SUMMARY—Revises the name of the Division of State Library, Archives and Public Records of the Department of Administration. (BDR 18-113)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: May have Fiscal Impact.

Effect on the State Highway Fund: No.

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

**Legislative Counsel's Digest:**

Existing law creates the Division of State Library, Archives and Public Records of the Department of Administration. (NRS 232.213) **Section 1** of this bill revises the name of the Division of State Library, Archives and Public Records to the Division of State Library and Archives. **Sections 2-83** of this bill make conforming changes to reflect the change in name.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN

SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** 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) Risk Management Division.

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

(c) State Public Works Division.

(d) Purchasing Division.

(e) Administrative Services Division.

(f) Division of Human Resource Management.

(g) Division of State Library ~~[,]~~ ***and*** Archives **.** ~~[and Public Records.]~~

(h) Fleet Services Division.

(i) Public Employees' Deferred Compensation Program.

(j) Mail Services Division.

**Sec. 2.** 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 Human Resource Management;

(f) Division of State Library ~~[,]~~ ***and*** Archives ***;*** ~~[and Public Records;]~~

(g) Fleet Services Division; and

(h) Mail Services Division.

2. Shall, with the concurrence of the Governor and the Committee to Administer the Public Employees' Deferred Compensation Program, appoint the Executive Officer of the Public Employees' Deferred Compensation Program.

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 and 284 of NRS, NRS 287.250 to 287.370, inclusive, and chapters 331, 333, 336, 338, 341 and 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. 3.** NRS 232.2165 is hereby amended to read as follows:

232.2165 1. The Administrator of:

(a) The State Public Works Division;

(b) The Purchasing Division;

(c) The Administrative Services Division;

(d) The Division of Human Resource Management;

(e) The Division of State Library ~~[,]~~ ***and*** Archives ***;*** ~~[and Public Records;]~~

(f) The Fleet Services Division; and

(g) The Mail Services Division,

➥ of the Department serves at the pleasure of the Director and is in the unclassified service of the State.

2. The Executive Officer of the Public Employees' Deferred Compensation Program appointed pursuant to NRS 232.215 is in the unclassified service of the State and serves at the pleasure of the Director, except that he or she may be removed by a majority vote of the Committee to Administer the Public Employees' Deferred Compensation Program.

**Sec. 4.** NRS 232.217 is hereby amended to read as follows:

232.217 Unless federal law or regulation otherwise requires, the Administrator of the:

1. State Public Works Division;

2. Purchasing Division;

3. Division of Human Resource Management;

4. Division of State Library ~~[,]~~ ***and*** Archives ***;*** ~~[and Public Records;]~~ and

5. Fleet Services Division,

➥ may appoint a Deputy and a Chief Assistant in the unclassified service of the State, who shall not engage in any other gainful employment or occupation except as otherwise provided in NRS 284.143.

**Sec. 5.** NRS 232.219 is hereby amended to read as follows:

232.219 1. The Department of Administration's Operating Fund for Administrative Services is hereby created as an internal service fund.

2. The operating budget of each of the following entities must include an amount representing that entity's share of the operating costs of the central accounting function of the Department:

(a) State Public Works Division;

(b) Purchasing Division;

(c) Hearings Division;

(d) Risk Management Division;

(e) Division of Human Resource Management;

(f) Division of State Library ~~[,]~~ ***and*** Archives ***;*** ~~[and Public Records;]~~

(g) Fleet Services Division;

(h) Public Employees' Deferred Compensation Program; and

(i) Mail Services Division.

3. All money received for the central accounting services of the Department must be deposited in the State Treasury for credit to the Operating Fund.

4. All expenses of the central accounting function of the Department must be paid from the Fund as other claims against the State are paid.

**Sec. 6.** NRS 233B.040 is hereby amended to read as follows:

233B.040 1. To the extent authorized by the statutes applicable to it, each agency may adopt reasonable regulations to aid it in carrying out the functions assigned to it by law and shall adopt such regulations as are necessary to the proper execution of those functions. If adopted and filed in accordance with the provisions of this chapter, the following regulations have the force of law and must be enforced by all peace officers:

(a) The Nevada Administrative Code; and

(b) Temporary and emergency regulations.

➥ In every instance, the power to adopt regulations to carry out a particular function is limited by the terms of the grant of authority pursuant to which the function was assigned.

2. Every regulation adopted by an agency must include:

(a) A citation of the authority pursuant to which it, or any part of it, was adopted; and

(b) The address of the agency and, to the extent not elsewhere provided in the regulation, a brief explanation of the procedures for obtaining clarification of the regulation or relief from the strict application of any of its terms, if the agency is authorized by a specific statute to grant such relief, or otherwise dealing with the agency in connection with the regulation.

3. An agency may adopt by reference in a regulation material published by another authority in book or pamphlet form if:

(a) It files one copy of the publication with the Secretary of State and one copy with the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator, and makes at least one copy available for public inspection with its regulations; and

(b) The reference discloses the source and price for purchase of the publication.

➥ An agency shall not attempt to incorporate any other material in a regulation by reference.

4. An agency shall adopt a proposed regulation not later than 2 years after the date on which the proposed regulation is submitted to the Legislative Counsel pursuant to subsection 1 of NRS 233B.063. If an agency does not adopt a proposed regulation within the time prescribed by this subsection, the executive head of the agency shall appear personally before the Legislative Commission and explain why the proposed regulation has not been adopted.

**Sec. 7.** NRS 233B.0607 is hereby amended to read as follows:

233B.0607 1. The agency shall at the time of giving the notice of intent to act upon a regulation required pursuant to NRS 233B.060:

(a) Deposit one copy of the notice and text of the proposed regulation with the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator;

(b) Keep at least one copy of the notice and text available in each of its offices from the date of the notice to the date of the hearing, for inspection and copying by the public; and

(c) Post a copy of the notice and text of the proposed regulation on the Internet website of the agency.

2. The agency shall provide in print or an electronic format a copy of the notice of intent to act upon a regulation required pursuant to NRS 233B.060 and the text of the proposed regulation to any person who requests a copy from the agency.

3. The text of the proposed regulation so disseminated must include the entire text of any section of the Nevada Administrative Code which is proposed for amendment or repeal.

4. After the final version of an adopted regulation is received, each librarian may discard the deposited copy of the text of the proposed regulation.

**Sec. 8.** NRS 233B.065 is hereby amended to read as follows:

233B.065 1. The Legislative Counsel shall prescribe the numbering, page size, style and typography of the Nevada Administrative Code. For convenience of reproduction in the Nevada Administrative Code, the Legislative Counsel may prescribe the same matters in original agency regulations.

2. The Legislative Counsel shall cause to be included in the Nevada Administrative Code the:

(a) Date on which an agency last completed a review of its regulations pursuant to paragraph (e) of subsection 1 of NRS 233B.050; and

(b) Citation of authority pursuant to which the agency adopted each section of a permanent regulation.

3. The Legislative Counsel shall prepare or cause the State Printer to prepare such sets of the Nevada Administrative Code and of supplementary pages as are required from time to time. A set must be provided to and kept respectively:

(a) By the Secretary of State as the master copy;

(b) By the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator for public use;

(c) By the Attorney General for his or her use and that of the Executive Department; and

(d) By the Legislative Counsel for his or her use and that of the Legislature.

➥ The Legislative Commission may direct the preparation of additional sets or pages, or both, and specify the places where those sets or parts of sets are to be kept and the uses to be made of them.

4. The Legislative Counsel shall, without charge, provide:

(a) A complete set of the Nevada Administrative Code, upon request, to each person who is on July 1, 1985, or who becomes after that date a member of the Legislature; and

(b) To each Legislator who has so acquired the Nevada Administrative Code, the replacement or supplementary pages which are issued during the Legislator's term of office.

