its disposition. File may contain inventories, records of disposal, accounting information, related documentation, correspondence, memoranda, etc.

D. Retention: one year after disposition of property or three years after all audits are released, which ever is longer

[7/13/98; 1.15.3.130 NMAC - Rn, 1 NMAC 3.2.90.11.A 130, 10/1/2000; A, 1/6/2002]

1.15.3.131 TELEPHONE BILLINGS FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: reference copies of monthly office telephone bills.

D. Retention: until audit report released

[7/13/98; 1.15.3.131 NMAC - Rn, 1 NMAC 3.2.90.11.A 131, 10/1/2000; A, 1/6/2002]

1.15.3.132 TELEPHONE LOGS:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: listing of telephone calls made by agency personnel for a particular time period. Logs may reflect date, time, caller, recipient of call, nature of business discussed, etc.

D. Retention: three years after close of fiscal year in which created

[7/13/98; 1.15.3.132 NMAC - Rn, 1 NMAC 3.2.90.11.A 132, 10/1/2000; A, 1/6/2002]

1.15.3.133 WORK ORDERS FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: work orders submitted to maintenance office or physical plant

D. Retention:

(1) **Reference copy (copy maintained by entity requesting work):** until work completed

(2) **Maintenance office/physical plant copy:** one year after work completed

[7/13/98; 1.15.3.133 NMAC - Rn, 1 NMAC 3.2.90.11.A 133, 10/1/2000; A, 1/6/2002]

1.15.3.134 CALENDAR OF EVENTS FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: reference copies of agency calendars of events.



D. Retention: until superseded or obsolete

[7/13/98; 1.15.3.134 NMAC - Rn, 1 NMAC 3.2.90.11.A 134, 10/1/2000; A, 1/6/2002]

1.15.3.135 SCHEDULES OF DAILY ACTIVITIES:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records used to keep track of work-related events and commitments of agency staff members. Record includes daily appointment books, calendars, and other records indicating dates for meeting and work activities

D. Retention: until no longer needed for reference but no longer than one year after close of calendar year in which created

[7/13/98; 1.15.3.135 NMAC - Rn, 1 NMAC 3.2.90.11.A 135, 10/1/2000; A, 1/6/2002]

1.15.3.136 LISTS OR DIRECTORIES:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: includes mailing lists, directories, rosters, and registers compiled by the agency.

D. Retention: until superseded

[7/13/98; 1.15.3.136 NMAC - Rn, 1 NMAC 3.2.90.11.A 136, 10/1/2000; A, 1/6/2002]

1.15.3.137 SPEECH FILES:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: transcript of speeches given by agency personnel. Speeches concern program procedure, work activities, and related concepts.

D. Retention:

(1) **Executive levels (including elected and appointed officials):** until no longer needed for reference, then transfer to archives for appraisal and final disposal

(2) **Non-executive levels:** until no longer needed for reference

[7/13/98; 1.15.3.137 NMAC - Rn, 1 NMAC 3.2.90.11.A 137, 10/1/2000; A, 1/6/2002]

1.15.3.138 CONFERENCES OR WORKSHOPS ATTENDED FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records of conferences or workshops attended by office or departmental personnel. File may contain agendas, programs, handouts, correspondence, memoranda, related documentation, etc.

D. Retention: until no longer needed for reference

[7/13/98; 1.15.3.138 NMAC - Rn, 1 NMAC 3.2.90.11.A 138, 10/1/2000; A, 1/6/2002]

1.15.3.139 CONFERENCES OR WORKSHOPS CONDUCTED FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records of conferences or workshops conducted by office or departmental personnel. File may contain agendas, programs, handouts, reports, training materials, critiques, questionnaires, correspondence, memoranda, related documentation, etc.

D. Retention: after five years, transfer to archives for appraisal and disposal

[7/13/98; 1.15.3.139 NMAC - Rn, 1 NMAC 3.2.90.11.A 139, 10/1/2000; A, 1/6/2002]

1.15.3.140 SIGNATURE AUTHORIZATIONS:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: record authorizing person to sign fiscal documents, personnel documents, etc.

D. Retention: one year after close of fiscal year in which created

[7/13/98; 1.15.3.140 NMAC - Rn, 1 NMAC 3.2.90.11.A 140, 10/1/2000; A, 1/6/2002]

1.15.3.141 ALCOHOL AND DRUG ABUSE PROGRAM FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records concerning the administration of the agency's alcohol and drug abuse program.

D. Retention: three years after close of fiscal year in which created

[7/13/98; 1.15.3.141 NMAC - Rn, 1 NMAC 3.2.90.11.A 141, 10/1/2000; A, 1/6/2002]

1.15.3.142 OVERTIME FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records of overtime by office or department personnel.

D. Retention: one year after overtime accrual date

[7/13/98; 1.15.3.142 NMAC - Rn, 1 NMAC 3.2.90.11.A 142, 10/1/2000; A, 1/6/2002]

1.15.3.143 AFFIRMATIVE ACTION OR EQUAL EMPLOYMENT OPPORTUNITY FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records concerning agency's affirmative action/equal opportunity program. File may include regulations and guidelines, policies, reports, studies, correspondence, and related records.

D. Retention:

(1) **Annual plan:** three years after date issued, then transfer to archives for appraisal and final disposal.

(2) **Regulations, policies, guidelines, reference materials:** until obsolete or superseded, then transfer to archives for appraisal and final disposal

(3) **Grievance or complaint files:** one year after date case closed

(4) **Compliance reviews:** after five years, transfer to archives for appraisal and final disposal

(5) **Remaining records:** two years after date created

E. Confidentiality: Section 10-15-1 NMSA 1978.

[7/13/98; 1.15.3.143 NMAC - Rn, 1 NMAC 3.2.90.11.A 143, 10/1/2000; A, 1/6/2002]

1.15.3.144 SEARCH COMMITTEE FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records concerning activities of specially formed search committees charged with recruiting new or replacement agency personnel. File may include resumes, applications, correspondence, related records, memoranda, etc.

D. Retention:

(1) **Applications and records for individuals hired:** transfer to personnel office when individual accepts position

(2) **Applications and records for individuals not hired:** transfer to personnel office when position is filled

(3) **Unsolicited applications:** transfer to personnel office when received

[7/13/98; 1.15.3.144 NMAC - Rn, 1 NMAC 3.2.90.11.A 144, 10/1/2000; A, 1/6/2002]

1.15.3.145 JOINT POWERS AGREEMENTS:

A. Program: administrative records

B. Maintenance system: entity preference



C. Description: written contractual agreement entered into between two or more public agencies subject to any constitutional or legislative restrictions imposed upon any of the contracting public agencies (Joint Powers Agreement Act, Section 11-1-1 to Section 11-1-7 NMSA).

D. Retention: 10 years after termination of agreement, then transfer to archives for review and final disposition

[7/13/98; 1.15.3.145 NMAC - Rn, 1 NMAC 3.2.90.11.A 145, 10/1/2000; A, 1/6/2002; A, 1/6/2002]

1.15.3.146 DISASTER RECOVERY FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records concerning the preparation of a disaster plan and the organization of salvage procedures for the agency. Records include the disaster recovery plan, salvage procedures, information on training in disaster recovery techniques, etc. A copy of this file should be maintained off-site. In the event of a disaster, all copies of this file shall be retained until any or all investigations have been concluded.

D. Retention: until superseded by new plan or information

[7/13/98; 1.15.3.146 NMAC - Rn, 1 NMAC 3.2.90.11.A 146, 10/1/2000; A, 1/6/2002]

1.15.3.147 BUILDING EMERGENCY EVACUATION FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: records concerning the safe and orderly evacuation of a building. Records include evacuation plan, list of designated fire captains or coordination leaders, training information, etc.

D. Retention: until superseded by new plan or information

[7/13/98; 1.15.3.147 NMAC - Rn, 1 NMAC 3.2.90.11.A 147, 10/1/2000; A, 1/6/2002]

1.15.3.148 INTERNAL AUDIT FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: internal audits of agency programs, operations, and of external contractors and grantees. File may contain audit plan, entrance or exit conference documentation, procedure questionnaires, correspondence, memoranda, supporting documentation, and final audit report. This record series does not include agency's external audit report.

D. Retention: five years after close of fiscal year audited

[7/13/98; 1.15.3.148 NMAC - Rn, 1 NMAC 3.2.90.11.A 148, 10/1/2000; A, 1/6/2002]

1.15.3.149 FINDING AIDS (INDEXES):

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: indexes, lists, registers, and other finding aids used to provide access to records.

D. Retention: until superseded or until related records are destroyed

[7/13/98; 1.15.3.149 NMAC - Rn, 1 NMAC 3.2.90.11.A 149, 10/1/2000; A, 1/6/2002]

1.15.3.150 PROJECT CONTROL FILE:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: memoranda, reports, and other records documenting assignments, progress, and completion of projects. Record series does not include construction project files.

D. Retention: one year after close of fiscal year in which project completed or canceled

[7/13/98; 1.15.3.150 NMAC - Rn, 1 NMAC 3.2.90.11.A 150, 10/1/2000; A, 1/6/2002]

1.15.3.151 FEASIBILITY STUDIES:

A. Program: administrative records



B. Maintenance system: entity preference

C. Description: studies requested or conducted prior to the acquisition, installation, implementation, or purchase of new technologies, equipment, properties, projects, etc. Studies may be incorporated into other files (i.e., project files).

D. Retention:

(1) **Studies requested or conducted by agency:** five years after completion or cancellation of study

(2) **Courtesy copies received by agency:** until informational value ends

[7/13/98; 1.15.3.151 NMAC - Rn, 1 NMAC 3.2.90.11.A 151, 10/1/2000; A, 1/6/2002]

1.15.3.152 CODE OF CONDUCT:

A. Program: administrative records

B. Maintenance system: entity preference

C. Description: prescribed standards which are peculiar and appropriate to the function and purpose for which the agency or institution was created and exists. "All codes approved by the governor shall be filed with the secretary of state and shall be open to public inspection" (Section 10-16-11 NMSA 1978).

D. Retention:

(1) **Agency copy:** until superseded by new code

(2) **Secretary of state:** permanent

[7/13/98; 1.15.3.152 NMAC - Rn, 1 NMAC 3.2.90.11.A 152, 10/1/2000; A, 1/6/2002]

1.15.3.153 - 1.15.3.200 [RESERVED]

1.15.3.201 INSURANCE POLICY FILE:

A. Program: risk management records

B. Maintenance system: entity preference

C. Description: records concerning insurance coverage of agency property (buildings and contents, equipment, automobiles, etc.).

D. Retention:

(1) **Insurance policy:** 10 years after expiration of policy, provided no claims or suits pending.

(2) **Claim files:** three years after case close

[7/13/98; 1.15.3.201 NMAC - Rn, 1 NMAC 3.2.90.11.A 201, 10/1/2000; A, 1/6/2002]

1.15.3.202 GROUP INSURANCE POLICY FILE:

A. Program: risk management records

B. Maintenance system: entity preference

C. Description: records concerning insurance coverage of agency employees (health, life, accident, and long-term disability).

