

**TITLE 1            GENERAL GOVERNMENT ADMINISTRATION**  
**CHAPTER 18      EXECUTIVE RECORDS RETENTION AND DISPOSITION SCHEDULES (ERRDS)**  
**PART 394        ERRDS, OFFICE OF THE STATE TREASURER**

**1.18.394.1        ISSUING AGENCY:** State Commission of Public Records - State Records Center and Archives.  
[1.18.394.1 NMAC - Rp, 1.18.394.1 NMAC, 07/20/2014]

**1.18.394.2        SCOPE:** office of the state treasurer.  
[1.18.394.2 NMAC - Rp, 1.18.394.2 NMAC, 07/20/2014]

**1.18.394.3        STATUTORY AUTHORITY:** Section 14-3-4 NMSA 1978, it shall be the duty of the commission to adopt and publish rules to carry out the purposes of the Public Records Act. Section 14-3-6 NMSA 1978, the administrator shall establish a records management program for the application of efficient and economical management methods for the creation, utilization, maintenance, retention, preservation and disposal of public records.  
[1.18.394.3 NMAC - Rp, 1.18.394.3 NMAC, 07/20/2014]

**1.18.394.4        DURATION:** Permanent.  
[1.18.394.4 NMAC - Rp, 1.18.394.4 NMAC, 07/20/2014]

**1.18.394.5        EFFECTIVE DATE:** July 20, 2014 unless a later date is cited at the end of the section.  
[1.18.394.5 NMAC - Rp, 1.18.394.5 NMAC, 07/20/2014]

**1.18.394.6        OBJECTIVE:** To establish a records retention schedule for the orderly management, retention, disposition and preservation of records necessary for carrying out the Public Records Act pursuant to Section 14-3-6 NMSA 1978.  
[1.18.394.6 NMAC - Rp, 1.18.394.6 NMAC, 07/20/2014]

**1.18.394.7        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.        "Archives"** means the permanent records of the state of New Mexico, which may include government and private collections of the Spanish, Mexican, territorial and statehood periods, assessed to have significant historical value to warrant their preservation by the state of New Mexico. The term also refers to the organizational unit of the SRCA storing these records.
- D.        "Audit"** means a periodic examination of an organization to determine whether appropriate procedures and practices are followed.
- E.        "Commission"** means the state commission of public records (Section 14-3-2 NMSA 1978).
- F.        "Disposition"** means final action that puts into effect the results of an appraisal decision for a series of records (i.e., transfer to archives or destruction).
- G.        "Microphotography"** means the transfer of images onto film and electronic imaging or other information storage techniques that meet the performance guidelines for legal acceptance of public records produced by information system technologies pursuant to regulations adopted by the commission.
- H.        "Non-record"** 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 file or informational files.
- I.        "Par"** means the nominal dollar amount assigned to a security
- J.        "Pending litigation"** means a proceeding in a court of law whose activity is in progress but not yet completed.
- K.        "Public record"** 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).

**L. "Records custodian"** means the statutory head of the agency using or maintaining the records or the custodian's designee.

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

**N. "Records liaison officer"** means the person designated by the agency records custodian to be authorized to submit requests for the transfer, withdrawal or destruction of records created by the agency.

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

**P. "Records retention and disposition schedule"** means rules adopted by the commission pursuant to Section 14-3-4 NMSA 1978 describing records of an agency, establishing a timetable for their life cycle and providing authorization for their disposition.

**Q. "Repurchase agreement"** means an instrument that is used in the money market to raise short term funds.

**R. "Retention"** 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.

**S. "State archives"** means the organizational unit of the SRCA that is mandated by law to collect, preserve and make available to the public and all branches of government, permanent records, historical manuscripts, photographs and other materials that contribute to the understanding of New Mexico history.

**T. "State records center"** means the central records depository that is the principle state facility for the storage and disposition of inactive records of the state.

[1.18.394.7 NMAC - Rp, 1.18.394.7 NMAC, 07/20/2014]

#### **1.18.394.8 ABBREVIATIONS AND ACRONYMS:**

**A. "CFR"** stands for code of federal regulations.

**B. "EDRRDS"** stands for education records retention and disposition schedules.

**C. "ERRDS"** stands for executive records retention and disposition schedules.

**D. "GRRDS"** stands for general records retention and disposition schedules.

**E. "JRRDS"** stands for judicial records retention and disposition schedules.

**F. "LGIP"** stands for local government investment pool.

**G. "LRRDS"** stands for legislative records retention and disposition schedules.

**H. "LGRRDS"** stands for local government records retention and disposition schedules.

**I. "SHARE"** stands for statewide human resources, accounting, and management reporting system.

**J. "SRCA"** stands for state records center and archives.

**K. "USC"** stands for United States code.

[1.18.394.8 NMAC - Rp, 1.18.394.8 NMAC, 07/20/2014]

#### **1.18.394.9 INSTRUCTIONS:**

**A.** Records retention and disposition schedules identify the types of records maintained by state agencies and specify a period of time which records must be retained. A retention period may be stated in terms of months or years and is sometimes expressed as contingent upon the occurrence of an event. There are several types of records retention and disposition schedules promulgated by the commission for state agencies. General schedules list records common to all agencies and executive schedules list records specific to an agency. Each record series will be represented in the format listed below.

