COUNTY, DISTRICT, CONSOLIDATED AND TOWN LIBRARIES

NRS 379.010 County library: Establishment and maintenance; county library fund.

1. The board of county commissioners of each county may set apart a sum of money to be used in the establishment and maintenance of a public library in the county. Each year thereafter the board of county commissioners may set apart an amount of money for the purpose of operating and maintaining the library.

2. The fund so created is the county library fund.

[1:187:1925; A 1927, 84; 1943, 53; 1949, 110; 1955, 333]—(NRS A 1957, 20; 1967, 1060; 1981, 997)

NRS 379.020 Trustees of county library: Appointment; terms; vacancies; compensation; expenses; removal.

1. The board of county commissioners shall appoint five competent persons who are residents of the county to serve as county library trustees. Three trustees shall hold office for the terms of 1, 2 and 3 years respectively, and two trustees shall hold office for terms of 4 years. Annually thereafter, the board of county commissioners shall appoint one trustee who shall hold office for a term of 4 years, except that in those years in which the terms of two trustees expire, the board of county commissioners shall appoint two trustees for terms of 4 years. County library trustees shall hold office until their successors are appointed and qualified.

2. No trustee may be appointed to hold office for more than two consecutive 4-year terms.

3. All vacancies which may occur at any time in the office of county library trustee must be filled by appointment by the board of county commissioners.

4. County library trustees serve without compensation, except that the board of county commissioners may provide for compensation in an amount of not more than $40 per meeting, with a total of not more than $80 per month, and may provide travel expenses and subsistence allowance for the members in the same amounts as are allowed for employees of the county library.

5. The board of county commissioners may remove any trustee who fails, without cause, to attend three successive meetings of the trustees.

[2:187:1925; A 1956, 214]—(NRS A 1959, 329; 1967, 1060; 1971, 133; 1981, 997; 1989, 612)

NRS 379.021 County library district: Procedure for formation; levy of tax for maintenance; library fund; separate account for gift fund and library fund.

1. Whenever in any county a petition or petitions praying for the formation of a county library district and the establishment of a public library therein setting forth the boundaries of the proposed library district, certified by the district judge of any judicial district as being signed by 10 percent of the taxpayers or by taxpayers representing 10 percent of the taxable property in the proposed county library district, as shown by the last preceding assessment roll of the county, is presented to the board of county commissioners of the county in which the territory of the proposed county library district is situated, accompanied by an affidavit or affidavits of one or more of the signers thereof that the signatures thereto are genuine, the board of county commissioners shall, at its next regular meeting after the petition or petitions are so presented:

(a) Pass a resolution to the effect that a county library district with properly defined boundaries is to be established and cause to be published a notice thereof in a newspaper of general circulation within the district once a week for a period of 2 weeks; and

(b) Allow 30 days after the first publication of the notice during which all taxpayers of the district in which the district library is to be situated have the right to file protests with the county clerk.

2. If the aggregate of protests is less than 10 percent of the taxpayers voting in the last general election, the board of county commissioners shall order the creation of the county library district and the establishment of a public library therein and levy taxes in support and continued maintenance of the library in accordance with subsection 5.

3. If the aggregate of protests is more than 10 percent of the taxpayers voting in the last general election, the board of county commissioners shall proceed no further with reference to the establishment of a county library district without submitting the question to the voters at a primary or general election.

4. If the majority of votes cast at the election is against the establishment of the county library district, the question is lost and the board of county commissioners shall proceed no further. If the majority of votes is in favor of the county library district, the board of county commissioners shall, within 10 days after the election, order the creation of the county library district and establishment of a public library therein.

5. Upon the creation of a county library district and establishment of a public library therein, the board of county commissioners shall, at the next time for levying taxes and in each year thereafter, at the time and in the manner other taxes are levied, levy a tax upon all taxable property in the county library district to create and maintain a fund known as the library fund.

6. All money received by the county treasurer pursuant to subsection 5 and NRS 379.026 may be transferred to a separate account established and administered by the trustees of a district library in accordance with the provisions of NRS 354.603.