D. Retention:

(1) **Group insurance policy:** 10 years after expiration of policy, provided no claims or suits pending

(2) **Individual employee policy holders' records (waiver and enrollment forms applicable to group insurance in effect):** three years after employee terminated or retired, or three years after termination of effective period

(3) **Claim file:** until informational value ends

E. Confidentiality: claim files containing health information are confidential. (14-6-1 NMSA 1978)

[7/13/98; 1.15.3.202 NMAC - Rn, 1 NMAC 3.2.90.11.A 202, 10/1/2000; A, 1/6/2002]

1.15.3.203 LIABILITY CERTIFICATES OF COVERAGE FILE:

A. Program: risk management records

B. Maintenance system: entity preference

C. Description: records concerning insurance coverage of agency liability.

D. Retention:



- (1) **Certificate (policy):** 10 years after expiration of policy, provided no claims or suits pending
(2) **Claim files:** three years after case closed

E. Confidentiality: claim files containing health information are confidential. (Section 14-6-1 NMSA 1978)

[7/13/98; 1.15.3.203 NMAC - Rn, 1 NMAC 3.2.90.11.A 203, 10/1/2000; A, 1/6/2002]

1.15.3.204 SURETY BOND FILE:

A. Program: risk management records

B. Maintenance system: entity preference

C. Description: records concerning surety bond coverage of agency employees and persons acting on behalf of or in service to the agency in any official capacity.

D. Retention:

- (1) **Certificate (policy):** 10 years after expiration of policy, provided no claims or suits pending.

- (2) **Claim files:** three years after case closed

[7/13/98; 1.15.3.204 NMAC - Rn, 1 NMAC 3.2.90.11.A 204, 10/1/2000; A, 1/6/2002]

1.15.3.205 WORKER'S COMPENSATION FILE:

A. Program: risk management records

B. Maintenance system: entity preference

C. Description: records concerning workers' compensation claims against agency. File may include legal opinions and briefs, court documents, transcripts, affidavits, photographs, findings, recommendations, correspondence, related records, etc.

D. Retention:

- (1) **Policy:** 10 years after expiration of policy, provided no claims or suits pending

- (2) **Claim files:** three years after case closed

E. Confidentiality: claim files containing health information are confidential. (14-6-1 NMSA 1978)
[7/13/98; 1.15.3.205 NMAC - Rn, 1 NMAC 3.2.90.11.A 205, 10/1/2000; A, 1/6/2002]

1.15.3.206 TITLE INSURANCE POLICY:

A. Program: risk management records

B. Maintenance system: entity preference

C. Description: records concerning the insurance coverage of titles of agency owned property.

D. Retention:

- (1) **Policy:** until property sold or disposed of, provided no claims or suits pending

- (2) **Claim files:** three years after case closed

[7/13/98; 1.15.3.206 NMAC - Rn, 1 NMAC 3.2.90.11.A 206, 10/1/2000; A, 1/6/2002]

1.15.3.207 INSURANCE APPRAISAL OR SURVEY FILE:

A. Program: risk management records

B. Maintenance system: entity preference

C. Description: records concerning insurance appraisal or surveys.

D. Retention: until informational value ends

[7/13/98; 1.15.3.207 NMAC - Rn, 1 NMAC 3.2.90.11.A 207, 10/1/2000; A, 1/6/2002]

1.15.3.208 MATERIAL SAFETY DATA SHEETS:

A. Program: risk management records

B. Maintenance system: alphabetical by chemical name

C. Description: records concerning safety information on chemical products used by the staff. Material safety data sheet may contain information on chemical ingredients, hazards identification, first-aid measures, fire fighting measures, accidental release measures, handling and storage, exposure controls or personal protection, agency name or vendor name, physical and chemical properties, toxicological information, etc.

D. Retention: 30 years after discontinuance of substance per 29 CFR 1910.1020(d) (1) (ii)(B)



[1.15.3.208 NMAC - N, 1/10/2005]

1.15.3.209 - 1.15.3.299 [RESERVED]

1.15.3.300 ELECTRONIC INFORMATION SECURITY AUDIT FILES:

A. Program: information technology

B. Maintenance system: chronological by date

C. Description: records documenting security audits conducted on electronic information systems. Files may include risk assessment report, business process analysis, final audit report and determinations, correspondence, etc.

D. Retention: five years from date of final report

E. Confidentiality: Portions of this record may contain confidential information pursuant, but not limited to 44 U.S.C. 3544(a)(1)(A).

[1.15.3.300 NMAC - N, 9/24/2012]

1.15.3.301 DOCUMENTATION TAPE FILE:

A. Program: electronic records

B. Maintenance system: entity preference

C. Description: data processing tapes providing documentation for operation systems. Tapes include data systems specifications, systems test documentation, file specifications, user guides, output specifications, reports, and information retrieval data. Proprietary software is confidential (copyright, protection of rights, 17 USC, section 102,106, and 117). System test documentation for approved systems may be destroyed one year after completion of testing.

D. Retention:

(1) **Approved systems:** one year after discontinuance of system, provided all magnetic data files are authorized for disposal or transferred to new or alternate system

(2) **Disapproved proposed systems:** one year after date of final action

[7/13/98; 1.15.3.301 NMAC - Rn, 1 NMAC 3.2.90.11.A 301, 10/1/2000; A, 1/6/2002]

1.15.3.302 OPERATIONS SYSTEM BACKUP:

A. Program: electronic records

B. Maintenance system: entity preference

C. Description: operations system backups contain data concerning agency's fiscal operations and transactions, legal investigations and proceedings, studies, supply management, personnel and payroll administration, etc.

D. Retention:

(1) **Annual system backup:** erase or dispose of when data contained has met its retention period provided approval to destroy data has been received from office or department to which data belongs

(2) **Quarterly system backup:** after five cycles

(3) **Monthly system backup:** after four cycles

(4) **Weekly system backup:** after six cycles

(5) **Daily system backup:** after eight cycles

(6) **Incremental system backup:** until completion of next full system backup

[7/13/98; 1.15.3.302 NMAC - Rn, 1 NMAC 3.2.90.11.A 302, 10/1/2000; A, 1/6/2002]

1.15.3.303 [RESERVED]

[7-13-98; 1.15.3.303 NMAC - Rn, 1 NMAC 3.2.90.11.A 303, 10/1/2000; A, 1/6/2002, Repealed, 07/23/2007]

[Refer to 1.13.4 NMAC, Records Management Requirements for Electronic Messaging for guidance on electronic mail.]

1.15.3.304 TEST FILES:

A. Program: electronic records



B. Maintenance system: entity preference

C. Description: records concerning test results for upgrades, migration or compliance. File may contain system specifications, hardware specifications, computer printouts, notes, correspondence, e-mail, electronic logs, pre and post test results, bench mark results, operating system version, application version, testing personnel name, etc.

D. Retention: two years after system goes into production

[1.15.3.304 NMAC - N, 7/22/2002]

1.15.3.305 COMPUTER SYSTEM ACCESS REQUEST:

A. Program: electronic records

B. Maintenance system: entity preference

C. Description: hardcopy input document used to request or modify a users systems access. Record may contain user name, user number, request date, organization or unit identifier code, position title, justification, written approval, user social security number, requested login identity, system name, domain name, group name, restrictions, etc.

D. Retention:

(1) **Paper:** until entered and verified into system

(2) **Data:** three years after no longer employed with the agency.

E. Confidentiality: portions of record may contain confidential information per 20 CFR 401.

[1.15.3.305 NMAC - N, 7/22/2002]

1.15.3.306 WEBSITE:

A. Program: public relations

B. Architecture: The overall design of a website, which can encompass hardware and software, consisting of the how the components are designed, connected to, and operate with one another. The architectural design also contains information on the development and maintenance of informational or transactional websites that may contain documentation on the platform and associated software necessary to operate and maintain an internet or intranet presence.

(1) **informational website:** informational web sites contain information and do not support or conduct business transactions.

(2) **transactional website:** transactional web sites contain information and possess the ability to conduct business transactions.

C. Description: records and information hosted electronically and accessible through the internet or intranet. A website may contain information regarding the mission of an agency or the reason for the establishment of a web presence. The website may contain replicated information from an agency such as, names of staff, announcements of meetings, calendar of events, press releases, annual reports, strategic plans, surveys, images, multimedia, audio, transactional forms or pages (e-commerce), etc. The website may also contain unique information found only on the website.

D. Retention:

(1) **platform (software):** one year after discontinuance of the system.

(2) **web content:**

(a) **unique records or information:** see the general or agency program schedule for retention.

(b) **replicated information:** until superseded or no longer relevant.

(3) **web site structure:**

(a) **informational web site:** one year after site is updated or changed.

(b) **transactional web site:** three years after site is updated or changed. [Transactional web sites contain or support transactions such as registrations, purchases, etc.]

E. Nota bene:



(1) the use of contractors or another entity to host an entity's website does not release the entity from the custodial obligation for the maintenance, preservation, and disposition of the entity's records.

(2) entities may wish to include a statement to the effect that the information provided on the website is for informational purposes and that the official copy of record(s) can be found at the entity. See subsection K of 1.15.3.9 NMAC of this rule for further information.

(3) because applicable statutes or laws may vary, entities may wish to consult with legal counsel for applicable citations for websites conducting business transactions or containing confidential information.

[1.15.3.306 NMAC - N, 1/5/2004]

1.15.3.307 - 1.15.3.400 [RESERVED]

1.15.3.401 LEGAL CASE FILE:

A. Program: legal office records

B. Maintenance system: entity preference

C. Description: records concerning litigation . Records may contain complaints, court order, motion, pleadings, notes, briefs, releases, investigative reports, investigative activity logs, transcripts, closing sheets, correspondence, memoranda, etc. Case files involving real property where the state has an interest shall be retained for 10 years after case closed or until state no longer has an interest, whichever is longer.

D. Retention:

(1) **Legal casefiles:** 10 years after case closed

(2) **Legal case files involving minors:** 10 years after case closed or until any minor involved attains age 21, whichever is longer

(3) **Legal case files involving real property:** 10 years after case closed or until state no longer has an interest, whichever is longer

E. Confidentiality: per Sections 14-2-1 NMSA 1978, 32A-1-3.B NMSA 1978, 32A-2-32 NMSA 1978, 32A-3B-22 NMSA 1978, 32A-4-33 NMSA 1978, 32A-5-8 NMSA 1978, and 32A-6-15 NMSA 1978

[7/13/98; 1.15.3.401 NMAC - Rn, 1 NMAC 3.2.90.11.A 401, 10/1/2000; A, 1/6/2002; A, 1/6/2002]

1.15.3.402 LEGAL BRIEF FILE (BRIEF BANK):

A. Program: legal office records

B. Maintenance system: entity preference

C. Description: contains duplicate copies of legal briefs from legal case file.

D. Retention: until no longer needed for reference

[7/13/98; 1.15.3.402 NMAC - Rn, 1 NMAC 3.2.90.11.A 402, 10/1/2000; A, 1/6/2002]

1.15.3.403 LEGAL CASE LOG:

A. Program: legal office records

B. Maintenance system: entity preference

C. Description: listing of cases. Log may be destroyed when information transferred to or is available on electronic media.

D. Retention: 10 years after all cases listed are closed

[7/13/98; 1.15.3.403 NMAC - Rn, 1 NMAC 3.2.90.11.A 403, 10/1/2000; A, 1/6/2002]

1.15.3.404 LEGAL CASE INDEX:

A. Program: legal office records

B. Maintenance system: entity preference

C. Description: includes notations on activities related to case indexed.

D. Retention: 10 years after case closed



[7/13/98; 1.15.3.404 NMAC - Rn, 1 NMAC 3.2.90.11.A 404, 10/1/2000; A, 1/6/2002]

1.15.3.405 LEGAL OPINIONS AND REQUESTS FOR OPINION FILE:

A. Program: legal office records

B. Maintenance system: entity preference

C. Description: records requesting legal office to render or issue an opinion. May contain request, opinion, relating documentation, correspondence, memoranda, etc. File includes attorney general opinions and requests for opinions.