(1) **Program** - describes the function of the records

(2) **Maintenance system** - describes how an agency files (organizes) records

(3) **Description** - describes the purpose and content of a record

(4) **Retention** - defines the length of time records must be kept before they are eligible for destruction or archival preservation.

**B.** For records of a general administrative nature, refer to the GRRDS, General Administrative, 1.15.2 NMAC.

**C.** For records of a financial nature, refer to the GRRDS, General Financial, 1.15.4 NMAC.

**D.** For records of a personnel nature, refer to the GRRDS, General Personnel, 1.15.6 NMAC.

- E.** For records of a medical nature, refer to the GRRDS, General Medical, 1.15.8 NMAC.
- F.** 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.
- G.** The descriptions of files are intended to be evocative, not complete. For example, there will always be some documents that are included 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.
- H.** Confidentiality is denoted for files likely to contain confidential materials or information; however files without a confidentiality note may contain confidential or privileged information. Failure to include a confidentiality note in the description of a record series does not waive confidentiality. Refer questions concerning the confidentiality of a file to legal counsel for the agency.
- I.** Records may be photographed, microfilmed, digitized or converted to computer output microfilm provided a microphotography plan has been approved by the state records administrator (Section 14-3-17 NMSA 1978). Such photographs, microfilms, photographic film or microphotographs shall be deemed to be an original record for all purposes, including introduction as evidence in all courts or administrative agencies (Section 14-1-6 NMSA 1978).
- J.** Public records placed on magnetic tapes, disks or other data processing media shall be retained for the length of time specified in records retention and disposition schedules and are subject to the same confidentiality and access restrictions as paper records. See also 1.13.70 NMAC, Performance Guidelines for the Legal Acceptance of Public Records Produced by Information Technology Systems.
- K.** Email is a transmission medium for content that may or may not be a public record. Email messages that contain information sent or received by an agency in connection with the transaction of official state business or in pursuance of law are public records and are subject to retention requirements established in records retention and disposition schedules. Email messages are required to be categorized, filed and retained on the basis of content (1.13.4 NMAC, Records Management Requirements for Electronic Messaging). The content of email messages may vary considerably; therefore, each email shall be evaluated to determine if it meets the definition of a public record as defined in the Public Records Act. Non-records or transitory emails that do not provide evidence of official agency policies or business transactions may be deleted.
- L.** Non-scheduled public records created by an agency in pursuance of law or in connection with the transaction of public business shall have a retention period of permanent until such time the non-scheduled record has been scheduled and a retention period adhering to operational, legal, fiscal, historical or other purposes is established.  
[1.18.394.9 NMAC - Rp, 1.18.394.9 NMAC, 07/20/2014]

**1.18.394.10 - 1.18.394.100 [RESERVED]**

**1.18.394.101 BOND DEBT AND SALES FILES:**

- A. Program:** investments
- B. Maintenance system:** chronological by date, then numerical by bond number
- C. Description:** records documenting the purchase and repayment of bonds purchased by the state. Files may include copy of bond information packet, copy of department of finance and administration fund maintenance form, copy of minutes of meeting regarding purchase, copy of bank account documentation (e.g., account number, routing number, bank name, location, etc.), official copy of operating transfers, copy of reversion or reimbursements, copy of month-end closing of interest earned, copy of reconciliation of bonds, copy of drawdown request, copy of bond information from state agency (e.g., drawdown requests, etc.), post 1986 bond input file, post 1986 bond activity report, calculation of rebate, copy of payment voucher, copy of operating transfer for debt service payments, copy of SHARE documentation (e.g., transactions that have occurred with the bond money, etc.), correspondence, etc.
- D. Retention:**
  - (1) **Bond purchased:** seven years from date of bond repayment, provided that a certificate of destruction of debt has been prepared
  - (2) **Bond denied:** three years from date of denial
- E. Confidentiality:** Portions of this record may be confidential.  
[1.18.394.101 NMAC - Rp, 1.18.394.101, 106, 120 & 121 NMAC, 07/20/2014]

**1.18.394.102 OVERNIGHT REPURCHASE AGREEMENT FILES:**

- A. Program:** investments

- B. Maintenance system:** chronological by date
  - C. Description:** records documenting the purchase and sale of investment securities as overnight investments. Files may include overnight worksheet, copy of sale letter, confirmation of collateral spreadsheet, wire transfer documentation (e.g., account numbers, financial entity demographic information, routing numbers, wire confirmation, etc.), copy of purchase letter, trade documentation (e.g., trade ticket, proof of bids, copy of data system entry, etc.), correspondence, etc.
  - D. Retention:** seven years from close of fiscal year in which security transaction occurred or sold
  - E. Confidentiality:** Portions of this record may be confidential.
- [1.18.394.102 NMAC - Rp, 1.18.394.102 NMAC, 07/20/2014]

**1.18.394.103 PURCHASE AND SALE LETTERS OF TREASURY FILES:**

- A. Program:** investments
  - B. Maintenance system:** chronological by date, then numerical by portfolio number
  - C. Description:** records documenting the purchase and sale of securities for the state. Files may include trade compliance checklist, security summary, trade ticket, chief information officer approval of trade recommendation, correspondence, etc.
  - D. Retention:** seven years from close of fiscal year in which security was purchased or sold
  - E. Confidentiality:** Portions of this record may be confidential.
- [1.18.394.103 NMAC - Rp, 1.18.394.103 NMAC, 07/20/2014]