5. Each agency shall reimburse the Legislative Counsel Bureau and the State Printing Office for their respective costs in preparing and keeping current that agency's portion of the Nevada Administrative Code in the number of copies required for official and public use. If additional sets or pages are sold, the Legislative Commission shall set sale prices sufficient to recover at least the cost of production and distribution of the additional sets or pages.

**Sec. 9.** NRS 233B.0653 is hereby amended to read as follows:

233B.0653 1. The Legislative Counsel shall prepare and publish or cause to be prepared and published a Register of Administrative Regulations. The Register must include the following information regarding each permanent regulation adopted by an agency:

(a) The proposed and adopted text of the regulation and any revised version of the regulation;

(b) The notice of intent to act upon the regulation set forth in NRS 233B.0603;

(c) The written notice of adoption of the regulation required pursuant to NRS 233B.064;

(d) The informational statement required pursuant to NRS 233B.066; and

(e) The effective date of the regulation, as determined pursuant to NRS 233B.070.

➥ In carrying out the duties set forth in this subsection, the Legislative Counsel may use the services of the State Printing Office.

2. The Legislative Counsel shall publish the Register not less than 10 times per year but not more than once every 2 weeks.

3. The Register must be provided to and maintained by:

(a) The Secretary of State;

(b) The Attorney General;

(c) The Supreme Court Law Library;

(d) The State Library ~~[,]~~ ***and*** Archives ***;*** ~~[and Public Records;]~~

(e) Each county clerk;

(f) Each county library; and

(g) The Legislative Counsel Bureau.

4. The Legislative Counsel may sell an additional copy of the Register to any person or governmental entity that requests a copy, at a price which does not exceed the cost of publishing the additional copy.

5. The Legislative Counsel is immune from civil liability which may result from failure to include any information in the Register.

**Sec. 10.** NRS 233B.070 is hereby amended to read as follows:

233B.070 1. A permanent regulation becomes effective when the Legislative Counsel files with the Secretary of State the original of the final draft or revision of a regulation, except as otherwise provided in NRS 293.247 or where a later date is specified in the regulation.

2. Except as otherwise provided in NRS 233B.0633, an agency that has adopted a temporary regulation may not file the temporary regulation with the Secretary of State until 35 days after the

date on which the temporary regulation was adopted by the agency. A temporary regulation becomes effective when the agency files with the Secretary of State the original of the final draft or revision of the regulation, together with the informational statement prepared pursuant to NRS 233B.066. The agency shall also file a copy of the temporary regulation with the Legislative Counsel, together with the informational statement prepared pursuant to NRS 233B.066.

3. An emergency regulation becomes effective when the agency files with the Secretary of State the original of the final draft or revision of an emergency regulation, together with the informational statement prepared pursuant to NRS 233B.066. The agency shall also file a copy of the emergency regulation with the Legislative Counsel, together with the informational statement prepared pursuant to NRS 233B.066.

4. The Secretary of State shall maintain the original of the final draft or revision of each regulation in a permanent file to be used only for the preparation of official copies.

5. The Secretary of State shall file, with the original of each agency's rules of practice, the current statement of the agency concerning the date and results of its most recent review of those rules.

6. Immediately after each permanent or temporary regulation is filed, the agency shall deliver one copy of the final draft or revision, bearing the stamp of the Secretary of State indicating that it has been filed, including material adopted by reference which is not already filed with the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator, to the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator for use by the public.

7. Each agency shall furnish a copy of all or part of that part of the Nevada Administrative Code which contains its regulations, to any person who requests a copy, and may charge a reasonable fee for the copy based on the cost of reproduction if it does not have money appropriated or authorized for that purpose.

8. An agency which publishes any regulations included in the Nevada Administrative Code shall use the exact text of the regulation as it appears in the Nevada Administrative Code, including the leadlines and numbers of the sections. Any other material which an agency includes in a publication with its regulations must be presented in a form which clearly distinguishes that material from the regulations.

**Sec. 11.** NRS 218A.350 is hereby amended to read as follows:

218A.350 1. The Nevada Legislature Oral History Program is hereby established, to be administered by the Research Division.

2. Within the limits of money available, the Research Division shall cause the conduct and preservation of oral histories of current and former Legislators.

3. The Research Division shall:

(a) Prepare a plan setting forth any oral histories proposed to be conducted during a biennium and submit the plan to the Legislative Commission for its approval.

(b) With the approval of the Legislative Commission, adopt procedures for the conduct and preservation of the oral histories and any related materials, including, without limitation, books, papers, documents, records, photographs and recordings.

(c) With the approval of the Legislative Commission, adopt policies:

(1) Governing the acceptance by the Research Division of oral histories of current and former Legislators and any related materials submitted by any person or public or private entity. Such policies must include, without limitation, policies relating to the format for submitting, and the standards for the acceptance of, such an oral history and any related materials.

(2) Governing the release to the public of oral histories conducted or accepted pursuant to this section and any related materials.

(3) Governing the transfer of oral histories conducted or accepted pursuant to this section and any related materials to the Division of State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ of the Department of Administration pursuant to subsection 6.

(4) Necessary to carry out the Program.

4. The Director may accept any gifts, grants or donations for the support of the Program. All money received for the Program pursuant to this subsection must be credited to the Legislative Fund. The Legislative Counsel Bureau shall maintain separate accounting records for the receipt and expenditure of that money.

5. An oral history conducted or accepted for the Program pursuant to this section and any related materials are confidential and may only be released to the public pursuant to the policy adopted pursuant to subsection 3.

6. The Research Division may transfer an oral history conducted or accepted for the Program pursuant to this section and any related materials to the Division of State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ of the Department of Administration for preservation.

7. On or before September 1 of each even-numbered year, for the biennium ending June 30 of such year, the Research Division shall submit a report to the Legislative Commission concerning the activities of the Program during that biennium.

**Sec. 12.** NRS 218D.915 is hereby amended to read as follows:

218D.915 1. The following persons, offices or organizations, upon request, are entitled to receive free of charge in any 1 calendar year one copy of any bill, resolution, daily history, daily journal or index:

(a) Elected state officers.

(b) Offices of all state departments and agencies.

(c) County clerks, sheriffs, treasurers, assessors, recorders and auditors.

(d) Offices of other county officials.

(e) Municipal officers.

(f) Districts and other governmental agencies.

(g) Justices of the peace.

(h) The Division of State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ of the Department of Administration.

(i) County and city libraries and libraries of the Nevada System of Higher Education.

(j) Accredited members of the press.

2. Upon approval of the committee of the Senate or the Assembly which has jurisdiction of issues relating to legislative functions, additional copies must be provided to these persons, offices

or organizations without charge, except for the cost of any handling and postage as determined by the Director.

3. Township, school and municipal officials may have distributed, free of charge, the number of copies of any legislative measure or publication that is approved by the committee of the Senate or the Assembly which has jurisdiction of issues relating to legislative functions.

**Sec. 13.** NRS 236.035 is hereby amended to read as follows:

236.035 1. The Governor may annually proclaim the third week in September to be "Constitution Week" and September 17 to be "Constitution Day" to commemorate the historical contributions that the United States Constitution has made to citizens and its significance in preserving the individual freedoms, liberties and common welfare of the people who live in the United States of America.

