

Schedule 34-1

SECRETARY OF STATE

ADMINISTRATION

June 16, 2014

Nebraska Records Management Division
3242 Salt Creek Circle
Lincoln, NE 68504
(402) 471-2559

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

SCHEDULE	34-1
AGENCY, BOARD OR COMMISSION	SECRETARY OF STATE
DIVISION, BUREAU OR OTHER UNIT	ADMINISTRATION
Supersedes Schedule 34 Edition of December 2, 2002; Series 34-1, 34-5, 34-6, 34-7, and Items 34-9-1 to 34-9-4, 34-9-7, 34-9-9, 34-9-11, 34-9-12, 34-9-17 and 34-9-18	

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

PART I – AGENCY STATEMENT:

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

SIGNATURE <i>Catherine A. Danahy</i>	
TITLE <i>Chief Deputy Secretary of State</i>	DATE <i>June 2, 2014</i>

PART II – APPROVAL OF STATE ARCHIVES:

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

SIGNATURE <i>Gayle Koutenz</i>	DATE <i>6/3/2014</i>
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PART III – APPROVAL OF AUDITOR OF PUBLIC ACCOUNTS:

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

SIGNATURE <i>Dean Harp</i>	DATE <i>6/3/14</i>
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PART IV – APPROVAL OF STATE RECORDS ADMINISTRATOR:

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

SIGNATURE <i>John D. Lee</i>	DATE <i>6/16/14</i>
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INSTRUCTIONS FOR USING THIS SCHEDULE

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

DISPOSING OF RECORDS

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over State Agencies General Records Schedule #124 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods. Unless there is pending or on going, legal action, records request, or audit.
3. For records requiring a review of, or transfer to the **NE State Historical Society (State Archives)**, your agency is required to contact the State Archives to negotiate the transfer. Additionally, **once the records are accessioned into their collection, they become the property of the State Archives** (Neb. Rev. Stat. §82-105). The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Neb. Rev. Stat. §82-107). Please contact their office by calling (402) 471-4783.
4. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is located on the Secretary of State Records Management website. https://appengine.egov.com/apps/ne/sos_records_disposition_report. This report establishes that the destruction was performed in your normal course of business.

NON-SCHEDULED RECORDS

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

SCHEDULE UPDATE

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

QUESTIONS

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

**Records Management Division
3242 Salt Creek Circle
Lincoln, NE 68504
402-471-2559**

**SCHEDULE 34-1
SECRETARY OF STATE
ADMINISTRATION
16-Jun-14**

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

Supersedes Schedule 34 Edition of 12/2/2002 -- Series 34-1, 34-5, 34-6, 34-7, and items 34-9-1 to 34-9-4, 34-9-7, 34-9-9, 34-9-11, 34-9-12, 34-9-17 & 34-9-18

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
034-001-001-000-000-000-000	AGRICULTURAL LAND TRUST	Annual listing from the County Assessor on every trust owning agricultural land in their county.	Immediate disposal	•Neb. Rev. Stat. §76-1517 - Repealed 2011
034-001-002-000-000-000-000	BONDS/OATHS - APPOINTMENTS	Copy of gubernatorial appointments to the Governor's Cabinet and various Boards/Commissions the Governor appoints on behalf of the State of Nebraska.	2 years after current administration leaves office	•Neb. Rev. Stat. §2-4005 •Neb. Rev. Stat. §2-013 •Neb. Rev. Stat. §82-101.01 •Neb. Rev. Stat. §79-1501
034-001-003-000-000-000-000	BONDS/OATHS - DATABASE, APPOINTMENT & OATH	Database containing information on SOS received copies of gubernatorial appointments and on original oaths returned after being signed.	Permanent	1991 to present
034-001-004-000-000-000-000	BONDS/OATHS - DATABASE, JUDICIAL OATH	Database containing information on SOS received original oaths returned after being signed.	Permanent	1972 to present
034-001-005-000-000-000-000	BONDS/OATHS - LOCAL GOVERNMENT BONDS AND OATHS	Bonds and oaths of local government filed with the Secretary of State. May include, but not limited to: Natural Resource District Officials, Public Power District Officials, and Technical Community College District Officials.	Superseded OR 25 years (whichever is sooner)	
034-001-006-000-000-000-000	BONDS/OATHS - STATE GOVERNMENT, OATHS AND PERFORMANCE BONDS	State of Nebraska Oath of Office signed and returned to the SOS Office or performance bond records files with the office. May include, but not limited to documents from the Governor, Lieutenant governor, Auditor of Public Accounts, Secretary of State, Attorney General, State Treasurer, Judges, Deputy State Sheriffs and State Patrol officers.	PRIOR TO 1984: SECURITY MICROFILM: Transferred to State Archives AFTER 1984: Scan to PDF after 10 years for upload to LAN Drive and dispose of after 50 years ELECTRONIC RECORD: 50 years	•Nebraska State Constitution XV-1 •Neb. Rev. Stat. §11-101 •Neb. Rev. Stat. §11-119 •Neb. Rev. Stat. §11-201 •PRIOR TO 1984 - Paper records transferred to State Archives were disposed of as "duplicates" and no workcopy microfilm was created