**1.18.394.104 SECURITY RECEIPT FILES:**

- A. Program:** investments
  - B. Maintenance system:** chronological by date, then numerical by security number
  - C. Description:** records documenting the sale, purchase and maturity of securities for the state. Portions of this file are input to the *financial reporting system database*, 1.18.394.116 NMAC. Files may include application for purchase, copy of financial reporting system database documentation (e.g., interest rate, terms of security, financial institution name, location, etc.), copy of bond, copy of certificate of deposit, copy of wire transfer documentation (e.g., account numbers, financial entity demographic information, routing numbers, wire confirmation, etc.), copy of SHARE documentation (e.g., transactions that have occurred with the security money, etc.), correspondence, etc.
  - D. Retention:**
    - (1) **Security maturity reached:** seven years from close of fiscal year in which security matured
    - (2) **Withdrawn application:** three years from date application was withdrawn
  - E. Confidentiality:** Portions of this record may be confidential.
- [1.18.394.104 NMAC - Rp, 1.18.394.104 NMAC, 07/20/2014]

**1.18.394.105 BROKER DEALER FILES:**

- A. Program:** investments
  - B. Maintenance system:** chronological by date, then alphabetical by entity name
  - C. Description:** records documenting the certification and approved agreement of broker dealers to operate on behalf of the state. Files may include application, financial industry regulatory authority report, regulation and licensing New Mexico certification report, signed copy of the code of conduct, copy of broker dealer financial documentation (e.g., financial statements, performance report, etc.), copy of company audit, agreement, correspondence, etc.
  - D. Retention:**
    - (1) **Certification and agreement approved files:** seven years from close of fiscal year from date agreement terminated
    - (2) **Denied application files:** three years from close of fiscal year from date application denied
  - E. Confidentiality:** Portions of this record may be confidential.
- [1.18.394.105 NMAC - Rp, 1.18.394.198 NMAC, 07/20/2014]

**1.18.394.106 [RESERVED]**

**1.18.394.107 INTEREST DISTRIBUTION FILES:**

- A. Program:** investments
- B. Maintenance system:** chronological by date, then alphabetical by bond series name

**C. Description:** records documenting the payment of interest on bonds issued by the state. Files may include copy of wire transfer documentation to receiving bank (e.g., account numbers, financial entity information, routing numbers, wire confirmation, etc.), correspondence, etc.

**D. Retention:** seven years from close of fiscal year from date of distribution

**E. Confidentiality:** Portions of this record may be confidential.

[1.18.394.107 NMAC - Rp, 1.18.394.107 NMAC, 07/20/2014]

**1.18.394.108 DAILY INTEREST RATE MONITORING FILES:**

**A. Program:** investments

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

**C. Description:** records documenting the monitoring of treasury bond notes and bill rates of financial institutions. Files may include copy of investment rates, copy of local government investments pool rates, copy of input of overnight rates, copy of overnight worksheet, etc.

**D. Retention:** two years from close of fiscal year from date created

[1.18.394.108 NMAC - Rp, 1.18.394.108 NMAC, 07/20/2014]

**1.18.394.109 CERTIFICATE OF DEPOSIT FILES:**

**A. Program:** investments

**B. Maintenance system:** chronological by date, then alphabetical by institution name

**C. Description:** records documenting the purchase of certificate of deposits. Files may include purchase application, purchase ticket, copy of investment rates, financial institution documentation (e.g., account number, routing number, bank name, location, etc.), final agreement letter, copies of account change documentation, authorization of transaction to broker, certificate of deposit input sheets, certificate of deposit report, maturity tickets, correspondence, etc.

**D. Retention:**

(1) **Certificate purchased files:** seven years from date of maturity

(2) **Application denied files:** three years from close of fiscal year in which denied

**E. Confidentiality:** Portions of this record may be confidential.

[1.18.394.109 NMAC - Rp, 1.18.394.109, 110, 117 & 118 NMAC, 07/20/2014]

**1.18.394.110 [RESERVED]**

**1.18.394.111 NATIONAL DATA CORPORATION AND AUTOMATIC CLEARING HOUSE TRANSACTION FILES:**

**A. Program:** investments

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

**C. Description:** records documenting the daily investment activities within the state. Files may include copy of warrant certificate, copy of payment documentation (e.g., payment amount, financial institution, etc.), copy of cash account information, bank statements, bank reconciliation, bank letter, bank letter remittances, daily receipts, daily disbursements, correspondence, etc.

**D. Retention:** seven years from close of fiscal year in which audit was approved

**E. Confidentiality:** Portions of this record may be confidential.

[1.18.394.111 NMAC - Rp, 1.18.394.111, 112, 113 & 114 NMAC, 07/20/2014]

**1.18.394.112 RECONCILIATION OF SECURITIES CUSTODIAN TRANSACTION FILES:**

**A. Program:** investments

**B. Maintenance system:** chronological by date, then numerical by custodian's portfolio number

**C. Description:** records documenting the reconciliation by the investments division between the financial reporting system and the custodian's daily transaction report. Files may include daily reconciliation worksheet, monthly reconciliation worksheet, custodial entity reports, financial accounting system reports, correspondence, etc.

