

ASSEMBLY BILL NO. 460—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF DEPARTMENT OF MUSEUMS,
LIBRARY AND ARTS)

MARCH 10, 1999

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to department of museums, library and arts. (BDR 33-1576)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to the department of museums, library and arts; revising the qualifications of the director of the department; requiring the administrator of the division of museums and history of the department to appoint the director of the Nevada state museum; removing certain obsolete provisions; revising the titles and classification of certain employees of the department; authorizing the board of museums and history of the department to establish reasonable fees for certain services; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 378.0086 is hereby amended to read as follows:
2 378.0086 The director:
3 1. Is appointed by and responsible to the governor, and serves at the
4 pleasure of the governor.
5 2. Is in the unclassified service of the state.
6 3. Shall not engage in any other gainful employment or occupation.
7 4. Must be selected with special reference to training, experience,
8 capacity and interest in cultural resources, arts or library or archive
9 management, or any combination thereof. ***His knowledge and abilities***
10 ***must include, without limitation:***

1 (a) *A comprehensive knowledge of administrative principles and a*
2 *working knowledge of broad principles relating to subject matters under*
3 *his administrative direction;*

4 (b) *The administrative ability to assess the adequacy of agency*
5 *operations and the protection of the public interest as related to the*
6 *subject matters;*

7 (c) *The ability to organize and present oral and written*
8 *communications to the governor, the legislature and other pertinent*
9 *officials or persons; and*

10 (d) *The ability to oversee the carrying out of the statutory*
11 *responsibilities of the department and of the policies, rules and*
12 *regulations of the department.*

13 5. Must have demonstrated ability and 4 years of experience
14 administering a major public agency ~~in the field of museums, libraries or~~
15 ~~arts, or a related agency.]~~ *or in business administration.*

16 6. Must have ~~an advanced degree in the humanities, history, science,~~
17 ~~the arts, library science, or a related field, or in public administration.]~~ *a*
18 *degree from an accredited 4-year college or university.*

19 **Sec. 2.** NRS 378.010 is hereby amended to read as follows:

20 378.010 The state library and archives administrator:

21 1. Is appointed by ~~and~~, *is* responsible to ~~the director and he~~, *and*
22 serves at the pleasure of the director.

23 2. Must be appointed on the basis of merit.

24 3. Is in the ~~classified service, except for the purposes of removal.]~~
25 *unclassified service of the state.*

26 **Sec. 3.** NRS 381.005 is hereby amended to read as follows:

27 381.005 1. The administrator is appointed by *, is responsible to, and*
28 *serves at the pleasure of* the director. The director shall consult with the
29 board before making the appointment.

30 2. To be qualified for appointment, the administrator must have a
31 degree in history or science and experience in public administration.

32 3. The administrator is in the unclassified service of the state.

33 4. The administrator may employ, within the limits of legislative
34 appropriations, such staff as is necessary to the performance of his duties.

35 **Sec. 4.** NRS 381.008 is hereby amended to read as follows:

36 381.008 When not in conflict with any condition or restraint placed on
37 a gift and with the approval of the board, the director ~~or curator~~ of each
38 institution of the division may sell duplicates, surplus and items
39 inappropriate to the collection of the institution. The proceeds of the sale
40 must be held in trust and may be expended only for the purchase of
41 photographs, memorabilia and other historical articles, and collections
42 related to history, prehistory or natural history to enrich the collection of
43 the institution.

1 **Sec. 5.** NRS 381.120 is hereby amended to read as follows:

2 381.120 1. The ~~{governor}~~ **administrator** shall appoint a director
3 ~~{from a list of three names submitted by the board and the administrator.}~~,
4 **who is in the classified service.** The director must have:

5 (a) An advanced degree in science or history; and

6 (b) At least 3 years' experience in managing a museum.

7 2. The director may employ and fix the duties, powers and conditions
8 of employment of necessary curators, assistants, janitors, laborers, guards
9 and employees of the Nevada state museum.

10 3. ~~{Except for the director and two assistants, all employees of the~~
11 ~~Nevada state museum whose salaries are paid from the general fund~~
12 ~~appropriation are in the classified service of the state. The director is in the~~
13 ~~unclassified service. The director may, within the limits of legislative~~
14 ~~appropriation, fix the annual salaries of the two assistants.~~

15 ~~—4.}~~ When any employee is required to perform any travel in
16 conjunction with his duties and at the specific instruction of his supervisor,
17 he is entitled to receive his expenses.

