

**NEBRASKA STATE RECORDS BOARD  
MEETING: May 5, 1999**

Nebraska State Capitol  
Room 1507  
Lincoln, NE  
May 5, 1999  
9:00 A.M.

SCOTT MOORE  
SECRETARY OF STATE

SUITE 2300 CAPITOL BUILDING  
LINCOLN NEBRASKA 68509-4608  
PHONE (402) 471-2554  
FAX (402) 471-3237  
sosadmin@sos.state.ne.us



# STATE OF NEBRASKA

## NEBRASKA STATE RECORDS BOARD

### AGENDA

1507 STATE CAPITOL

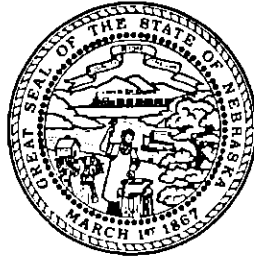
May 5, 1999 - 9:00 A.M.

1. Call to Order, Roll Call
2. Notice of Hearing (Lincoln Journal Star, 4/30/99)
3. Approval of Minutes from March 19th meeting.
4. Records Management Cash Fund Balance
5. Public Hearing--Consideration of Contract Amendment Between Explore and The Department of Motor Vehicles
6. Miscellaneous Matters
7. Schedule Next Meeting
8. Adjournment

RECORDS MANAGEMENT  
DIVISION

MAY 03 1999

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## NEBRASKA STATE RECORDS BOARD

### MINUTES

Meeting of March 19, 1999

The meeting was called to order by Chairman Scott Moore at 10:00 A.M. on March 19, 1999, in Room 1507 of the State Capitol, Lincoln, Nebraska.

The following board members were present:

Scott Moore, Chairman;  
Dave Heineman;  
John Dale;  
Mark Sutko;  
Don Stenberg;  
Jeff Funk;  
Lauren Hill, representing the Governor;  
Craig Schroeder.

Not present were:

Terry Harder;  
Kathy Nathan.

Excused until they arrived were:

Kate Witek;  
Lori McClurg.

Chairman Moore noted that the legal notice of hearing was published in the March 12, 1999, Lincoln Journal Star.

The minutes of the meeting of January 15, 1999, were considered. Mr. Heineman moved that the minutes be approved as circulated; motion seconded by Ms. Hill.

Voting For:	Dale Schroeder	Funk Stenberg	Sutko Heineman	Moore Hill
Voting Against:	None			
Absent:	Witek	McClurg	Harder	Nathan

The motion carried.

Greg Lemon, Deputy Secretary of State, introduced and discussed the current and past monthly beginning cash balances of the State Records Board account in the Records Management Cash Fund. The March 2, 1999 balance was \$289,373.

Chairman Moore said the budget request submitted by the Board was approved by the Governor and Appropriations Committee.

Attorney General Stenberg discussed the Attorney General's Opinion issued to the Board on 2/9/99. Mr. Stenberg stated that the opinion required the amendment to the contract between Explore and the Department of Motor Vehicles be approved by the State Records Board as well as the other parties involved.

Mr. Moore opened the public hearing on the proposed amendment to the existing contract between the Department of Motor Vehicles (DMV) and Explore, Inc.

Keith Dey, Information Systems Manager of DMV, discussed the proposed modification of the existing contract with Explore. Treasurer Heineman and other Board Members questioned the two-tiered rate structure for records that has been created by the Explore contract. There was lengthy discussion of the current contract, the payment formula, and the relationship of the contract to the \$3.00 per certified driver abstract fee established in statute.

State Auditor Kate Witek arrived at the meeting.

After consideration by the Board of the contract between DMV and Explore, a motion was made to table this amendment to the contract by Attorney General Stenberg and seconded by Jeff Funk. No objection so amendment was tabled.

A motion was made by Auditor Witek and seconded by Moore to approve the amendment to the contract with Explore as submitted by the Department of Motor Vehicles.

Voting For:	Witek	Funk	Moore	
Voting Against:	Hill Heineman	Sutko	Dale	Stenberg
Not Voting:	Schroeder			
Absent:	Harder	McClurg	Nathan	

The motion failed.