**D. Retention:**

(1) **Daily reconciliation report files:** two years from close of fiscal year in which reconciliation occurred

(2) **Monthly reconciliation report files:** seven years from close of fiscal year in which reconciliation occurred

**E. Confidentiality:** Portions of this record may be confidential.  
[1.18.394.112 NMAC - N, 07/20/2014]

**1.18.394.113 - 1.18.394.114 [RESERVED]**

**1.18.394.115 INVESTMENTS MONTH-END REPORT FILES:**

- A. Program:** investments
- B. Maintenance system:** chronological by date
- C. Description:** records documenting the months end monitoring of investment activities performed by the state treasurer's office. Files may include interest distributions, financial reporting system months-end reports, custodial bank reports (e.g., transactions cleared, warrants issued, interest earned, etc.), correspondence, etc.
- D. Retention:** seven years from close of fiscal year in which audit is approved
- E. Confidentiality:** Portions of this record may be confidential.

[1.18.394.115 NMAC - Rp, 1.18.394.115 NMAC, 07/20/2014]

**1.18.394.116 FINANCIAL REPORTING SYSTEM DATABASE:**

- A. Program:** investments
- B. Maintenance system:** numerical by primary key
- C. Description:** database tracks and maintains information for transaction purposes. Data may include security receipts data (e.g., investment type, certificate of deposit, bond, etc.), depository and custodial agreement data (e.g., entity name, location, account numbers, etc.), safekeeping receipt data, local government participant pool daily transaction data, etc.
- D. Data retention:**
  - (1) **Security receipt data:** seven years from close of fiscal year in which security matured
  - (2) **Depository and custodial agreement data:** five years from close of fiscal year in which agreement was updated or entity is non-compliant
  - (3) **Safekeeping receipt data:** three years from close of fiscal year in which audit report is released
  - (4) **Local government participant pool daily transaction data:** seven years from close of fiscal year in which audit is approved
- E. Confidentiality:** Portions of this record may be confidential.
- F. Input:** records used as input to the *financial reporting system database* are filed in the corresponding *security receipt files*, 1.18.394.104 NMAC; *depository and custodial agreement files*, 1.18.394.156 NMAC; *safekeeping receipt files*, 1.18.394.159 NMAC and *local government participant pool daily transaction files*, 1.18.394.201 NMAC.

**G. Output:** Because the *financial reporting system database* is a data-based system, ad-hoc and regularly scheduled reports are produced. Some of these reports include *state investments committee report*, *state treasurer's annual report*, *income management report*, *inventory report*, *transaction report*, *collateral and encumbrance report*, *equity analysis report*, *broker activity report*, etc.

[1.18.394.116 NMAC - Rp, 1.18.394.116, 160 & 245 NMAC, 07/20/2014]

**1.18.394.117 - 1.18.394.118 [RESERVED]**

**1.18.394.119 INTERNAL REVENUE SERVICE REBATE FILES:**

- A. Program:** investments
- B. Maintenance system:** chronological by date
- C. Description:** records documenting the return of rebates on state bonds to the internal revenue service. Files may include copy of rebate payments of bonds, arbitrage yield calculations sheet, report of bond amortization, rebate calculations, transferred proceeds calculation, etc.
- D. Retention:** seven years from close of fiscal year in which audit is approved
- E. Confidentiality:** Portions of this record may be confidential.

[1.18.394.119 NMAC - Rp, 1.18.394.119 NMAC, 07/20/2014]

**1.18.394.120 STATE TREASURER'S INVESTMENT COMMITTEE REPORTS:**

- A. Program:** investments
- B. Maintenance system:** chronological by date

**C. Description:** report documenting investment and security transactions conducted by the office of the state treasurer. Reports may show benchmark performance comparisons, expected portfolio gains and losses, investment earnings, projected investment income, compensating balances at fiscal agent bank, collateral summary report, etc.

**D. Retention:** seven years from close of fiscal year from date of report  
[1.18.394.120 NMAC - Rp, 1.18.394.131 NMAC, 07/20/2014]

**1.18.394.121 - 1.18.394.125 [RESERVED]**

**1.18.394.126 ACCOUNT AUTHORIZATION ROUTING LOG:**

**A. Program:** cash management

**B. Maintenance system:** chronological by date, then numerical by business unit number

**C. Description:** records documenting the account authorization activity of state agencies and LGIP. Log may show *closed account information, internal routing information, account authorization information, account recertification information*, etc.

**D. Retention:** seven years from close of fiscal year in which there is a statutory change or dissolution of the business unit

**E. Confidentiality:** Portions of this record may be confidential.

[1.18.394.126 NMAC - N, 07/20/2014]

**1.18.394.127 DAILY TRANSACTION BANK STATEMENT FILES:**

**A. Program:** cash management

**B. Maintenance system:** chronological by date, then numerical by business unit number

**C. Description:** records documenting daily financial transactions performed by state agencies and the LGIP. Files may include daily transaction statements, correspondence, etc.

**D. Retention:** seven years from close of fiscal year in which statement was created

**E. Confidentiality:** Portions of this record may be confidential.

[1.18.394.127 NMAC - Rp, 1.18.394.133 NMAC, 07/20/2014]

**1.18.394.128 RECONCILIATION OF EXTERNAL TRANSACTION REPORTS:**

**A. Program:** cash management

**B. Maintenance system:** chronological by date, then numerical by business unit number

**C. Description:** records documenting the monthly reconciliation of transactions performed by state agencies and LGIP. Reports may show agency business unit number, book to bank transactions, (e.g., deposits, warrants issued, etc.), etc.