D. Retention:

(1) **Legal office (issuing entity):** permanent

(2) **Office or department (requesting entity):** until no longer needed for reference

[7/13/98; 1.15.3.405 NMAC - Rn, 1 NMAC 3.2.90.11.A 405, 10/1/2000; A, 1/6/2002]

1.15.3.406 - 1.15.3.500 [RESERVED]

1.15.3.501 OFFENSE OR INCIDENT REPORTS:

A. Program: security records

B. Maintenance system: entity preference

C. Description: shows offender's name, offender information, date and time and location of occurrence, information on incident, reporting witness name, name of investigating officer, narrative, etc. Includes bomb threat reports. Includes reports concerning victims of alleged criminal offenses occurring on agency property.

D. Retention: five years after date of occurrence

[7/13/98; 1.15.3.501 NMAC - Rn, 1 NMAC 3.2.90.11.A 501, 10/1/2000; A, 1/6/2002]

1.15.3.502 DISPATCH RECORDS:

A. Program: security records

B. Maintenance system: entity preference

C. Description: records concerning the dispatch of agency security. Record may show offense or incident reports, complainant's name, place of occurrence, address, date and time complaint received, dispatcher's name, name of officer dispatched, etc.

D. Retention: 18 months from date of call

[7/13/98; 1.15.3.502 NMAC - Rn, 1 NMAC 3.2.90.11.A 502, 10/1/2000; A, 1/6/2002]

1.15.3.503 RADIO LOGS:

A. Program: security records.

B. Maintenance system: entity preference

C. Description: shows unit number, time and date of call, location of call, nature of call, etc.

D. Retention: one year after date created

[7/13/98; 1.15.3.503 NMAC - Rn, 1 NMAC 3.2.90.11.A 503, 10/1/2000; A, 1/6/2002]

1.15.3.504 BUILDING ENTRANCE LOG:

A. Program: security records

B. Maintenance system: entity preference

C. Description: shows agency name, building, employee identification, time in, time out, time alarm reset, etc.

D. Retention: one year after date created

[7/13/98; 1.15.3.504 NMAC - Rn, 1 NMAC 3.2.90.11.A 504, 10/1/2000; A, 1/6/2002]

1.15.3.505 SECURITY GATE LOG:

A. Program: security records

B. Maintenance system: entity preference

C. Description: record documenting the vehicles entering and leaving monitored or secured area. Shows date, vehicle identification, driver identification, time in, time out, etc.

D. Retention: one year after date created



[7/13/98; 1.15.3.505 NMAC - Rn, 1 NMAC 3.2.90.11.A 505, 10/1/2000; A, 1/6/2002]

1.15.3.506 ALARM DATA RECORDS:

A. **Program:** security records

B. **Maintenance system:** entity preference

C. **Description:** shows date and time of alarm, alarm number, etc.

D. **Retention:** one year after date created

[7/13/98; 1.15.3.506 NMAC - Rn, 1 NMAC 3.2.90.11.A 506, 10/1/2000; A, 1/6/2002]

1.15.3.507 PARKING ASSIGNMENTS FILE:

A. **Program:** security records

B. **Maintenance system:** entity preference

C. **Description:** records concerning staff parking assignments.

D. **Retention:** until superseded or obsolete

[7/13/98; 1.15.3.507 NMAC - Rn, 1 NMAC 3.2.90.11.A 507, 10/1/2000; A, 1/6/2002]

1.15.3.508 PARKING SERVICES CASHIER'S RECEIPT:

A. **Program:** security records

B. **Maintenance system:** entity preference

C. **Description:** copy of receipt issued for monies received for parking on agency property

D. **Retention:** three years after close of fiscal year in which created

[7/13/98; 1.15.3.508 NMAC - Rn, 1 NMAC 3.2.90.11.A 508, 10/1/2000; A, 1/6/2002]

1.15.3.509 VEHICLE ACCIDENT REPORT FILE:

A. **Program:** security records

B. **Maintenance system:** entity preference

C. **Description:** records concerning each vehicle accident reported on agency property. File may include medical records, offense or incident reports, affidavits, photographs, diagrams, related documentation, correspondence, memoranda, etc.

D. **Retention:**

(1) **Fatal accidents:** 25 years after date of accident

(2) **Non-fatal accidents:** 10 years after date of accident

E. **Confidentiality:** (Sections 66-7-213, 66-7-215 and 14-6-1 NMSA 1978)

[7/13/98; 1.15.3.509 NMAC - Rn, 1 NMAC 3.2.90.11.A 509, 10/1/2000; A, 1/6/2002]

1.15.3.510 WRECKER LOG:

A. **Program:** security records

B. **Maintenance system:** entity preference

C. **Description:** record of vehicles towed away. Record may show date and time, name of wrecking company, operator, make of vehicle, license number, owner, location, reason for towing vehicle, etc.

D. **Retention:** one year after close of fiscal year in which created

[7/13/98; 1.15.3.510 NMAC - Rn, 1 NMAC 3.2.90.11.A 510, 10/1/2000; A, 1/6/2002]

1.15.3.511 VISITOR CONTROL FILE:

A. **Program:** security records

B. **Maintenance system:** entity preference

C. **Description:** registers or logs used to record names of outside contractors, service personnel, visitors, employees admitted to areas.

D. **Retention:** one year after date created

[7/13/98; 1.15.3.511 NMAC - Rn, 1 NMAC 3.2.90.11.A 511, 10/1/2000; A, 1/6/2002]

1.15.3.512 KEY ACCOUNTABILITY RECORDS:

A. **Program:** security records

B. **Maintenance system:** entity preference

C. **Description:** records relating to accountability for keys issued.



D. Retention:

(1) **For security areas:** three years after keys turned in

(2) **All other areas:** six months after keys turned in

[7/13/98; 1.15.3.512 NMAC - Rn, 1 NMAC 3.2.90.11.A 512, 10/1/2000; A, 1/6/2002]

1.15.3.513 - 1.15.3.600 [RESERVED]

1.15.3.601 ACCESSION RECORDS:

A. Program: library records

B. Maintenance system: entity preference

C. Description: records concerning the acquisition of library monographs, films, photographs, collections, etc. Record may show accession number, author, title, publisher, date of publication, cost of acquisition, etc.

D. Retention: permanent

[7/13/98; 1.15.3.601 NMAC - Rn, 1 NMAC 3.2.90.11.A 601, 10/1/2000; A, 1/6/2002]

1.15.3.602 CATALOG OF HOLDINGS:

A. Program: library records

B. Maintenance system: entity preference

C. Description: record of library holdings in manuscript, printed catalog, or continuously updated catalog forms.

D. Retention: until superseded

[7/13/98; 1.15.3.602 NMAC - Rn, 1 NMAC 3.2.90.11.A 602, 10/1/2000; A, 1/6/2002]

1.15.3.603 BORROWER FILE:

A. Program: library records

B. Maintenance system: entity preference

C. Description: records that authorize patrons to borrow library materials (includes interlibrary loans). May show borrower name, borrower number, expiration date, etc.

D. Retention: until obsolete

E. Confidentiality: Section 18-9-4 NMSA 1978

[7/13/98; 1.15.3.603 NMAC - Rn, 1 NMAC 3.2.90.11.A 603, 10/1/2000; A, 1/6/2002]

1.15.3.604 BORROWING OR LOANING RECORDS:

A. Program: library records

B. Maintenance system: entity preference

C. Description: records concerning the borrowing or loaning of library materials (includes interlibrary materials).

D. Retention: until all borrowing or loaning transactions completed

E. Confidentiality: Section 18-9-4 NMSA 1978

[7/13/98; 1.15.3.604 NMAC - Rn, 1 NMAC 3.2.90.11.A 604, 10/1/2000; A, 1/6/2002]

1.15.3.605 PATRON'S REGISTRATION FOR USE OF SPECIAL LIBRARY MATERIALS:

A. Program: library records

B. Maintenance system: entity preference

C. Description: records concerning the use of rare, valuable, or other restricted library materials. Records may show patron name, patron address, patron signature, etc.

D. Retention: five years after date materials used.

E. Confidentiality: Section 18-9-4 NMSA 1978

[7/13/98; 1.15.3.605 NMAC - Rn, 1 NMAC 3.2.90.11.A 605, 10/1/2000; A, 1/6/2002]

1.15.3.606 SELECTION RECORDS:

A. Program: library records

B. Maintenance system: entity preference



C. Description: records documenting the selection of books and other library materials (monographs, periodicals, films, etc.).

D. Retention: one year after date created

[7/13/98; 1.15.3.606 NMAC - Rn, 1 NMAC 3.2.90.11.A 606, 10/1/2000; A, 1/6/2002]

1.15.3.607 CENSORSHIP OR COMPLAINT FILES:

A. Program: library records

B. Maintenance system: entity preference

C. Description: records concerning library material censorship and complaints. File may include evaluations by staff, patron's complaints, final decision documentation, etc.

D. Retention: five years after date of last entry

[7/13/98; 1.15.3.607 NMAC - Rn, 1 NMAC 3.2.90.11.A 607, 10/1/2000; A, 1/6/2002]

1.15.3.608 GIFT DONORS FILE:

A. Program: library records

B. Maintenance system: entity preference

C. Description: records concerning the donation of publications and manuscripts to the library. Comply with applicable provisions of legal agreement regarding confidentiality of records concerning each gift.

D. Retention: five years after date created

[7/13/98; 1.15.3.608 NMAC - Rn, 1 NMAC 3.2.90.11.A 608, 10/1/2000; A, 1/6/2002]

1.15.3.609 REQUESTS FOR REPRODUCTION OF COPYRIGHTED WORKS:

A. Program: library records

B. Maintenance system: entity preference

C. Description: records concerning requests for copyrighted materials. Records may contain files or logs, records of requests made for copies or phonorecords of copyrighted materials, records of the fulfillment of such requests, etc. (includes interlibrary loans).

D. Retention: three years after the calendar year in which created per United States Copyright Office Circular 21, p. 19

E. Confidentiality: Section 18-9-4 NMSA 1978

[1.15.3.609 NMAC - N, 1/6/2002]

1.15.3.610 - 1.15.3.699 [RESERVED]

1.15.3.700 [RESERVED]

[7/13/98; 1.15.3.700 NMAC - Rn, 1 NMAC 3.2.90.11.A 700.1, 10/1/2000; Repealed, 1/6/2002]

1.15.3.701 RECORDS RETENTION AND DISPOSITION SCHEDULE:

A. Program: records management records

B. Maintenance system: entity preference

C. Description: schedules shows record name, filing system, record frequency, description, retention, confidentiality, and rule filing date.

D. Retention: until superseded by new schedule

[7/13/98; 1.15.3.701 NMAC - Rn, 1 NMAC 3.2.90.11.A 701, 10/1/2000; A, 1/6/2002]

1.15.3.702 STORAGE TICKET (SRC-1):

A. Program: records management records

B. Maintenance system: entity preference

C. Description: shows agency code, shipment box number, shipment date, agency, authorizing signature and title, records description, inclusive date, schedule item number, destruction date, location, analyst signature, etc.