18 ~~{5.—Except as otherwise provided in NRS 284.143, the director shall~~
19 ~~devote his entire time and attention to the business of his office and shall~~
20 ~~not pursue any other business or occupation or hold any other office of~~
21 ~~profit.}~~

22 **Sec. 6.** NRS 381.265 is hereby amended to read as follows:

23 381.265 As used in NRS 381.270 to 381.335, inclusive, ~~{“curator”}~~
24 **“director”** means the ~~{curator}~~ **director** of the Lost City museum.

25 **Sec. 7.** NRS 381.270 is hereby amended to read as follows:

26 381.270 1. The Lost City museum is hereby established as an
27 institution within the division.

28 2. The administrator shall appoint a ~~{curator of the Lost City museum,}~~
29 **director**, who is in the classified service.

30 **Sec. 8.** NRS 381.275 is hereby amended to read as follows:

31 381.275 The ~~{curator}~~ **director** may:

32 1. Govern, manage and control the exhibit and display of all property
33 and things of the Lost City museum;

34 2. Trade, exchange and transfer exhibits and duplicates thereof when
35 he considers it proper, and those transactions shall not be deemed sales;

36 3. Audit and approve all bills, claims and accounts for the Lost City
37 museum;

38 4. Collect all money and other property received by the Lost City
39 museum from memberships, sales, interest or dividends from any sources
40 other than appropriation by the legislature; and

41 5. Adopt rules for the internal management of the Lost City museum.

1 **Sec. 9.** NRS 381.285 is hereby amended to read as follows:

2 381.285 The ~~curator~~ **director** shall use any gift of money or other
3 property the Lost City museum is authorized to accept in a manner
4 consistent with the purposes of the museum.

5 **Sec. 10.** NRS 381.315 is hereby amended to read as follows:

6 381.315 The ~~curator~~ **director** may hire and fix the duties, powers and
7 conditions of employment of necessary technical and clerical personnel.

8 **Sec. 11.** NRS 381.325 is hereby amended to read as follows:

9 381.325 The ~~curator~~ **director** may set the qualifications for life,
10 honorary, annual, sustaining and such other memberships as he considers
11 necessary.

12 **Sec. 12.** NRS 381.335 is hereby amended to read as follows:

13 381.335 1. The ~~curator~~ **director** shall make a report biennially to
14 the administrator, who shall submit the report to the governor. The report
15 must embrace the transactions, work and expenditures of the institution.

16 2. The report must be printed.

17 **Sec. 13.** NRS 381.405 is hereby amended to read as follows:

18 381.405 1. The administrator shall appoint a director of the Nevada
19 museum and historical society ~~[-]~~ **, who is in the classified service.** The
20 director must have:

21 (a) An advanced degree in science or history; and

22 (b) At least 3 years' experience in managing a museum.

23 2. The director may employ and fix the duties, powers and conditions
24 of employment of necessary curators, assistants, janitors, laborers, guards
25 and employees of the Nevada museum and historical society.

26 3. ~~{The director is in the unclassified service.~~

27 ~~—4.}~~ When any employee is required to perform any travel in
28 conjunction with his duties and at the specific instruction of his supervisor,
29 he is entitled to receive his expenses.

30 ~~{5.—Except as otherwise provided in NRS 284.143, the director shall~~
31 ~~devote his entire time and attention to the business of his office and shall~~
32 ~~not pursue any other business or occupation or hold any other office of~~
33 ~~profit.}~~

34 **Sec. 14.** Chapter 381A of NRS is hereby amended by adding thereto
35 the provisions set forth as sections 15 and 16 of this act.

36 **Sec. 15.** ***“Administrator” means the administrator of the division of***
37 ***museums and history of the department of museums, library and arts.***

38 **Sec. 16.** ***“Director” means the director of a Nevada state railroad***
39 ***museum.***

1 **Sec. 17.** NRS 381A.010 is hereby amended to read as follows:
2 381A.010 As used in this chapter, ~~{“curator” means the curator of a~~
3 ~~Nevada state railroad museum.}~~ *unless the context otherwise requires, the*
4 *words and terms defined in sections 15 and 16 of this act have the*
5 *meanings ascribed to them in those sections.*

6 **Sec. 18.** NRS 381A.030 is hereby amended to read as follows:

7 381A.030 1. The ~~{director of the department of museums, library~~
8 ~~and arts}~~ *administrator* shall adopt regulations:

9 ~~{1.}~~ *(a)* Governing the use and operation of locomotives, motorcars,
10 cars, recreational or commercial rides on the trains and fixtures owned by
11 the State of Nevada.