**D. Retention:** seven years from close of fiscal year from date of reconciliation

[1.18.394.128 NMAC - Rp, 1.18.394.148 NMAC, 07/20/2014]

**1.18.394.129 DEPOSITORY ACCOUNT BALANCE REPORT FOR DEMAND AND SAVINGS ACCOUNT FILES:**

**A. Program:** cash management

**B. Maintenance system:** chronological by date, then numerical by business unit number

**C. Description:** records documenting the monthly certification of cash balances in financial institution accounts for state agencies and LGIP. Files may include *office of the state treasurer cash management division depository account balance report for demand and savings accounts form*, copy of financial statement from financial institution, correspondence, etc.

**D. Retention:**

(1) **Approved files:** seven years from close of fiscal year in which form processed

(2) **Withdrawn files:** three years from close of fiscal year in which entity is placed on non-reporting list

**E. Confidentiality:** Portions of this record may be confidential.

[1.18.394.129 NMAC - N, 07/20/2014]

**1.18.394.130 JUDICIAL DISTRICT COURT RECONCILIATION FILES:**

**A. Program:** cash management

**B. Maintenance system:** chronological by date, then numerical by business unit number

**C. Description:** records documenting the reconciliation of all judicial district court financial transactions. Files may include copy of deposits, copy of withdrawals, copy of bank statements, state treasurer deposit slips, reconciliation report, correspondence, etc.

**D. Retention:** seven years from close of fiscal year from date of reconciliation  
[1.18.394.130 NMAC - Rp, 1.18.394.134 & 149 NMAC, 07/20/2014]

**1.18.394.131 STOP PAYMENT FILES:**

**A. Program:** cash management

**B. Maintenance system:** chronological by date, then numerical by business unit number

**C. Description:** records documenting stop payment actions. Files may include stop payment request form, copy of affidavit, verification report, correspondence, etc.

**D. Retention:** seven years from close of fiscal year from date of action  
[1.18.394.131 NMAC - Rp 1.18.394.186, 187 & 203 NMAC, 07/20/2014]

**1.18.394.132 MONTHLY CASH OFFICE FUNDS SYSTEM REPORTS PACKET:**

**A. Program:** cash management

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

**C. Description:** records documenting the monitoring and compliance of state agencies, and LGIP depository activity in authorized accounts. Files may include cover letter, *judicial district court balances summary* report, *roll up summary* report, *closed accounts - new month* report, *new accounts - current month* report, *state fund deposit compliance summary* report, *statutory limitation on state fund deposits* report, *analysis of state funds by financial institution* report, *list of non-reporting agencies* report, *directory by financial institution*, *director by financial institution - agency deposit balances*, *director by state agency - (state & non-state)*, *directory by state agency - (state & non-state fund balances)*, *directory by state agency - (state funds)*, *directory by state agency - (state fund balances)*, *directory by state agency - (non-state funds balances)*, *certificates of deposit report*, *collateral summary report*, *6-month average report*, *state agency account balances - interest bearing account*, *state agency account balances - non-interest bearing account*, etc.

**D. Retention:** seven years from close of fiscal year in which packet is submitted

**E. Confidentiality:** Portions of this record may be confidential.  
[1.18.394.132 NMAC - Rp, 1.18.394.140 & 143 NMAC, 07/20/2014]

**1.18.394.133 STATE CASH FORECASTING REPORTS:**

**A. Program:** cash management

**B. Maintenance system:** chronological by date, then numerical by business unit number

**C. Description:** records documenting the forecasting of daily and yearly cash availability for investments by the state. Reports may include spreadsheets (e.g., deposits, withdrawals, etc.), etc.

**D. Retention:** seven years from close of fiscal year from date of report  
[1.18.394.133 NMAC - N, 07/20/2014]

**1.18.394.134 CASH MANAGEMENT IMPROVEMENT ACT AGREEMENT FILES:**

**A. Program:** cash management

**B. Maintenance system:** chronological by date, then numerical by business unit number

**C. Description:** records documenting terms and condition for the use of federal funds by state agencies. Files may include agreement, notification memo, proposed changes memo, final agreement, correspondence, etc.

**D. Retention:** seven years from close of fiscal year in which audit is approved  
[1.18.394.134 NMAC - N, 07/20/2014]

**1.18.394.135 RULES OF BEHAVIOR FORMS:**

**A. Program:** cash management

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

**C. Description:** forms documenting the authorization of a user to the cash management improvement act federal database system. Portions of this file are input to the *cash management improvement act federal database system*. Forms may show user identification, last name, first name, email address, user's signature, supervisor's information (e.g., name, contact email address, title, etc.), etc.

**D. Retention:** seven years from close of fiscal year from date user no longer authorized

[1.18.394.135 NMAC - N, 07/20/2014]

**1.18.394.136 CASH MANAGEMENT IMPROVEMENT ACT REPORTS FILES:**

- A. **Program:** cash management
- B. **Maintenance system:** chronological by date, then numerical by business unit number
- C. **Description:** records documenting the identification of interest liability on federal funds not utilized by the state. Portions of this file are input to the *cash management improvement act federal database system*. Files may include monthly recap report, annual reports bank statements, expenditures, correspondence, etc.
- D. **Retention:** seven years from close of fiscal year in which report created

[1.18.394.136 NMAC - Rp, 1.18.394.137 NMAC, 07/20/2014]