D. Retention: three years after close of calendar year in which records destroyed

[7/13/98; 1.15.3.702 NMAC - Rn, 1 NMAC 3.2.90.11.A 702, 10/1/2000; A, 1/6/2002]

1.15.3.703 REQUEST FOR PICK-UP AND DESTRUCTION (SRC-2):



A. Program: records management records
B. Maintenance system: entity preference
C. Description: approval request for destruction of agency records. Shows agency name and location, date, record description, inclusive dates, quantity of boxes or sacks to be destroyed, schedule item number, authorizing signatures, etc.

D. Retention: three years after close of calendar year in which records destroyed
[7/13/98; 1.15.3.703 NMAC - Rn, 1 NMAC 3.2.90.11 A703, 10/1/2000; A, 1/6/2002]

1.15.3.704 WITHDRAWAL TICKET (SRC-5):

A. Program: records management records
B. Maintenance system: entity preference
C. Description: record of withdrawals of documents from boxes held in storage with state records center. Shows record description, shipment box number, location, approximate date of return requested by and date, received by and date, return date, etc.

D. Retention:

(1) **Temporary withdrawal:** three years close of calendar year in which records returned
(2) **Permanent withdrawal:** three years close of calendar year in which records withdrawn
[7/13/98; 1.15.3.704 NMAC - Rn, 1 NMAC 3.2.90.11.A 704, 10/1/2000; A, 1/6/2002]

1.15.3.705 CORRECTIONAL INDUSTRIES MICROFILM SERVICES JOB SPECIFICATION (SRC-73):

A. Program: records management records
B. Maintenance system: entity preference
C. Description: shows agency or division, address, SRC control number, agency billing code.

D. Retention: three years after close of fiscal year in which created
[7/13/98; 1.15.3.705 NMAC - Rn, 1 NMAC 3.2.90.11.A 705, 10/1/2000; A, 1/6/2002]

1.15.3.706 MICROFILM JOB TICKET (SRC 23):

A. Program: records management records
B. Maintenance system: entity preference
C. Description: shows records sent for microfilming by agency, record description, received by, delivered to, etc.

D. Retention: one year after close of fiscal year in which created
[7/13/98; 1.15.3.706 NMAC - Rn, 1 NMAC 3.2.90.11.A 706, 10/1/2000; A, 1/6/2002]

1.15.3.707 MICROFILM INSPECTION SHEETS (SRC 23):

A. Program: records management records
B. Maintenance system: entity preference
C. Description: record shows report date, agency name, roll number, inspection date, density, resolution, remarks or comments, inspector signature, etc.

D. Retention: one year after inspection date
[7/13/98; 1.15.3.707 NMAC - Rn, 1 NMAC 3.2.90.11.A 707, 10/1/2000; A, 1/6/2002]

1.15.3.708 CUSTODIAN OF RECORD FILE:

A. Program: records management records
B. Maintenance system: entity preference
C. Description: records documenting the inspection of public records. File may include procedures, custodian of record appointment, requests to review or copy documents, copies of denial to review or copy documents, copies of memoranda extending time to respond to request, copies of memoranda stating that agency is not responsible for maintaining record requested and is forwarding request to appropriate agency, etc.

D. Retention:

(1) **Procedures and custodian of record appointment:** until superseded



(2) **Records of requests filled:** until request filled

(3) **Records of requests denied:** one year after date denied

[7/13/98; 1.15.3.708 NMAC - Rn, 1 NMAC 3.2.90.11.A 708, 10/1/2000; A, 1/6/2002]

1.15.3.709 METHYLENE BLUE TEST FORMS:

A. **Program:** records management records

B. **Maintenance system:** chronological by month and date

C. **Description:** records concerning the verification that the microfilm media meet the standards for 1.14.2 NMAC. Form may contain agency or vendor name, address, contact person, telephone number, test readings, test dates, agencies or offices processed for, inclusive microfilm roll numbers, record series name and NMAC section number, address of New Mexico records center and archives, correspondence, etc.

D. **Retention:** until retention of the original records has been met or until microfilm is regenerated per Subsection F of 1.14.2.10 NMAC

[1.15.3.709 NMAC - N, 1/10/2005]

[The test documents the amount of residual thiosulfate existing in master microfilm produced by or for agencies.]

1.15.3.710 - 1.15.3.800 [RESERVED]

1.15.3.801 INFORMATION TECHNOLOGY SERVICE REQUESTS:

A. **Program:** information technology

B. **Maintenance system:** chronological by date

C. **Description:** records documenting requests for technical service assistance. Files may include service request form, response to request, information on the use of computer equipment for program delivery, security authorization form, etc.

D. **Retention:** three years after date request completed

[1.15.3.801 NMAC - N, 12/19/2011]

N.M. Admin. Code § 1.15.3

For Personnel Records

.15.7.101 PERSONNEL FOLDERS:

A. **Program:** personnel files

B. **Maintenance system:** alphabetical by employee

C. **Description:** can include but are not limited to personnel action requests. Salary adjustment notices. Employee payroll information sheets, performance evaluations, correspondence (includes disciplinary actions, commendations, recommendation, etc.). General (includes applications, job descriptions, test grades, certificates, resumes, transcripts, disclaimers, etc.)

D. **Retention:**

(1) **other department copies:** three years after employee terminated or retired

(2) **personnel department copy:** 55 years after employee terminated or retires

[7/30/97; 1.15.7.101 NMAC - Rn, 1 NMAC 3.2.90.31.P 101, 10/01/2000]

1.15.7.102 REJECTED APPLICATIONS:

A. **Program:** personnel files

B. **Maintenance system:** [RESERVED]

C. **Description:** [RESERVED]

D. **Retention:** three years after rejected



[7/30/97; 1.15.7.102 NMAC - Rn, 1 NMAC 3.2.90.31.P 102, 10/01/2000]

1.15.7.103 BACKGROUND INVESTIGATION RECORD:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: can include but are not limited to application, authorization, investigation, final report, etc

D. Retention:

(1) **hired employees:** three years after employee terminated or rehired

(2) **individual not hired:** three years after investigation

[7/30/97; 1.15.7.103 NMAC - Rn, 1 NMAC 3.2.90.31.P 103, 10/01/2000]

1.15.7.104 PERSONNEL EVALUATIONS:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: [RESERVED]

D. Retention: three years after issued

[7/30/97; 1.15.7.104 NMAC - Rn, 1 NMAC 3.2.90.31.P 104, 10/01/2000]

1.15.7.105 LEAVE RECORDS:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: can include but are not limited to application for leave, leave balance sheets, etc.

D. Retention: until audit report released for year in which records created

[7/30/97; 1.15.7.105 NMAC - Rn, 1 NMAC 3.2.90.31.P 105, 10/01/2000]

1.15.7.106 RETIREMENT RECORDS:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: can include but are not limited to application, certification, changes, refunds, financial ledger, correspondence, etc.

D. Retention:

(1) **personnel department copy:** three years after employee terminated or rehired

(2) **retirement association or board copy:**

(a) **inactive employees:** 70 years after employee's date of birth

(b) **deceased retirees:** six years after deceased

[7/30/97; 1.15.7.106 NMAC - Rn, 1 NMAC 3.2.90.31.P 106, 10/01/2000]

1.15.7.107 INSURANCE RECORDS:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: deduction authorization, request for change, waiver and copies of claims, correspondence, etc

D. Retention:

(1) **deduction authorization, request for change, waiver:** three years after employee terminated or retired or three years after termination of agreement

(2) **copies of claims, correspondence, etc.:** until purpose is served

[7/30/97; 1.15.7.107 NMAC - Rn, 1 NMAC 3.2.90.31.P 107, 10/01/2000]

1.15.7.108 MISCELLANEOUS DEDUCTION RECORDS:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: can include but are not limited to records relative to credit union, savings bonds, prepaid legal services, united way, garnishment, etc.



D. Retention: three years after final deduction

[7/30/97; 1.15.7.108 NMAC - Rn, 1 NMAC 3.2.90.31.P 108, 10/01/2000]

1.15.7.109 REQUEST FOR CERTIFICATE OF ELIGIBLES:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: shows department name, proposed hire date, title position, name of interviewer, kind of certificate, number of vacancies, authorization signatures, etc

D. Retention: three years after issued

[7/30/97; 1.15.7.109 NMAC - Rn, 1 NMAC 3.2.90.31.P 109, 10/01/2000]

1.15.7.110 CERTIFICATE OF ELIGIBLES:

A. Program: personnel files

B. Maintenance system: lists applicants in order of score

C. Description: shows name and address, social security number, veteran's preference and residence points, phone number(s), department comment codes

D. Retention: three years after issued

[7/30/97; 1.15.7.110 NMAC - Rn, 1 NMAC 3.2.90.31.P 110, 10/01/2000]

**1.15.7.111 PROMOTIONAL AND TRANSFER OPPORTUNITY NOTICES
(INTERNAL):**

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: can show position title, range, salary, location, supervisor, qualifications, deadline, etc.

D. Retention: three years after issued

[7/30/97; 1.15.7.111 NMAC - Rn, 1 NMAC 3.2.90.31.P 111, 10/01/2000]

1.15.7.112 EMPLOYEE NUMBER LOGS:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: can show number, name, date hired, etc.

D. Retention: until purpose is served

[7/30/97; 1.15.7.112 NMAC - Rn, 1 NMAC 3.2.90.31.P 112, 10/01/2000]

1.15.7.113 EMPLOYEE LISTING (PERSONNEL ROSTER):

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: can list name, number, position, location, hire date, salary, etc.

D. Retention:

(1) other department: until new listing is issued

(2) personnel department:

(a) bi-weekly: until new listing is issued

(b) quarterly: five years after issued

[7/30/97; 1.15.7.113 NMAC - Rn, 1 NMAC 3.2.90.31.P 113, 10/01/2000]

1.15.7.114 CONTROL LOGS:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: include logs for controlling each step of personnel actions from initiation through completion of action

D. Retention: until all actions are completed

[7/30/97; 1.15.7.114 NMAC - Rn, 1 NMAC 3.2.90.31.P 114, 10/01/2000]

1.15.7.115 ACTION REMINDER LISTING, MONTHLY PRINTOUT:



A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: shows personnel actions due to occur during the upcoming month

D. Retention: until new listing is issued

[7/30/97; 1.15.7.115 NMAC - Rn, 1 NMAC 3.2.90.31.P 115, 10/01/2000]

1.15.7.116 JOB SPECIFICATION:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: shows job title, definition, supervision and guidelines, examples of work performed, distinguishing characteristics, minimum qualifications, working conditions

D. Retention:

(1) **other department:** once new specification is issued

(2) **personnel department:** 10 years after job specification is replaced

[7/30/97; 1.15.7.116 NMAC - Rn, 1 NMAC 3.2.90.31.P 116, 10/01/2000]

1.15.7.117 JOB DESCRIPTION QUESTIONNAIRE:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: shows department, position, number, current and proposed classification, name of incumbent and supervisor, personnel department signature, description of work performed, etc.

