

# **Schedule 34-14**

# **SECRETARY OF STATE**

# **BUSINESS SERVICES**

November 6, 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	<b>34-14</b>
AGENCY, BOARD OR COMMISSION	<b>SECRETARY OF STATE</b>
DIVISION, BUREAU OR OTHER UNIT	<b>BUSINESS SERVICES</b>
<b>Supersedes Edition of September 4, 2012</b>	

**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

*Catherine A. Danahy*

TITLE

*Chief Deputy Secretary of State*

DATE

*November 5, 2014*

**PART II – APPROVAL OF STATE ARCHIVES:**

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

SIGNATURE

*Gayle Korteig*

DATE

*11/5/2014*

**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

*Dean Haefliger*

DATE

*11/6/14*

**PART IV – APPROVAL OF STATE RECORDS ADMINISTRATOR:**

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

SIGNATURE

*Jim A. Lee*

DATE

*11/6/14*

## **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](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 34-14  
SECRETARY OF STATE  
BUSINESS SERVICES  
November 6, 2014**

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

Supersedes edition of September 4, 2012

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
34-14-1	ACP - PARTICIPANT APPLICATIONS	Applications and supporting documents from people wishing to apply to the Address Confidentiality Program (ACP).	<b>APPROVED:</b> File in ACP PARTICIPANT FILE, Item 34-14-2 <b>REJECTED:</b> Return to applicant <b>DENIED:</b> 4 years	
34-14-2	ACP - PARTICIPANT FILES	Files on participants in ACP. May include but not limited to application, copy of participant card, affidavit(s), check off list, mail log, correspondence & supporting documents that may include court orders, etc.	<b>1 year after expiration of participant's certification</b>	<ul style="list-style-type: none"> <li>•Neb. Rev. Stat §42-12-01 to 42-1210</li> <li>•Confidential record</li> <li>•Shred record</li> </ul>
34-14-3	ACP - PROGRAM LISTS	Address Confidentiality Program (ACP) lists. The ACP Master List contains the list of all participants and may include, but is not limited to: name, participant number and date of enrollment. The ACP Counseling and Shelter Services list is made up of designated state and local agencies and nonprofit entities providing counseling and shelter services to victims of abuse, sexual assault or stalking that may provide application materials and/or assist in completion of application process.	<b>Superseded</b>	<ul style="list-style-type: none"> <li>•Neb. Rev. Stat §42-12-01 to 42-1210</li> <li>•ACP Master List - Confidential record; shred record</li> </ul>
34-14-4	CORPORATION - ACKNOWLEDGEMENTS/ LETTERS/APPROVED E-DOCS	Acknowledgement of filing.	<b>1 year</b>	
34-14-5	CORPORATION - DATABASE	Information for all entities and Annual/Biennial reports. May include but not limited to: Applications for Certificate of Authority, Articles of Incorporation, and Articles of Incorporation for Agricultural Associations, Corporation Occupation Tax Reports, General Index, Registrations of Corporate Names and Indexes, Reservations of Corporate Names and Indexes, Service Marks, Trademarks and Trade Name Registrations and Indexes.	<b>Permanent</b>	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
34-14-6	CORPORATION - GENERAL INDEX	Alphabetical card index to all domestic, foreign, nonprofit, and professional corporation as well as public power, weed and noxious weed, drainage, soil and water conservation, sanitary districts, railroads, nonprofit and non stock corporations, political subdivisions, constitutions of organizations, insurance companies, building and loan associations, banks, nonstock corporations, churches and all corporations that have articles or changes to articles.	Enter into CORPORATIONS DATABASE, item 34-14-5 and destroy	
34-14-7	CORPORATION - NAME CONFLICT CHECK LIST	Form used to review and compare possible business and trade name conflicts.	6 months	
34-14-8	CORPORATION - RECORDS AND DAILY FILINGS	Records of corporations doing business in Nebraska. The corporations may include, but are not limited to: Domestic, Foreign, nonprofit, domesticated corporations, LLC (Limited Liability Company), LCA (Limited Cooperative Association), Agricultural Associations, Joint Public Agencies, Political Subdivisions Districts (i.e. - Soil & Water Conservation, Sanitary and Improvements, Noxious Weed & Drainage). Corporation records and daily filings may include, but are not limited to: Articles of Incorporation, Certification of Organization, Registration of Certificate of Partnership, Foreign Limited Partnerships, Statement of Qualification, Statement of Formation, Amendments, Proofs of Publication, Registered Agent Appointments, Dissolutions, Cancellations, Annual/Biennial Reports, Districts (Soil and Water Conservation, Sanitation and Improvement and Drainage), Service Marks, Trademarks, Trade Names, Registrations, Reservations, Indexes, and Liens.	<b>PAPER/ONLINE RECORD:</b> Scan and/or upload to OnBase following data entry/upload to CORPORATION DATABASE, item 34-14-5; dispose of after 1 year and exception report resolved (whichever is later) <b>SECURITY MICROFILM (PRIOR TO 2009):</b> Transferred to State Archives <b>MICROFILM WORKCOPY (PRIOR TO 2009):</b> Permanent OR convert and upload to OnBase and dispose of after error report issues resolved <b>ELECTRONIC RECORD:</b> Permanent <b>ELECTRONIC FILINGS-NE.GOV BACK-UPS:</b> 5 years	<ul style="list-style-type: none"> <li>•Includes record of all Articles of Incorporation and Organizations (except railroads) 1855 - 1960</li> <li>•Soil and Water Conservation Districts (defunct)</li> <li>•Service Mark/Trademark/Trade Name must be renewed after 10 years</li> <li>•Dissolved corporation liens are no longer received, but information is retained in the CORPORATION DATABASE, item 34-14-5</li> </ul>
34-14-9	CORPORATION - REJECTION LETTERS/DECLINED E-DOCS	Correspondence sent to filer when a document is rejected, explaining the rejection reasons and asking them to correct and return the filing.	1 year	
34-14-10	NOTARY - APOSTILLE AND AUTHENTICATION RECORDS	Apostille Tracker in the Notary System and scanned copies of completed documents in the Notary Share file.	5 years	Records are not used for signature authentication.