A motion was made by State Treasurer Heineman and seconded by Mr. Sutko to get an Attorney General's opinion on whether the statutory fee for certified driver's abstracts applies to the records sold under the current agreement with Explore, and whether the Board can approve a fee that is different from the statutory fee.

Voting For:	Witek Heineman Sutko	Schroeder Hill	Dale Moore	Funk Stenberg
Voting Against:	None			
Absent:	Harder	McClurg	Nathan	

The motion carried.

The public hearing on the amendment to the contract between DMV and Explore was closed.

Bill Ptacek gave an update on the current project undertaken by the Records Management Division regarding the archiving of Websites, E-mail, and Digital Imaging. He mentioned the public forum on March 16, 1999, on this matter. Gregory S. Hunter, PhD, CRM, CA, has been retained as a consultant to assist in the development of these standards.

Sam Somerhalder, General Manager for Nebrask@ Online, let the Board know that all records of all premium services provided are kept permanently on Nebrask@ Online. He also discussed the distribution of general manager's reports and other items to the Board members by E-mail. The Board had no objections to this type of distribution method and no problem with the current system. Mr. Lemon stated that if that were the case E-mail would be used more extensively for distribution of reports and other information to the Board in the future. Sam told the Board that the Justice System, Attorney General's Opinions, Rules and Regulations, Birth Certificates and a master search engine were all close to being done or already done and available on the network. And lastly, Mr. Somerhalder stated that Nebrask@ Online is currently being audited as provided in the contract with the Board.

Chairman Moore announced that the next meeting of the Board would be at 9:00 A.M. on May 5, 1999.

Mr. Dale moved the meeting be adjourned; motion seconded by Mr. Schroeder.

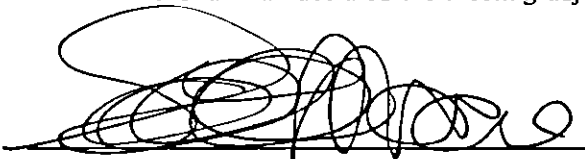
Voting For:	Dale	Witek	Funk	Heineman
	Hill	Moore	Schroeder	Stenberg
	Sutko			

Voting Against: None

Absent:	Harder	McClurg	Nathan
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The motion carried.

The Chairman declared the meeting adjourned at 12:35 P.M.



Scott Moore  
Chairman  
State Records Board



A Welcome Message from **Scott Moore**

**NEBRASKA STATE RECORDS BOARD**

**MINUTES**

**Meeting of March 19, 1999**

**These minutes are subject to approval by the Nebraska State Records Board at its next meeting.**

The meeting was called to order by Chairman Scott Moore at 10:00 A.M. on March 19, 1999, in Room 1507 of the State Capitol, Lincoln, Nebraska.

The following board members were present:

Scott Moore, Chairman;

Dave Heineman;

John Dale;

Mark Sutko;

Don Stenberg;

Jeff Funk;

Lauren Hill, representing the Governor;

Craig Schroeder.

Not present were:

Terry Harder;

Kathy Nathan

Excused until they arrived were:

Kate Witek;

Lori McClurg;

Chairman Moore noted that the legal notice of hearing was published in the March 12, 1999, Lincoln Journal Star

The minutes of the meeting of January 15, 1999, were considered. Mr. Heineman moved that the minutes be approved as circulated; motion seconded by Ms. Hill.

Voting For: Dale, Funk, Sutko, Moore, Schroeder, Stenberg, Heineman, Hill

Voting Against: None

Absent: Witek, McClurg, Harder, Nathan

The motion carried.

Greg Lemon, Deputy Secretary of State, introduced and discussed the current and past monthly beginning cash balances of the State Records Board account in the Records Management Cash Fund. The March 2, 1999 balance was \$289,373.

Chair Moore said the budget request submitted by the Board was approved by the Governor and Appropriations Committee.

