

Assembly Bill No. 258—Assemblywoman Bilbray-Axelrod

CHAPTER.....

AN ACT relating to libraries; revising provisions governing the duties of the trustees of consolidated library districts; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Under existing law, the trustees of a county library district in a county whose population is 700,000 or more (currently Clark County) and the governing body of any city within that county may consolidate the city into the county library district to establish and maintain a public library. (NRS 379.0221) If such a consolidated library district is established, the board of county commissioners and the governing body of the city are each required to appoint five competent persons who are residents of the new consolidated library district to serve as trustees. The trustees may appoint an executive director for the consolidated library district who serves at the pleasure of the trustees. (NRS 379.0222) Existing law also prescribes certain powers and duties of the trustees of any consolidated, county, district, town or other public library, including, in the case of a consolidated library district, the duty to appoint an executive director. **Section 1** of this bill clarifies existing law by requiring the trustees of a consolidated library district to appoint an executive director, consistent with the statutorily prescribed duties of the trustees of a consolidated library district. (NRS 379.025) In the case of a consolidated library district that serves a population of more than 1,000,000 (currently the Las Vegas-Clark County Library District), **section 2** of this bill requires the trustees to: (1) establish the educational qualifications of the executive director, which may include, without limitation, holding a master’s degree in library and information science; and (2) appoint, evaluate the performance of and, if necessary, dismiss an internal auditor.

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

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

Section 1. NRS 379.0222 is hereby amended to read as follows:

379.0222 1. After the consolidation of a city into a county library district, the board of county commissioners and the governing body of the city shall each appoint five competent persons who are residents of the new consolidated library district to serve as trustees.

2. The terms of office of the trustees appointed pursuant to subsection 1 are as follows:

(a) Three persons appointed by each governing body must be appointed for terms of 4 years.

(b) Two persons so appointed must be appointed for terms of 2 years.



↳ Thereafter the offices of trustees must be filled for terms of 4 years in the order in which the terms expire. No person may be appointed to hold office for more than two consecutive terms.

3. A vacancy in the office of trustee which occurs because of the expiration of the term must be filled by appointment for a term of 4 years. A vacancy which occurs other than by expiration of the term must be filled by appointment for the unexpired term.

4. The trustees are entitled to receive a salary of \$40 per meeting, but not more than \$80 per month, in addition to the travel and subsistence allowances in the same amounts as are provided for employees of the consolidated library district.

5. The board of county commissioners or governing body of the city, as the case may be, may remove any trustee appointed by it:

(a) For cause, as described in NRS 283.440; or

(b) Who fails, without good cause, to attend three successive meetings of the trustees.

6. The trustees ~~may~~ *shall* appoint an executive director for the consolidated library district who serves at the pleasure of the trustees.

Sec. 2. NRS 379.025 is hereby amended to read as follows:

379.025 1. Except as otherwise provided in subsection 2, the trustees of any consolidated, county, district, town or other public library, and their successors, shall:

(a) Establish, supervise and maintain a library.

(b) Appoint, evaluate the performance of and, if necessary, dismiss a librarian or, in the case of a consolidated library district, an executive director.

(c) *In the case of a consolidated library district that serves a population of more than 1,000,000:*

(1) *Establish the educational qualifications of the executive director, which may include, without limitation, holding a master's degree in library and information science.*

(2) *Appoint, evaluate the performance of and, if necessary, dismiss an internal auditor.*

(d) Hold and possess the property and effects of the library in trust for the public.

~~(d)~~ (e) In the case of a county library, submit annual budgets to the board of county commissioners, containing detailed estimates of the amount of money necessary for the operation and management of the library for the next succeeding year.

~~(e)~~ (f) In the case of a consolidated, district or town library, prepare annual budgets in accordance with NRS 354.470 to 354.626, inclusive.



~~(g)~~ (g) In the case of a consolidated library district:

(1) Administer any separate account established pursuant to NRS 354.603.

(2) Annually submit a budget to the board of county commissioners and governing body of the city for joint review and recommendation, which must contain detailed priorities and estimates of the amount of money necessary for the operation and management of the consolidated library district for the next succeeding year. Unless a majority of the members of the board of county commissioners and a majority of the members of the governing body of the city reject the budget within 21 days after it is submitted to them, the trustees shall cause copies of the final budget to be submitted to the board of county commissioners for attachment to the copy of the final budget for the county which is filed pursuant to NRS 354.59801, and to the governing body of the city for attachment to the copy of the final budget for the city which is filed pursuant to NRS 354.59801. If the budget is so rejected, the trustees shall resubmit a revised budget for joint review pursuant to this subparagraph.

(3) Submit quarterly reports to the board of county commissioners and governing body of the city concerning the budget and the programs of the library, and provide any additional information requested by either governing body as soon as is reasonably practicable after receiving the request.

~~(g)~~ (h) In the case of a district library, administer any separate account established pursuant to NRS 354.603.

~~(h)~~ (i) Establish bylaws and regulations for the management of the library and their own management.

~~(i)~~ (j) Manage all the property, real and personal, of the library.

~~(j)~~ (k) Acquire and hold real and personal property, by gift, purchase or bequest, for the library.

~~(k)~~ (l) Administer any trust declared or created for the library.

~~(l)~~ (m) Maintain or defend any action in reference to the property or affairs of the library.

2. The trustees may:

(a) Make purchases and secure rooms.

(b) Authorize the merger or, subject to the limitations in NRS 379.0221, the consolidation of a town or city library with a county library district.

(c) Invest the money in the appropriate library fund in accordance with the provisions of chapter 355 of NRS.



(d) Enter into a lease or lease-purchase agreement respecting real or personal property.

(e) Convey property to a person where the purpose of the conveyance is the entering into of an agreement contemplated by paragraph (d).

(f) Do all acts necessary for the orderly and efficient management and control of the library.

3. If a lease or lease-purchase agreement entered into pursuant to paragraph (d) of subsection 2 involves the construction, alteration, repair or remodeling of an improvement:

(a) Any person or entity that executes one or more contracts or agreements for the actual construction, alteration, repair or remodeling of the improvement shall include in such a contract or agreement the contractual provisions and stipulations that are required to be included in a contract for a public work pursuant to the provisions of NRS 338.013 to 338.090, inclusive.

(b) The trustees, the owner of the improvement or proposed improvement, any contractor who is awarded a contract or entered into an agreement to perform the construction, alteration, repair or remodeling of the improvement and any subcontractor on the project shall comply with the provisions of NRS 338.013 to 338.090, inclusive, in the same manner as if the trustees had undertaken the project or had awarded the contract.

4. The trustees shall, as a primary goal of the consolidated library district, provide the library facilities, resources and trained staff to meet the informational needs of all residents of the district.

Sec. 3. This act becomes effective on July 1, 2021.

