

<b>LEGISLATIVE COUNSEL COMMITTEE</b>	Policy and Administrative Procedure Manual
Section: Administrative, Legal and Publication Services	
Subject: Public Records Retention Schedule	Number: 142-105
Approved by: Legislative Counsel Committee	Date: 11-18-11

**Purpose:** To provide a schedule that specifies how long the Office of the Legislative Counsel will retain office records that are subject to ORS 192.410 to 192.505.

**Procedure:** The following schedule was compiled with reference to file retention schedules from the Oregon State Archives, statutory requirements for retaining certain documents and other sources, but does not implement or derive directly from a specific state agency policy.

### **Legislative Concept (LC) Files**

LC files may be grouped into three different categories: (1) draft measures and proposed amendments; (2) legal opinions and research requests; and (3) miscellaneous other legal work. Contract review or litigation-related materials are examples of miscellaneous legal work the office routinely performs. LC files contain the request, multiple iterations of drafts and amendments, supporting material and research, correspondence, amendments and miscellaneous other documents. These files are subject to ORS 192.410 to 192.505 but are presumed to be confidential, with certain exceptions. **Retention period: 50 years.**

### **Administrative Rule Review (ARR) Files**

ARR files contain copies of administrative rules that are subject to Legislative Counsel review under ORS 183.715 and 183.720, along with the Legislative Counsel's determination as to whether the rule is within the intent and scope of the enabling legislation that purports to authorize the rule's adoption and as to whether the rule raises any constitutional issue. **Retention period: ARR files that do not contain an adverse determination are not retained. ARR files that contain an adverse determination are retained for five years following the date on which the Legislative Counsel removes the adverse determination from the Legislative Counsel website. The Legislative Counsel will retain an adverse determination on the Legislative Counsel website for the time period prescribed in ORS 183.722.**

### **LC Editing Materials**

LC editing materials consist of various materials prepared in conjunction with draft measures to aid in producing accurate publications. These include:

- Internal editing, drafting and software manuals. **Retention period: six years.**

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- Official Form and Style Manual for Legislative Measures. **Retention period: for electronic final versions, 10 years; for draft work copies, six years.**
- Proposed or draft conflict amendments and background material for preparing conflict amendments, including call logs but not including call sheets. **Retention period: four years.**
- Conflict amendment call sheets: **Retention period: one year.**
- Duplicate measure files for preparing introduced measures, engrossings and enrollings. **Retention period: until two months before the following regular session.**

### **Oregon Revised Statutes Compilation Materials**

ORS compilation materials consist of various materials prepared in support of the biennial compilation of the Oregon Revised Statutes and associated publications, including Oregon Laws. These include the following materials:

- Editing files prepared for each chapter. **Retention period: 50 years**
- Unused “blue sheets” from ORS compilation (laws not codified in ORS and the reason for not codifying). **Retention period: two years.**
- Series cards that document ORS section series. **Retention period: until no longer current or relevant and then, once obsolete, for four years.**
- “Pink sheets,” the section-by-section record of potential errors and inconsistencies in the published ORS volumes, including Special Attention notes, suggestions for the Reviser’s bills and other similar notes. **Retention period: until no longer current or relevant and then, once obsolete, two years.**

### **Docket Files**

Docket files are electronic files from a database that record the receipt, preparation and delivery of legislative measure requests, legal opinions, other legal matters, ORS-related publications and related documents. **Retention period: 20 years.**

### **Contracts**

Contracts subject to this policy are those into which the office of the Legislative Counsel enters to procure goods and services for the office of the Legislative Counsel. For contracts that are subject to review for legal sufficiency, see “LC Files” (above). **Retention period: six years.**

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### **Purchase Orders and Accounting Records**

Purchase orders and accounting records subject to this policy are those that are used in conducting Legislative Counsel business. **Retention period: six years.**

### **Personnel Records**

These are records kept by the Office of the Legislative Counsel as working files and are not official personnel records. **Retention period: two years after the separation of the person for which the record was prepared.**

### **Electronic Mail**

These files consist of all electronic mail that is subject to ORS 192.410 to ORS 192.505. **Retention period: one year, unless the subject matter of the electronic mail message is covered by another retention policy specified elsewhere in this document.**

### **Voicemail, Text Messages, Instant Messages**

These consist of ephemeral communications in a variety of media, the substance of which is related to the business of the Office of the Legislative Counsel. **Retention period: not retained.**

### **General Public Records**

These consist of all other records that are subject to ORS 192.410 to 192.505 and for which a retention period is not otherwise specified in this document. **Retention period: one year.**