SENATE BILL NO. 27-COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE DIVISION OF MUSEUMS AND HISTORY OF THE DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS)

PREFILED NOVEMBER 12, 2024

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to museums. (BDR 33-281)

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

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

AN ACT relating to museums; revising the names of certain institutions of the Division of Museums and History of the Department of Tourism and Cultural Affairs; revising the powers and duties of the Board of Museums and History; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes certain museums and historical societies as institutions of the Division of Museums and History of the Department of Tourism and Cultural Affairs. (NRS 381.004) Section 1 of this bill revises the name of two such museums by changing the name of the: (1) Nevada State Museum to the Nevada State Museum in Carson City; and (2) the Nevada State Museum Las Vegas to the Nevada State Museum in Las Vegas. Sections 4-11 of this bill make conforming changes to reflect the changes in name to both museums.

Existing law creates the Board of Museums and History and prescribes certain
powers and duties of the Board relating to the functions of the Division. (NRS
381.002, 381.0045) Sections 2 and 3 of this bill revise the powers and duties of the
Board by: (1) requiring the Board to establish policies and charges for certain
services provided by the Division and its institutions; and (2) eliminating language
which authorizes the Board, at its sole discretion, to take certain actions concerning
property received by an institution of the Division.





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

NRS 381.004 is hereby amended to read as follows:

The Division of Museums and History is hereby

3 created in the Department. 4 2. The Division consists of the Office of the Administrator and a state system of museums consisting of the following museums and 5 historical societies, which are hereby established as institutions of 6 7 the Division: 8 (a) The Nevada State Museum [;] in Carson City; 9 (b) The Lost City Museum; 10 (c) The Nevada State Museum *in* Las Vegas; (d) The Nevada Historical Society: 11 12 (e) The East Ely Depot Museum; 13 (f) The Nevada State Railroad Museum in Carson City; and 14 (g) The Nevada State Railroad Museum in Boulder City. 15 Each institution shall, in accordance with the duties assigned 3. 16 to it by the Administrator, collect, preserve and interpret the history, 17 prehistory and natural history of this State. **Sec. 2.** NRS 381.0045 is hereby amended to read as follows: 18 19 381.0045 The Board shall establish: 20 Categories of memberships in the institutions and the fees to 1. 21 be charged for the memberships. 22 2. Fees for admission to the institutions. Children under the age 23 of 18 years must be admitted free of charge. 24 3. Fees for train rides provided by an institution. 25 4. Policies and charges for the incidental use, rental and lease 26 of the buildings, equipment, fixtures and other property of the 27 Division and its institutions. 28 Policies and charges for services provided by the Division 5. 29 and its institutions, including, without limitation, storage, 30 curation, repair and conducting studies. 31 **Sec. 3.** NRS 381.0063 is hereby amended to read as follows: 32 381.0063 1. The Administrator shall, in accordance with any 33 directive received from the Director pursuant to NRS 232.005, 34 authorize or require each museum director to perform such duties 35 set forth in subsections 2 and 3 as are necessary for the operation of 36 the institution administered by the museum director, after giving 37 consideration to: (a) The size and complexity of the programs the museum 38 39 director is required to administer; 40 (b) The number of personnel needed to carry out those 41 programs;

42 (c) Requirements for accreditation; and



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1 (d) Such other factors as are relevant to the needs of the 2 institution and the Division.

3 2. The Administrator may authorize or require a museum 4 director to:

5 (a) Oversee duties related to the auditing and approval of all 6 bills, claims and accounts of the institution administered by the 7 museum director.

8 (b) Receive, collect, exchange, preserve, house, care for, 9 document, interpret, display and exhibit, particularly, but not 10 exclusively, respecting the State of Nevada:

11 (1) Samples of the useful and fine arts, sciences and 12 industries, relics, memorabilia, products, works, records, rare and 13 valuable articles and objects, including, without limitation, 14 drawings, etchings, lithographs, photographs, paintings, statuary, 15 sculpture, fabrics, furniture, implements, machines, geological and 16 mineral specimens, precious, semiprecious and commercial 17 minerals, metals, earths, gems and stones.