D. Retention:

(1) **other department:** until new listing is issued

(2) **personnel department:** 10 years after replaced

[7/30/97; 1.15.7.117 NMAC - Rn, 1 NMAC 3.2.90.31.P 117, 10/01/2000]

1.15.7.118 TABLE OF ORGANIZATIONAL LISTING (TOOL'S) MONTHLY PRINTOUT:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: shows index of organizational units

D. Retention:

(1) **other department:** until new listing is issued

(2) **personnel department:**

(a) **monthly:** until new listing is issued

(b) **quarterly:** permanent

[7/30/97; 1.15.7.118 NMAC - Rn, 1 NMAC 3.2.90.31.P 118, 10/01/2000]

1.15.7.119 CLASSIFICATION STUDY FILES:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: special studies for proposed classifications; can include but are not limited to job description, task statements, methodology, description of study, salary surveys, relative correspondence, etc.

D. Retention:

(1) **other department:** three years after created

(2) **personnel department:** 10 years after study is superseded

[7/30/97; 1.15.7.119 NMAC - Rn, 1 NMAC 3.2.90.31.P 119, 10/01/2000]

1.15.7.120 EMPLOYEE ELIGIBILITY VERIFICATION, (FORM I-9) FILES:

A. Program: personnel files

B. Maintenance system: chronological by year, then numerical by identification number



C. Description: records documenting the employer's determination, verification and re-verification of eligibility that an employee is authorized to work in the United States. File may include *form I-9* (i.e., employee name, address, date of birth, social security number, attestation of citizenship, etc.), copy of social security card, copy of employment authorization with photo, copy of driver's license, copy of birth certificate, copy of U.S. citizenship identification card, etc.

D. Retention: three years from date of hire or one year from date of separation of employment, whichever is later (8 CFR 274A.2)

E. Confidentiality: Portions of this record may be confidential pursuant, but not limited to, 5 USC, Section 552a (i.e., social security number).

[7/30/97; 1.15.7.120 NMAC - Rn, 1 NMAC 3.2.90.31.P 120, 10/01/2000; A, 12/31/2012]

1.15.7.121 POSITION CHANGE REQUEST:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: shows type and identification of proposed change, department identification, approved or disapproved signature of personnel office and finance department

D. Retention:

(1) approved request:

(a) finance department copy: five years after close of fiscal year in which created

(b) key punch copy: until key punched and verified

(c) other department: three years after issued

(d) personnel office: see item 1.15.7.117 NMAC

(2) disapproved request:

(a) other department: three years after issued

(b) second copy (if disapproved by personnel office: three years after issued

(c) third (canary) personnel office copy: until action is completed

[7/30/97; 1.15.7.121 NMAC - Rn, 1 NMAC 3.2.90.31.P 121, 10/01/2000]

1.15.7.122 LIST OF APPROVED CLASS SPECIFICATIONS (CLASSIFICATION AND COMPENSATION PLAN):

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: shows specification number, range, abbreviated title, full title

D. Retention:

(1) other department: until new list is issued

(2) personnel office: 10 years after replaced

[7/30/97; 1.15.7.122 NMAC - Rn, 1 NMAC 3.2.90.31.P 122, 10/01/2000]

1.15.7.123 NOTICE OF CHANGE OF CLASS SPECIFICATION:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: shows manifest number, effective date, present class title and specification number, nature of action, etc.

D. Retention:

(1) other department: until new list is issued

(2) personnel office: 10 years after replaced

[7/30/97; 1.15.7.123 NMAC - Rn, 1 NMAC 3.2.90.31.P 123, 10/01/2000]

1.15.7.124 PERSONNEL OFFICE MEMORANDUMS:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: [RESERVED]



D. Retention:

(1) **other department:** until rescinded

(2) **personnel office:** permanent

[7/30/97; 1.15.7.124 NMAC - Rn, 1 NMAC 3.2.90.31.P 124, 10/01/2000]

1.15.7.125 EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION PLANS, ANNUAL:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: required annual by state and federal law, these are department assessments of internal employment practices with specific policies and procedures designed to eliminate the effects of institutional discrimination.

D. Retention: three years after issued

[7/30/97; 1.15.7.125 NMAC - Rn, 1 NMAC 3.2.90.31.P 125, 10/01/2000]

1.15.7.126 AGENCY EEO STATISTICS, ANNUAL PRINTOUTS:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: reports provided by the personnel office (or department generated) for use in preparing affirmative action plans. They include but are not limited to minority actions report, minority groups report, EEO profile of employee job categories.

D. Retention:

(1) **other department:** until affirmative action plan (item no. 1.15.7.125) has been issued

(2) **personnel office:** permanent

[7/30/97; 1.15.7.126 NMAC - Rn, 1 NMAC 3.2.90.31.P 126, 10/01/2000]

1.15.7.127 GRIEVANCE AND COMPLAINT FILES:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: can contain but are not limited to complaint and grievance, correspondence, summary of hearing, exhibits, committee, decisions, transcripts, resolutions, depositions, etc.

D. Retention: one year after closed

[7/30/97; 1.15.7.127 NMAC - Rn, 1 NMAC 3.2.90.31.P 127, 10/01/2000]

1.15.7.128 EDUCATION AND TRAINING FILES:

A. Program: personnel files

B. Maintenance system: [RESERVED]

C. Description: can contain but are not limited to material relative to education of training, test booklets, answer sheets, lists of attending employees, course brochures, synopsis, copies of contracts, relative correspondence, etc.

D. Retention: three years after course conducted

[7/30/97; 1.15.7.128 NMAC - Rn, 1 NMAC 3.2.90.31.P 128, 10/01/2000]

N.M. Admin. Code § 1.15.7

For Financial Records

1.15.5.9 - 100 [RESERVED]

1.15.5.101 BUDGET WORK PAPERS:



A. Program: budget records

B. Maintenance system: [RESERVED]

C. Description: work papers used in preparing the appropriations request and operating budget

D. Retention: three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.10.F 101, 7/13/98; 1.15.5.101 NMAC - Rn, 1 NMAC 3.2.90.21.F 101, 10/1/2000]

1.15.5.102 BUDGET APPROPRIATIONS REQUEST:

A. Program: budget records

B. Maintenance system: [RESERVED]

C. Description: final draft of proposed budget

D. Retention: three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.10.F 102, 7/13/98; 1.15.5.102 NMAC - Rn, 1 NMAC 3.2.90.21.F 102, 10/1/2000]

1.15.5.103 OPERATING BUDGET:

A. Program: budget records

B. Maintenance system: [RESERVED]

C. Description: printed copy of annual budget showing projected receipts and expenditures.

D. Retention: three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.10.F 103, 7/13/98; 1.15.5.103 NMAC - Rn, 1 NMAC 3.2.90.21.F 103, 10/1/2000]

1.15.5.104 BUDGET ADJUSTMENT REQUESTS:

A. Program: budget records

B. Maintenance system: [RESERVED]

C. Description: standard form for the revision of an approved operating budget detailing money amounts by line item with explanation and justification.

D. Retention: three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.10.F 104, 7/13/98; 1.15.5.104 NMAC - Rn, 1 NMAC 3.2.90.21.F 104, 10/1/2000]

1.15.5.105 BUDGET STATUS REPORT, MONTHLY:

A. Program: budget records

B. Maintenance system: [RESERVED]

C. Description: report generated by finance department listing approved budget by category and line item. Information includes budget adjustments, amounts expended, encumbrances outstanding, unencumbered balance, etc.

D. Retention: three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.10.F 105, 7/13/98; 1.15.5.105 NMAC - Rn, 1 NMAC 3.2.90.21.F 105, 10/1/2000]

1.15.5.106 - 200 [RESERVED]

1.15.5.201 ASSESSMENTS:

A. Program: revenue records

B. Maintenance system: [RESERVED]

C. Description: records concerning the various levies imposed by statute to fund agency operations. This is a minimum retention required subject to longer periods listed specifically in individual retention schedules (i.e., municipality schedule, county assessor schedule, etc.).

D. Retention: three years after close of fiscal year in which assessment is paid

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.20.F 201, 7/13/98; 1.15.5.201 NMAC - Rn, 1 NMAC 3.2.90.21.F 201, 10/1/2000]

1.15.5.202 INVOICES (AGENCY):



A. Program: revenue records

B. Maintenance system: [RESERVED]

C. Description: copies of invoices used by various offices/departments supplying goods and/or services. Information includes vendor name and address, date of purchase, purchase order number, invoice number, items or services purchased, amounts, total, etc. Copies of department invoices may be filed in payment invoice file, 1.15.5.204.

D. Retention:

(1) **Finance department copy:** six years after close of fiscal year in which created

(2) **Other department copy:** three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.20.F 202, 7/13/98; 1.15.5.202 NMAC - Rn, 1 NMAC 3.2.90.21.F 202, 10/1/2000]

1.15.5.203 RECEIPTS:

A. Program: revenue records

B. Maintenance system: [RESERVED]

C. Description: department documents that record the receipt of any form of payment to the government entity.

D. Retention: three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.20.F 203, 7/13/98; 1.15.5.203 NMAC - Rn, 1 NMAC 3.2.90.21.F 203, 10/1/2000]

1.15.5.204 PAYMENT INVOICE FILES:

A. Program: revenue records

B. Maintenance system: [RESERVED]

C. Description: records concerning the purchase and payment of goods/services provided by the agency. File may include buyer's purchase documents, copy of agency's invoice, correspondence, memoranda, etc.

D. Retention:

(1) **Finance department copy:** six years after close of fiscal year in which created

(2) **Other department copy:** three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.20.F 204, 7/13/98; 1.15.5.204 NMAC - Rn, 1 NMAC 3.2.90.21.F 204, 10/1/2000]

1.15.5.205 DEPOSIT SLIPS:

A. Program: revenue records

B. Maintenance system: [RESERVED]

C. Description: receipt verifying the amount deposited into bank account or deposited with treasurer.

D. Retention:

(1) **Bank deposit slips:** three years after close of fiscal year in which created

(2) **Treasurer's deposit slips:**

(a) **Treasurer's copy:** three years after close of fiscal year in which created

(b) **Finance department copy:** one year after audit report released

(c) **Other department copy:** until audit report released

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.20.F 205, 7/13/98; 1.15.5.205 NMAC - Rn, 1 NMAC 3.2.90.21.F 205, 10/1/2000]

1.15.5.206 REVENUE STATUS REPORT, MONTHLY:

A. Program: revenue records

B. Maintenance system: [RESERVED]



C. Description: report generated by finance department listing recap of budget adjustments by category and line item. Information includes original revenue estimate, adjusted revenue estimate, actual revenue year-to-date, unrealized revenue, current month revenues, etc.

D. Retention: three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.20.F 206, 7/13/98; 1.15.5.206 NMAC - Rn, 1 NMAC 3.2.90.21.F 206, 10/1/2000]

1.15.5.207 CASH REPORTS, DAILY:

A. Program: revenue records

B. Maintenance system: [RESERVED]

C. Description: report generated by treasurer showing daily revenues deposited with treasurer by department.

D. Retention:

(1) **Treasurer's copy:** three years after close of fiscal year in which created

(2) **Finance department copy:** until audit report released

(3) **Other departments copy:** until audit report released

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.20.F 207, 7/13/98; 1.15.5.207 NMAC - Rn, 1 NMAC 3.2.90.21.F 207, 10/1/2000]

1.15.5.208 REVENUE CONTRACTS AND GRANTS:

A. Program: revenue records

B. Maintenance system: [RESERVED]

C. Description: records concerning contracts and grants received by an agency. Records include but are not limited to block of contract or grants, negotiated grants, federal agency grants, etc.