2. The proclamation may:

(a) Call upon the news media, educators, state and local officers, professional, business and labor leaders, and others in positions of authority or influence to bring to the attention of the citizens of this State the importance of the United States Constitution in shaping and articulating the basic values that underlie the unique character of American civilization and culture, based on the belief that sovereignty emanates from the people who comprise a society and that governmental authority is based upon the consent of the governed;

(b) Encourage elected and appointed officers and employees at all levels of government and in all public and educational institutions to develop new programs and new ideas by which the citizens of this State and nation can:

(1) Better understand and improve the effectiveness of all branches of government established within the American constitutional system; and

(2) Increase the extent and quality of their participation in the development of public policy and the improvement of the operation of government at all levels;

(c) Encourage citizens of this State to assist elected and appointed officers and employees at all levels of government, and in all public and educational institutions, to develop new programs and new ideas to increase the extent and quality of the participation of the citizens of this State in the development of public policy and the improvement of the operation of government at all levels;

(d) Direct interested citizens and appropriate officers and agencies to develop recommendations by which federal, state and local policies for the preservation of historical records can be formulated and put into effect, so that the cultural and informational resources that are essential to a constitutional form of government are preserved and made accessible to present and future generations of citizens;

(e) Remind all citizens that the preservation of the American constitutional form of government, and the freedom and liberty guaranteed by the United States Constitution, are based upon the responsibility of each citizen to uphold and defend the Constitution; and

(f) Request all citizens to submit any information they may have concerning a program, activity, event, proposal or any other action to increase the extent and quality of participation of citizens in the:

(1) Development of public policy; and

(2) Improvement of the operation of government at all levels,

➥ to the Division of State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ of the Department of Administration.

**Sec. 14.** 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 incurred by a governmental entity in the provision of a public record, including, without limitation, the cost of ink, toner, paper, media and postage. The term does not include a cost that a governmental entity incurs regardless of whether or not a person requests a copy of a particular public record.

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

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

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

5. "Governmental entity" means:

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

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

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

(d) An educational foundation, as defined in NRS 388.750, to the extent that the foundation is dedicated to the assistance of public schools; or

(e) A library foundation, as defined in NRS 379.0056, to the extent that the foundation is dedicated to the assistance of a public library.

6. "Official state record" includes, without limitation:

(a) Papers, unpublished books, maps and photographs;

(b) Information stored on magnetic tape or computer, laser or optical disc;

(c) Materials that are capable of being read by a machine, including, without limitation, microforms and audio and visual materials; and

(d) Materials that are made or received by a state agency and preserved by that agency or its successor as evidence of the organization, operation, policy or any other activity of that agency or because of the information contained in the material.

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

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

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

**Sec. 15.** NRS 239.008 is hereby amended to read as follows:

239.008 1. The head of each agency of the Executive Department shall designate one or more employees of the agency to act as records official for the agency.

2. A records official designated pursuant to subsection 1 shall carry out the duties imposed pursuant to this chapter on the agency of the Executive Department that designated him or her with respect to a request to inspect, copy or receive a copy of a public book or record of the agency.

3. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator, pursuant to NRS 378.255 and in cooperation with the Attorney General, shall prescribe:

(a) The form for a request by a person to inspect, copy or receive a copy of a public book or record of an agency of the Executive Department pursuant to NRS 239.0107;

(b) The form for the written notice required to be provided by an agency of the Executive Department pursuant to paragraph (b), (c) or (d) of subsection 1 of NRS 239.0107; and

(c) By regulation the procedures with which a records official must comply in carrying out his or her duties.

4. Each agency of the Executive Department shall make available on any website maintained by the agency on the Internet or its successor the forms and procedures prescribed by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator and the Attorney General pursuant to subsection 3.

**Sec. 16.** NRS 239.051 is hereby amended to read as follows:

239.051 1. Unless destruction of a particular record without reproduction is authorized by a schedule adopted pursuant to NRS 239.080 or 239.125, any custodian of public records in this State may destroy documents, instruments, papers, books and any other records or writings in the custodian's custody only if an image of those records or writings has been placed on microfilm or has been saved in an electronic recordkeeping system which permits the retrieval of the

information contained in the records or writings and the reproduction of the records or writings. A reproduction of an image of a record or writing that has been placed on microfilm or saved pursuant to this section shall be deemed to be the original record or writing, regardless of whether the original exists.

2. A microfilmed image made pursuant to this section must be made on film which complies with minimum standards of quality approved by the American National Standards Institute and the Association for Information and Image Management.

3. Any image of a record or writing which is saved in an electronic recordkeeping system pursuant to this section must comply with any applicable regulations adopted by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator pursuant to NRS 378.255 relating to the management of records.

4. A microfilmed image of a record or writing made pursuant to this section or an image of the record or writing saved in an electronic recordkeeping system pursuant to this section must be durable, accurate, complete and clear.

5. If, pursuant to this section, an image of a record or writing is placed on microfilm or is saved in an electronic recordkeeping system, the custodian of the record or writing shall:

(a) Promptly store at least one copy of the microfilm or any tape, disc or other medium used for the storage of the saved image in a manner and place:

(1) Such as to protect it reasonably from loss or damage; and

(2) Which complies with any applicable regulations adopted by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator pursuant to NRS 378.255 relating to the management of records; and

(b) Maintain for the use of authorized persons a copy of a reproduction of the record or writing.

**Sec. 17.** NRS 239.073 is hereby amended to read as follows:

239.073 1. The Committee to Approve Schedules for the Retention and Disposition of Official State Records, consisting of six members, is hereby created.

2. The Committee consists of:

(a) The Secretary of State;

(b) The Attorney General;

(c) The Director of the Department of Administration;

(d) The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator;

(e) The Chief of the Governor's Technology Office within the Office of the Governor; and

(f) One member who is a representative of the general public appointed by the Governor.

➥ All members of the Committee, except the representative of the general public, are ex officio members of the Committee.

3. The Secretary of State or a person designated by the Secretary of State shall serve as Chair of the Committee. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall serve as Secretary of the Committee and prepare and maintain the records of the Committee.

4. The Committee shall meet at least quarterly and may meet upon the call of the Chair.

5. An ex officio member of the Committee may designate a person to represent the ex officio member at any meeting of the Committee. The person designated may exercise all the duties, rights and privileges of the member that the person represents.

6. The Committee may adopt rules and regulations for its management.

**Sec. 18.** NRS 239.085 is hereby amended to read as follows:

239.085 1. The Director of the Department of Transportation shall, in cooperation with the Division, develop a schedule for the retention and disposition of each type of official state record in the care, custody and control of the Department of Transportation.

2. A record which has historical or permanent value must be preserved permanently by the Department of Transportation or submitted to the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator for preservation in the archives.

3. The Department of Transportation shall keep a record showing when any official state record mentioned in subsection 1 was destroyed, and the kind and nature of it.

**Sec. 19.** NRS 239.090 is hereby amended to read as follows:

239.090 1. Subject to the provisions of subsection 2, a state official may, with the prior approval of the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator, submit any obsolete official books, documents, original papers, newspaper files, printed books or other records not in current use in his or her office to the Division.

2. A state officer shall first obtain the consent and approval of the Governor. Any other state official shall obtain the consent of the department head under which the state official operates.

3. The Division may return a submission or any part thereof, if the submission has no historical or permanent value.

4. If the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator finds that any record so submitted has historical or permanent value and accepts it as an accession to the archives, the right to control and possession of it vests in the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator, and the submitting official is not entitled to reclaim it. If records are transferred to the Division by a state official only for the purpose of having the records stored safely on the state official's behalf, the state official has constructive custody of the records and retains the right to control access to them.

**Sec. 20.** NRS 239.123 is hereby amended to read as follows:

239.123 1. As an alternative to the destruction of old records, the records, with the consent of the governing body and the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator, may be submitted to the Division.

2. The custodian of records shall maintain an accounting of all old records disposed of pursuant to subsection 1, indicating the nature or identity of the records as well as the date of submission to the Division.