18 (2) Books, papers, records and documents of historic, artistic, 19 literary or industrial value or interest by reason of rarity, 20 representative character or otherwise.

21 (c) Collect, gather and prepare the natural history of Nevada and 22 the Great Basin.

23 history, (d) Establish such programs in archeology. 24 anthropology, paleontology, mineralogy, ethnology, ornithology and 25 such other programs as in the judgment of the Board and 26 Administrator may be proper and necessary to carry out the objects 27 and purposes appropriate to the institution administered by the 28 museum director.

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

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

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

40 (h) Receive, accept and obtain by exchange in the name of the 41 State of Nevada all property loaned to the institution administered 42 by the museum director for preservation, care, display or exhibit, or 43 decline and reject the property in his or her discretion, and 44 undertake to be responsible for all property loaned to the institution 45 or make just payment of any reasonable costs or rentals therefor.





1 (i) Apply for and expend all gifts and grants that the institution 2 administered by the museum director is authorized to accept in 3 accordance with the terms and conditions of the gift or grant.

4 (j) Govern, manage and control the exhibit and display of all 5 property and things of the institution administered by the museum 6 director at other exhibits, expositions, world's fairs and places of public or private exhibition. Any property of the State of Nevada 7 8 that may be placed on display or on exhibition at any world's fair or 9 exposition must be taken into custody by the Administrator at the conclusion of the world's fair or exposition and placed and kept in 10 the institution, subject to being removed and again exhibited at the 11 12 discretion of the Administrator or a person designated by the 13 Administrator.

14 (k) Negotiate and consult with and agree with other institutions, 15 departments, officers and persons or corporations of and in the State 16 of Nevada and elsewhere respecting quarters for and the 17 preservation, care, transportation, storage, custody, documentation, interpretation, display and exhibit of articles and things controlled 18 19 by the institutions and respecting the terms and cost, the manner, 20 time, place and extent, and the return thereof.

21 (1) Trade, exchange and transfer exhibits and duplicates when 22 the Administrator deems it proper. Such transactions shall not be 23 deemed sales.

24 (m) Establish the qualifications for life, honorary, annual, sustaining and such other memberships as are established by the 25 26 Board pursuant to NRS 381.0045.

27 (n) Adopt rules for the internal operations of the institution 28 administered by the museum director, including, without limitation, 29 the operation of equipment of the institution.

30 (o) Establish procedures that enable the accessibility of the 31 exhibits in an institution administered by the museum director for 32 persons who are blind or visually impaired, including, without 33 limitation, by providing audio guides, audio descriptive displays, tactile displays and experiences, dedicated tours for persons who are 34 35 blind or visually impaired, Braille signage and descriptions, 36 temporary lighting and adapted educational classes.

37 3. The Administrator shall require a museum director to serve 38 as, or to designate an employee to serve as, ex officio State 39 Paleontologist. The State Paleontologist shall, within the limits of 40 available time, money and staff:

41 (a) Systematically inventory the paleontological resources 42 within the State of Nevada;

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





1 (c) Coordinate and promote paleontological research activities 2 within this State, including, without limitation, regulating and 3 issuing permits to engage in such activities;

4 (d) Disseminate and assist other persons in disseminating 5 information gained from research conducted by the State 6 Paleontologist; and

7 (e) Display and promote, and assist other persons in displaying 8 and promoting, the paleontological resources of this State to 9 enhance education, culture and tourism within this State.

10 4. The enumeration of the powers and duties that may be 11 assigned to a museum director pursuant to this section is not 12 exclusive of other general objects and purposes appropriate to a 13 public museum.

14 5. The provisions of this section do not prohibit the 15 Administrator from making such administrative and organizational 16 changes as are necessary for the efficient operation of the Division 17 and its institutions and to ensure that an institution properly carries 18 out the duties and responsibilities assigned to that institution.