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
34-14-11	NOTARY - APPLICATIONS AND APOSTILLE REQUESTS AND REJECTIONS	Photocopies that may include rejected applications, bonds, oaths, correspondence and apostille material.	1 year	
34-14-12	NOTARY - BONDS, OATHS, APPLICATIONS, CANCELLATIONS AND RENEWALS	May include the initial, renewal, resignation, and cancellation applications, bonds, oaths, change of record (after September, 2012).	<b>ORIGINAL RECORD:</b> Scan and/or upload to OnBase; dispose of after 1 year and error report issues resolved (whichever is later) <b>ELECTRONIC RECORD:</b> 100 years <b>SECURITY MICROFILM (PRIOR TO 8/2013):</b> Dispose of with microfilm work copies <b>MICROFILM WORK COPY (PRIOR TO 8/2013):</b> Dispose of after error report issues resolved	
34-14-13	NOTARY - COUNTY OFFICER REPORTS	Lists of names of county officers with their signatures and seals. Report is filed annually by County Clerk.	4 years	Neb. Rev. Stat. §23-1306
34-14-14	NOTARY - DAILY RECEIPTS REPORT	Computer generated report of notary receipts, including fees due from new notaries and renewal applications.	5 years	
34-14-15	NOTARY - MISCELLANEOUS COMMUNICATION	Miscellaneous correspondence received related to the notary program and commissions. May include, but not limited to: requests to return a copy of filing, notary complaints and resolutions, requests for contact information, database requests or other copy requests.	<b>COMPLAINTS:</b> Transfer to SOS-Legal Counsel; 8 years after resolution of complaint <b>DUPLICATE CERTIFICATES:</b> Immediate disposal <b>ALL OTHERS:</b> 6 months	
34-14-16	NOTARY - NEBRASKA PUBLIC DATABASE (CICS)	Database listing all past and present notaries for the State of Nebraska.	100 years after commission expires	
34-14-17	NOTARY - TESTS	Test(s) taken or rejected as part of notary application and/or renewal process.	2 years after date of exam	<ul style="list-style-type: none"> <li>• Started in 2004 to replace petition process</li> <li>• NE Administrative Code, Title 433, Chapter 6, Section 006.003</li> </ul>
34-14-18	UCC - ACKNOWLEDGEMENTS	Acknowledgement generated by the UCC (Uniform Commercial Code) Database.	1 year	
34-14-19	UCC - BUYER REGISTRATION ACCESS DATABASE	Buyer registration requests of the commodity listing, due to Farm Security Act. Must be a buyer of farm products to apply. Indicates the requester, address, contact person, name of commodities, type of listings, etc.	Superseded annually after November 1st	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
34-14-20	UCC - BUYER REGISTRATION FORM AND RECEIPTS	Client designates the types of listings (commodities) desired and what format it is to be sent (microfilm, paper or CD). Includes requester, address, phone and contact information.	REGISTRATION FORM: 5 years MAIL RECEIPT CARD: Each quarter as superseded	•Cards/receipts filed by buyer ID •Neb. Rev. Stat. §52-1312(4)
34-14-21	UCC - DATABASE	Database includes all of the following lien types: UCC filings, Manufactured Homes, Public Finance Transaction, Transmitting Utility, Statutory Agricultural Liens, Federal Tax Liens, State Tax Liens, and Liens in favor of a governmental body (including Abstract of Judgment, Criminal Fine Enforcement and Notice of Lien for Fine or Penalty for Sentencing).	FEDERAL/STATE TAX LIENS AND LEINS IN FAVOR OF A GOVERNMENTAL BODY: Permanent ALL OTHERS: Purge lapsed record 2 years after it becomes inactive	
34-14-22	UCC - FILINGS	Uniform Commercial Code (UCC) filing includes real and personal property mortgages, financing statements and subsequent action documents filed by lending institutions, utility corporations and manufacturers. Also serves as a Debtor Index as it contains all debtors.	ORIGINAL RECORD: Scan and/or upload to OnBase; dispose of after 1 year and error report issues resolved (whichever is later) ELECTRONIC RECORD: Purge lapsed record 2 years after it becomes inactive ELECTRONIC FILINGS-NE.GOV BACK-UPS: 5 years SECURITY MICROFILM (PRIOR TO 2009): Dispose of with microfilm work copies MICROFILM WORK COPY (PRIOR TO 2009): Dispose of after error report issues resolved	