**1.18.394.137 FEDERAL GRANT FUNDS EXPENDITURE AUDIT FILES:**

- A. **Program:** cash management
- B. **Maintenance system:** chronological by date, then numerical by business unit number
- C. **Description:** records documenting the audit of federal fund expenditures by state agencies. Portions of this file are input to the *cash management improvement act federal database system*. Files may include agency profile, engagement letter, list of reports required, audit scope, entrance conference report, exit conference report, compliance review report, agency response to review, correspondence, etc.
- D. **Retention:** seven years from close of fiscal year in which audit is approved

[1.18.394.137 NMAC - N, 07/20/2014]

**1.18.394.138 [RESERVED]**

**1.18.394.139 AUTHORIZATION REQUEST FOR DEPOSIT FILES:**

- A. **Program:** cash management
- B. **Maintenance system:** chronological by date, then numerical by business unit number
- C. **Description:** records documenting the requests from state agencies and LGIPs for authorization to open deposit accounts with financial institutions. Files may include authorization request for deposit form, correspondence, etc.
- D. **Retention:** seven years from close of fiscal year in which account closed

[1.18.394.139 NMAC - Rp 1.18.394.139 NMAC, 07/20/2014]

**1.18.394.140 QUARTERLY CONSOLIDATED REPORT OF CONDITIONS REPORTS FILES:**

- A. **Program:** cash management
- B. **Maintenance system:** chronological by date, then numerical by business unit number
- C. **Description:** report documenting the monitoring of operational procedures and financial conditions of financial institutions currently holding state funds. Files may include report (e.g., deposits, loans, liquidity of financial institutions, etc.), correspondence, etc.
- D. **Retention:** seven years from close of fiscal year in which report is created

[1.18.394.140 NMAC - Rp, 1.18.394.141 NMAC, 07/20/2014]

**1.18.394.141 FORGED WARRANT FILES:**

- A. **Program:** cash management
- B. **Maintenance system:** chronological by date, then numerical by business unit number
- C. **Description:** records documenting the identification of forged warrants and the reimbursement of funds. Files may include forged warrant notification form, verification report, affidavit, copies of warrants, adjustment letter to bank, bond for duplicate state warrant form, surety bond form, correspondence, etc.
- D. **Retention:** seven years from close of fiscal year from date of reimbursement

[1.18.394.141 NMAC - Rp 1.18.394.190, 204 NMAC, 07/20/2014]

**1.18.394.142 CASH OFFICE FUNDS TRACKING SYSTEM:**

- A. **Program:** cash management
- B. **Maintenance system:** numerical by primary key
- C. **Description:** database tracks and maintains all financial transactions conducted by state agencies and the LGIP. Data may include financial institution data, agency account data, account balance data, judicial district court balances summary data, roll up summary data, closed accounts-new month data, new accounts-current

month data, state fund deposit compliance summary data, statutory limitation on state fund deposits data, analysis of state funds by financial institution data, list of non-reporting agencies data, directory by financial institution data, director by financial institution-agency deposit balances data, directory by state agency state and non-state fund balance data, directory by state agency-state funds data, certificates of deposit data, collateral summary data, state agency account balances for interest bearing accounts data, state agency account balances for non-interest bearing accounts data, etc.

**D. Data retention:** seven years from close of fiscal year in which audit is approved

**E. Confidentiality:** Portions of this record may be confidential.

**F. Input:** records used as input into the *cash office funds tracking system* are filed in the corresponding *authorization request for deposit files*, 1.18.394.139 NMAC; *quarterly consolidated report of conditions report files*, 1.18.394.140 NMAC; *monthly cash office funds system reports packet*, 1.18.394.132 NMAC and *depository account balance report for demand and savings account files*, 1.18.394.129 NMAC.

**G. Output:** Because the *cash office funds tracking system* is a data-based system, ad-hoc and regularly scheduled reports are produced. Some of these reports include *judicial district court balances summary*, *roll up summary*, *closed account-current month*, *new account-current month*, *state fund deposit compliance summary*, *statutory limitations on state fund deposits*, *analysis of state funds by financial institutions*, *list of non-report agencies*, *directory by financial institutions*, *directory by financial institutions-agency deposit balances*, *directory by state agency*, *certificates of deposit report*, *collateral summary report*, *6-month average report*, *state agency account balances-interest bearing accounts*, etc.

[1.18.394.142 NMAC - Rp, 1.18.394.138, 144, 145,146 & 171 NMAC, 07/20/2014]

#### **1.18.394.143 - 1.18.394.155 [RESERVED]**

#### **1.18.394.156 DEPOSITORY AND CUSTODIAL AGREEMENT FILES:**

**A. Program:** collateral and compliance

**B. Maintenance system:** chronological by date, then alphabetical by city then financial institution

**C. Description:** records documenting an agreement for a financial institution to receive state deposits and third parties to hold collateral. Portions of this file are input to the *financial reporting system database*, 1.18.394.116 NMAC. Files may include letter of interest, copy of federal deposit insurance corporation certification, copy of financial institution financial statements, analysis of financial institution report, risk assessment calculations, agreement, correspondence, etc.