Sec. 4. NRS 381.0068 is hereby amended to read as follows:

20 381.0068 Notwithstanding any provision of this chapter to the 21 contrary:

A person is not required to obtain a permit pursuant to NRS
 381.196 if the person has obtained a permit pursuant to federal law
 for the same purpose; and

25 2. The Administrator, Museum Director of the Nevada State 26 Museum *in Carson City* or the museum director of an institution are 27 not required to provide notice to, consult with or return items to an 28 Indian tribe as required pursuant to this chapter if the Administrator, 29 Museum Director of the Nevada State Museum *in Carson City* or 30 the museum director \square of the institution, as applicable, provides such notice to, consults with or returns items to the Indian tribe in 31 32 accordance with the repatriation process required pursuant to federal 33 law.

Sec. 5. NRS 381.0069 is hereby amended to read as follows:

35 381.0069 1. The Museum Director of the Nevada State 36 Museum *in Carson City* shall adopt regulations as necessary to 37 carry out the provisions of NRS 381.0066 to 381.0069, inclusive, 38 and 381.195 to 381.227, inclusive, including, without limitation, 39 regulations which set forth the process for repatriation of prehistoric 40 native Indian human remains and funerary objects.

41 2. Any regulations adopted pursuant to this section must be 42 developed in consultation with Indian tribes and incorporate the 43 values, beliefs and traditions of the Indian tribes as determined and 44 conveyed by the members of the Indian tribes during the 45 consultation with the Museum Director.



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Sec. 6. NRS 381.195 is hereby amended to read as follows:

381.195 As used in NRS 381.195 to 381.227, inclusive:

3 1. "Historic" means from the middle of the 18th century until 4 50 years before the current year.

5 2. "Historic site" means a site, landmark or monument of 6 historical significance pertaining to the history of the settlement of 7 Nevada, or Indian campgrounds, shelters, petroglyphs, pictographs 8 and burials.

9 3. "Museum Director" means the Museum Director of the 10 Nevada State Museum [-] *in Carson City*.

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4. "Prehistoric" means before the middle of the 18th century.

12 5. "Prehistoric site" means any archeological or 13 paleontological site, ruin, deposit, fossilized footprints and other 14 impressions, petroglyphs and pictographs, habitation caves, rock 15 shelters, natural caves, burial ground or sites of religious or cultural 16 importance to an Indian tribe.

Sec. 7. NRS 381.207 is hereby amended to read as follows:

18 381.207 The holder of a permit described in NRS 381.197, 1. except as otherwise provided in subsections 2 and 3, who does work 19 upon aboriginal mounds and earthworks, ancient burial grounds, 20 21 prehistoric sites, deposits of fossil bones or other archeological and 22 vertebrate paleontological features within the State shall give to the 23 State 50 percent of all articles, implements and materials found or 24 discovered of which the holder retained possession after completion 25 of the process set forth in subsection 4, to be deposited with the 26 Nevada State Museum [] in Carson City, for exhibition or other use 27 within the State as determined by the Museum Director. The 28 Museum Director may accept less than 50 percent of such items. 29 Upon receipt of items pursuant to this subsection, the Museum 30 Director shall notify the Office of Historic Preservation.

31 2. The holder of a permit described in NRS 381.197 who does 32 any such work within the State under the authority and direction of 33 the Nevada Historical Society, the Nevada State Museum in Las Vegas, or an institution or political subdivision of the State shall 34 35 give 50 percent of all articles, implements and materials found or 36 discovered of which the holder retained possession after completion of the process set forth in subsection 4, to the Society, institution or 37 38 political subdivision. The holder of the permit may retain the other 39 50 percent.

3. If the Nevada Historical Society, the Nevada State Museum In Las Vegas, or an institution or political subdivision of the State is the holder of the permit, it may retain all articles, implements and materials found or discovered of which it retained possession after completion of the process set forth in subsection 4.