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
034-001-007-000-000-000-000	CHARITABLE SOLICITATION	Charitable Solicitation Registration Act materials and information.	Immediate disposal	<ul style="list-style-type: none"> •Obsolete 1996 •Neb. Rev. Stat. §28-1440 through 28-1449 -- Repealed 1996, LB 972
034-001-008-000-000-000-000	COMMUNICATIONS AND INTERNATIONAL RELATIONS - MISCELLANEOUS PROGRAMS	Other Secretary of State programs and activities. May include, but not limited to the Statehood Dinner.	OFFICIAL PROGRAM/PACKET: Transfer 1 copy to State Archives after current administration leaves office ALL OTHER ACCUMULATED MATERIALS/WORKING PAPERS: When no longer of administrative value as determined by the Communications Director and International Relations Coordinator	Contact the State Archives to negotiate transfer
034-001-009-000-000-000-000	COMMUNICATIONS AND INTERNATIONAL RELATIONS - YOUTH SERVICES PROGRAMS	Programs and activities to promote civic education for Nebraska's youth. May include, but not limited to: Honor a Veteran, Capitol Forum, Nebraska Student Vote, Youth Election Service, Statehood Birthday Parties, Constitution Day, and Citizen Tests.	OFFICIAL PROGRAM/PACKET: Transfer 1 copy to State Archives after current administration leaves office ALL OTHER ACCUMULATED MATERIALS/WORKING PAPERS: When no longer of administrative value as determined by the Communications Director and International Relations Coordinator	Contact the State Archives to negotiate transfer
034-001-010-000-000-000-000	COMMUNICATIONS AND INTERNATIONAL RELATIONS - GUIDELINES, TEMPLATES, TESTS AND FORMS	Guidelines, templates, tests and forms made available and/or used in various Secretary of State programs.	Superseded OR obsolete (whichever applies)	
034-001-011-000-000-000-000	COMMUNICATIONS AND INTERNATIONAL RELATIONS - INTERNATIONAL VISITORS AND DIGNITARIES	Requests and planning materials for visits to the office made by international guests and dignitaries.	OFFICIAL PROGRAM/PACKET: Transfer 1 copy to State Archives after current administration leaves office ALL OTHER ACCUMULATED MATERIALS/WORKING PAPERS: When no longer of administrative value as determined by the Communications Director and International Relations Coordinator	Contact the State Archives to negotiate transfer
034-001-012-000-000-000-000	LEGISLATIVE - BILLS AND LAWS	Engrossed legislative bills signed by the Governor and turning them into laws, vetoed, withdrawn and indefinitely postponed bills coming from the Governor and/or Clerk of the Legislative office.	ORIGINAL RECORD: Microfilm after close of regular session and transfer originals to State Archives SECURITY MICROFILM: Transfer to the State Archives MICROFILM WORK COPY: Permanent	Contact State Archives to negotiate transfer