Where there is required reporting of expenditures to a federal agency, retain records for six years after termination of grant/contract or retain records for five years after submission of final expenditure report, whichever is longer.

D. Retention: six years after termination of grant

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.20.F 208, 7/13/98; 1.15.5.208 NMAC - Rn, 1 NMAC 3.2.90.21.F 208, 10/1/2000]

1.15.5.209 - 300 [RESERVED]

1.15.5.301 VENDOR FILES:

A. Program: expenditure records

B. Maintenance system: [RESERVED]

C. Description: files/listings of vendors with whom agency is currently conducting business.

D. Retention: until superseded or until information is obsolete

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 301, 7/13/98; 1.15.5.301 NMAC - Rn, 1 NMAC 3.2.90.21.F 301, 10/1/2000]

1.15.5.302 REQUISITION FOR PURCHASE:

A. Program: expenditure records

B. Maintenance system: [RESERVED]

C. Description: request forms from the various offices/departments, which describe goods or services to be ordered by the purchasing department. Information includes requisition number, department name, delivery location, today's date, date goods/services required, item number, quantity, description, known suppliers, authorizing signature. Requisitions for purchase may be filed in payment voucher file, 1.15.5.310 NMAC.

D. Retention:

(1) **Finance department copy:** six years after close of fiscal year in which created

(2) **Other departments copy:** three years after close of fiscal year in which created



[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 302, 7/13/98; 1.15.5.302 NMAC - Rn, 1 NMAC 3.2.90.21.F 302, 10/1/2000]

1.15.5.303 PURCHASE ORDERS (PURCHASE DOCUMENTS):

A. Program: expenditure records

B. Maintenance system: [RESERVED]

C. Description: office copies of purchase orders for goods and services paid for, or for goods and services yet to be delivered. Information includes vendor number, project number, date of purchase order, department, vendor name and address, shipping instruction, quantity ordered, unit of issue, description of goods/services ordered, general ledger account number, unit price, extended price, purchasing agent signature, individual who signs for receipt of goods/services and date received, and notations regarding any shortages in shipment. This record series includes both direct and contract purchase orders. Purchase orders may be filed in payment voucher file, 1.15.5.310 NMAC.

D. Retention:

(1) **Finance department copy:** six years after close of fiscal year in which created

(2) **Other departments copy:** three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 303, 7/13/98; 1.15.5.303 NMAC - Rn, 1 NMAC 3.2.90.21.F 303, 10/1/2000]

1.15.5.304 INVOICES (VENDOR):

A. Program: expenditure records

B. Maintenance system: [RESERVED]

C. Description: invoices submitted by various vendors supplying goods and/or services. Information includes vendor name and address, date of purchase, purchase order number, invoice number, items or services purchased, amounts, total, etc. Vendor invoices may be filed in payment voucher file, 1.15.5.310 NMAC.

D. Retention:

(1) **Finance department copy:** six years after close of fiscal year in which created

(2) **Other departments copy:** three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 304, 7/13/98; 1.15.5.304 NMAC - Rn, 1 NMAC 3.2.90.21.F 304, 10/1/2000]

1.15.5.305 CONTRACT/AGREEMENT FILES:

A. Program: expenditure records

B. Maintenance system: [RESERVED]

C. Description: records concerning contracts let through bid by the purchasing department, technical/professional service contracts, lease/rental contracts and agreements, etc. File may include contract/agreement, bid information, contract/agreement specifications, correspondence, memoranda, etc.

D. Retention:

(1) **Finance department copy:** six years after termination of contract or agreement

(2) **Purchasing department copy:** six years after termination of contract or agreement

(3) **Other department copy:** six years after termination of contract or agreement

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 305, 7/13/98; 1.15.5.305 NMAC - Rn, 1 NMAC 3.2.90.21.F 305, 10/1/2000]

1.15.5.306 CONTRACT/AGREEMENT LOGS:

A. Program: expenditure records

B. Maintenance system: [RESERVED]

C. Description: lists of all agency contracts/agreements. Show contract/agreement number, agreement contractor termination date, type of contract/agreement, etc.

D. Retention: six years after termination of contract or agreement



[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 306, 7/13/98; 1.15.5.306 NMAC - Rn, 1 NMAC 3.2.90.21.F 306, 10/1/2000]

1.15.5.307 BIDS/QUOTES:

A. Program: expenditure records

B. Maintenance system: [RESERVED]

C. Description: record of each bid submitted by vendors selling goods and/or services.

Information includes request for quotation, bid spread sheet and bid award letter. Awarded bid may also be filed in payment voucher file, 1.15.5.310 NMAC, or in various contract or project files.

D. Retention: three years after close of fiscal year in which bid is awarded

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 307, 7/13/98; 1.15.5.307 NMAC - Rn, 1 NMAC 3.2.90.21.F 307, 10/1/2000]

1.15.5.308 REQUEST FOR PROPOSAL:

A. Program: expenditure records

B. Maintenance system: [RESERVED]

C. Description: record of requests for proposal solicited by agency. Information includes description, evaluation of proposal, evaluation criteria, overview, audit objectives, scope of work, compensation, bid format, additional conditions, etc. Request for proposal may also be filed in various contract or project files.

D. Retention: three years after close of fiscal year in which bid is awarded

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 308, 7/13/98; 1.15.5.308 NMAC - Rn, 1 NMAC 3.2.90.21.F 308, 10/1/2000]

1.15.5.309 VOUCHERS (PAYMENT VOUCHERS):

A. Program: expenditure records

B. Maintenance system: [RESERVED]

C. Description: standard form used to authorize payment or reimbursement of expenses other than payroll. Information includes vendor name and address, vendor code, agency fund, quantities, description of goods/services, unit costs, total cost, authorizing signature, etc. Vouchers may be filed in payment voucher file, 1.15.5.310 NMAC.

D. Retention:

(1) **Finance department copy:** six years after close of fiscal year in which created

(2) **Other department copy:** three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 309, 7/13/98; 1.15.5.309 NMAC - Rn, 1 NMAC 3.2.90.21.F 309, 10/1/2000]

1.15.5.310 PAYMENT VOUCHER FILES:

A. Program: expenditure records

B. Maintenance system: organization's preference

C. Description: records documenting completed transactions authorizing payment for services rendered, purchase of supplies or equipment, travel advance or reimbursement of work-related expenses incurred by an employee or public officer. Files may include supporting documentation such as copy of vouchers, invoices, purchase documents, expense reimbursement forms, travel reimbursement forms, receipts, travel advance forms, etc.

D. Retention: six years from close of fiscal year in which voucher created or in which audit is completed

[08/29/94, 01/10/97; Rn, 1 NMAC 3.2.90.21.30.F 310, 07/13/98; 1.15.5.310 NMAC - Rn, 1 NMAC 3.2.90.21.F 310, 10/1/2000; A, 12/20/2010]

1.15.5.311 WARRANTS:

A. Program: expenditure records

B. Maintenance system: [RESERVED]



C. Description: canceled or voided warrants issued for payment of goods and/or services. Information include date, warrant number, to whom paid, amount, signature of finance officer, etc.

D. Retention:

(1) **Canceled warrants:** six years after close of fiscal year in which created

(2) **Voided warrants:** until audit report released

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 311, 7/13/98; 1.15.5.311 NMAC - Rn, 1 NMAC 3.2.90.21.F 311, 10/1/2000]

1.15.5.312 CHECKS:

A. Program: expenditure records

B. Maintenance system: [RESERVED]

C. Description: canceled or voided checks issued for payment of goods and/or services.

Information includes date, check number, to whom paid, amount, signature of finance officer, etc.

D. Retention:

(1) **Canceled checks:** six years after close of fiscal year in which created

(2) **Voided checks:** until audit report released

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 312, 7/13/98; 1.15.5.312 NMAC - Rn, 1 NMAC 3.2.90.21.F 312, 10/1/2000]

1.15.5.313 VOUCHER PAYMENT WARRANT REGISTER:

A. Program: expenditure records

B. Maintenance system: [RESERVED]

C. Description: record of warrants (checks) issued for payment of voucher. Register may show warrant number, vendor name, vendor code, voucher number, voucher date, vendor invoice number, fund (account) number, payment amounts, warrant date, etc.

D. Retention: six years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 313, 7/13/98; 1.15.5.313 NMAC - Rn, 1 NMAC 3.2.90.21.F 313, 10/1/2000]

1.15.5.314 TRIP TICKET FILE:

A. Program: expenditure records

B. Maintenance system: [RESERVED]

C. Description: records concerning in-state and out-of-state travel requests.

D. Retention:

(1) **Finance department copy:** six years after close of fiscal year in which created

(2) **Other department copy:** three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 314, 7/13/98; 1.15.5.314 NMAC - Rn, 1 NMAC 3.2.90.21.F 314, 10/1/2000]

1.15.5.315 VEHICLE MAINTENANCE FILE:

A. Program: expenditure records

B. Maintenance system: [RESERVED]

C. Description: records concerning vehicle maintenance. File may include receipts for gasoline credit cards, maintenance, repairs, etc.

D. Retention:

(1) **Finance department copy:** six years after close of fiscal year in which created

(2) **Motor pool copy:** one year after audit report released

(3) **Other department copy:** three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 315, 7/13/98; 1.15.5.315 NMAC - Rn, 1 NMAC 3.2.90.21.F 315, 10/1/2000]

1.15.5.316 ENCUMBRANCE DOCUMENTS:

A. Program: expenditure records



B. Maintenance system: [RESERVED]

C. Description: standard form for encumbering expenses. Shows line item, amount, encumbrance number, etc.

D. Retention:

(1) **Finance department copy:** three years after close of fiscal year in which created

(2) **Other department copy:** until audit report released

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 316, 7/13/98; 1.15.5.316 NMAC - Rn, 1 NMAC 3.2.90.21.F 316, 10/1/2000]

1.15.5.317 DETAILED LIST OF ENCUMBRANCES:

A. Program: expenditure records

B. Maintenance system: [RESERVED]

C. Description: monthly printout showing encumbrances by line item, vendor, encumbrance number, and amount for previous month activity.

D. Retention:

(1) **Finance department copy:**

(a) **Year end report:** three years after close of fiscal year in which created

(b) **All other months:** until audit report released

(2) **Other department copy:** until audit report released

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 317, 7/13/98; 1.15.5.317 NMAC - Rn, 1 NMAC 3.2.90.21.F 317, 10/1/2000]

1.15.5.318 SUPPLEMENTARY ANALYSIS OF PRIOR YEAR ENCUMBRANCE:

A. Program: expenditure records

B. Maintenance system: [RESERVED]

C. Description: monthly printout showing year-to-date encumbrance activity.

D. Retention:

(1) **Finance department copy:**

(a) **Year-end report:** three years after close of fiscal year in which created

(b) **All other months:** until audit report released

(2) **Other department copy:** until audit report released

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 318, 7/13/98; 1.15.5.318 NMAC - Rn, 1 NMAC 3.2.90.21.F 318, 10/1/2000]

1.15.5.319 CONTRACT TAX FILE:

A. Program: expenditure records

B. Maintenance system: [RESERVED]

C. Description: records concerning the reporting to the IRS on monies paid out by agency on technical and professional service contracts.