4. If any of the articles, implements or materials found or
 discovered are prehistoric native Indian human remains or funerary
 objects, the Museum Director shall:

4 (a) Provide notice to and consult with each applicable Indian 5 tribe in accordance with NRS 381.0066;

6 (b) Determine which Indian tribe has the closest cultural 7 affiliation to the prehistoric native Indian human remains or 8 funerary objects in accordance with NRS 381.0067; and

9 (c) Return any prehistoric native Indian human remains or 10 funerary objects discovered to the closest culturally affiliated Indian 11 tribe in accordance with the repatriation process adopted pursuant to 12 NRS 381.0069, if a request for repatriation is made.

5. Whenever the Office of Historic Preservation acquires articles, implements and materials under the provisions of this section, they must be transferred to the Museum Director for exhibition or other use within the State as determined by the Museum Director.

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Sec. 8. NRS 120A.610 is hereby amended to read as follows:

19 120A.610 1. Except as otherwise provided in subsections 5 to 20 9, inclusive, all abandoned property other than money delivered to the Administrator under this chapter must, within 2 years after the 21 22 delivery, be sold by the Administrator to the highest bidder at public 23 sale in whatever manner affords, in his or her judgment, the most 24 favorable market for the property. The Administrator may decline the highest bid and reoffer the property for sale if the Administrator 25 26 considers the bid to be insufficient.

27 2. At least 21 days before a sale held under this section, the 28 Administrator shall provide notice to the public of the sale by 29 posting notice of the sale:

30 (a) At the principal office of the Administrator;

31 (b) At not less than three other prominent places within this 32 State;

33 (c) On the website of the Administrator; and

34 (d) By press release.

35 3. The Administrator may provide additional notice of a sale 36 held under this section at any time and in any manner that the 37 Administrator selects.

4. The purchaser of property at any sale conducted by the
Administrator pursuant to this chapter takes the property free of all
claims of the owner or previous holder and of all persons claiming
through or under them. The Administrator shall execute all
documents necessary to complete the transfer of ownership.

43 5. Except as otherwise provided in subsection 6, the 44 Administrator need not offer any property for sale if the 45 Administrator considers that the probable cost of the sale will





exceed the proceeds of the sale. The Administrator may destroy or
 otherwise dispose of such property or may transfer it to:

3 (a) The Nevada State Museum *in* Las Vegas, the Nevada State 4 Museum *in Carson City* or the Nevada Historical Society, upon its 5 written request, if the property has, in the opinion of the requesting 6 institution, historical, artistic or literary value and is worthy of 7 preservation; or

(b) A genealogical library, upon its written request, if the
property has genealogical value and is not wanted by the Nevada
State Museum *in* Las Vegas, the Nevada State Museum *in Carson City* or the Nevada Historical Society.

12 \rightarrow An action may not be maintained by any person against the 13 holder of the property because of that transfer, disposal or 14 destruction.

6. The Administrator shall transfer property to the Department
 of Veterans Services, upon its written request, if the property has
 military value.

7. Securities delivered to the Administrator pursuant to this chapter may be sold by the Administrator at any time after the delivery. Securities listed on an established stock exchange must be sold at the prevailing price for that security on the exchange at the time of sale. Other securities not listed on an established stock exchange may be sold:

(a) Over the counter at the prevailing price for that security atthe time of sale; or

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(b) By any other method the Administrator deems acceptable.

27 8. The Administrator shall hold property that was removed 28 from a safe-deposit box or other safekeeping repository for 1 year 29 after the date of the delivery of the property to the Administrator, 30 unless that property is a will or a codicil to a will, in which case the 31 Administrator shall hold the property for 10 years after the date of 32 the delivery of the property to the Administrator. If no claims are 33 filed for the property within that period and the Administrator determines that the probable cost of the sale of the property will 34 35 exceed the proceeds of the sale, it may be destroyed.