3. The Division may return the records so submitted, or any part thereof, if they have no historical or permanent value.

4. Records so submitted may be reclaimed, in whole or in part, by the local government if:

(a) The Division did not acquire title to them in an agreement between the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator and the local government; and

(b) The local government serves written notice upon the Division of its intention to reclaim the records and pays the cost of transportation for the return.

**Sec. 21.** NRS 239.125 is hereby amended to read as follows:

239.125 1. A local governmental entity may establish a program for the management of records, including the adoption of schedules for the retention of records and procedures for microfilming, which must be approved by the governing body and comply with the applicable provisions of this chapter and any regulations adopted pursuant thereto.

2. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall adopt regulations to carry out a program to establish and approve minimum periods of retention for records of local governments. The proposed regulations or any amendment thereto must be submitted to the Committee on Local Government Finance, established pursuant to NRS 354.105, for its advice and recommendations.

**Sec. 22.** NRS 239.340 is hereby amended to read as follows:

239.340 1. In addition to any relief awarded pursuant to NRS 239.011, if a court determines that a governmental entity willfully failed to comply with the provisions of this chapter concerning a request to inspect, copy or receive a copy of a public book or record, the court must impose on the governmental entity a civil penalty of:

(a) For a first violation within a 10-year period, $1,000.

(b) For a second violation within a 10-year period, $5,000.

(c) For a third or subsequent violation within a 10-year period, $10,000.

2. A civil penalty imposed pursuant to subsection 1 must be deposited in and accounted for separately in the State General Fund. The money in the account may be used only by the Division of State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ of the Department of Administration to improve access to public records, and is hereby authorized for expenditure as a continuing appropriation for this purpose.

3. The rights and remedies recognized by this section are in addition to any other rights or remedies that may exist in law or in equity.

**Sec. 23.** NRS 244.1615 is hereby amended to read as follows:

244.1615 A board of county commissioners may institute a program or sponsor an activity, event or any other action designed to increase the extent and quality of participation of the residents of the county in the development of public policy and the improvement of the operation of government at all levels. The board may submit a report of any action taken pursuant to this section to the Division of State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ of the Department of Administration.

**Sec. 24.** NRS 327.120 is hereby amended to read as follows:

327.120 The Board consists of:

1. Nine voting members, which include one representative of each of the following agencies or organizations:

(a) Bureau of Mines and Geology of the State of Nevada.

(b) Faculty of the University of Nevada, Reno.

(c) Faculty of the University of Nevada, Las Vegas.

(d) Division of State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ of the Department of Administration.

(e) Department of Transportation of the State.

(f) State Department of Conservation and Natural Resources.

(g) Division of Museums and History of the Department of Tourism and Cultural Affairs.

(h) Department of Native American Affairs of the State.

(i) Inter-Tribal Council of Nevada, Inc., or its successor organization.

➥ Each agency or organization shall designate a representative and one alternative representative for this purpose.

2. Three nonvoting members who shall serve in an advisory capacity to the Board, which include one representative of each of the following agencies:

(a) United States Bureau of Land Management.

(b) United States Forest Service.

(c) United States National Park Service.

3. An Executive Secretary who is a nonvoting member of the Board. The voting members of the Board shall select the Executive Secretary.

**Sec. 25.** NRS 378.005 is hereby amended to read as follows:

378.005 As used in this chapter:

1. "Administrator" means the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator.

2. "Department" means the Department of Administration.

3. "Director" means the Director of the Department.

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

**Sec. 26.** NRS 378.010 is hereby amended to read as follows:

378.010 The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ 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 unclassified service of the State.

**Sec. 27.** NRS 378.020 is hereby amended to read as follows:

378.020 The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator must:

1. Be a graduate of a library school accredited by the American Library Association or be certified by the Academy of Certified Archivists; and

2. Have at least 5 years of library or archival experience in an administrative capacity.

**Sec. 28.** NRS 378.050 is hereby amended to read as follows:

378.050 The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall submit a biennial report to the Governor and the Legislature of the condition, operation and functioning of the State Library ~~[,]~~ ***and*** Archives ***.*** ~~[and Public Records.]~~

**Sec. 29.** NRS 378.060 is hereby amended to read as follows:

378.060 The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall employ such librarians, archivists and other technical, clerical and operational staff as the execution of the

duties of the Administrator and the maintenance and operation of the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ may require.

**Sec. 30.** NRS 378.070 is hereby amended to read as follows:

378.070 The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator may designate the hours that the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ must be open for the use of the public.

**Sec. 31.** NRS 378.080 is hereby amended to read as follows:

378.080 1. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator is responsible for the State Library ~~[,]~~ ***and*** Archives **.** ~~[and Public Records.]~~

2. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall:

(a) Administer the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ in accordance with the law. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ must also be administered in accordance with good library practice.

(b) Withdraw from the State Library ~~[, Archives']~~ and ~~[Public Records']~~ ***Archives'*** collection and dispose of items no longer needed.

(c) Maintain the State Library ~~[,]~~ ***and*** Archives **,** ~~[and Public Records,]~~ including the selection, acquisition, circulation and custody of books, periodicals, pamphlets, films, recordings, papers and other materials and equipment.

(d) Maintain a comprehensive collection and reference service to meet the reference needs of public officers, departments or agencies of the State, and other libraries and related agencies.

(e) Make and enforce regulations necessary for the administration, government and protection of the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ and all property belonging thereto.

(f) Issue official lists of publications of the State and other bibliographical and informational publications as appropriate.

3. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator may:

(a) Borrow from, lend to and exchange books and other library and informational materials with other libraries and related agencies.

(b) Accept, administer and distribute, in accordance with the terms thereof, any money, materials or other aid granted, appropriated or made available to the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ for library purposes by the United States or any of its agencies or by any other source, public or private.

**Sec. 32.** NRS 378.081 is hereby amended to read as follows:

378.081 1. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator is responsible for the statewide program of development and coordination of library and informational services.

2. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall:

(a) Collect, compile and publish statistics and information concerning the operation of libraries in this State.

(b) Carry out continuing studies and analyses of library problems.

(c) Maintain a clearinghouse of information, data and other materials in the field of library and informational services.

(d) Provide advice and technical assistance to public libraries, other libraries, agencies of the State, political subdivisions, planning groups and other agencies and organizations.

(e) Make available to public libraries advice and technical assistance with respect to programs of public relations.

(f) Assist and cooperate with other state agencies and officials, local governments, federal agencies and organizations in carrying out programs involving library and informational services.

(g) Encourage and assist the efforts of libraries and local governments to develop mutual and cooperative solutions to problems with respect to library and informational services.

(h) Administer such funds as may be made available by the Legislature for improvement of public library services, interlibrary cooperation or for other library and information-transfer services.

(i) Subject to the approval of local governing bodies, designate certain libraries as resource center libraries and develop and encourage cooperative steps to link these centers with other libraries in a reference and information network.

3. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator may contract with agencies, organizations, libraries, library schools, boards of education and universities, public and private, within or outside this State, for library services, facilities, research or any other related purposes.

**Sec. 33.** NRS 378.083 is hereby amended to read as follows:

378.083 The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall develop:

1. Standards for public libraries which will serve as recommendations for those libraries with respect to services, resources, personnel and programs to provide sources of information to persons of all ages, including persons with disabilities and disadvantaged persons, and encourage continuing education beyond the years of formal education. The standards must take into account the differences in size and resources among the public libraries of the State.

2. A statewide master plan for public libraries, including plans for levels of library services and resources, which is developed through a continuing process of planning in which representatives from public libraries throughout the State participate. The master plan must be designed to extend 5 years into the future and must be made current at least every 2 years.

**Sec. 34.** NRS 378.087 is hereby amended to read as follows:

378.087 1. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall establish a program to provide grants of money to the public libraries of this State for the purchase or acquisition of books, library materials and computer databases. The money must be provided by legislative appropriation, accounted for separately and administered by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator.

2. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall, within the limits of legislative appropriation, provide such grants based on the following:

(a) If the requesting library has a budget for materials which is $10,000 or less, the requesting library is eligible to receive a base grant of $1,000, plus a matching grant in an amount that is not more than 75 percent of its budget for materials.

(b) If the requesting library has a budget for materials which is more than $10,000 but less than $75,000, the requesting library is eligible to receive a base grant of $5,000, plus a matching grant in an amount that is not more than 50 percent of its budget for materials.

(c) If the requesting library has a budget for materials which is $75,000 or more but less than $150,000, the requesting library is eligible to receive a base grant of $10,000, plus a matching grant in an amount that is not more than 33 1/3 percent of its budget for materials.

(d) If the requesting library has a budget for materials which is $150,000 or more but less than $500,000, the requesting library is eligible to receive a base grant of $15,000, plus a matching grant in an amount that is not more than 25 percent of its budget for materials.

(e) If the requesting library has a budget for materials which is $500,000 or more, the requesting library is eligible to receive a base grant of $25,000, plus a matching grant in the first year it receives a grant pursuant to this paragraph in an amount that is not more than 10 percent of its budget for materials. The amount of the matching grant provided in any year may be increased by 10 percent in each succeeding year, except that in no event may the matching grant provided in any year exceed 25 percent of the library's budget for materials in that year.

3. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall adopt such regulations as are necessary to:

(a) Establish a procedure pursuant to which a public library may apply to receive a grant pursuant to this section;

(b) Determine the eligibility of a public library to receive such a grant; and

(c) Determine the exact amount of a grant to be awarded to a public library.

4. Money granted pursuant to this section must not supplant or cause to be reduced any other source of funding for a public library and must be used exclusively by the public library to purchase or acquire books, library materials and computer databases.

5. For the purposes of this section, "public library" does not include a library operated within the Nevada System of Higher Education.

**Sec. 35.** 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 ~~[and Public Records]~~ 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. 36.** NRS 378.100 is hereby amended to read as follows:

378.100 The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator is authorized to accept and direct the disbursement of money appropriated by an act of Congress and apportioned to the State for libraries. That federal money must be deposited in the State Treasury for credit to the appropriate account of the State Library ~~[,]~~ ***and*** Archives **.** ~~[and Public Records.]~~

**Sec. 37.** NRS 378.110 is hereby amended to read as follows:

378.110 Money collected by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator from fines must be deposited in the appropriated fund of the State Library ~~[,]~~ ***and*** Archives **,** ~~[and Public Records,]~~ and may be credited to those budgeted items designated by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator.

**Sec. 38.** NRS 378.130 is hereby amended to read as follows:

378.130 Funds to carry out the provisions of this chapter must be provided by legislative appropriation from the General Fund, and must be paid out on claims as other claims against the State are paid. All claims must be approved by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator before they are paid.

**Sec. 39.** 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 ~~[and Public Records]~~ 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. 40.** NRS 378.180 is hereby amended to read as follows:

378.180 1. Except as otherwise provided in this subsection, every state agency shall, upon release of each of its publications, provide the Center with an electronic version of the publication.

If a publication is available only in paper form, the state agency shall deposit 10 copies of the publication with the Center.

2. Except as otherwise provided in this subsection, every local government shall, upon release of each of its publications, provide the Center with an electronic version of the publication. If a publication is available only in paper form, the local government shall deposit six copies of the publication with the Center.

3. If a publication is available only in paper form at the time copies are deposited with the Center pursuant to subsection 1 or 2, every state agency and local government shall, upon release of the publication in an electronic format or medium, provide the Center with an electronic version of the publication.

4. If a state agency or local government provides an electronic version of a publication to the Center pursuant to this section, the state agency or local government shall:

(a) Include, in a conspicuous location at or near the beginning of the publication, the date on which the publication was initially released by the state agency or local government; and

(b) Submit the electronic version of the publication in accordance with regulations adopted by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator pursuant to NRS 378.170.

**Sec. 41.** NRS 378.190 is hereby amended to read as follows:

378.190 1. The Center may enter into depository agreements with any library in this State that is open and accessible to the general public.

2. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall establish standards for eligibility as a depository library pursuant to subsection 1. Such standards may include and take into account, without limitation:

(a) The type of library;

(b) The ability of the library to preserve publications and to make them available for public use; and

(c) The geographical location of the library, to assure that the publications are conveniently accessible to residents in all areas of the State.

**Sec. 42.** NRS 378.200 is hereby amended to read as follows:

378.200 1. After receipt of any publication from a state agency or local government pursuant to NRS 378.180, the Center shall distribute copies of that publication to depository libraries.

2. The Center shall retain sufficient copies in the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ for preservation and use by the public. The remaining copies must be used for distribution in accordance with any agreements entered into with other states and the Library of Congress for the exchange of publications, and for lending to those libraries that are not depository libraries.

**Sec. 43.** NRS 378.210 is hereby amended to read as follows:

378.210 The Center shall make available on the Internet website of the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ the titles of the publications received by the Center pursuant to NRS 378.180.

**Sec. 44.** NRS 378.240 is hereby amended to read as follows:

378.240 The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall, within the limits of legislative appropriations:

1. Maintain and properly equip safe and secure premises and vaults at the seat of government for the preservation and use of material deposited in the archives.

2. Employ persons in the classified service of the State to preserve, index and aid in the use of material deposited in the archives.

3. Give an appropriate receipt for material received by him or her for the archives.

4. Subject to the provisions of NRS 378.310 and subsection 4 of NRS 239.090, make material deposited in the archives readily available for use.

5. Receive into the archives any material when directed to do so by the Committee to Approve Schedules for the Retention and Disposition of Official State Records created pursuant to NRS 239.073.

6. Receive into the archives and preserve oral histories of current and former Legislators and any related materials transferred from the Research Division of the Legislative Counsel Bureau pursuant to NRS 218A.350.

**Sec. 45.** NRS 378.245 is hereby amended to read as follows:

378.245 1. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator has custody of and shall carefully preserve in the Division:

(a) The enrolled copy of the Constitution of the State of Nevada.

(b) The proceedings and all papers of the two Constitutional Conventions held for the purpose of framing a Constitution of this State.

(c) The manuscripts containing the enrolled acts and joint resolutions and journals of the Legislature of this State and the Territory of Nevada.

(d) The records, papers and documents of Carson County, Utah Territory, and all other books, records and documents which, by the laws of the Territory of Nevada, were required to be deposited and kept in the office of the Secretary of the Territory of Nevada.

(e) All the books, records, parchments, maps, registers, papers and other material required to be deposited or kept in the Division.

2. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall not permit the original papers and other material to be taken out of the archives unless he or she determines that the circumstances ensure the safety and integrity of the papers and other material.

**Sec. 46.** NRS 378.250 is hereby amended to read as follows:

378.250 The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator may:

1. Receive into the archives material from a state agency if the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator finds that it is of historical value.

2. With the approval of the Committee to Approve Schedules for the Retention and Disposition of Official State Records created pursuant to NRS 239.073, return to the state agency from which it was received, material in the archives which the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator finds is not of historical value.

3. Receive into the archives material which has been directed to be deposited in the archives by an order or resolution of the governing body of a local governmental entity, if the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator finds that it is of historical value.

4. With the approval of the Committee to Approve Schedules for the Retention and Disposition of Official State Records, turn over to:

(a) Any agency in the Department; or

(b) The Nevada System of Higher Education,

➥ material in the archives which the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator finds to be surplus, not properly in the archives or appropriate to be kept elsewhere.

