

ASSEMBLY BILL NO. 384—ASSEMBLYWOMEN SWANK, JOINER,
KIRKPATRICK AND CARLTON

MARCH 17, 2015

Referred to Committee on Legislative Operations and Elections

SUMMARY—Establishes the Nevada Legislature Oral History Program. (BDR 17-1011)

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 the Legislature; establishing the Nevada Legislature Oral History Program; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 In 2007, the Legislature appropriated money to enable the Research Division of
2 the Legislative Counsel Bureau to create an oral history of the Nevada Legislature.
3 (Section 17 of chapter 345, Statutes of Nevada 2007, p. 1605) This bill establishes
4 the Nevada Legislature Oral History Program in statute to provide for the ongoing
5 conduct and preservation of oral histories of current and former Legislators. The
6 Program is required to be administered by the Research Division.

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

1 **Section 1.** Chapter 218A of NRS is hereby amended by
2 adding thereto a new section to read as follows:

3 ***1. The Nevada Legislature Oral History Program is hereby***
4 ***established, to be administered by the Research Division.***

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

8 ***3. The Research Division shall:***

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



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

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

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

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

16 (3) *Governing the transfer of oral histories conducted or*
17 *accepted pursuant to this section and any related materials to the*
18 *Division of State Library and Archives of the Department of*
19 *Administration pursuant to subsection 6.*

20 (4) *Necessary to carry out the Program.*

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

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

30 6. *The Research Division may transfer an oral history*
31 *conducted or accepted for the Program pursuant to this section*
32 *and any related materials to the Division of State Library and*
33 *Archives of the Department of Administration for preservation.*

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

38 **Sec. 2.** NRS 239.010 is hereby amended to read as follows:

39 239.010 1. Except as otherwise provided in this section and
40 NRS 1.4683, 1A.110, 49.095, 62D.420, 62D.440, 62E.516,
41 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 76.160,
42 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,
43 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345,
44 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270,
45 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280,



1 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130,
2 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057,
3 127.130, 127.140, 127.2817, 130.312, 159.044, 172.075, 172.245,
4 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801,
5 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179A.450,
6 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662,
7 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140,
8 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,
9 217.475, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350,
10 228.270, 228.450, 228.495, 228.570, 231.069, 233.190, 237.300,
11 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140,
12 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020,
13 241.030, 242.105, 244.264, 244.335, 250.087, 250.130, 250.140,
14 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281A.350,
15 281A.440, 281A.550, 284.4068, 286.110, 287.0438, 289.025,
16 289.080, 289.387, 293.5002, 293.503, 293.558, 293B.135,
17 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070,
18 338.1379, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205,
19 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255,
20 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 372A.080,
21 378.290, 378.300, 379.008, 386.655, 387.626, 387.631, 388.5275,
22 388.528, 388.5315, 388.750, 391.035, 392.029, 392.147, 392.264,
23 392.271, 392.652, 392.850, 394.167, 394.1698, 394.447, 394.460,
24 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403, 408.3885,
25 408.3886, 412.153, 416.070, 422.290, 422.305, 422A.320,
26 422A.350, 425.400, 427A.1236, 427A.872, 432.205, 432B.175,
27 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 433.534,
28 433A.360, 439.270, 439.840, 439B.420, 440.170, 441A.195,
29 441A.220, 441A.230, 442.330, 442.395, 445A.665, 445B.570,
30 449.209, 449.245, 449.720, 453.1545, 453.720, 453A.610,
31 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555,
32 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403,
33 463.3407, 463.790, 467.1005, 467.137, 481.063, 482.170, 482.5536,
34 483.340, 483.363, 483.800, 484E.070, 485.316, 503.452, 522.040,
35 534A.031, 561.285, 571.160, 584.655, 598.0964, 598A.110,
36 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015,
37 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131,
38 623A.353, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418,
39 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368,
40 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.212,
41 634.214, 634A.185, 635.158, 636.107, 637.085, 637A.315,
42 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,
43 640A.220, 640B.730, 640C.400, 640C.745, 640C.760, 640D.190,
44 640E.340, 641.090, 641A.191, 641B.170, 641C.760, 642.524,
45 643.189, 644.446, 645.180, 645.625, 645A.050, 645A.082,



1 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135,
2 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945,
3 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110,
4 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310,
5 671.170, 673.430, 675.380, 676A.340, 676A.370, 677.243,
6 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690,
7 680A.270, 681A.440, 681B.260, 681B.280, 683A.0873, 685A.077,
8 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010,
9 688C.230, 688C.480, 688C.490, 692A.117, 692C.190, 692C.420,
10 693A.480, 693A.615, 696B.550, 703.196, 704B.320, 704B.325,
11 706.1725, 710.159, 711.600, *and section 1 of this act*, sections 35,
12 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of
13 chapter 391, Statutes of Nevada 2013 and unless otherwise declared
14 by law to be confidential, all public books and public records of a
15 governmental entity must be open at all times during office hours to
16 inspection by any person, and may be fully copied or an abstract or
17 memorandum may be prepared from those public books and public
18 records. Any such copies, abstracts or memoranda may be used to
19 supply the general public with copies, abstracts or memoranda of the
20 records or may be used in any other way to the advantage of the
21 governmental entity or of the general public. This section does not
22 supersede or in any manner affect the federal laws governing
23 copyrights or enlarge, diminish or affect in any other manner the
24 rights of a person in any written book or record which is
25 copyrighted pursuant to federal law.

26 2. A governmental entity may not reject a book or record
27 which is copyrighted solely because it is copyrighted.

28 3. A governmental entity that has legal custody or control of a
29 public book or record shall not deny a request made pursuant to
30 subsection 1 to inspect or copy or receive a copy of a public book or
31 record on the basis that the requested public book or record contains
32 information that is confidential if the governmental entity can
33 redact, delete, conceal or separate the confidential information from
34 the information included in the public book or record that is not
35 otherwise confidential.

36 4. A person may request a copy of a public record in any
37 medium in which the public record is readily available. An officer,
38 employee or agent of a governmental entity who has legal custody
39 or control of a public record:

40 (a) Shall not refuse to provide a copy of that public record in a
41 readily available medium because the officer, employee or agent has
42 already prepared or would prefer to provide the copy in a different
43 medium.

44 (b) Except as otherwise provided in NRS 239.030, shall, upon
45 request, prepare the copy of the public record and shall not require



1 the person who has requested the copy to prepare the copy himself
2 or herself.

3 **Sec. 3.** NRS 378.240 is hereby amended to read as follows:

4 378.240 The State Library and Archives Administrator shall,
5 within the limits of legislative appropriations:

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

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

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

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

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

21 *6. Receive into the archives and preserve oral histories of*
22 *current and former Legislators and any related materials*
23 *transferred from the Research Division of the Legislative Counsel*
24 *Bureau pursuant to section 1 of this act.*

25 **Sec. 4.** This act becomes effective upon passage and approval.