36 All proceeds received by the Administrator from abandoned 9. 37 gift certificates must be accounted for separately in the Abandoned 38 Property Trust Account in the State General Fund. At the end of 39 each fiscal year, before any other money in the Abandoned Property 40 Trust Account is transferred pursuant to NRS 120A.620, the balance 41 in the subaccount created pursuant to this subsection, less any costs, 42 service charges or claims chargeable to the subaccount, must be 43 transferred to the State Education Fund.





Sec. 9. NRS 331.130 is hereby amended to read as follows:

2 331.130 1. At all times the maintenance of the Capitol
3 Building is under the supervision of the Administrator, and it must
4 be kept clean, orderly and presentable as befitting public property.

5 2. The former Assembly, Senate and Supreme Court chambers 6 on the second floor of the Capitol Building are under the 7 management of the Museum Director of the Nevada State Museum 8 *in Carson City* for the purpose of establishing and maintaining a 9 Government Museum. The remainder of the second floor of the 10 Capitol Building is under the management of the Administrator.

Sec. 10. NRS 331.133 is hereby amended to read as follows:

331.133 The Museum Director of the Nevada State Museum *in Carson City* shall:

1. Prepare and present exhibits in the Government Museum.

15 2. Conduct, in an appropriate manner, tours of the Government 16 Museum.

17 3. In cooperation with other state agencies and departments,18 provide for the security of the Government Museum.

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Sec. 11. NRS 417.090 is hereby amended to read as follows:

417.090 1. The Director shall:

(a) Assist veterans, and those presently serving in the Armed 21 22 Forces of the United States who are residents of the State of Nevada. 23 their spouses, domestic partners, widows, widowers, children, 24 dependents, administrators, executors and personal representatives, 25 in preparing, submitting and presenting any claim against the United 26 States, or any state, for insurance, pension, disability compensation, 27 vocational training, education, rehabilitation or any other benefit to 28 which they may be entitled under the laws of the United States or of 29 any of the states, and assist them in obtaining any aid or benefit to 30 which they may be entitled under the laws of the United States or of 31 any of the states.

(b) Aid, assist, encourage and cooperate with every service organization recognized nationally or in this State insofar as the activities of such organizations are for the benefit of veterans, servicemen and servicewomen and the spouses, domestic partners, widows, widowers, children, dependents, administrators, executors or personal representatives of such veterans, servicemen and servicewomen.

(c) Give aid, assistance and counsel to each and every problem,
question and situation, individual as well as collective, affecting any
veteran, serviceman or servicewoman, or their dependents, or any
group of veterans, servicemen and servicewomen, when in their
opinion such comes within the scope of this chapter.

44 (d) Coordinate activities of veterans' organizations.





1 (e) Serve as a clearinghouse and disseminate information 2 relating to veterans' benefits.

3 (f) Conduct any studies which will assist veterans to obtain 4 compensation, insurance, pension, disability compensation, 5 vocational training, education, rehabilitation or any other benefit to 6 which veterans may be entitled under the laws of the United States 7 or of any state.

8 (g) Åid, assist and cooperate with the office of coordinator of 9 services for veterans created in a county pursuant to NRS 244.401.

(h) Take possession of any abandoned or unclaimed artifacts or
 other property that has military or historical value for safekeeping.
 The Director may:

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(1) Transfer such an artifact or other property to:

14 (I) The Nevada State Museum *in Carson City* or the 15 Nevada Historical Society, upon its written request, if the artifact or 16 other property has, in the opinion of the requesting institution, 17 historical value and is worthy of preservation; or

18 (II) Any other governmental agency or nonprofit entity, 19 including, without limitation, a veterans' organization and the 20 United States Department of Veterans Affairs, upon its written 21 request, if the artifact or other property was not requested by the 22 Nevada State Museum *in Carson City* or the Nevada Historical 23 Society; or

24 (2) Destroy or otherwise dispose of the artifact or other 25 property.

An action may not be maintained by any person against the holder or former holder of an artifact or other property because of the transfer, destruction or other disposal of the artifact or other property pursuant to this paragraph.