5. Expend a gift of money the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator is authorized to accept for the purpose specified by the donor or, if no purpose is specified, in a manner which will further the purposes of the Division.

**Sec. 47.** NRS 378.255 is hereby amended to read as follows:

378.255 The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator may:

1. Adopt regulations and establish standards, procedures and techniques for the effective management of records.

2. Make continuing surveys of current practices for the management of records and recommend improvements in those practices, including the use of space, equipment and supplies to create, maintain and store records.

3. Establish standards for the preparation of schedules providing for the retention of state records of continuing value and for the prompt and orderly disposition of state records which no longer possess sufficient administrative, fiscal, legal or research value to warrant their further retention.

4. Establish, maintain and operate a center for storing and retrieving records for state agencies pending the acceptance of the records by the Division or the disposition of the records in any other manner prescribed by law.

5. Establish a program for providing microfilming and digital imaging services for the records of the Legislative and Judicial Branches of State Government, upon request.

6. Establish a program of planning and preparation to assist state agencies and local governments in providing protection for records essential for the continuation or re-establishment of government in the event of a disaster.

7. Provide advice and technical assistance to state agencies, local governmental agencies and, if requested, the Legislative and Judicial Branches of State Government concerning any aspect of managing records.

8. Through the Division, inspect the physical nature of, and information contained in, governmental records in the custody of a state or local governmental agency which are not confidential or privileged.

9. Through the Division, inspect the physical nature of, and information contained in, confidential or privileged governmental records in the custody of a state or local governmental agency if the inspection is necessary to carry out the provisions of subsection 3, 5, 6 or 7 and if the inspection is not prohibited by any federal law or regulation. Inspections must be logged as required pursuant to NRS 239C.230. The Division shall not disclose any confidential or privileged information in governmental records inspected pursuant to this subsection, and such inspection does not alter, affect, abrogate or waive the confidential or privileged status of the information.

10. With the approval of the Committee to Approve Schedules for the Retention and Disposition of Official State Records created pursuant to NRS 239.073, bring an action to obtain possession of the records of a state or local governmental agency which are:

(a) Of historical value and are not being properly cared for; or

(b) Privately held.

➥ In an action to recover a record which is privately held, it is rebuttably presumed that a governmental record which appears to be the original of a document received or the file copy of a document made by a governmental agency is governmental property.

**Sec. 48.** NRS 378.270 is hereby amended to read as follows:

378.270 1. Subject to the provisions of NRS 378.310 and subsection 4 of NRS 239.090, the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall furnish, on request, to a person who has paid the proper fees for it, a copy of material not deemed confidential in the archives, and may certify it if required.

2. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator may charge a reasonable fee for searching archives of the State and for producing copies of and for certifying copies of material in the archives.

**Sec. 49.** NRS 378.280 is hereby amended to read as follows:

378.280 1. Except as otherwise provided in subsection 2, the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall establish and administer a program for the efficient and economical creation, use, maintenance, retention, preservation, including, without limitation,

microfilming and digital imaging, and disposition of the records of the Executive Branch of the Government of the State of Nevada.

2. The Director of the Department of Transportation may establish a program for the management of the Department's records, if the Director confers with the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator regarding the program. The program must incorporate generally accepted practices for managing records.

**Sec. 50.** NRS 378.310 is hereby amended to read as follows:

378.310 Whenever a constitutional officer or former constitutional officer has deposited records relating to the office, other than public records, in the Division upon a condition that access to the records be restricted until the end of a specified period, the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall maintain the restrictions as prescribed in the agreement, but no such restrictions may validly extend more than 25 years after the creation of the records.

**Sec. 51.** NRS 378.320 is hereby amended to read as follows:

378.320 Except for documents which have been accepted into the archives and over which the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator is vested with the right of control and possession, the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall not destroy a record transferred to the Division by a state agency unless:

1. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator first consults with the proper official of the transferring agency; and

2. The destruction is carried out in accordance with a schedule for retention and disposal which has been approved by the Committee to Approve Schedules for the Retention and Disposition of Official State Records created pursuant to NRS 239.073.

**Sec. 52.** NRS 378A.030 is hereby amended to read as follows:

378A.030 The State Historical Records Advisory Board, consisting of the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator and nine members appointed by the Governor, is hereby created. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall serve as a nonvoting member of the Board and Secretary to the Board. The Board is responsible to the Governor and may make recommendations to the Legislature.

**Sec. 53.** NRS 378A.040 is hereby amended to read as follows:

378A.040 1. The Governor shall appoint to the Board:

(a) The person who is in charge of the archives and records of the Division of State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ of the Department of Administration. This person is the State Historical Records Coordinator for the purposes of 36 C.F.R. § 1206.42 and shall serve as Chair of the Board.

(b) A person in charge of a state-funded historical agency who has responsibilities related to archives or records, or to both archives and records.

(c) Seven other members, at least three of whom must have experience in the administration of historical records or archives. These members must represent as broadly as possible the various public and private archive and research institutions and organizations in the State.

2. After the initial terms, the Chair serves for 4 years and each other appointed member serves for 3 years. Members of the Board may be reappointed.

**Sec. 54.** NRS 378A.050 is hereby amended to read as follows:

378A.050 1. The Board shall meet regularly at least three times a year and, within the limits of legislative appropriations, may hold additional meetings upon the call of the Chair.

2. Each member of the Board who is not an employee of the State is entitled to receive a salary of $80 for each day's attendance at a meeting of the Board.

3. Payments of salaries must be made upon itemized and verified claims approved by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator from money appropriated to the State Library ~~[,]~~ ***and*** Archives **.** ~~[and Public Records.]~~

**Sec. 55.** NRS 378A.060 is hereby amended to read as follows:

378A.060 The Board shall:

1. Examine and assess archives and public records programs and the facilities, professional staffs and auxiliary personnel that support such programs.

2. Review and evaluate applications made by political subdivisions and private organizations for grants from the Account for Historical Records to improve the preservation of historical records.

3. Make recommendations to the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator for approval of applications for grants from the Account for Historical Records.

4. Publish any material pertaining to its work as it deems appropriate.

**Sec. 56.** NRS 378A.070 is hereby amended to read as follows:

378A.070 1. The Account for Historical Records is hereby created in the State General Fund to be administered by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator. Money in the Account may be expended only for grants to promote and preserve historical recordkeeping and for carrying out the provisions of this chapter.

2. All money received by the Board from any source must be deposited in the State Treasury to the credit of the Account.

3. All claims against the Account must be paid as other claims against the State are paid.

**Sec. 57.** NRS 378A.090 is hereby amended to read as follows:

378A.090 The Board shall promptly file copies of any and all of its reports, studies, documents and publications, regardless of form of issue, with the State Library ~~[,]~~ ***and*** Archives **.** ~~[and Public Records.]~~

**Sec. 58.** NRS 378A.100 is hereby amended to read as follows:

378A.100 The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall maintain the records of the Board at the State Library ~~[,]~~ ***and*** Archives **.** ~~[and Public Records.]~~

**Sec. 59.** NRS 379.007 is hereby amended to read as follows:

379.007 The purpose of certifying the personnel of public libraries is to protect the general welfare of the people of this State. Any certificate issued by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator is a revocable privilege and no holder of a certificate acquires any vested right therein.

**Sec. 60.** NRS 379.0073 is hereby amended to read as follows:

379.0073 1. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall adopt regulations establishing standards for the certification by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator of the personnel of public libraries in this State.

2. The regulations must include:

(a) Standards for the certification of various categories of library personnel, based upon their educational backgrounds, work experience and job descriptions.

(b) The qualifications required for certification, including the courses of study or training required for each category of certification.

3. The regulations may include:

(a) Provisions governing the issuance of conditional certificates to personnel of public libraries before the completion of all courses of study or other requirements for certification.

