

ASSEMBLY BILL NO. 33—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE DIVISION OF
STATE LIBRARY AND ARCHIVES)

PREFILED DECEMBER 20, 2014

Referred to Committee on Government Affairs

SUMMARY—Changes the name of the Division of State Library
and Archives of the Department of Administration.
(BDR 33-318)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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 State Library and Archives; changing the
name of the Division of State Library and Archives of the
Department of Administration to the Division of State
Library, Archives and Public Records; and providing
other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill: (1) changes the name of the State Library and Archives to the State
2 Library, Archives and Public Records; (2) changes the name of the Division of
3 State Library and Archives to the Division of State Library, Archives and Public
4 Records; and (3) changes the name of the State Library and Archives Administrator
5 to the State Library, Archives and Public Records Administrator.

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

1 **Section 1.** NRS 378.005 is hereby amended to read as follows:
2 378.005 As used in this chapter:
3 1. ***“Administrator” means the State Library, Archives and***
4 ***Public Records Administrator.***
5 2. “Department” means the Department of Administration.
6 ~~2.~~ 3. “Director” means the Director of the Department.



~~13.1~~ 4. "Division" means the Division of State Library , ~~and~~ Archives *and Public Records* of the Department.

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

378.010 The ~~[State Library and Archives]~~ Administrator:

1. Is appointed by, responsible to, and serves at the pleasure of the Director.

2. Must be appointed on the basis of merit.

3. Is in the classified service, except for the purposes of removal.

Sec. 3. NRS 378.090 is hereby amended to read as follows:

378.090 Any gift of money to the State Library , ~~and~~ Archives *and Public Records* or to the State of Nevada for its library or archives which the ~~[State Library and Archives]~~ Administrator is authorized to accept must be deposited in the State Treasury in a fund to be known as the Gift Fund for the State Library , ~~and~~ Archives ~~[.]~~ *and Public Records*. This Fund is a continuing fund without reversion, and money in the Fund must be used for those purposes only and expended in accordance with the terms of the gift. Any interest and income earned on the money in the Fund, after deducting any applicable charges, must be credited to the Fund.

Sec. 4. NRS 378.170 is hereby amended to read as follows:

378.170 1. There is hereby created within the State Library , ~~and~~ Archives *and Public Records* a State Publications Distribution Center.

2. The ~~[State Library and Archives]~~ Administrator:

(a) Except as otherwise provided in paragraph (b), may adopt such regulations as may be necessary to carry out the purposes of the Center.

(b) Shall adopt regulations prescribing the procedures for submitting an electronic version of a publication to the Center pursuant to NRS 378.180.

Sec. 5. NRS 232.213 is hereby amended to read as follows:

232.213 1. The Department of Administration is hereby created.

2. The Department consists of a Director and the following:

(a) Budget Division.

(b) Risk Management Division.

(c) Hearings Division, which consists of hearing officers, compensation officers and appeals officers.

(d) State Public Works Division.

(e) Purchasing Division.

(f) Administrative Services Division.

(g) Division of Internal Audits.

(h) Division of Human Resource Management.



(i) Division of Enterprise Information Technology Services.

(j) Division of State Library , ~~and~~ Archives ~~and~~ *Public Records.*

(k) Office of Grant Procurement, Coordination and Management.

(l) Fleet Services Division.

Sec. 6. NRS 232.215 is hereby amended to read as follows:
232.215 The Director:

1. Shall appoint an Administrator of the:

(a) Risk Management Division;

(b) State Public Works Division;

(c) Purchasing Division;

(d) Administrative Services Division;

(e) Division of Internal Audits;

(f) Division of Human Resource Management;

(g) Division of Enterprise Information Technology Services;

(h) Division of State Library , ~~and~~ Archives ~~and~~ *Public Records;*

(i) Office of Grant Procurement, Coordination and Management;
and

(j) Fleet Services Division.