30 (i) Develop plans and programs to assist veterans who have 31 suffered sexual trauma while on active duty or during military 32 training.

(j) Create and maintain a statewide database of information
 relating to veterans to assist the Department in identifying and
 communicating with veterans and connecting veterans with benefits
 and opportunities for which they are eligible.

(k) Create and maintain a registry of governmental agencies and
private entities that provide services and resources to veterans,
service members and their families and publish a digital copy of the
registry on the Internet website maintained by the Department.

41 (l) Ensure that each generation of veterans is recognized 42 annually through a ceremony, information campaign or other form 43 of public acknowledgment.

(m) Establish, operate and maintain veterans' cemeteries in this
State, and may, within the limits of legislative authorization, employ





personnel and purchase equipment and supplies necessary for the
 operation and maintenance of the cemeteries.

(n) Establish, manage, maintain and operate veterans' homes in
this State, and may, within the limits of legislative authorization,
employ personnel and purchase equipment and supplies necessary
for the operation and maintenance of veterans' homes.

7 (o) If the board of county commissioners of any county makes 8 the request required pursuant to subsection 2 of NRS 244.401, 9 provide to the coordinator of services for veterans in the county 10 training and certification as a veterans service officer.

(p) If training and certification is requested pursuant to
paragraph (o), submit an application, on behalf of the coordinator of
services for veterans, to the United States Department of Veterans
Affairs for accreditation or official recognition as a veterans service
officer.

(q) Serve as the primary public advocate for Nevada veterans.

(r) Ensure that each person who participates as an advocate for
veterans in this State in a volunteer program sponsored by the
Department is:

20 (1) Offered the opportunity to participate in annual training; 21 and

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(2) If requested by the volunteer, provided mentorship.

(s) Provide quarterly training to each veterans service officer
 employed by the Department regarding the benefits, services,
 programs and assistance available to veterans.

(t) Additionally offer the quarterly training described in
paragraph (s) to representatives of veterans service organizations
who are accredited by the United States Department of Veterans
Affairs.

(u) Connect veterans experiencing homelessness to housing and
 organizations that provide support in housing and other related areas
 to decrease homelessness among veterans.

(v) Create, coordinate and support programs and resources for
the prevention of suicide among veterans, including, without
limitation, programs and resources to increase knowledge of how to
recognize the signs of a potentially suicidal veteran and resources to
which veterans who are potentially suicidal may be referred.

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2. The Director shall:

(a) Establish an internal policy for guidance to employees of the
Department regarding the transfer, destruction or other disposal of
artifacts and other property pursuant to paragraph (h) of subsection
1; and

(b) Post the policy on the Internet website maintained by theDepartment.





The Legislative Counsel shall, in 1 Sec. 12. preparing 2 supplements to the Nevada Administrative Code, appropriately 3 change any references to an officer, agency or other entity whose name is changed or whose responsibilities are transferred pursuant 4 5 to the provisions of this act to refer to the appropriate officer, 6 agency or other entity.

7 Sec. 13. 1. Any administrative regulations adopted by an 8 officer or an agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of 9 10 this act to another officer or agency remain in force until amended by the officer or agency to which the responsibility for the adoption 11 12 of the regulations has been transferred.

13 2. Any contracts or other agreements entered into by an officer or agency whose name has been changed or whose responsibilities 14 15 have been transferred pursuant to the provisions of this act to 16 another officer or agency are binding upon the officer or agency to 17 which the responsibility for the administration of the provisions of 18 the contract or other agreement has been transferred. Such contracts 19 and other agreements may be enforced by the officer or agency to 20 which the responsibility for the enforcement of the provisions of the 21 contract or other agreement has been transferred.

22 Any action taken by an officer or agency whose name has 3. 23 been changed or whose responsibilities have been transferred 24 pursuant to the provisions of this act to another officer or agency 25 remains in effect as if taken by the officer or agency to which the 26 responsibility for the enforcement of such actions has been 27 transferred. Sec. 14.

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This act becomes effective on July 1, 2025.



