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FIRST REPRINT

A.B. 252

ASSEMBLY BILL NO. 252—ASSEMBLYWOMEN COHEN;
AND BROWN-MAY

MARCH 7, 2023

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to governmental administration. (BDR 33-150)

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

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

AN ACT relating to governmental administration; creating the Account for Improving Access to State Museums for Persons with Disabilities in the State General Fund; revising the membership of the Board of Museums and History; requiring the Administrator of the Division of Museums and History of the Department of Tourism and Cultural Affairs to develop and maintain an Internet website related to institutions of the Division and ensure that the Internet website is accessible to persons with disabilities; authorizing the Administrator to authorize or require a museum director of an institution of the Division to establish certain procedures that enable the accessibility of the exhibits in the institution to persons who are blind or visually impaired; requiring the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs to study during the 2023-2024 interim any issues that exist that limit the ability of persons with disabilities to access the institutions of the Division; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the Division of Museums and History of the Department of
2 Tourism and Cultural Affairs, which consists of the Office of the Administrator and
3 certain museums and historical societies which are established as institutions of
4 the Division. (NRS 381.004) Existing law further sets forth various duties of the
5 Administrator. (NRS 381.006, 381.0063) **Section 3** of this bill requires the



6 Administrator to also: (1) develop and maintain an Internet website related to the
7 institutions of the Division and ensure that the Internet website is accessible to
8 persons with disabilities, including, without limitation, persons who are blind or
9 visually impaired; and (2) consult with certain organizations regarding the
10 accessibility of institutions of the Division to persons with disabilities, including,
11 without limitation, persons who are blind or visually impaired. **Section 4** of this bill
12 authorizes the Administrator to authorize or require a museum director of an
13 institution of the Division to establish certain procedures that enable the
14 accessibility of the exhibits in the institution for persons who are blind or visually
15 impaired.

16 **Section 1** of this bill creates the Account for Improving Access to State
17 Museums for Persons with Disabilities in the State General Fund, to be
18 administered by the Administrator. Money in the Account must be expended only
19 to improve access at institutions of the Division for persons with disabilities,
20 including, without limitation, persons who are blind or visually impaired.

21 Existing law creates the Board of Museums and History, which consists of
22 twelve members, including five representatives of the general public who are
23 knowledgeable about museums. (NRS 381.002) **Section 2** of this bill provides that
24 one of the representatives of the general public must be a person who is
25 knowledgeable about museums and has a disability. **Section 6** of this bill clarifies
26 that the provisions of **section 2** do not affect the term of any person who is a
27 member of the Board on June 30, 2023.

28 **Section 5** of this bill requires the Legislative Committee on Senior Citizens,
29 Veterans and Adults With Special Needs to study during the 2023-2024 interim any
30 issues that exist which limit the ability of persons with disabilities, including,
31 without limitation, persons who are blind or visually impaired, to access the
32 institutions of the Division.

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

1 **Section 1.** Chapter 381 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. There is hereby created the Account for Improving Access*
4 *to State Museums for Persons with Disabilities in the State*
5 *General Fund. The Account shall be administered by the*
6 *Administrator.*

7 *2. The money in the Account must be expended only to*
8 *improve access at institutions of the Division that are established*
9 *pursuant to NRS 381.004 for persons with disabilities, including,*
10 *without limitation, persons who are blind or visually impaired.*

11 *3. The Administrator may apply for and accept any gift,*
12 *donation, bequest, grant or other source of money for deposit in*
13 *the Account.*

14 *4. The interest and income earned on money in the Account*
15 *from any gift, donation, bequest or appropriation, after deducting*
16 *any applicable charges, must be credited to the Account.*

17 *5. Money from any gift, donation, bequest or appropriation*
18 *that remains in the Account at the end of the fiscal year does not*



1 *revert to the State General Fund, and the balance in the Account*
2 *must be carried forward to the next fiscal year.*

3 **Sec. 2.** NRS 381.002 is hereby amended to read as follows:

4 381.002 1. The Board of Museums and History, consisting of
5 twelve members appointed by the Governor, is hereby created.