12 ~~{2.}~~ *(b)* For the safe operation of locomotives, motorcars, cars,
13 recreational or commercial rides on the trains and fixtures owned by the
14 State of Nevada.

15 *2. The board of museums and history may establish reasonable fees*
16 *for recreational or commercial rides on the trains and fixtures owned by*
17 *the State of Nevada. If the board establishes such fees, the board shall*
18 *submit a schedule of the fees and any revisions to the fees to the*
19 *administrator for inclusion in the regulations adopted pursuant to*
20 *subsection 1.*

21 **Sec. 19.** NRS 381A.040 is hereby amended to read as follows:

22 381A.040 The administrator ~~{of the division of museums and history}~~
23 shall appoint a ~~{curator}~~ *director* of each of the Nevada state railroad
24 museums . ~~{, who are}~~ *Each director is* in the classified service.

25 **Sec. 20.** NRS 381A.050 is hereby amended to read as follows:

26 381A.050 A ~~{curator}~~ *director* may:

27 1. Govern, manage and control the exhibit and display of all property
28 of the museum;

29 2. Trade, exchange and transfer exhibits and duplicates thereof when
30 he considers it proper, and the transactions are not sales;

31 3. Audit and approve all bills, claims and accounts for the museum;

32 4. Collect all money and other property received by the museum from
33 memberships, sales, interest or dividends from any sources other than
34 appropriation by the legislature; and

35 5. Adopt regulations for the internal management of the museum.

36 **Sec. 21.** NRS 381A.080 is hereby amended to read as follows:

37 381A.080 A ~~{curator}~~ *director* may hire and fix the duties, powers and
38 conditions of employment of necessary technical and clerical personnel.

39 **Sec. 22.** NRS 381A.090 is hereby amended to read as follows:

40 381A.090 A ~~{curator}~~ *director* may set the qualifications for life,
41 honorary, annual, sustaining and such other memberships as he considers
42 necessary.

1 **Sec. 23.** NRS 381A.100 is hereby amended to read as follows:
2 381A.100 Each ~~curator~~ **director** shall make a report biennially to the
3 administrator, ~~[of the division of museums and history,]~~ who shall submit
4 the report to the director of the department of museums, library and arts.
5 The report must embrace the transactions, work and expenditures of the
6 museum.

7 **Sec. 24.** NRS 382.0135 is hereby amended to read as follows:
8 382.0135 1. The administrator shall appoint a director of the Nevada
9 historical society. The director must have:
10 (a) An advanced degree in science, history or a discipline related to the
11 functions of the historical society; and
12 (b) At least 3 years' experience in managing a similar type of agency.
13 2. The director is in the ~~unclassified~~ **classified** service.

14 **Sec. 25.** NRS 383.031 is hereby amended to read as follows:
15 383.031 The administrator of the office:
16 1. Must be selected by the director with special reference to his
17 training, experience, capacity and interest in historic preservation or
18 archeology, or both.
19 2. Must have an advanced degree in history, archeology, architectural
20 history, historic preservation or a related field or in public administration
21 with course work and experience in one of the fields of historic
22 preservation and archeology.
23 **3. Is appointed by, is responsible to, and serves at the pleasure of the**
24 **director.**
25 **4. Is in the unclassified service of the state.**

26 **Sec. 26.** NRS 233C.080 is hereby amended to read as follows:
27 233C.080 ~~[1.—The director]~~ **The administrator** of the council ~~[must]~~ :
28 **1. Must** be selected by the director of the department of museums,
29 library and arts with special reference to his training, experience, capacity
30 and interest in the arts . ~~[from a list of three candidates submitted by the~~
31 ~~council.~~
32 ~~—2.—The director of the council must]~~ **The director shall consult with**
33 **the council before making the appointment.**
34 **2. Must** have a degree in the arts or a related field or in public
35 administration with course work and experience in at least one of the arts.
36 **3. Is appointed by, is responsible to, and serves at the pleasure of the**
37 **director.**
38 **4. Is in the unclassified service of the state.**

39 **Sec. 27.** NRS 233C.094 is hereby amended to read as follows:
40 233C.094 1. The account for license plates for the support of the
41 education of children in the arts is hereby created in the state general fund.
42 The ~~[director]~~ **administrator** of the council shall administer the account.

1 2. The money in the account does not lapse to the state general fund at
2 the end of any fiscal year.

3 3. The money in the account must be used only for the support of
4 programs for the education of children in the arts and must not be used to
5 replace or supplant funding available from other sources.

6 **Sec. 28.** This act becomes effective upon passage and approval.

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