D. Retention: one year after termination of contract, provided audit report released

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.30.F 319, 7/13/98; 1.15.5.319 NMAC - Rn, 1 NMAC 3.2.90.21.F 319, 10/1/2000]

1.15.5.320 - 400 [RESERVED]

1.15.5.401 TIME CARDS:

A. Program: payroll records

B. Maintenance system: [RESERVED]

C. Description: record of hours worked by employee. Information includes employee name, date, and hours worked.

D. Retention:

(1) **Finance department copy:** three years after close of fiscal year in which created

(2) **Other department copy:** until proved to payroll register



[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.40.F 401, 7/13/98; 1.15.5.401 NMAC - Rn, 1 NMAC 3.2.90.21.F 401, 10/1/2000]

1.15.5.402 TIME SHEETS:

A. Program: payroll records

B. Maintenance system: [RESERVED]

C. Description: verification of the number of hours worked by employee. Information includes employee's name, employee number, hourly wage, days and hours worked, department head approval, etc.

D. Retention:

(1) **Finance department copy:** three years after close of fiscal year in which created

(2) **Other department copy:** until proved to payroll register

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.40.F 402, 7/13/98; 1.15.5.402 NMAC - Rn, 1 NMAC 3.2.90.21.F 402, 10/1/2000]

1.15.5.403 TRIAL PAYROLL:

A. Program: payroll records

B. Maintenance system: [RESERVED]

C. Description: weekly, bi-weekly or monthly printout showing breakdown of projected employee payroll

D. Retention:

(1) **Finance/payroll department copy:** until proved to payroll register

(2) **Other department copy:** until proved to payroll register

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.40.F 403, 7/13/98; 1.15.5.403 NMAC - Rn, 1 NMAC 3.2.90.21.F 403, 10/1/2000]

1.15.5.404 PAYROLL REGISTER:

A. Program: payroll records

B. Maintenance system: [RESERVED]

C. Description: documents wages paid to employees for services rendered. Information includes name of employee, social security number, date of check, hourly or salaried amount, overtime, number of hours worked, deductions, etc.

D. Retention:

(1) **Finance/payroll department (year end payroll register):** sixty years after date created

(2) **Finance/payroll department (weekly, bi-weekly or monthly copies of payroll register):** until audit report released

(3) **Other department copies:** until audit report released

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.40.F 404, 7/13/98; 1.15.5.404 NMAC - Rn, 1 NMAC 3.2.90.21.F 404, 10/1/2000]

1.15.5.405 EMPLOYEE YEAR-TO-DATE INFORMATION:

A. Program: payroll records

B. Maintenance system: [RESERVED]

C. Description: bi-weekly printout showing year-to-date totals by employee includes gross pay and deductions, etc.

D. Retention:

(1) **Finance department copy:** three years after close of fiscal year in which created

(2) **Other department copy:** until audit report released

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.40.F 405, 7/13/98; 1.15.5.405 NMAC - Rn, 1 NMAC 3.2.90.21.F 405, 10/1/2000]

1.15.5.406 VOUCHERS (PAYROLL):

A. Program: payroll records



B. Maintenance system: [RESERVED]

C. Description: standard form used to authorize payment (release of funds) for payroll.

D. Retention:

(1) **Finance department copy:** six years after close of fiscal year in which created

(2) **Other department copy:** three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.40.F 406, 7/13/98; 1.15.5.406 NMAC - Rn, 1 NMAC 3.2.90.21.F 406, 10/1/2000]

1.15.5.407 WARRANTS (PAYROLL):

A. Program: payroll records

B. Maintenance system: [RESERVED]

C. Description: canceled or voided warrants (checks) issued for payment of goods and/or services. Information includes date, warrant number, to whom paid, amount, signature of finance officer, etc.

D. Retention:

(1) **Canceled warrants:** six years after close of fiscal year in which created

(2) **Voided warrants:** until audit report released

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.40.F 407, 7/13/98; 1.15.5.407 NMAC - Rn, 1 NMAC 3.2.90.21.F 407, 10/1/2000]

1.15.5.408 PAYROLL WARRANT REGISTER:

A. Program: payroll records

B. Maintenance system: [RESERVED]

C. Description: registers summarizing the information on payroll warrants (checks) issued. Information includes employee name, social security number, amount of warrant (check), state and federal income tax deductions, other deductions, year-to-date totals per pay period, etc.

D. Retention: six years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.40.F 408, 7/13/98; 1.15.5.408 NMAC - Rn, 1 NMAC 3.2.90.21.F 408, 10/1/2000]

1.15.5.409 W-2 FORMS:

A. Program: payroll records

B. Maintenance system: [RESERVED]

C. Description: employer's copy of employee's total earnings and withholdings for the calendar year reported to the internal revenue service. Information includes employer's identification number, employer's name and address, employee's social security number, federal income tax withheld, FICA taxes withheld, total FICA wages and state income tax withheld.

D. Retention: five years after close of calendar year for which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.40.F 409, 7/13/98; 1.15.5.409 NMAC - Rn, 1 NMAC 3.2.90.21.F 409, 10/1/2000]

1.15.5.410 - 500 [RESERVED]

1.15.5.501 JOURNALS:

A. Program: general financial records

B. Maintenance system: [RESERVED]

C. Description: department machine or hand posted books of original entry.

D. Retention: six years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.50.F 501, 7/13/98; 1.15.5.501 NMAC - Rn, 1 NMAC 3.2.90.21.F 501, 10/1/2000]

1.15.5.502 LEDGERS, GENERAL:

A. Program: general financial records

B. Maintenance system: [RESERVED]

C. Description: department machine or hand posted books of final entry.



D. Retention: six years after close of fiscal year in which created.

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.50.F 502, 7/13/98; 1.15.5.502 NMAC - Rn, 1 NMAC 3.2.90.21.F 502, 10/1/2000]

1.15.5.503 TRANSACTION REGISTER, MONTHLY:

A. Program: general financial records

B. Maintenance system: [RESERVED]

C. Description: computer generated equivalent to a general which shows the opening cash balance, items adding to the balance in detail, items decreasing the balance in detail, etc.

D. Retention:

(1) **Finance department copy:** six years after close of fiscal year in which created

(2) **Other department copy:** three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.50.F 503, 7/13/98; 1.15.5.503 NMAC - Rn, 1 NMAC 3.2.90.21.F 503, 10/1/2000]

1.15.5.504 ACCOUNT TRANSFER ORDER:

A. Program: general financial records

B. Maintenance system: [RESERVED]

C. Description: shows account names and codes, item codes, amounts to and from for the transfer of cash. Record series includes special purpose transfer orders that include encumbrance detail.

D. Retention:

(1) **Finance department copy:** six years after close of fiscal year in which created

(2) **Treasurer's copy:** three years after close of fiscal year in which created

(3) **Other department copy:** three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.50.F 504, 7/13/98; 1.15.5.504 NMAC - Rn, 1 NMAC 3.2.90.21.F 504, 10/1/2000]

1.15.5.505 VOUCHERS (JOURNAL):

A. Program: general financial records

B. Maintenance system: [RESERVED]

C. Description: standard form used to correct (adjust) journal entries. Shows date, account, department, activity, line codes, reference numbers, amounts, etc.

D. Retention:

(1) **Finance department copy:** six years after close of fiscal year in which created

(2) **Other department copy:** three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.50.F 505, 7/13/98; 1.15.5.505 NMAC - Rn, 1 NMAC 3.2.90.21.F 505, 10/1/2000]

1.15.5.506 RECONCILIATION OF CASH TRANSACTIONS, MONTHLY:

A. Program: general financial records

B. Maintenance system: [RESERVED]

C. Description: record which reconciles the cash balance per the finance department accounting with the cash balance per the treasurer's accounting and provides a detailed listing of all outstanding items.

D. Retention:

(1) **Finance department copy:** six years after close of fiscal year in which created

(2) **Treasurer's copy:** three years after close of fiscal year in which created

(3) **Other department copy:** three years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.50.F 506, 7/13/98; 1.15.5.506 NMAC - Rn, 1 NMAC 3.2.90.21.F 506, 10/1/2000]

1.15.5.507 [RESERVED]

1.15.5.508 BANK STATEMENTS:



A. Program: general financial records

B. Maintenance system: [RESERVED]

C. Description: records showing historical record of cash receipts and disbursements.

D. Retention: six years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.50.F 508, 7/13/98; 1.15.5.508 NMAC - Rn, 1 NMAC 3.2.90.21.F 508, 10/1/2000]

1.15.5.509 INVENTORY OF FIXED ASSETS:

A. Program: general financial records

B. Maintenance system: [RESERVED]

C. Description: records concerning holdings of furniture and equipment. Record shows item description, item location, identification number, serial number, model number, date of acquisition, original cost, etc.

D. Retention: six years after close of fiscal year in which created

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.50.F 509, 7/13/98; 1.15.5.509 NMAC - Rn, 1 NMAC 3.2.90.21.F 509, 10/1/2000]

1.15.5.510 AUDIT REPORTS:

A. Program: general financial records

B. Maintenance system: [RESERVED]

C. Description: printed report documenting the annual audit of funds. These reports, prepared by an outside accounting firm, are categorized by the various offices and further classified by accounts to which they relate. This series also includes semiannual and special audits. Information includes balance sheet, summary of revenue and expenditures, cash balances, statement of taxes, statement of delinquent taxes, statement of other receipts, statement of fines and fees.

D. Retention: permanent

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.50.F 510, 7/13/98; 1.15.5.510 NMAC - Rn, 1 NMAC 3.2.90.21.F 510, 10/1/2000]

1.15.5.511 PETTY CASH FUND FILES:

A. Program: general financial records

B. Maintenance system: [RESERVED]

C. Description: records concerning the use of petty cash monies. File may include petty cash request, petty cash vouchers, petty cash canceled checks, petty cash bank statements, receipts, cash reconciliation, etc.

D. Retention: until audit report released

[8/29/94; 1/10/97; Rn, 1 NMAC 3.2.90.21.50.F 511, 7/13/98; 1.15.5.511 NMAC - Rn, 1 NMAC 3.2.90.21.F 511, 10/1/2000]

N.M. Admin. Code § 1.15.5

For disposition

1.13.30.9 ASSIGNMENT OF RESPONSIBILITIES: Section 14-3-4 NMSA 1978 authorizes the commission of public records to appoint a state records administrator to carry out the purposes of the Public Records Act. The state records administrator is responsible for establishing records management programs within state government for the purpose of ensuring the efficient and economical management of public records throughout their lifecycle from their creation, utilization, maintenance, retention, preservation and final disposition.



A. The commission of public records hereby delegates the authority to order the routine destruction of public records, in accordance with adopted records retention and disposition schedules, to the state records administrator.

B. The state records administrator shall prescribe the appropriate method of destruction of public records.

C. The state records center and archives, in accordance with the rules established by the state records administrator and the commission of public records, is the authorized facility for the receipt, storage or disposition of all inactive and infrequently used records of present or former state agencies.

D. The state records administrator has the authority to request any agency to designate a records liaison officer to cooperate with, assist and advise the state records administrator in the performance of his or her duties and to provide such other assistance and data as shall enable the commission and state records administrator to properly carry out the purposes of the Public Records Act (Section 14-3-4 NMSA 1978).

[1.13.30.9 NMAC - Rp, 1.13.30.8 NMAC, 06/01/2006]

1.13.30.10 DISPOSITION OF PUBLIC RECORDS:

A. Agencies shall ensure the proper authorized disposition of their records regardless of format or medium so that permanent records are preserved and records no longer of use to an agency are promptly deleted or destroyed based on retention periods established in records retention and disposition schedules and subject to the written approval of the state records administrator.