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
034-001-013-000-000-000-000	LEGISLATIVE - DISTRIBUTION LISTS OF SESSION LAWS AND JOURNALS	Distribution list for the session laws and journals of the Legislature, including signatures at receipt of Session Law Books sent to state agencies and county government agencies. The Clerk of Legislature prepares the Record of Publication and the Secretary of State's Office handles the distribution.	2 years	<ul style="list-style-type: none"> •Neb. Rev. Stat. §84-502 (5) •Neb. Rev. Stat. §49-501 to §49-506
034-001-014-000-000-000-000	LEGISLATIVE - RESOLUTIONS FOR CONSIDERATION	Includes resolutions of Congress and of other states received by the Secretary of State for consideration by the Nebraska Legislature. Also includes copies of Nebraska bills or resolutions of adoption. Includes constitutional and other types of proposals. If proposed constitutional amendments are adopted, the file may include transmittals to the President of the Senate, the Speaker of the House of Representatives, the Archivist of the United States, and acknowledgements from them.		Microfilm with LEGISLATIVE - BILLS AND LAWS, item 034- 001-012
034-001-015-000-000-000-000	LEGISLATIVE - SPECIAL SESSION FILES	Typical file may include senatorial requests for convening special sessions and statements of topics to be considered; Secretary of State's poll of the full membership of the Legislature; and Certification of the result of the Secretary of State's poll. In some cases the governor's proclamation convening a special session may be included	Transfer to the State Archives after current administration leaves office	Contact State Archives to negotiate transfer
034-001-016-000-000-000-000	MISCELLANEOUS FILINGS - CENSUS FILE	Includes copies of published census figures for Nebraska and copies of special census of municipalities and counties conducted by the Bureau of the Census. Information is used for apportionment and for determination of city classes.	20 years	
034-001-017-000-000-000-000	MISCELLANEOUS FILINGS - CERTIFY AND PETITION RECORDS FROM AGENCIES	Copies of petitions or other records used when the Secretary of State has certified an agency.	When no longer of administrative/reference value as determined by the Secretary of State or Agency General Counsel	<ul style="list-style-type: none"> •Neb. Rev. Stat. §18-2422 •Neb. Rev. Stat. §70-664 •Agency administrative or reference value
034-001-018-000-000-000-000	MISCELLANEOUS FILINGS - CITY SEALS	Includes official seals of first class cities and copies of city council resolutions of adoption.	Transfer to the State Archives after superseded	<ul style="list-style-type: none"> •Neb. Rev. Stat. §16-115 •Contact State Archives to negotiate transfer

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
034-001-019-000-000-000-000	MISCELLANEOUS FILINGS - CLASSES OF CITIES PROCLAMATION	Secretary of State and/or Governor proclamations declaring changes in classes of cities created.	Transfer to State Archives when no longer of reference value	<ul style="list-style-type: none"> •Neb. Rev. Stat. §15-102 •Neb. Rev. Stat. §16-102 •Neb. Rev. Stat. §17-301 through §17-309 •Contact State Archives to negotiate transfer
034-001-020-000-000-000-000	MISCELLANEOUS FILINGS - COMPACTS	Incomplete file containing copies of interstate compacts which Nebraska has endorsed.	When no longer of administrative/reference value as determined by the Secretary of State or Agency General Counsel	Agency administrative or reference value
034-001-021-000-000-000-000	MISCELLANEOUS FILINGS - GOVERNOR'S PROCLAMATIONS AND EXECUTIVE AGREEMENTS AND ORDERS	Copies of general proclamations and executive agreements and orders.	2 years after current administration leaves office	
034-001-022-000-000-000-000	MISCELLANEOUS FILINGS - PESTICIDE RESIDENT AGENT DESIGNATION FORM	Form used in lieu of designating a resident agent. The applicant designates the Nebraska Secretary of State as their resident agent for service of process in actions taken in the enforcement of the Nebraska Pesticide Act.	Permanent	<ul style="list-style-type: none"> •Neb. Rev. Stat. §2-2629 •Neb. Rev. Stat. §2-2635 •Neb. Rev. Stat. §2-2638 •Neb. Rev. Stat. §2-2656
034-001-023-000-000-000-000	MISCELLANEOUS FILINGS - REPORTS, ROSTERS, AND FINANCIAL STATEMENTS	Records filed with the Secretary of State as required in state statute by Licensed Professionals, Educational Associations/Institutions, Agricultural Associations, and others. May include, but is not limited to: Annual financial statements, annual reports, and rosters.	Superseded OR 2 years (whichever is sooner)	<ul style="list-style-type: none"> •Neb. Rev. Stat. §2-2001 through §2-2004 •Neb. Rev. Stat. §81-8, 192 •Neb. Rev. Stat. §81-3525
034-001-024-000-000-000-000	MISCELLANEOUS FILINGS - TRANSFERS OF JURISDICTION OR CESSIONS OR RETROCESSIONS OF FEDERAL JURISDICTION	Detailed correspondence pertaining to transfers of legal jurisdiction between the state and federal governments. Primary relates to establishment of military bases and ordinance facilities during and immediately after World War II (1942-1950).	Transfer to the State Archives after 10 years	<ul style="list-style-type: none"> •Neb. Rev. Stat. §84-168 •Contact State Archives to negotiate transfer
034-001-025-000-000-000-000	NEBRASKA REPORTS AND NEBRASKA APPELLATE REPORTS COPYRIGHTS	Application for copyright of Nebraska Reports and Nebraska Appellate Reports filed with the Secretary of State.	20 years	Neb. Rev. Stat. §24-212
034-001-026-000-000-000-000	PUBLIC POWER DISTRICT - PUBLIC POWER SYSTEMS, SALE, LEASE, OR TRANSFER: PROPONENTS' REPORTS	Includes reports of expenditures and obligations arising from elections and propositions to sell, to lease, or to transfer public power facilities. Reports are filed by the party wishing to purchase, lease or transfer such facilities.	Transfer to the State Archives after 4 years	<ul style="list-style-type: none"> •Neb. Rev. Stat. §70-513 •Contact State Archives to negotiate transfer

