

**TITLE 1            GENERAL GOVERNMENT ADMINISTRATION**  
**CHAPTER 18      EXECUTIVE RECORDS RETENTION AND DISPOSITION SCHEDULES (ERRDS)**  
**PART 606        ERRDS, COMMISSION FOR THE BLIND**

**1.18.606.1        ISSUING AGENCY:** New Mexico Commission of Public Records - State Records Center and Archives  
[5/25/95; 1.18.606.1 NMAC - Rn, 1 NMAC 3.2.93.1, 1-6-02]

**1.18.606.2        SCOPE:** all state agencies  
[5/25/95; 1.18.606.2 NMAC - Rn, 1 NMAC 3.2.93.2, 1-6-02]

**1.18.606.3        STATUTORY AUTHORITY:** Section 14-3-6 NMSA 1978. Administrator: duties. The administrator shall establish a record management program for the application of efficient and economical management methods of the creation, utilization, maintenance, retention, preservation and disposal of official records. The administrator shall establish records disposal schedules for the orderly retirement of records and adopt regulations necessary for the carrying out of the Public Records Act. Records disposal schedules shall be filed with the librarian of the supreme court library, and shall not become effective until thirty days after the filing date.  
[5/19/97; 1.18.606.3 NMAC - Rn, 1 NMAC 3.2.93.3, 1-6-02]

**1.18.606.4        DURATION:** permanent  
[5/25/95, 5/19/97; 1.18.606.4 NMAC - Rn, 1 NMAC 3.2.93.4, 1-6-02]

**1.18.606.5        EFFECTIVE DATE:** July 30, 1997 unless a later date is specified at the end of a section.  
[5/25/95, 5/19/97; 1.18.606.5 NMAC - Rn, 1 NMAC 3.2.93.5, 1-6-02]

**1.18.606.6        OBJECTIVE:**

**A.** To establish a records management program for the application of efficient and economical management methods to the creation, utilization, maintenance, retention, preservation and disposal of official records (14-3-6 NMSA 1978).

**B.** To establish records disposal schedules for the orderly retirement of records and adopt regulations necessary for the carrying out of the Public Records Act (14-3-6 NMSA 1978).  
[5/25/95, 5/19/97; 1.18.606.6 NMAC - Rn, 1 NMAC 3.2.93.6, 1-6-02]

**1.18.606.7        DEFINITIONS:**

**A.** "**administrator**" means the state records administrator. (section 14-3-2, NMSA 1978)

**B.** "**agency**" means any state agency, department, bureau, board, commission, institution or other organization of the state government, the territorial government and the Spanish and Mexican governments in New Mexico. (Section 14-3-2, NMSA 1978)

**C.** "**audit**" means a periodic examination of an organization to determine whether appropriate procedures and practices are followed.

**D.** "**commission**" means the state commission of public records. (section 14-3-2, NMSA 1978)

**E.** "**pending litigation**" means a proceeding in a court of law whose activity is in progress but not yet completed.

**F.** "**record destruction**" means the process of totally obliterating information on records by any method to make the information unreadable or unusable under any circumstances.

**G.** "**records management**" means the systematic control of all records from creation or receipt through processing, distribution, maintenance and retrieval, to their ultimate disposition.

**H.** "**records retention period**" means the period of time during which records must be maintained by an organization because they are needed for operational, legal, fiscal, historical or other purposes.

**I.** "**records retention schedule**" means a document prepared as part of a records retention program that lists the period of time for retaining records.