2. Shall appoint a Chief of the Budget Division, or may serve in this position if the Director has the qualifications required by NRS 353.175.

3. Shall serve as Chief of the Hearings Division and shall appoint the hearing officers and compensation officers. The Director may designate one of the appeals officers in the Division to supervise the administrative, technical and procedural activities of the Division.

4. Is responsible for the administration, through the divisions of the Department, of the provisions of chapters 233F, 242, 284, 331, 333, 336, 338 and 341 of NRS, NRS 353.150 to 353.246, inclusive, and 353A.031 to 353A.100, inclusive, chapter 378 of NRS and all other provisions of law relating to the functions of the divisions of the Department.

5. Is responsible for the administration of the laws of this State relating to the negotiation and procurement of medical services and other benefits for state agencies.

6. Has such other powers and duties as are provided by law.

Sec. 7. NRS 239.005 is hereby amended to read as follows:

239.005 As used in this chapter, unless the context otherwise requires:

1. "Actual cost" means the direct cost related to the reproduction of a public record. The term does not include a cost



1 that a governmental entity incurs regardless of whether or not a
2 person requests a copy of a particular public record.

3 2. "Agency of the Executive Department" means an agency,
4 board, commission, bureau, council, department, division, authority
5 or other unit of the Executive Department of the State Government.
6 The term does not include the Nevada System of Higher Education.

7 3. "Committee" means the Committee to Approve Schedules
8 for the Retention and Disposition of Official State Records.

9 4. "Division" means the Division of State Library , ~~land~~
10 Archives **and Public Records** of the Department of Administration.

11 5. "Governmental entity" means:

12 (a) An elected or appointed officer of this State or of a political
13 subdivision of this State;

14 (b) An institution, board, commission, bureau, council,
15 department, division, authority or other unit of government of this
16 State, including, without limitation, an agency of the Executive
17 Department, or of a political subdivision of this State;

18 (c) A university foundation, as defined in NRS 396.405; or

19 (d) An educational foundation, as defined in NRS 388.750, to
20 the extent that the foundation is dedicated to the assistance of public
21 schools.

22 6. "Privatization contract" means a contract executed by or on
23 behalf of a governmental entity which authorizes a private entity to
24 provide public services that are:

25 (a) Substantially similar to the services provided by the public
26 employees of the governmental entity; and

27 (b) In lieu of the services otherwise authorized or required to be
28 provided by the governmental entity.

29 **Sec. 8.** 1. Any administrative regulations adopted by an
30 officer or entity whose name has been changed or whose
31 responsibilities have been transferred pursuant to the provisions of
32 this act remain in force until amended by the officer or entity to
33 which the responsibility for the adoption of the regulations has been
34 transferred.

35 2. Any contracts or other agreements entered into by an officer
36 or entity whose name has been changed pursuant to the provisions
37 of this act are binding upon the officer or entity to which the
38 responsibility for the administration of the provision of the contract
39 or other agreement has been transferred. Such contracts and other
40 agreements may be enforced by the officer or entity to which the
41 responsibility for the enforcement of the provisions of the contract
42 or other agreements has been transferred.

43 3. Any action taken by an officer or entity whose name has
44 been changed pursuant to the provisions of this act remains in effect



1 as if taken by the officer or entity to which the responsibility for the
2 enforcement of such actions has been transferred.

3 **Sec. 9.** The Legislative Counsel shall:

4 1. In preparing the Nevada Revised Statutes, use the authority
5 set forth in subsection 10 of NRS 220.120 to substitute
6 appropriately the name of any agency or officer of the State whose
7 name is changed by this act for the name which the agency or
8 officer previously used; and

9 2. In preparing supplements to the Nevada Administrative
10 Code, substitute appropriately the name of any agency or officer of
11 the State whose name is changed by this act for the name which the
12 agency or officer previously used.

13 **Sec. 10.** This act becomes effective on July 1, 2015.