B. The records custodian for each agency shall assign one or more records liaison officers the responsibility for implementing records management requirements for all agency records at all levels and locations in all media including those received or created using electronic mail. The records liaison officer is responsible for authorizing the storage and destruction of his or her agency's records.

C. Agencies shall secure the written approval of the state records administrator before destroying any records or transferring records to the state archives.

D. Agencies shall follow regulations issued by the state records administrator governing the methods of destruction.

[1.13.30.10 NMAC - Rp, 1.13.30.9 NMAC, 06/01/2006]

1.13.30.11 ON-SITE DESTRUCTION OF PUBLIC RECORDS: Destruction of public records may occur on-site at the custodial agency or through the state records center.

A. Agencies who choose to store public records on-site for the life cycle of the records shall contact the agency analysis bureau of the state records center and archives when the records have met their legal retention period.

B. The records liaison officer shall complete and submit the state records center and archives *request for disposition* form. The records liaison officer shall indicate on the form that the records are to be destroyed on-site. The *request for disposition* form shall contain but is not limited to the following: agency code, agency name, division, contact person, address, e-mail address, telephone number, fax number, destruction type, records title and description, disposition trigger date, quantity of boxes or bundles, records retention and disposition schedule section number, transfer to archives, record liaison officer signature and printed name, analyst review, records management division director review, records center section and archive section.

(1) The agency analysis bureau shall review the *request for disposition* and submit it to the state records administrator for approval. The state records administrator shall either approve or deny the request.

(a) When appropriate the state records administrator shall order the transfer of records to the state archives for review and appraisal.



(b) If the records listed on the *request for disposition* have met their legal retention period and are eligible for destruction, the agency shall receive a letter from the state records administrator authorizing the destruction of the records.

(c) The state records administrator shall notify an agency in writing if the request for on-site destruction is denied.

(2) Agencies that destroy records on-site shall certify the destruction in writing. A certificate of destruction shall be submitted to the agency analysis bureau of the state records center and archives. For legal and audit purposes, the records liaison officer(s) shall retain a copy of the certification on file. Agencies shall use only approved methods for agency on-site destruction of public records as identified below.

(a) Records that contain confidential or sensitive information shall be destroyed in such a manner that the information cannot be read, interpreted or reconstructed by:

(i) witnessed shredding, then pulping through a bonded document destruction vendor, or

(ii) witnessed macerating through a bonded document destruction vendor.

(b) Records without confidentiality requirements shall be destroyed by:

(i) recycling by a bonded document destruction vendor,

(ii) shredding;

(iii) macerating or

(iv) witnessed dumpsite burial.

(c) Electronic records shall be destroyed pursuant to 1.13.3 NMAC, Management of Electronic Records.

[1.13.30.11 NMAC - Rp, 1.13.30.9 NMAC, 06/01/2006]

1.13.30.12 PUBLIC RECORDS DELIVERED TO THE RECORDS CENTER FOR

DESTRUCTION: Agencies storing public records on-site may elect to deliver public records that have met their retentions to the records center for destruction.

A. Agencies shall contact the agency analysis bureau of the state records center and archives when records have met their legal retention period.

B. The records liaison officer(s) shall complete and submit the state records center and archives *request for disposition* form. The records liaison officer(s) shall indicate on the form whether the records are to be delivered to the Santa Fe or Albuquerque records center for destruction. The *request for disposition* form shall contain but is not limited to the following: agency code, agency name; division, contact person, address, e-mail address, telephone number; fax number, destruction type, records title and description, disposition trigger date, quantity of boxes or bundles, records retention and disposition schedule section number, transfer to archives, record liaison officer signature and printed name, analyst review, records management division director review, records center section and archive section.

C. The agency analysis bureau shall review the *request for disposition* and submit it to the state records administrator for approval. The state records administrator shall either approve or deny the request.

(1) When appropriate the state records administrator shall order the transfer of records to the state archives for review and appraisal.

(2) If the records listed on the *request for disposition* have met their legal retention period and are approved for destruction, the request shall be forwarded to the appropriate records center.

(3) Records center staff shall contact the agency to arrange a date and time for the records to be delivered to the records center.

(4) The records description and the number of boxes delivered to the records center shall match what is listed on the approved *request for disposition* form. Upon delivery if there is a discrepancy between what is listed on the approved *request for disposition* form and what is delivered to the records center, the shipment shall be rejected and sent back to the agency for clarification.



- (5) The records center shall prepare a destruction order for the state records administrator's signature that lists the records approved for destruction that were delivered to the records center.
- (6) Records approved for destruction shall be destroyed according to the procedures established in Subsection C of 1.13.30.13 NMAC for destruction of public records.
- (7) The state records administrator shall notify an agency in writing if the request for destruction is denied.

[1.13.30.12 NMAC - Rp, 1.13.30.9 NMAC, 06/01/2006]

1.13.30.13 DESTRUCTION OF PUBLIC RECORDS: The state records center is responsible for the timely and efficient destruction of public records that have met their retention periods and that have been reviewed and released for destruction by the agency's record liaison officer and the state records administrator.

A. The state records center procedure for destruction of records (paper and microform) stored at the state records centers shall be to:

- (1) schedule quarterly, the destruction of all public records stored in the records centers that have met their scheduled retention periods; and
- (2) prepare a report notifying custodial agencies of records that have met their scheduled retention periods and are eligible for destruction or transfer to archives.

B. Custodial agencies receiving notification of records eligible for destruction shall review the report of records to be destroyed.

(1) The records liaison officer(s) shall notify the state records center of any records scheduled for destruction which must be held and shall cite the reason for holding the records beyond the retention period, e.g., pending litigation, audit in process or audit pending.

(2) The agency records liaison officer(s) shall approve the notice of destruction or the notice of transfer to the state archives in writing and return it to the records center.

(3) The records center shall:

(a) prepare a destruction order for the state records administrator's signature that lists the records approved for destruction; and

(b) prepare a transfer order for the state records administrator's signature that lists the records approved for transfer to the state archives.

C. The state records center shall adhere to the following standards in destroying records.

(1) It shall destroy records that contain confidential or sensitive information in such a manner that the information cannot be read, interpreted or reconstructed by:

- (a) witnessed shredding, then pulping through a bonded document destruction vendor, or
- (b) witnessed macerating through a bonded document destruction vendor.

(2) It shall destroy records without confidentiality requirements by:

- (a) recycling by a bonded document destruction vendor,
- (b) shredding,
- (c) macerating or
- (d) witnessed dumpster burial.

(3) It shall direct the document destruction vendor to prepare and submit to the state records center a certificate of destruction showing the date of destruction, the method of destruction and the names and signatures of person or persons that witnessed the destruction.

D. Destruction of source documents converted to alternative media shall comply with the applicable standards to ensure reliability and authenticity prior to their destruction.

(1) Destruction of paper public records converted to microfilm.

(a) Agencies shall meet all requirements of 1.14.2 NMAC prior to destruction of microfilmed paper records.



(b) Agencies shall comply with 1.13.30.11 NMAC for on-site destruction of public records or 1.13.30.12 NMAC for public records delivered to the state records center for destruction.

(2) Destruction of paper records converted to electronic or machine readable media.

(a) Agencies shall meet all provisions of 1.13.70 NMAC prior to destruction of converted paper records.

(b) Agencies shall comply with 1.13.30.11 NMAC for on-site destruction of public records or 1.13.30.12 NMAC for public records delivered to the state records center for destruction.

(3) Destruction of machine readable records converted to microform.

(a) Agencies shall meet all requirements of 1.14.2 NMAC prior to destruction of machine readable records.

(b) Agencies shall comply with 1.13.30.11 NMAC for on-site destruction of public records or request destruction by the state records center.

(c) Agencies shall meet all provisions of 1.13.70 NMAC prior to destruction of converted machine readable records.

E. Destruction of microfilm. When destruction of microfilm is required and the records contained on the microfilm have met the required retention period, destruction of the microfilm shall be accomplished by witnessed shredding.

F. Destruction of electronic media. When destruction of electronic media is required and the records contained on the electronic media have met the required retention period, destruction of the electronic media shall be accomplished by an approved method of destruction. For information on methods of destruction see Subsection G of 1.13.30.13 NMAC.

(1) For additional information on the destruction of non-records see 1.13.30.14 NMAC.

(2) Public records shall be destroyed in accordance with a current retention schedule.

(3) Supporting documentation (e.g., audit trails and results, certification records, etc.) shall be disposed of in conjunction with the record(s) they support.

G. The destruction of an electronic record involves two components. The first component includes the destruction of the information and the record medium. The second component is where the information is obliterated but the electronic medium is retained because it may still be useful. An agency shall select the best method for the destruction of an electronic record based on the retention of the record, the medium and the nature or sensitivity of the information. For a local hard disk, methods one and two that follow should be sufficient. For other magnetic, optical or solid-state storage media, agency information systems staff should be consulted. Agencies shall select from the following methods of destruction:

(1) erasure from electronic media and all back up media;

(2) emptying of electronic trash receptacle;

(3) witnessed overwriting of reusable magnetic media multiple times as recommended by the US department of defense;

(4) witnessed degaussing of the magnetic media; or

(5) witnessed physical destruction of the media as recommended by the US department of defense.

[1.13.30.13 NMAC - Rp, 1.13.30.8 and 9 NMAC, 06/01/2006]

1.13.30.14 DESTRUCTION OF NON-RECORDS: Destruction of non-records is the sole responsibility of the custodial agency and does not require the prior approval of the state records administrator. That responsibility includes identifying whether the information is a non-record or a public record.

A. Non-records that contain confidential or sensitive information exempted from disclosure by statute shall be destroyed in such a manner that the information cannot be read, interpreted or reconstructed. Non-records that contain confidential or sensitive information shall be destroyed by shredding, macerating or recycling through a bonded document destruction vendor.



B. Non-records without confidential requirements or that do not contain personal identifiers may be destroyed in accordance with approved methods of destruction. To ensure information is destroyed, use one of the following methods:

- (1) dumpsite burial;
- (2) recycling through bonded recycler; or
- (3) shredding.

C. Electronic non-records that do not contain confidential or sensitive information may be destroyed by physical destruction of the media or erasure of the data from all media including back-up media.

[1.13.30.14 NMAC - Rp, 1.13.30.9 NMAC, 06/01/2006]

1.13.30.15 DESTRUCTION OF PUBLIC RECORDS HELD BY CONTRACTORS: All public records or data created by a contractor or non-government entity for a state agency shall be disposed of in accordance with the procedures established in 1.13.30 NMAC.

[1.13.30.15 NMAC - N, 06/01/2006]



RECORDS DISPOSITION FORM

Complete at Intake			
Department	Records Title & Description		
Records Liaison Officer's Name <i>"print"</i>		Records Liaison Officer's <i>(signature)</i>	
Storage Location		Quantity of Boxes/Bundles, etc..	
Archive Location			
Disposition Trigger Date	Records Retention & Disposition Schedule Section #		
Destruction Type, if permanent record, mark "Permanent"			
Complete for Destruction Purposes			
Records Liaison Officer's Approval <i>(signature)</i>		Date	
Director/Elected Official Approval <i>(signature)</i>		Date	
Records Custodian Approval <i>(signature)</i>		Date	
Destruction Date	Actual Destruction Type		