6 2. The Governor shall appoint to the Board:

7 (a) Five representatives of the general public who are
8 knowledgeable about museums ~~[-]~~, *one of whom must be a person*
9 *with a disability.*

10 (b) Six members representing the fields of history, prehistoric
11 archeology, historical archeology, architectural history, and
12 architecture with qualifications as defined by the Secretary of
13 Interior's standards for historic preservation in the following fields:

14 (1) One member who is qualified in history;

15 (2) One member who is qualified in prehistoric archeology;

16 (3) One member who is qualified in historic archeology;

17 (4) One member who is qualified in architectural history;

18 (5) One member who is qualified as an architect; and

19 (6) One additional member who is qualified, as defined by
20 the Secretary of Interior's standards for historic preservation, in any
21 of the fields of expertise described in subparagraphs (1) to (5),
22 inclusive.

23 (c) One member, after giving consideration to any
24 recommendation of an enrolled member of a Nevada Indian tribe
25 which is submitted by the Nevada Indian Commission, after
26 consultation with the Inter-Tribal Council of Nevada, Inc., or its
27 successor organization.

28 3. The Board shall elect a Chair and a Vice Chair from among
29 its members at its first meeting of every even-numbered year. The
30 terms of the Chair and Vice Chair are 2 years or until their
31 successors are elected.

32 4. With respect to the functions of the Office of Historic
33 Preservation, the Board may develop, review and approve policy
34 for:

35 (a) Matters relating to the State Historic Preservation Plan;

36 (b) Nominations to the National Register of Historic Places and
37 make a determination of eligibility for listing on the Register for
38 each property nominated; and

39 (c) Nominations to the State Register of Historic Places and
40 make determination of eligibility for listing on the Register for each
41 property nominated.

42 5. With respect to the functions of the Division, the Board shall
43 develop, review and make policy for investments, budgets,
44 expenditures and general control of the Division's private and



1 endowed dedicated trust funds pursuant to NRS 381.003 to
2 381.0037, inclusive.

3 6. In all other matters pertaining to the Office of Historic
4 Preservation and the Division of Museums and History, the Board
5 serves in an advisory capacity.

6 7. The Board may adopt such regulations as it deems necessary
7 to carry out its powers and duties.

8 **Sec. 2.5.** NRS 381.0031 is hereby amended to read as follows:

9 381.0031 1. ~~[A]~~ *Except as otherwise provided in*
10 *subsection 5, all* money and the proceeds from property received by
11 the Division or any institution of the Division through any grant
12 other than a grant of federal money, bequest or devise, and the
13 proceeds from memberships, sales, interest and dividends from any
14 sources other than appropriation by the Legislature, admission
15 charges and sales of tickets for train rides, are private money and not
16 state money. The Board shall establish a Division of Museums and
17 History Dedicated Trust Fund. All private money must be accounted
18 for in that Fund. No other money may be accounted for in that Fund.

19 2. Except as otherwise provided in this chapter, all of the
20 money in the Dedicated Trust Fund must be deposited in a financial
21 institution to draw interest or be expended, invested and reinvested
22 pursuant to the specific instructions of the donor, or, where no such
23 specific instructions exist, in the sound discretion of the Board. The
24 provisions of subsections 3 and 4 of NRS 356.011 apply to any
25 accounts in financial institutions maintained pursuant to this section.

26 3. The Board shall account separately for the portions of the
27 private money received by each institution of the Division but may
28 combine all or any portion of the private money for the purposes of
29 investment and reinvestment.

30 4. The Board shall adopt an investment policy for the private
31 money.

32 5. The provisions of this section do not apply to any money
33 received for deposit in the Account for Improving Access to State
34 Museums for Persons with Disabilities created by section 1 of this
35 act.

36 **Sec. 3.** NRS 381.006 is hereby amended to read as follows:

37 381.006 1. For the property and facilities of the Division, the
38 Administrator:

39 ~~[1]~~ (a) Is responsible to the Director for the general
40 administration of the Division and its institutions and for the
41 submission of its budgets, which must include the combined budgets
42 of its institutions.

43 ~~[2]~~ (b) Shall supervise the museum directors of its institutions
44 in matters pertaining to the general administration of the institutions.



1 ~~[3.]~~ (c) Shall coordinate the submission of requests by its
2 institutions for assistance from governmental sources.

3 ~~[4.]~~ (d) Shall oversee the public relations of its institutions.

4 ~~[5.]~~ (e) Shall superintend the planning and development of any
5 new facilities for the Division or its institutions.

6 ~~[6.]~~ (f) Shall assist the efforts of its institutions in improving
7 their services to the rural counties.

8 ~~[7.]~~ (g) Shall supervise the facilities for storage which are
9 jointly owned or used by any of its institutions.