Attorney General Stenberg discussed the Attorney General's Opinion issued to the Board on 2/9/99. Mr. Stenberg stated that the opinion required the amendment to the contract between Explore and Department of Motor Vehicles be approved by the Record Board as well as the other parties involved.

Mr. Moore opened the public hearing on the proposed amendment to the existing contract between the Department of Motor Vehicles (DMV) and Explore, Inc.

Keith Dey, Information Systems Manager of DMV, discussed the proposed modification of the existing contract with Explore. Treasurer Heineman and other Board members questioned the two-tiered rate structure for records that has been created by the Explore contract. There was lengthy discussion of the current contract, the payment formula, and the relationship of the contract to the \$3.00 per certified driver abstract fee established in statute.

State Auditor Kate Witek arrived at the meeting.

After consideration by the Records Board of the contract between DMV and Explore, a motion was made to table this amendment to the contract by Attorney General Stenberg and seconded by Jeff Funk. No objection so amendment was tabled.

A motion was made by Auditor Witek and seconded by Moore to approve the amendment to the contract with Explore as submitted by the Department of Motor vehicles.

Voting For: Witek, Funk, Moore

Voting Against: Hill, Sutko, Dale, Stenberg, Heineman

Abstaining: Schroeder

Absent: Harder, McClurg, Nathan

The motion failed.

A motion was made by State Treasurer Heineman to get an Attorney General's opinion on whether the statutory fee for certified driver's abstract's applies to the records sold under the current agreement with Explore, and whether the Records Board can approve a fee that is different from the statutory fee.

Voting For: Witek, Schroeder, Dale, Funk, Heineman, Hill, Moore, Stenberg, Sutko

Voting Against: None

Absent: Harder, McClurg, Nathan

The motion carried.

The public hearing on the amendment to the contract between DMV and Explore was closed.

Bill Ptacek gave an update on the current project undertaken by the Records Management Division regarding the archiving of Websites, E-mail and Digital Imaging. He mentioned the public forum on March 16, 1999 on this matter. Gregory S. Hunter, PhD., CRM, CA, has been retained as a consultant to assist in the development of these standards.

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Chairman Moore announced that the next meeting of the Board would be at 9:00 A.M. on May 5, 1999.

Mr. Dale moved the meeting be adjourned; motion seconded by Mr. Schroeder.

Voting For: Dale, Witek, Funk, Heineman, Hill, Moore, Nathan, Schroeder, Stenberg, Sutko

Voting Against: None

Absent: Harder, McClurg, Nathan

The motion carried.

The Chairman declared the meeting adjourned at 12:35 P.M.





A Welcome Message from **Scott Moore**

Membership of the State Records Board

Scott Moore, Secretary of State  
(Chair)

Mike Johanns, Governor

Don Stenberg, Attorney General

Kate Witek, State Auditor

Dave Heineman, State Treasurer

Lori McClurg, Director of  
Administrative Services

Craig Schroeder, Holbrook;  
representing the General Public

Mark A. Sutko, Kearney;  
representing the Banking Industry

John F. Dale, Lincoln;  
representing the Libraries

Jeff L. Funk, Grand Island;  
representing the Media

Katheryn A. Nathan, Fremont;  
representing the Insurance  
Industry

Terri S. Harder, Minden;  
representing the Legal Profession

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## Cathy

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**From:** Deena Kumke [sos04@nol.org]  
**Sent:** Thursday, April 29, 1999 12:49 PM  
**To:** Cathy Danahy  
**Subject:** Agenda

Thought you would like a copy of this. Deena

Dear State Records Board Members:

Included in this E-mail is the agenda for the next meeting. The meeting

will take place (as scheduled at the last meeting) On Wednesday, May 5, at 9:00 AM in room 1507 of the Capitol. I will also be sending out the agenda and minutes regular mail. As always the minutes of the meeting are also posted on our website <http://www.nol.org/home/SOS/>

You should have already recived a copy of the Attroney General's Opinion

on the Explore contract, if you have not let me know and I will get you a copy as soon as possible.

NEBRASKA STATE RECORDS BOARD  
AGENDA  
1507 STATE CAPITOL  
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