



**STATE OF NEVADA**  
**DEPARTMENT OF ADMINISTRATION**  
*Nevada State Library, Archives and Public Records*  
100 N. Stewart Street | Carson City, NV 89701  
Phone: (775) 684-3313 | TDD: (775) 687-8338 | Fax: (775) 684-3311

**Notice of Workshop to Solicit Comments on Proposed Regulation**  
**LCB File No. R103-16**

The Nevada State Library, Archives and Public Records is proposing the addition, amendment and/or repeal of regulations pertaining to Chapter 378 of the Nevada Administrative Code ("NAC"). A public workshop to solicit comments from all interested persons will be held at 9:00 a.m., on July 12, 2016 at the Nevada Legislative Building, 401 S. Carson St., Room 3137, Carson City, NV. Interested persons may also participate through a simultaneous videoconference conducted at the Grant Sawyer State Office Building, 555 E. Washington Ave., Room 4406, Las Vegas, NV.

The purpose of the workshop is to solicit comments from interested persons on the proposed regulations. The proposed regulation establishes the position and sets forth the duties of the state agency contact of each state agency; prescribes the procedures for submitting an electronic version of a publication to the State Publications Distribution Center and provides other matters properly relating thereto.

Persons wishing to comment upon the proposed action of the Nevada State Library, Archives and Public Records may appear at the scheduled workshop or may address their comments, data, views, or arguments, in written form to:

Kathy Edwards  
Nevada State Library, Archives and Public Records  
Government Publications  
100 N. Stewart St.  
Carson City, NV 89701  
Fax: 775-684-3330  
Email: [kedwards@admin.nv.gov](mailto:kedwards@admin.nv.gov)

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements are necessary, please notify Kathy Edwards at (775)684-3329 within 72 hours of meeting date and time.

A copy of this notice and the regulation to be adopted will be on file at the State Library, Archives and Public Records, 100 N. Stewart Street, Carson City, Nevada, 89701 for inspection by members of the public during business hours. The regulation is also available at <http://www.leg.state.nv.us/Register/2016Register/R103-16I.pdf>. The Handbook for State Agency Contacts is available at [http://nsla.nv.gov/Library/GovPubs/Government\\_Publications\\_Home\\_Page/](http://nsla.nv.gov/Library/GovPubs/Government_Publications_Home_Page/). Additional copies of the notice and regulations to be adopted will be available at the main public libraries listed, for inspection and copying by members of the public during business hours.

This notice of workshop has been posted at the locations listed. June 24, 2016

Nevada State Library, Archives and Public Records, 100 N. Stewart Street, Carson City, NV  
Nevada Legislature Regulation Notices <https://www.leg.state.nv.us/App/Notice/A/>.  
Nevada Public Notice website <https://notice.nv.gov/>.

Carson City Library 900 North Roop Street Carson City, Nevada 897013-101	Lincoln County Library 63 Main Street Pioche, Nevada 89043
Churchill County Library 553 South Main Street Fallon, Nevada 89406-3306	Lyon County Library System 20 Nevin Way Yerington, Nevada 89447-2399
Las Vegas-Clark County Library District Headquarters 7060 W. Windmill Lane Las Vegas, Nevada 89113	Mineral County Public Library 110 1st Street Hawthorne, Nevada 89415
Douglas County Public Library 1625 Library Lane Minden, Nevada 89423-0337	Pershing County Library 1125 Central Avenue Lovelock, Nevada 89419
Elko County Library 720 Court Street Elko, Nevada 89801-3397	Storey County Treasurers Office Drawer D Virginia City, Nevada 89440
Esmeralda County Library Corner of Crook & 4th Street P.O. Box 430 Goldfield, Nevada 89013-0430	Tonopah Public Library (Nye County) 167 South Central Street Tonopah, Nevada 89049
Eureka County Library 10190 Monroe Street Eureka, Nevada 89316	Washoe County Library System 301 South Center Street Reno, Nevada 89501-2102
Humboldt County Library 85 East 5th Street Winnemucca, Nevada 89445-3095	White Pine County Library 950 Campton Street Ely, Nevada 89301
Battle Mountain Branch Library 625 South Broad Street Battle Mountain, NV 89820	

# 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.