

PROPOSED REGULATION OF THE STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS ADMINISTRATOR

LCB File No. R103-16

Authority

NRS 378.170 The Legislature directed the State Library, Archives and Public Records Administrator to prescribe the procedures for submitting an electronic version of a publication to the State Publications Distribution Center pursuant to NRS 378.180.

Chapter 378 of NAC is hereby amended by adding thereto the provisions set forth as sections 1, 2 and 3 of this regulation.

Section 1 Definitions

- 1. "Center" has the meaning ascribed to it in NRS 378.160(1).*
- 2. "Local government" has the meaning ascribed to it in NRS 378.160(3).*
- 3. "State agency" has the meaning ascribed to it in NRS 378.160(5).*
- 4. "Publication" has the meaning ascribed to it in NRS 378.160(4).*
- 5. "Division" means the Division of State Library, Archives and Public Records of the Department of Administration.*
- 6. "State agency contacts" means the staff assigned by the head of the agency responsible for distributing publications produced by the agency.*

Sec. 2 Responsibilities of State agency contacts.

1. Each state agency or local government must appoint one or more state agency contacts. The state agency contact is responsible for distributing publications produced by the agency outside the agency.

2. Duties of state agency contacts shall include:

- (a) Informs the Center of new publications in distribution by the agency or division, regardless of format;*
- (b) Understands the definition of a state publication, in accordance with NRS 378.150 - .210;*
- (c) Sends an electronic copy or the appropriate number of paper copies of new publications to the Center;*
- (d) Keeps a record of publications sent to the Center.*

- (e) Informs the Center when staffing changes occur that will affect publication distribution.*
- (f) Contacts the Center when questions arise regarding staff, publications, or anything that might influence collection or distribution of state publications.*

Sec. 3 Procedures for submitting publications to the Center.

1. The State Library, Archives and Public Records Administrator will:

- (a) Publish the procedures for submitting electronic or print publications to the Center pursuant to NRS 378.180 in the Handbook for State Agency Contacts; and*
- (b) Provide a current copy of the Handbook on the division's website.*

NAC 378 is hereby repealed

Justification

NAC 378.005 now in NAC 239.597

NAC 378. 010 and 387.020 position was deleted from the Division of Human Resources list of classified positions and no longer exists.

NAC 378.3030 and NAC 378.040 now codified in NRS 239.090 and NRS 378.240

NAC 378.050 thru NAC 378.080 is obsolete and no longer part of NRS 378

NAC 378.005 “Historical value” defined. (NRS 239.125, 378.255, 378.280) For the purposes of this chapter and chapter 378 of NRS, “historical value” has the meaning ascribed to it in NAC 239.597.

(Added to NAC by Library & Archives Admin’r by R118-12, eff. 10-24-2014)

NAC 378.010 State Archivist: Appointment. (NRS 378.255, 378.280) The State Library, Archives and Public Records Administrator will appoint a State Archivist, who will be in the classified service of the State.

[St. Librarian, Div. of Archives Reg. No. 1, eff. 2-5-82]

NAC 378.020 State Archivist: Duties. (NRS 378.255, 378.280)

1. The State Archivist shall, subject to the control of the State Library, Archives and Public Records Administrator, carry out the archival record function of the Division of State Library, Archives and Public Records of the Department of Administration and manage the material in the archives.

2. The State Archivist shall assist state agencies and local governments in developing systems for:

- (a) The preservation of governmental records having historical value; and
- (b) The retrieval of information not declared by law to be confidential from those records for the benefit of researchers and other members of the general public.

[St. Librarian, Div. of Archives Reg. Nos. 2 & 3, eff. 2-5-82]—(NAC A 6-23-86; A by Library & Archives Admin’r by R090-06, 6-1-2006)

NAC 378.030 Division of State Library, Archives and Public Records: Duties. (NRS 378.255, 378.280)

1. The Division of State Library, Archives and Public Records of the Department of Administration shall provide the general public with the services of research and retrieval of information for materials which are deposited within the archives and referrals for materials which are deposited outside the archives.

2. The Division may preserve the private material of any public officer of this State or any of its political subdivisions if the material has been made available to the Division for that purpose.

NAC 378.040 Division of State Library, Archives and Public Records: Receipt of records. (NRS 378.255, 378.280) The State Library, Archives and Public Records Administrator will receive into the archives any record generated by the State or any of its political subdivisions if the record:

1. Has a sufficient administrative, fiscal, legal or other value or is necessary in conducting research;

2. Documents an agency's organization, function, policies, decisions, procedures, operations and essential transactions; or

3. Is necessary to protect the financial and legal rights of persons directly affected by an agency's activities.

CONSTRUCTION AND EXPANSION OF PUBLIC LIBRARIES

NAC 378.050 Proposal for grant: Submission; contents. (§ 3 of ch. 328, Stats. 1983) A local governmental entity that desires a grant to build or expand a public library shall submit its proposal to the State Library, Archives and Public Records Administrator. The proposal must include:

1. A statement of the source of the local share of financing based on the formula specified in section 4 of chapter 328, Statutes of Nevada 1983.

2. Verification that sufficient local resources are available to meet the local share of the cost of the project.

3. An estimate of the total cost of the project.

4. Certified copies of all deeds or other evidences of title to real property for the project if the property has already been acquired.

5. A program for construction developed by a librarian.

6. A description of the project and proposals for its management.

7. Preliminary architectural plans if they have been drawn.

8. A description of the location of the project, including its relationship to existing facilities.

NAC 378.060 Evaluation of proposal. (§ 3 of ch. 328, Stats. 1983) The State Library, Archives and Public Records Administrator will evaluate each proposal to determine if the:

1. Proposed project corresponds to the needs of the community.

2. Proposed project conforms to the local master plan for the library and the statewide master plan.

3. Proposed facility is designed for ease of access and use by the public.

4. Applicant demonstrates that there is local support sufficient to maintain the programs for which the facility is intended.
5. Proposal includes using an experienced librarian to develop a program for construction of the project and to communicate with the architects and contractors throughout the period of construction.
6. Project will conform to all applicable local and state requirements for construction.
7. Cost per square foot corresponds to standard costs in that area for similar buildings.

NAC 378.070 Approval or disapproval of proposal. (§ 3 of ch. 328, Stats. 1983)

1. If the State Library, Archives and Public Records Administrator approves the proposal, it will be forwarded to the State Council on Libraries and Literacy for its recommendation.
2. If an application submitted by the State Library, Archives and Public Records Administrator is approved by the Interim Finance Committee, the State Library, Archives and Public Records Administrator will send the applicant a letter:
 - (a) Stating the intention of the State of Nevada to approve the project subject to the applicant's continuing ability to meet local, state and federal requirements.
 - (b) Specifying the sources of financing for the project including the share from general obligation bonds of the State of Nevada.
3. If a proposal is not approved by the State Library, Archives and Public Records Administrator, the applicant will be provided an opportunity to discuss the reasons for denial and, if possible, to amend the proposal so that it may be approved.

NAC 378.080 Inspections, reports and examinations. (§ 3 of ch. 328, Stats. 1983)

1. A local governmental entity which receives a grant shall:
 - (a) Make available for inspection during regular business hours all of its books, accounts and other records relating to the project; and
 - (b) Submit quarterly reports on the progress of the project.
2. The State Library, Archives and Public Records Administrator will conduct such examinations of the records as necessary to determine compliance with federal, state and local requirements.