

LCB File No. R087-06

**PROPOSED REGULATION OF THE DIVISION OF MUSEUMS AND
HISTORY OF THE DEPARTMENT OF CULTURAL AFFAIRS**

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Repeal of Regulations of the
Department of Cultural Affairs
Nevada Division of Museums and History

The Department of Cultural Affairs will hold a public hearing at 9:00 a.m. on May 23, 2006, in Conference Room A of the Nevada State Library and Archives, 100 N. Stewart Street, Carson City, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the repeal of regulations in Chapter 382.010-.020 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1) The statute which originally authorized these regulations, NRS 382, no longer exists and the regulations are no longer necessary.

2) The current regulation to be repealed reads as follows:

[382.010 Museum materials: Lending policies.

1. No museum material may be removed for any purpose other than storage by anyone other than the director or assistant director.

2. Items must be returned to the museum by the director or assistant director.

3. Any materials loaned for a specific length of time to one of the society's affiliates must be delivered and exhibited safely and returned to the museum in the same manner.

4. All affiliates of the society shall have written agreements.

5. Forms are available at the society for all persons or affiliates receiving loans or exhibiting materials.

6. The society may also place specific exhibits in a location. These exhibits are governed by the same rules as govern affiliates.

7. No materials belonging to the society may be sold.

382.020 Library materials: Lending policies.

1. The library of the society is not a lending library and all researchers must do their research in the library under supervision.

2. Professors, in special instances, may be permitted to remove materials from the library for a specific number of days upon signing a form to borrow the books.]

3) There is no economic effect from the proposed regulations.

4) There is no cost to the agency for enforcing the proposed regulations.

- 5) The proposed regulations do not duplicate or overlap any other state regulations or federal regulations.
- 6) The proposed regulations do not create a new fee or increase an existing fee.

Persons wishing to comment upon the proposed action of Department may appear at the scheduled public hearing or address their comments, data, views, or arguments in written form to Department of Cultural Affairs, 716 N. Carson Street, Suite B, Carson City, NV 89701.

Written submissions must be received by the Department of Cultural Affairs on or before May 16, 2006. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Department may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be amended and repealed will be on file at the Nevada State Library and Archives, 100 N. Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulations to be repealed will be available at administrative offices of the Nevada Division of Museums and History, 708 N. Curry Street, Carson City, Nevada, and at the main public library in all counties for inspection and copying by members of the public during business hours.

This notice and the text of the proposed regulations are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if deemed necessary. This does not apply to a public body subject to the Open Meeting Law.

Upon adoption of any regulation, the agency, if requested to do so by an interested person either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption or incorporate therein its reason for overruling the consideration urged against its adoption.

This notice has been posted at the following locations:

Department of Cultural Affairs, 716 N. Carson Street, Suite B, Carson City, NV
Division of Museums and History, 708 N. Curry Street, Carson City, NV
State Railroad Museum, 2180 S. Carson Street, Carson City, NV
Nevada State Library and Archives, 100 N. Stewart Street, Carson City, NV
Nevada Historical Society, 1650 N. Virginia Street, Reno, NV
Nevada State Museum and Historical Society, 700 Twin Lakes Drive, Las Vegas, NV
Lost City Museum, 721 S. Moapa Valley Blvd., Overton, NV
East Ely Railroad Depot Museum, 1100 Avenue A, Ely, NV
Churchill County Library, 553 S. Maine Street, Fallon, NV
Douglas County Public Library, 165 Library Lane, Minden, NV
Elko-Lander-Eureka Counties Library System, 720 Court Street, Elko, NV

Esmeralda County Libraries, PO Box 128, Silverpeak, NV
Humboldt County Library, 85 East 5th Street, Winnemucca, NV
Lincoln County Library, 63 Main Street, Pioche, NV
Lyon County Library System, 20 Nevin Way, Yerington, NV
Mineral County Library, 110 First Street, Hawthorne, NV
Pershing County Library, 1125 Central Avenue, Lovelock, NV
Storey County Library, 95 South R Street, Virginia City, NV
Tonopah Library District, 167 South Central Street, Tonopah, NV

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NAC 382.010-.020 is hereby repealed.

~~**[CHAPTER 382 – NEVADA HISTORICAL SOCIETY**~~

~~**382.010 – Museum materials: Lending policies.**~~

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- ~~—2. Items must be returned to the museum by the director or assistant director.~~
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