34-14-23	UCC - MONTHLY STATEMENT OF ACTIVITY	Listing of all types of filings (Federal and State Tax Liens and Judgment Filings) during the previous month. Generated by county and split into clerk versus register of deeds.	5 years	
34-14-24	UCC - TAX LIENS	Tax liens filed in the UCC database.	ORIGINAL RECORD: Scan and/or upload to OnBase; dispose of after 1 year and error report issues resolved (whichever is later) ELECTRONIC RECORD: Permanent SECURITY MICROFILM (PRIOR TO 2009): Dispose of with microfilm work copies MICROFILM WORK COPY (PRIOR TO 2009): Dispose of after error report issues resolved	
34-14-25	UCC - TERMINATION REPORT	Monthly listing of database application which is posted on the Secretary of State website.	Superseded	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
34-14-26	UCC - TRANSACTION REPORTS, DAILY	Report lists the previous day's transactions including name, fee and type of filing. Reports summarize the transactions for the respective periods.	5 years	
34-14-27	UCC/EFS - BUYER REGISTRATION LISTING	Computer report which indicates the types of listings, format, and order to be sent to each requester. Used by RMD-Document Imaging Service Center to mail Buyers Registration report.	Superseded	
34-14-28	UCC/EFS - BUYER REGISTRATION REPORT	Quarterly report of information from EFS (Effective Financing Statement) & UCC database sent to registered buyers.	<b>ELECTRONIC RECORD:</b> Superseded <b>SECURITY MICROFILM:</b> Transfer to State Records Center; permanent <b>DUPLICATE COPY (CD &amp; MICROFILM):</b> 1 microfiche and 2 CD copies are returned to Business Services; 5 years	
34-14-29	UCC/EFS - EFFECTIVE FINANCING STATEMENT FILINGS AND DATABASE	Includes agriculture related financing statements and subsequent action documents filed by lending institutions. Filings include on-line and filings input by Secretary of State staff regarding pertinent debtor, secured party, and collateral information.	<b>ORIGINAL RECORD:</b> Scan and/or upload to OnBase; dispose of after 1 year and error report issues resolved (whichever is later) <b>ELECTRONIC RECORD:</b> Purge lapsed record 2 years after it becomes inactive <b>ELECTRONIC FILINGS-NE.GOV BACKUPS:</b> 5 years <b>SECURITY MICROFILM (PRIOR TO 2009):</b> Dispose of with microfilm work copies <b>MICROFILM WORK COPY (PRIOR TO 2009):</b> Dispose of after error report issues resolved	
34-14-30	UCC/EFS - REJECTION NOTICE	Records include rejection notice and copies of original filing documents.	<b>EFS REJECTIONS:</b> 3 months <b>UCC REJECTIONS:</b> 1 year after lapse date that applies to the related financing statement	NE Administrative Code Title 436, Article 9.203
34-14-31	UCC/EFS - RESEARCH RECORDS	Secretary of State (SOS) forms filled out by company or person requesting searches, search job prints and supporting information sent in with initial request.	3 months	
34-14-32	UCC/EFS/CORPORATION - ACCOUNTS RECEIVABLE	Any supporting document received or generated that provides support for payments received for UCC or Corporation services. This may include copies of invoices, reports, deposit documents, distribution worksheets, cash receipt summaries, account application, etc.	<b>INVOICE COPY:</b> Data entry and dispose of after 3 months <b>REPORTS:</b> 5 years <b>ACCOUNT APPLICATION:</b> Permanent	ALL OTHER RECORDS: See ACCOUNTS RECEIVABLE, Item 124-003



ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
34-14-33	FILENET SYSTEM	Former Business Services Image System replaced by move to OCIO OnBase System.	Dispose of after electronic records are transferred to and made usable in the new hardware environment	Obsolete - March 26, 2014
034-014-035	NOTARY - OFFICIAL PUBLIC HANDBOOK	Handbooks explaining Nebraska notary procedures, ethics and laws.	Immediate disposal	<ul style="list-style-type: none"> <li>• Obsolete - May 25, 2014</li> <li>• See Nebraska Administrative Code, Title 433, Chapter 6</li> </ul>
034-014-036	NOTARY - TEST TRACKER DATABASE	Database listing notary applicant, address, test request dates and scores.	Immediate disposal	Obsolete 2010