(b) Provisions governing the issuance of provisional certificates pursuant to NRS 379.0077.

4. The regulations must provide that they do not apply to a public library unless the governing authority of the library has approved the regulations for use by the library.

**Sec. 61.** NRS 379.0075 is hereby amended to read as follows:

379.0075 1. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall not deny the application of a person for certification by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator pursuant to the regulations adopted pursuant to NRS 379.0073 based solely on his or her immigration or citizenship status.

2. Notwithstanding the provisions of NRS 379.0077, an applicant for certification by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator who does not have a social security

number must provide an alternative personally identifying number, including, without limitation, his or her individual taxpayer identification number, when completing an application for a certification.

3. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall not disclose to any person who is not employed by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator the social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, of an applicant for a license for any purpose except:

(a) Tax purposes;

(b) Licensing purposes; and

(c) Enforcement of an order for the payment of child support.

4. A social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, provided to the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator is confidential and is not a public record for the purposes of chapter 239 of NRS.

**Sec. 62.** NRS 379.0077 is hereby amended to read as follows:

379.0077 1. An application for certification by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator must include the social security number of the applicant.

2. Every applicant for certification by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall submit with the application a complete set of his or her fingerprints and written permission authorizing the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator to

forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator may issue a provisional certificate pending receipt of the report if the Administrator determines that the applicant is otherwise qualified.

**Sec. 63.** NRS 379.0078 is hereby amended to read as follows:

379.0078 1. An applicant for the issuance or renewal of certification shall submit to the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator the statement prescribed by the Division of Social Services of the Department of Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the certification; or

(b) A separate form prescribed by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator.

3. A certificate may not be issued or renewed by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved

by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

**Sec. 64.** NRS 379.00785 is hereby amended to read as follows:

379.00785 1. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall develop and implement a process by which a person with a criminal history may petition the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a certification pursuant to NRS 379.0073.

2. Not later than 90 days after a petition is submitted to the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator pursuant to subsection 1, the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall inform the person of the determination of the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator of whether the person's criminal history will disqualify the person from obtaining a certification. The State Library ~~[,]~~ ***and*** Archives

~~[and Public Records]~~ Administrator is not bound by his or her determination of disqualification or qualification and may rescind such a determination at any time.

3. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification.

4. A person with a criminal history may petition the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a certification from the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator.

5. A person may submit a new petition to the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator not earlier than 2 years after the final determination of the initial petition submitted to the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator.

6. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator may impose a fee of up to $50 upon the person to fund the administrative costs in complying with the provisions of this section. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator may waive such fees or allow such fees to be covered by funds from a scholarship or grant.

7. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator may post on its Internet website:

(a) The requirements to obtain a certification from the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator; and

(b) A list of crimes, if any, that would disqualify a person from obtaining a certification from the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator.

8. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator may request the criminal history record of a person who petitions the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator for a determination pursuant to subsection 1. To the extent consistent with federal law, if the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator makes such a request of a person, the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall require the person to submit his or her criminal history record which includes a report from:

(a) The Central Repository for Nevada Records of Criminal History; and

(b) The Federal Bureau of Investigation.

9. A person who petitions the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator for a determination pursuant to subsection 1 shall not submit false or misleading information to the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator.

10. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes:

(a) The number of petitions submitted to the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator pursuant to subsection 1;

(b) The number of determinations of disqualification made by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator pursuant to subsection 1;

(c) The reasons for such determinations; and

(d) Any other information that is requested by the Director or which the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator determines would be helpful.

11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission.

**Sec. 65.** NRS 379.0079 is hereby amended to read as follows:

379.0079 1. In addition to any other requirements set forth in this chapter, an applicant for the renewal of certification by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator must indicate in the application submitted to the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator whether the applicant has a state business license. If the applicant has a state business license, the applicant must include in the application the business identification number assigned by the Secretary of State upon compliance with the provisions of chapter 76 of NRS.

2. Certification may not be renewed by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator if:

(a) The applicant fails to submit the information required by subsection 1; or

(b) The State Controller has informed the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator pursuant to subsection 5 of NRS 353C.1965 that the applicant owes a debt to an agency that has been assigned to the State Controller for collection and the applicant has not:

(1) Satisfied the debt;

(2) Entered into an agreement for the payment of the debt pursuant to NRS 353C.130; or

(3) Demonstrated that the debt is not valid.

3. As used in this section:

(a) "Agency" has the meaning ascribed to it in NRS 353C.020.

(b) "Debt" has the meaning ascribed to it in NRS 353C.040.

**Sec. 66.** NRS 379.008 is hereby amended to read as follows:

379.008 1. Except as otherwise provided in NRS 239.0115, an application to the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator for certification and all documents in the file of the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator relating to an application, including:

(a) The applicant's health records;

(b) The applicant's fingerprints and any report from the Federal Bureau of Investigation;

(c) Transcripts of the applicant's records at colleges or other educational institutions;

(d) Correspondence concerning the application; and

(e) Other personal information concerning the applicant,

➥ are confidential.

2. It is unlawful to disclose or release the information in an application or a related document except pursuant to the written authorization of the applicant.

3. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall, upon request, make available the file of the applicant for inspection by the applicant during regular business hours.

**Sec. 67.** NRS 379.0082 is hereby amended to read as follows:

379.0082 1. If the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who has been certified by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator, the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall deem that person's certification to be suspended at the end of the 30th day after the date on which the court order was issued unless the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person who has been certified by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator stating that the person has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall reinstate the certification of a person that has been suspended by a district court pursuant to NRS 425.540 if the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose certification

was suspended stating that the person whose certification was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

**Sec. 68.** NRS 379.0083 is hereby amended to read as follows:

379.0083 The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator may adopt regulations establishing fees:

1. Of not more than $5 for the issuance and renewal of a certificate. The fee for issuing a duplicate certificate must be the same as for issuing the original. The money received from such fees must be paid into the State General Fund.

2. To cover the amount charged by the Federal Bureau of Investigation for processing the fingerprints of an applicant. The money received from such fees must be deposited with the State Treasurer for credit to the appropriate account of the Division of State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ of the Department of Administration.

**Sec. 69.** NRS 379.0087 is hereby amended to read as follows:

379.0087 1. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall adopt regulations setting forth standards for the approval of a course of study or training offered by an educational institution to qualify a person for certification.

2. Except as otherwise provided in subsection 3, the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall, upon the application of an educational institution or as the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator determines necessary, review and evaluate a course of study or training offered by an educational institution to qualify a person for certification. If the course of study or training meets the standards established by the State

Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator, it must be approved by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator.

3. In lieu of reviewing and evaluating a course of study or training, the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator may approve a course of study or training which is approved by a national agency for accreditation.

4. If the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator denies or withdraws approval of a course of study or training, the educational institution is entitled to a hearing and judicial review of the decision of the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator.

**Sec. 70.** NRS 379.009 is hereby amended to read as follows:

379.009 The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall file with the governing authority of each public library in this State a directory of all personnel who hold certificates, and shall advise the governing authority from time to time, as necessary, of changes or additions to the directory.

**Sec. 71.** NRS 379.147 is hereby amended to read as follows:

379.147 As used in NRS 379.147 to 379.149, inclusive, "library" includes public libraries, school libraries where authorized by school districts, academic libraries, special libraries and the State Library ~~[,]~~ ***and*** Archives **.** ~~[and Public Records.]~~

**Sec. 72.** NRS 379.150 is hereby amended to read as follows:

379.150 A library operated pursuant to the provisions of this chapter may enter into agreements with the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator, where the objective of the agreements is the improvement of library service.