**D. Retention:**

(1) **Approved agreement files:** seven years from close of fiscal year in which agreement is terminated

(2) **Denied agreement files:** three years from date of denied agreement request  
[1.18.394.156 NMAC - Rp 1.18.394.156 NMAC, 07/20/2014]

#### **1.18.394.157 APPROVED CUSTODIAL BANK FILES:**

**A. Program:** collateral and compliance

**B. Maintenance system:** chronological by date, then alphabetical by institution name

**C. Description:** records documenting the application and approval of financial institutions as custodial entities able to hold collateral on behalf of the state. Files may include letter of interest, application, copy of federal deposit insurance corporation certification, copy of financial statements, copy of state issued licensure, examples of custodial work performed, etc.

**D. Retention:**

(1) **Approved application files:** seven years from close of fiscal year from date of termination or revocation

(2) **Denied application files:** three years from close of fiscal year from date of denial  
[1.18.394.157 NMAC - N, 07/20/2014]

#### **1.18.394.158 STATE INVESTMENT COUNCIL MORTGAGE FILES:**

**A. Program:** collateral and compliance

**B. Maintenance system:** chronological by date, then alphabetical by surname of property owner

**C. Description:** records documenting mortgages utilized by the state investment council as collateral for investments. Files may include safekeeping receipts, letter of request for release from state investment council, authorization form from state treasurer's office, deed of property, etc.

**D. Retention:** seven years from close of fiscal year in which mortgage is released  
[1.18.394.158 NMAC - Rp, 1.18.394.157 & 162 NMAC, 07/20/2014]

**1.18.394.159 SAFEKEEPING RECEIPTS:**

**A. Program:** collateral and compliance  
**B. Maintenance system:** chronological by date, then alphabetical by city then financial institution  
**C. Description:** records documenting financial institutions proof of collateral pledged to secure deposits by the state. Portions of this file are input to the *financial reporting system database*, 1.18.394.116 NMAC. Receipt may show safekeeping par amount, description of security, committee on uniform securities identification procedures number, pool number, security maturity date, principal amount, interest rate, interest amount, authorized custodial signature, etc.

**D. Retention:** seven years from close of fiscal year in which audit is approved

**E. Confidentiality:** Portions of this record may be confidential.  
[1.18.394.159 NMAC - Rp, 1.18.394.158 NMAC, 07/20/2014]

**1.18.394.160 COLLATERAL COMPLIANCE REPORTS:**

**A. Program:** collateral and compliance  
**B. Maintenance system:** chronological by date, then alphabetical by financial entity name  
**C. Description:** record documenting end-of-month balance of accounts and collateral being held by financial entities authorized to hold state funds. Reports may show collateral pledged, collateral committee on uniform securities identification procedures number, par value, market value, issue date, maturity date, etc.

**D. Retention:** seven years from close of fiscal year from date of report  
[1.18.394.160 NMAC - Rp, 1.18.394.142, 159 NMAC, 07/20/2014]

**1.18.394.161 NEW MEXICO FINANCIAL INSTITUTION STATE DEPOSIT QUARTERLY REPORTS:**

**A. Program:** collateral and compliance  
**B. Maintenance system:** chronological by date, then alphabetical by entity name  
**C. Description:** records documenting the assessment of risk in a financial institution and determining the amount of collateral required for investments. Reports may show key financial data, risk assessment ratio, etc.

**D. Retention:** seven years from close of fiscal year in which audit completed  
[1.18.394.161 NMAC - Rp 1.18.394.161 NMAC, 07/20/2014]

**1.18.394.162 ACKNOWLEDGEMENT OF RECEIPT OF SURETY BONDS FROM OFFICE OF SUPERINTENDENT OF INSURANCE FILES:**

**A. Program:** collateral and compliance  
**B. Maintenance system:** chronological by date, then numerical by receipt number  
**C. Description:** records documenting the safekeeping of surety bonds by the state treasurer's office for the office of the superintendent. Files may include surety bond, *New Mexico insurance division application for deposit of surety bonds held as a special or general bonds form*, *official acknowledgement of receipt from office of the state treasurer's form*, correspondence, etc.

**D. Retention:** seven years from close of fiscal year in which insurance company defaults or closes  
[1.18.394.162 NMAC - N, 07/20/2014]

**1.18.394.163 - 1.18.394.175 [RESERVED]**

**1.18.394.176 SELF-EARNING INTEREST DOCUMENTATION ESTABLISHING GRANT FUND FILES:**

**A. Program:** finance  
**B. Maintenance System:** chronological by date, then numerical by business unit number  
**C. Description:** records documenting the interest earned by legislative approved funds to create grants. Files may include notification of funds availability, *chart filed maintenance form*, copy of legislation outlining fund, correspondence, etc.

**D. Retention:** seven years from close of fiscal year from date of grant closure  
[1.18.394.176 NMAC - Rp 1.18.394.200 NMAC, 07/20/2014]

**1.18.394.177 SELF-EARNING INTEREST FUND FILES:**

- A. **Program:** finance
- B. **Maintenance system:** chronological by date, then numerical by business unit number
- C. **Description:** records documenting the calculation of interest earned by the self-earning interest fund account. Files may include interest calculations, correspondence, etc.
- D. **Retention:** seven years from close of fiscal year from date audit approved  
[1.18.394.177 NMAC - N, 07/20/2014]

**1.18.394.178 RECONCILIATION OF DEBT SERVICE FUND FILES:**

- A. **Program:** finance
- B. **Maintenance system:** chronological by date, then numerical by fund number
- C. **Description:** records documenting the reconciliation of state cash accounts. This is a reconciliation between the *cash office funds tracking system* and *SHARE*. Files may include reconciliation report spreadsheet, copy of state trial balance for the month, monthly financial reporting system report, correspondence, etc.
- D. **Retention:** seven years from close of fiscal year in which audit is approved  
[1.18.394.178 NMAC - Rp 1.18.394.219 & 220 NMAC, 07/20/2014]