**J.** "**public records**" means all books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, made or received by any agency in pursuance of law or in connection with the transaction of public business and preserved, or appropriate for preservation, by the agency 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)

**K. "non-records"** library or museum material of the state library, state institutions and state museums, extra copies of documents reserved only for convenience of reference and stocks of publications and processed documents are non-records. (Section 14-3-2C NMSA 1978). The following specific types of materials are non-records: extra copies of correspondence; documents preserved only for convenience of reference; blank forms and books which are outdated; materials neither made nor received in pursuance of statutory requirements nor in connection with the functional responsibility of the officer or agency; preliminary and non-final drafts of letters; reports and memoranda which may contain or reflect the working or deliberative process by which a final decision or position of the agency, board, department or subdivision thereof is reached: shorthand notes, steno tapes, mechanical recordings which have been transcribed, except where noted on agency retention schedules; routing and other interdepartmental forms which are not significant evidence of the activity concerned and do not otherwise have value as described above; stocks of publications already sent to archives and processed documents preserved for supply purposes only; form and guide letters, sample letters, form paragraphs; subject files, including copies of correspondence, memoranda, publications, reports and other information received by agency and filed by subject (also referred to as reading files or information files). See the General Administrative Record Retention and Disposition Schedule, item number 1.15.2.101 NMAC and 1.15.2.102 for subject files.

[5/25/95, 5/19/97; 1.18.606.7 NMAC - Rn, 1 NMAC 3.2.93.7, 1-6-02]

#### **1.18.606.8 ABBREVIATIONS AND ACRONYMS: [RESERVED]**

#### **1.18.606.9 INSTRUCTIONS:**

**A.** For records of a general administrative nature, refer to the Records Retention and Disposition Schedule for the General Administrative Records, 1.15.2.NMAC.

**B.** For records of a financial nature, refer to the Records Retention and Disposition Schedule for General Financial Records, 1.15.4 NMAC.

**C.** For records of a personnel nature, refer to the Records Retention and Disposition Schedule for the General Personnel Records, 1.15.6 NMAC.

**D.** For records of medical nature, refer to the Records Retention and Disposition Schedule for the General Medical Records, 1.15.8 NMAC.

**E.** Retention periods shall be extended until six months after all current or pending litigation, current claims, audit exceptions or court orders involving a record have been resolved or concluded.

**F.** The descriptions of files are intended to be evocative, not complete; for example, there will always be some documents that are filed in a file that are not listed in the description, and similarly, not every file will contain an example of each document listed in the description.

**G.** Confidentiality is denoted as "-C-". Not all materials in a file may be confidential. Refer to NOTE. Where portions of file may be confidential, refer to legal counsel for agency.

**H.** Access to confidential documents and confidential files shall be only by authorization of agency or Attorney General or by court order, unless otherwise provided by statute. Release of confidential documents to law enforcement and other government agencies, shall only be upon specific statutory authorization or court order.

**I.** All records, papers or documents may be photographed, microfilmed, micro-photographed or reproduced on film. Such photographs, microfilms, photographic film or microphotographs shall be deemed to be an original record for all purposes, including introduction in evidence in all courts or administrative agencies. (Section 14-1-5, 14-1-6 NMSA 1978)

**J.** Data processing and other machine readable records. Many paper records are being eliminated when the information has been placed on magnetic tapes, disks, or other data processing media. In these cases, the information on the data processing medium should be retained for the length of time specified in records retention and disposition schedules for paper records and should be subject to the same confidentiality and access restrictions as paper records. When the destruction of a record is required, all versions of said record shall be electronically over-written on machine readable media on which it is stored (or media destroyed). See also 1.13.70 NMAC: Performance Guidelines for the Legal Acceptance of Public Records produced by Information Technology Systems. [5/25/95, 5/19/97; 1.18.606.9 NMAC - Rn, 1 NMAC 3.2.93.8, 1-6-02]

#### **1.18.606.10 - 100 [RESERVED]**

#### **1.18.606.101 VOCATIONAL REHABILITATION COUNSELING CASE FILE:**

- A. **Program:** commission for the blind
- B. **Maintenance:** alphabetical
- C. **Description:** contains rehabilitation plan, medical eye report, contact reports, correspondence, memoranda, etc.
- D. **Retention:** five years after close of fiscal year in which case file closed  
[7-30-97; 1.18.606.101 NMAC - Rn, 1 NMAC 3.2.93.606.101, 1-6-02]