10 ~~[8.]~~ (h) Shall trade, exchange and transfer exhibits and
11 equipment when the Administrator considers it proper and the
12 transactions are not sales.

13 ~~[9.]~~ (i) May contract with any person to provide concessions on
14 the grounds of the property and facilities of the Division, provided
15 that any contract permitting control of real property of the Division
16 by a nongovernmental entity must be executed as a lease pursuant to
17 NRS 321.003, 321.335, 322.050, 322.060 and 322.070.

18 ~~[10.]~~ (j) Shall oversee the supervision, control, management and
19 operation of any buildings or properties in this State that are under
20 the control of the Division.

21 ~~[11.]~~ (k) Shall supervise the furnishing, remodeling, repairing,
22 alteration and erection of premises and buildings of the Division or
23 premises and buildings that may be conveyed or made available to
24 the Division.

25 **2. In addition to the duties set forth in subsection 1, the**
26 **Administrator shall:**

27 **(a) Develop and maintain an Internet website related to the**
28 **museums and historical societies established as institutions of the**
29 **Division pursuant to NRS 381.004 and ensure that the Internet**
30 **website is accessible to persons with disabilities, including, without**
31 **limitation, persons who are blind or visually impaired.**

32 **(b) Consult with organizations that are dedicated to the**
33 **welfare of persons with disabilities, including, without limitation,**
34 **persons who are blind or visually impaired. Such organizations**
35 **may include, without limitation, the American Council of the**
36 **Blind and the National Federation of the Blind, regarding the**
37 **accessibility of institutions of the Division that are established**
38 **pursuant to NRS 381.004 to persons who are blind or visually**
39 **impaired.**

40 **Sec. 4.** NRS 381.0063 is hereby amended to read as follows:

41 381.0063 1. The Administrator shall, in accordance with any
42 directive received from the Director pursuant to NRS 232.005,
43 authorize or require each museum director to perform such duties
44 set forth in subsections 2 and 3 as are necessary for the operation of



1 the institution administered by the museum director, after giving
2 consideration to:

3 (a) The size and complexity of the programs the museum
4 director is required to administer;

5 (b) The number of personnel needed to carry out those
6 programs;

7 (c) Requirements for accreditation; and

8 (d) Such other factors as are relevant to the needs of the
9 institution and the Division.

10 2. The Administrator may authorize or require a museum
11 director to:

12 (a) Oversee duties related to the auditing and approval of all
13 bills, claims and accounts of the institution administered by the
14 museum director.

15 (b) Receive, collect, exchange, preserve, house, care for,
16 document, interpret, display and exhibit, particularly, but not
17 exclusively, respecting the State of Nevada:

18 (1) Samples of the useful and fine arts, sciences and
19 industries, relics, memorabilia, products, works, records, rare and
20 valuable articles and objects, including, without limitation,
21 drawings, etchings, lithographs, photographs, paintings, statuary,
22 sculpture, fabrics, furniture, implements, machines, geological and
23 mineral specimens, precious, semiprecious and commercial
24 minerals, metals, earths, gems and stones.

25 (2) Books, papers, records and documents of historic, artistic,
26 literary or industrial value or interest by reason of rarity,
27 representative character or otherwise.

28 (c) Collect, gather and prepare the natural history of Nevada and
29 the Great Basin.

30 (d) Establish such programs in history, archeology,
31 anthropology, paleontology, mineralogy, ethnology, ornithology and
32 such other programs as in the judgment of the Board and
33 Administrator may be proper and necessary to carry out the objects
34 and purposes appropriate to the institution administered by the
35 museum director.

36 (e) Receive and collect property from any appropriate agency of
37 the State of Nevada, or from accessions, gifts, exchanges, loans or
38 purchases from any other agencies, persons or sources.

39 (f) House and preserve, care for and display or exhibit property
40 received by an institution. This paragraph does not prevent the
41 permanent or temporary retention, placement, housing or exhibition
42 of a portion of the property in other places or locations in or outside
43 of the State at the sole discretion of the Board.



1 (g) Make and obtain plans and specifications and let and
2 supervise contracts for work or have the work done on force account
3 or day labor, supplying material or labor, or otherwise.

4 (h) Receive, accept and obtain by exchange in the name of the
5 State of Nevada all property loaned to the institution administered
6 by the museum director for preservation, care, display or exhibit, or
7 decline and reject the property in his or her discretion, and
8 undertake to be responsible for all property loaned to the institution
9 or make just payment of any reasonable costs or rentals therefor.