**1.18.394.179 - 1.18.394.199 [RESERVED]**

**1.18.394.200 LOCAL GOVERNMENT INVESTMENT POOL PARTICIPANT FILES:**

- A. **Program:** investments
- B. **Maintenance system:** chronological by date, then alphabetical by entity name
- C. **Description:** records documenting the creation of short term investment funds for eligible governing bodies. Files may include resolution authorizing investment monies in local short-term investment fund, participant authorization of individual authorized signature letter, transaction letter, local short-term investment fund application form, correspondence, etc.
- D. **Retention:** seven years from close of fiscal year from date of closure request  
[1.18.394.200 NMAC - Rp 1.18.394.241 & 242 NMAC, 07/20/2014]

**1.18.394.201 LOCAL GOVERNMENT INVESTMENT POOL DAILY TRANSACTION FILES:**

- A. **Program:** investments
- B. **Maintenance system:** chronological by date, then alphabetical participant name
- C. **Description:** records documenting the daily transaction activities by participants in the LGIP. Portions of this file are input to the *financial reporting system database*, 1.18.394.116 NMAC. Files may include participant's letters, overnight worksheet, confirmation statement from the bank, wire instructions, maturities report, daily interest posting report, security transactions, correspondence, etc.
- D. **Retention:** seven years from close of fiscal year in which audit is approved
- E. **Confidentiality:** Portions of this record may be confidential.  
[1.18.394.201 NMAC - Rp 1.18.394.243, 246, 247 & 248 NMAC, 07/20/2014]

**1.18.394.202 LOCAL GOVERNMENT INVESTMENT POOL VOUCHER AND RECEIPT FILES:**

- A. **Program:** investments
- B. **Maintenance system:** chronological by date, then alphabetical by participant name
- C. **Description:** records documenting the contribution and withdrawal transaction activity by LGIP participants accounts. Files may include copy of contribution form, copy of withdrawal forms, copy of vouchers, copy of receipts, correspondence, etc.
- D. **Retention:** seven years from close of fiscal year from date of transaction  
[1.18.394.202 NMAC - Rp, 1.18.394.122 & 244 NMAC, 07/20/2014]

**1.18.394.203 LOCAL GOVERNMENT INVESTMENT POOL VOUCHER DAILY INTEREST POSTING REPORTS:**

- A. **Program:** investments
- B. **Maintenance system:** chronological by date, then alphabetical by participant name

**C. Description:** records documenting the daily return of interest earnings to LGIP participants. Reports may show total interest earned, account number, market value, withdrawals, contributions, etc.

**D. Retention:** seven years from date of completion of audit

**E. Confidentiality:** Portions of this record may be confidential.

[1.18.394.203 NMAC - Rp 1.18.394.249 NMAC, 07/20/2014]

#### **1.18.394.204 - 1.18.394.224 [RESERVED]**

#### **1.18.394.225 INTERNAL CONTROL COMPLIANCE UPDATE REPORTS:**

**A. Program:** compliance and quality control

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

**C. Description:** records documenting a weekly internal review regarding progress to certain goals and risk assessment issues. Reports may show risk and opportunity review, strategic and operational planning updates, policies and procedures update, risk assessment notes, strategic planning updates, etc.

**D. Retention:** five years from close of fiscal year from date of audit

[1.18.394.225 - N, 07/20/2014]

#### **1.18.394.226 CAUSE AND EFFECT ANALYSIS REVIEW REPORTS:**

**A. Program:** compliance and quality control

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

**C. Description:** records documenting the cause and effect of deficient internal controls and corrective actions needed. Reports may show conditions of the control, cause of the action, documentation of the effect, recommendations for corrections, conclusions, etc.

**D. Retention:** three years from close of fiscal year from date of report

[1.18.394.226 NMAC - N, 07/20/2014]

#### **1.18.394.227 RISK ASSESSMENT REVIEW WORKPAPERS FILES:**

**A. Program:** compliance and quality control

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

**C. Description:** records documenting internal risk assessment. Files may include daily activity control assessments, cause and effect determinations, corrective action plans, risk assessment on critical functions, correspondence, etc.

**D. Retention:** five years from close of fiscal year from date of corrective action implementation

[1.18.394.227 NMAC - N, 07/20/2014]

#### **HISTORY OF 1.18.394 NMAC:**

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

SRC Rule 67-10, RRDS for New Mexico State Treasurer, 9/10/67

SRC Rule 69-18, RRDS for New Mexico State Treasurer, 9/11/69

SRC Rule 75-16, RRDS for New Mexico State Treasurer, 5/19/75

SRC Rule 80-9, RRDS for New Mexico State Treasurer, 8/27/80

SRC Rule 86-17, RRDS for New Mexico State Treasurer, 9/11/86

SRC Rule 87-05, RRDS for New Mexico State Treasurer, 12/11/87

#### **History of Repealed Material:**

1 NMAC 3.2.93.394 Executive Records Retention and Disposition Schedule State Treasurers Office - repealed 12/15/2000.

1.18.394 NMAC, ERRDS, Office of the State Treasurer, filed 11/15/2000 - Repealed, 07/20/2014.