**Sec. 73.** NRS 380.153 is hereby amended to read as follows:

380.153 1. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall adopt by regulation a list of legal books and materials which are considered primary sources and which the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator has determined must be available in every county to the inhabitants of that county.

2. Each board of county commissioners shall ensure that all of the legal books and materials listed by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator are accessible to the inhabitants of the county:

(a) By making them available for use during normal business hours in either the law library or a public library; or

(b) Pursuant to an agreement with another library which has them.

➥ The place where those legal books and materials are located must be plainly marked as an area accessible to the general public.

**Sec. 74.** NRS 380.190 is hereby amended to read as follows:

380.190 1. Whenever the board of county commissioners of any county in which a law library has been established pursuant to the provisions of this chapter desires to discontinue the law library, the board of county commissioners shall discontinue the law library by the enactment of an ordinance. The ordinance must provide for:

(a) The discontinuance of the law library.

(b) The transfer of the law library books to the chambers of the district judge or judges of the county or to other appropriate locations in the county.

(c) The keeping thereafter of such books in the judges' chambers or other locations.

(d) The transfer of all money in the law library fund to the county school district fund.

(e) The abolishment of the offices of law library trustees, if any.

2. After such an ordinance takes effect, the county clerk shall not set aside the fees provided for in NRS 380.110.

3. The discontinuance of a law library does not alter the duty of the board of county commissioners to provide, at a publicly accessible location, all legal books and materials which the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator has determined, pursuant to NRS 380.153, must be available in every county.

**Sec. 75.** NRS 380A.031 is hereby amended to read as follows:

380A.031 1. The State Council on Libraries and Literacy is hereby created. The Council is advisory to the Division of State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ of the Department of Administration.

2. The Council consists of 11 members appointed by the Governor. Unless specifically appointed to a shorter term, the term of office of a member of the Council is 3 years and commences on July 1 of the year of appointment. The terms of office of the members of the Council must be staggered to result in, as nearly as possible, the appointment of three or four members to the Council on July 1 of each year.

**Sec. 76.** NRS 380A.061 is hereby amended to read as follows:

380A.061 The Council shall elect a Chair and a Vice Chair at the first meeting held after July 1 of each year. The State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator shall serve as Secretary of the Council but is not entitled to a vote. The Secretariat is the State Library ~~[,]~~ ***and*** Archives ***,*** ~~[and Public Records,]~~ where all files and records of the Council must be maintained.

**Sec. 77.** NRS 380A.071 is hereby amended to read as follows:

380A.071 1. The Council may meet regularly at least twice each year and, within the limits of legislative appropriations, may hold additional meetings upon the call of the Chair.

2. Each member of the Council is entitled to receive a salary of not more than $80, as fixed by the Council, for each day's attendance at a meeting of the Council.

3. While engaged in the business of the Council, each member and employee of the Council is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

4. Payments must be made upon itemized and verified claims approved by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator from money appropriated to the State Library ~~[,]~~ ***and*** Archives ***.*** ~~[and Public Records.]~~

**Sec. 78.** NRS 380A.081 is hereby amended to read as follows:

380A.081 The Council may:

1. Examine and overview the whole state of libraries, librarianship, library education, library resources, and all allied and cognate activities and prepare a record of its findings.

2. Require public libraries to provide necessary library statistics and reports and to make recommendations for the advancement of libraries.

3. Report biennially to the Governor and Legislature. The report must be filed on or before January 1 of each odd-numbered year.

4. Publish material pertaining to its work that it may order issued.

5. Review plans and applications submitted by libraries and political subdivisions for state grants-in-aid and make recommendations to the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator concerning approval.

6. Examine and evaluate the programs for literacy in this State.

7. Establish a plan for coordinating programs and activities for promoting and increasing literacy in this State.

**Sec. 79.** NRS 380A.101 is hereby amended to read as follows:

380A.101 All gifts of money which the Council is authorized to accept must be deposited in the State Treasury in a nonreverting gift fund and expended in accordance with the budget laws of the State of Nevada upon properly itemized and verified claims approved by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator and the Council.

**Sec. 80.** NRS 380A.111 is hereby amended to read as follows:

380A.111 The Council shall promptly file copies of any and all of its reports, studies, documents and publications, regardless of form of issue, with the State Library ~~[,]~~ ***and*** Archives **.** ~~[and Public Records.]~~

**Sec. 81.** NRS 381.245 is hereby amended to read as follows:

381.245 The Nevada Historical Society shall preserve as is deemed appropriate all old and obsolete property and obsolete and noncurrent public records presented to it by the State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ Administrator from the archives and records of the Division of State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ of the Department of Administration.

**Sec. 82.** NRS 385.345 is hereby amended to read as follows:

385.345 1. The position of Coordinator of the Use of Libraries and Related Technical Systems is hereby created. The Superintendent of Public Instruction may:

(a) Assign the duties of the Coordinator to an employee of the Department of Education; or

(b) Appoint a Coordinator.

2. The Coordinator of the Use of Libraries and Related Technical Systems shall:

(a) Coordinate the use of public libraries by local school districts;

(b) Coordinate services offered by the libraries in each school district;

(c) Advise school districts on the proper use and management of libraries in the school districts and the services offered by those libraries;

(d) In conjunction with the Division of State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ of the Department of Administration, coordinate the loan of materials and supplies between libraries;

(e) Offer libraries assistance in the automation of their access to and use of technical materials;

(f) Develop a library of audiovisual software and software for computers for the use of school libraries; and

(g) Offer technical expertise to school libraries regarding such subjects as the new methods of gathering and retaining information.

**Sec. 83.** NRS 412.052 is hereby amended to read as follows:

412.052 The Adjutant General:

1. Shall supervise the preparation and submission of all returns and reports pertaining to the militia of the State required by the United States.

2. Is the channel of official military correspondence with the Governor, and, on or before November 1 of each even-numbered year, shall report to the Governor the transactions, expenditures and condition of the Nevada National Guard. The report must include the report of the United States Property and Fiscal Officer.

3. Is the custodian of records of officers and enlisted personnel and all other records and papers required by law or regulations to be filed in the office of the Adjutant General. The Adjutant General may deposit with the Division of State Library ~~[,]~~ ***and*** Archives ~~[and Public Records]~~ of the Department of Administration for safekeeping records of the office that are used for historical purposes rather than the administrative purposes assigned to the office by law.

4. Shall attest all military commissions issued and keep a roll of all commissioned officers, with dates of commission and all changes occurring in the commissioned forces.

5. Shall record, authenticate and communicate to units and members of the militia all orders, instructions and regulations.

6. Shall cause to be procured, printed and circulated to those concerned all books, blank forms, laws, regulations or other publications governing the militia necessary to the proper administration, operation and training of it or to carry out the provisions of this chapter.

7. Shall keep an appropriate seal of office and affix its impression to all certificates of record issued from his or her office.

8. Shall render such professional aid and assistance and perform such military duties, not otherwise assigned, as may be ordered by the Governor.

**Sec. 84.** The Legislative Counsel shall, in preparing supplements to the Nevada Administrative Code, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities are transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

**Sec. 85.** 1. Any administrative regulations adopted by an officer or an agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency remain in force until amended by the officer or agency to which the responsibility for the adoption of the regulations has been transferred.

2. Any contracts or other agreements entered into by an officer or agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency are binding upon the officer or agency to which the responsibility for the administration of the provisions of the contract or other agreement has been transferred. Such contracts and other agreements may be enforced by the officer or agency to which the responsibility for the enforcement of the provisions of the contract or other agreement has been transferred.

3. Any action taken by an officer or agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or

agency remains in effect as if taken by the officer or agency to which the responsibility for the enforcement of such actions has been transferred.