10 (i) Apply for and expend all gifts and grants that the institution
11 administered by the museum director is authorized to accept in
12 accordance with the terms and conditions of the gift or grant.

13 (j) Govern, manage and control the exhibit and display of all
14 property and things of the institution administered by the museum
15 director at other exhibits, expositions, world's fairs and places of
16 public or private exhibition. Any property of the State of Nevada
17 that may be placed on display or on exhibition at any world's fair or
18 exposition must be taken into custody by the Administrator at the
19 conclusion of the world's fair or exposition and placed and kept in
20 the institution, subject to being removed and again exhibited at the
21 discretion of the Administrator or a person designated by the
22 Administrator.

23 (k) Negotiate and consult with and agree with other institutions,
24 departments, officers and persons or corporations of and in the State
25 of Nevada and elsewhere respecting quarters for and the
26 preservation, care, transportation, storage, custody, documentation,
27 interpretation, display and exhibit of articles and things controlled
28 by the institutions and respecting the terms and cost, the manner,
29 time, place and extent, and the return thereof.

30 (l) Trade, exchange and transfer exhibits and duplicates when
31 the Administrator deems it proper. Such transactions shall not be
32 deemed sales.

33 (m) Establish the qualifications for life, honorary, annual,
34 sustaining and such other memberships as are established by the
35 Board pursuant to NRS 381.0045.

36 (n) Adopt rules for the internal operations of the institution
37 administered by the museum director, including, without limitation,
38 the operation of equipment of the institution.

39 *(o) Establish procedures that enable the accessibility of the*
40 *exhibits in an institution administered by the museum director for*
41 *persons who are blind or visually impaired, including, without*
42 *limitation, by providing audio guides, audio descriptive displays,*
43 *tactile displays and experiences, dedicated tours for persons who*
44 *are blind or visually impaired, Braille signage and descriptions,*
45 *temporary lighting and adapted educational classes.*



1 3. The Administrator shall require a museum director to serve
2 as, or to designate an employee to serve as, ex officio State
3 Paleontologist. The State Paleontologist shall, within the limits of
4 available time, money and staff:

5 (a) Systematically inventory the paleontological resources
6 within the State of Nevada;

7 (b) Compile a database of fossil resources within this State;

8 (c) Coordinate and promote paleontological research activities
9 within this State, including, without limitation, regulating and
10 issuing permits to engage in such activities;

11 (d) Disseminate and assist other persons in disseminating
12 information gained from research conducted by the State
13 Paleontologist; and

14 (e) Display and promote, and assist other persons in displaying
15 and promoting, the paleontological resources of this State to
16 enhance education, culture and tourism within this State.

17 4. The enumeration of the powers and duties that may be
18 assigned to a museum director pursuant to this section is not
19 exclusive of other general objects and purposes appropriate to a
20 public museum.

21 5. The provisions of this section do not prohibit the
22 Administrator from making such administrative and organizational
23 changes as are necessary for the efficient operation of the Division
24 and its institutions and to ensure that an institution properly carries
25 out the duties and responsibilities assigned to that institution.

26 **Sec. 5.** 1. The Legislative Committee on Senior Citizens,
27 Veterans and Adults With Special Needs created by NRS 218E.750
28 shall study during the 2023-2024 interim any issues that exist which
29 limit the ability of persons with disabilities, including, without
30 limitation, persons who are blind or visually impaired, to access the
31 museums and historical societies established as institutions of the
32 Division of Museums and History of the Department of Tourism
33 and Cultural Affairs pursuant to NRS 381.004.

34 2. In the report required pursuant to subsection 3 of NRS
35 218E.760, the Legislative Committee on Senior Citizens, Veterans
36 and Adults With Special Needs shall set forth any recommended
37 legislation for improving the accessibility of the museums and
38 historical societies established as institutions of the Division of
39 Museums and History of the Department of Tourism and Cultural
40 Affairs pursuant to NRS 381.004 to persons with disabilities,
41 including, without limitation, persons who are blind or visually
42 impaired.

43 **Sec. 6.** The provisions of NRS 381.002, as amended by
44 section 2 of this act, do not apply to the existing terms of members
45 of the Board of Museums and History who were appointed to the



1 Board pursuant to paragraph (a) of subsection 2 of NRS 381.002, as
2 that section existed on June 30, 2023.

3 **Sec. 7.** This act becomes effective on July 1, 2023.