**1.18.606.102 REHABILITATION TEACHING PROGRAM FILE:**

- A. **Program:** commission for the blind
- B. **Maintenance:** alphabetical
- C. **Description:** contains rehabilitation teaching plan, eye examination report, health report, visual disability form, contact notes, correspondence, memoranda, etc.
- D. **Retention:** five years after close of fiscal year in which case file closed  
[7-30-97; 1.18.606.102 NMAC - Rn, 1 NMAC 3.2.93.606.102, 1-6-02]

**1.18.606.103 EMERGENCY MEDICAL EYE CARE PROGRAM FILE:**

- A. **Program:** commission for the blind
- B. **Maintenance:** alphabetical
- C. **Description:** contains eye examination report, application for services, payment authorization progress reports, correspondence, memoranda, etc.
- D. **Retention:** five years after close of fiscal year in which case file closed  
[7-30-97; 1.18.606.103 NMAC - Rn, 1 NMAC 3.2.93.606.103, 1-6-02]

**1.18.606.104 STATE REGISTER CARD FILE:**

- A. **Program:** commission for the blind
- B. **Maintenance:** alphabetical
- C. **Description:** shows name, address, eye condition, physician, statistical information, etc.
- D. **Retention:** 100 years from date of birth  
[7-30-97; 1.18.606.104 NMAC - Rn, 1 NMAC 3.2.93.606.104, 1-6-02]

**1.18.606.105 VENDING FACILITY OPERATORS REPORT:**

- A. **Program:** commission for the blind
- B. **Maintenance:** alphabetical
- C. **Description:** shows operator name, facility number, cash sales from operation, cost of goods, operating expenses, net profit to the operator, etc.
- D. **Retention:** six years after close of fiscal year in which created  
[7-30-97; 1.18.606.105 NMAC - Rn, 1 NMAC 3.2.93.606.105, 1-6-02]

**1.18.606.106 VENDING FACILITY VOUCHERS:**

- A. **Program:** commission for the blind
- B. **Maintenance:** [RESERVED]
- C. **Description:** [RESERVED]
- D. **Retention:** six years after close of fiscal year in which created  
[7-30-97; 1.18.606.106 NMAC - Rn, 1 NMAC 3.2.93.606.106, 1-6-02]

**1.18.606.107 VENDING FACILITY CHECKS:**

- A. **Program:** commission for the blind
- B. **Maintenance:** [RESERVED]
- C. **Description:** [RESERVED]
- D. **Retention:**
  - (1) **cancelled:** six years after close fiscal year in which created
  - (2) **voided:** until audit report released  
[7-30-97; 1.18.606.107 NMAC - Rn, 1 NMAC 3.2.93.606.107, 1-6-02]

**1.18.606.108 VENDING FACILITY BANK RECONCILIATION FILE:**

- A. **Program:** commission for the blind

- B. Maintenance:** chronological
- C. Description:** shows beginning balance per bank statement, deposits, outstanding check amount, returned check amount, etc.
- D. Retention:** six years after close fiscal year in which created  
[7-30-97; 1.18.606.108 NMAC - Rn, 1 NMAC 3.2.93.606.108, 1-6-02]

**1.18.606.109 VENDING FACILITY FINANCIAL STATEMENT FILE:**

- A. Program:** commission for the blind
- B. Maintenance:** chronological
- C. Description:** contains trial balance, balance sheet, income statements, etc
- D. Retention:** six years after close fiscal year in which created  
[7-30-97; 1.18.606.109 NMAC - Rn, 1 NMAC 3.2.93.606.109, 1-6-02]

**1.18.606.110 VENDING FACILITY TAX WITHHOLDING FILE:**

- A. Program:** commission for the blind
- B. Maintenance:** chronological
- C. Description:** contains internal revenue service form 1099, internal revenue service form 1096 and New Mexico taxation and revenue department form CRS-9, etc.
- D. Retention:** 10 years after close of calendar year for which tax is withheld  
[7-30-97; 1.18.606.110 NMAC - Rn, 1 NMAC 3.2.93.606.110, 1-6-02]