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
034-001-027-000-000-000-000	PUBLIC POWER DISTRICT RECORDS OF FORMATION, AMENDMENT AND DISSOLUTION OF PUBLIC POWER AND IRRIGATION DISTRICTS	<p>FORMATION: Includes photostatic copies from the Department of Natural Resources certificates of approval of formation of districts and copies of the petitions for formation. Duplicate copies are maintained by the respective county clerks.</p> <p>AMENDMENT: Includes photostatic copies of the Department of Natural Resources certificates of approval of amendments to original petitions of formation (e.g. changes of boundaries, district name, size of board of directors, etc.). Duplicate copies are maintained by the respective county clerks.</p> <p>DISSOLUTION: Includes photostatic copies of the Department of Natural Resources certificates of approval of dissolution of districts. Duplicate copies are maintained by the respective county clerks.</p>	Transfer to the State Archives after 4 years	Contact State Archives to negotiate transfer
034-001-028-000-000-000-000	SPEECHES, OPINIONS, ARTICLES, PRESS RELEASES AND PRESENTATIONS	Speeches, opinions, articles, press releases and presentations published and/or given by the Secretary of State.	<p>FINAL COPY: Transfer to State Archives after current administration leaves office</p> <p>DIGITAL/VIDEO/AUDIO RECORDINGS: Transfer to the State Archives after current administration leaves office OR before removal from website (whichever is sooner)</p> <p>ALL OTHER ACCUMULATED MATERIALS/DRAFTS/WORKING PAPERS: When no longer of administrative value as determined by the Secretary of State, Agency General Counsel or Communications Director and International Relations Coordinator</p>	<ul style="list-style-type: none"> •Office of Record - Communications and International Relations •Contact the State Archives to negotiate transfer
034-001-029-000-000-000-000	STATE SEAL - REQUESTS FOR USE	Requests and authorizations to reproduce, distribute and sell the Nebraska State Seal.	20 years	<ul style="list-style-type: none"> •Neb. Const. Art. IV, Sec. 24 •Neb. Rev. Stat. §84-501

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
034-001-030-000-000-000-000	STATE SYMBOLS AND ITEMS	Artifacts and other records dealing with official State of Nebraska items. May include, but is not limited to: name, banner, song, seal, slogan, surveys, state seal restoration project and other miscellaneous records related to symbols/items.	PUBLICATIONS/MERCHANDISE: Superseded OR when no longer of administrative value (whichever applies) ALL OTHER RECORDS: When no longer of administrative/reference value as determined by the Secretary of State, Agency General Counsel or Communication Director and International Relations Coordinator; subject to review by the State Archives for possible accession	<ul style="list-style-type: none"> •Neb. Rev. Stat. §90-101 through §90-119 •Contact the State Archives to negotiate transfer
34-9-9	HOME RULE CHARTERS	Certified copies of HOME RULE CHARTERS and amendments. Certifications report total votes cast for and against the charter or amendment.	Transferred to the State Archives	<ul style="list-style-type: none"> •Obsolete •Contact State Archives to negotiate transfer
34-9-18	WYUKA STATE CEMETERY ANNUAL FINANCIAL STATEMENTS		Immediate disposal	<ul style="list-style-type: none"> •Obsolete 2011 •LB 252, 2011 Session
34-6-2	POWER DISTRICT LEGISLATION AND ELECTION EXPENSE STATEMENTS	Includes quarterly statements filed by public power districts reporting all expenditures, made by the district in connection with any election concerning their properties, or in advertising or publicity campaigns designed to affect legislation.	Immediate disposal	<ul style="list-style-type: none"> •Obsolete 1997 •Neb. Rev. Stat. §70-642.03 Repealed 1997