**1.18.606.111 COMBINED REPORT FORM (CRS-1):**

- A. Program:** commission for the blind
- B. Maintenance:** chronological
- C. Description:** shows address and phone number of district offices, name of taxpayer, name and address of agency to return form to, municipality and county name, location number, gross receipts (excluding tax), deductions, taxable gross receipts, tax rate, gross receipts tax, totals for gross receipts (excluding tax) and deductions and gross receipts tax, compensating tax, withheld income tax, total tax due, penalty, interest, total amount due, amended report information, payment information, tax period, New Mexico CRS identification number, phone number, verification statement, taxpayer or agent signature, title, date, etc.
- D. Retention:** 10 years after close of calendar year for which tax is due  
[7-30-97; 1.18.606.111 NMAC - Rn, 1 NMAC 3.2.93.606.111, 1-6-02]

**1.18.606.112 EMPLOYERS QUARTERLY FEDERAL TAX RETURN/941:**

- A. Program:** commission for the blind
- B. Maintenance:** chronological
- C. Description:** shows name, trade name, address, date quarter ended, employer identification number, IRS use information blocks, future filing information, date final wages paid, seasonal employer information, number of employees employed in the pay period that includes March 12th, parent corporation employer identification number, total wages and tips subject to withholding plus other compensation, total income tax withheld from wages, tips, pensions, annuities, sick pay, gambling, etc., adjustment of withheld income tax for preceding quarters of calendar year, adjusted total of income tax withheld, taxable social security wages paid, taxable tips reported, taxable hospital insurance wages paid, total social security taxes, adjustment of social security taxes, adjusted total of social security taxes, backup withholding, adjustment of backup withholding tax for preceding quarters of calendar year, adjusted total of backup withholding, total taxes, advance earned income credit payments, net taxes, total deposits for quarter (including overpayment applied from a prior quarter), balance due, overpayment information, record of federal tax liability, verification statement, signature, title, date, instructions, etc.
- D. Retention:** 10 years after close of calendar year for which withholding is made  
[7-30-97; 1.18.606.112 NMAC - Rn, 1 NMAC 3.2.93.606.112, 1-6-02]

**1.18.606.113 VENDING FACILITY CASE FILE:**

- A. Program:** commission for the blind
- B. Maintenance:** alphabetical
- C. Description:** contains records pertinent to operation of vending facility, profit and loss statements, inventory records, transaction records, etc.

**D. Retention:** five years after close of fiscal year in which vending facility closes  
[7-30-97; 1.18.606.113 NMAC - Rn, 1 NMAC 3.2.93.606.113, 1-6-02]

**1.18.606.114 FIELD PROGRAM, CASE SERVICE FILE:**

**A. Program:** commission for the blind

**B. Maintenance:** alphabetical

**C. Description:** contains status form R-11, contact reports, case summaries, applications, survey interview, agency referrals, medical and eye examination information, psychological information, medical consultants' worksheets, training reports, grades, transcripts, social security administration documentation, bill payment authorizations, correspondence, memoranda, etc.

**D. Retention:** five years after close of fiscal year in which case closed  
[7-30-97; 1.18.606.114 NMAC - Rn, 1 NMAC 3.2.93.606.114, 1-6-02]

**1.18.606.115 LOW VISION CLINIC FILE:**

**A. Program:** commission for the blind

**B. Maintenance:** alphabetical

**C. Description:** contains pre-office visit eye examination, optometrist report, teachers report on client, etc.

**D. Retention:** inactive records shall be kept 10 years (1.15.8.101 NMAC)  
[7-30-97; 1.18.606.115 NMAC - Rn, 1 NMAC 3.2.93.606.115, 1-6-02]

**HISTORY OF 1.18.606 NMAC:**

Pre-NMAC History: The material in this section was derived from that previously filed with the State Records Center:

SRC Rule No. 86-21, Records Retention and Disposition Schedule for Commission for the Blind, 12-10-86.

SRC Rule No. 90-02, Records Retention and Disposition Schedule for Commission for the Blind, 8-31-90.

History of Repealed Material: [RESERVED]