(Added to NRS by 1967, 1058; A 1981, 997; 1993, 1075; 1995, 2201)

NRS 379.022 Trustees of county library district: Appointment; terms; vacancies; compensation; expenses; removal; additional trustees if service extended.

1. After ordering the creation of a county library district and the establishment of a public library therein as provided in NRS 379.021, the board of county commissioners shall appoint five competent persons who are residents of the county library district to serve as district library trustees.

2. The term of office of the trustees appointed pursuant to subsection 1 is as follows:

(a) Three persons must be appointed for terms of 2 years.

(b) Two persons must be appointed for terms of 4 years.

➥ Thereafter the offices of district library trustees must be filled for terms of 4 years in the order in which the terms expire. No person may be appointed to hold office for more than two consecutive 4-year terms.

3. A vacancy in the office of district library trustee which occurs because of expiration of the term of office must be filled by appointment by the board of county commissioners for a term of 4 years. A vacancy which occurs other than by expiration of the term must be filled by appointment by the board of county commissioners for the unexpired term.

4. The board of district library trustees may provide for compensation of members of the board in an amount of not more than $40 per meeting, with a total of not more than $80 per month, and may provide travel expenses and subsistence allowances for the members in the same amounts as are allowed for employees of the county library district.

5. The board of county commissioners may remove any district library trustee who fails, without cause, to attend three successive meetings of the trustees.

6. If the library trustees of any county library district have entered into a contract pursuant to NRS 379.060 with any city within the county, they may add to their number two additional library trustees who are appointed by the governing body of the city to represent the residents of the city. The terms of office of the two additional library trustees are 3 years or until the termination of the contract with the city for library services, if that termination occurs sooner. The additional library trustees have the same powers and duties as the trustees appointed pursuant to subsection 1.

(Added to NRS by 1967, 1059; A 1971, 133; 1981, 336, 998; 1989, 612)

NRS 379.0221 Consolidated library district: Consolidation of city into county library district in certain counties. The trustees of a county library district in any county whose population is 400,000 or more and the governing body of any city within that county may, to establish and maintain a public library, consolidate the city into the county library district.

(Added to NRS by 1985, 7; A 1989, 1923)

NRS 379.0222 Trustees of consolidated library district: Appointment; terms; compensation; removal; executive director.

1. After the consolidation of a city into a county library district, the board of county commissioners and the governing body of the city shall each appoint five competent persons who are residents of the new consolidated library district to serve as trustees.

2. The terms of office of the trustees appointed pursuant to subsection 1 are as follows:

(a) Three persons appointed by each governing body must be appointed for terms of 4 years.

(b) Two persons so appointed must be appointed for terms of 2 years.

➥ Thereafter the offices of trustees must be filled for terms of 4 years in the order in which the terms expire. No person may be appointed to hold office for more than two consecutive terms.

3. A vacancy in the office of trustee which occurs because of the expiration of the term must be filled by appointment for a term of 4 years. A vacancy which occurs other than by expiration of the term must be filled by appointment for the unexpired term.

4. The trustees are entitled to receive a salary of $40 per meeting, but not more than $80 per month, in addition to the travel and subsistence allowances in the same amounts as are provided for employees of the consolidated library district.

5. The board of county commissioners or governing body of the city, as the case may be, may remove any trustee appointed by it:

(a) For cause, as described in NRS 283.440; or

(b) Who fails, without good cause, to attend three successive meetings of the trustees.

6. The trustees may appoint an executive director for the consolidated library district who serves at the pleasure of the trustees.

(Added to NRS by 1985, 7; A 1989, 613; 1993, 2547)

NRS 379.0223 Consolidated library district: Name. The name of any consolidated library district established pursuant to NRS 379.0221 must be selected by the trustees and include the name of the city having the largest population located within the boundaries of the consolidated library district.

(Added to NRS by 1985, 8; A 1993, 2548)

NRS 379.0224 Consolidated library district: Boundaries. The boundaries of a consolidated library district include all of the area of:

1. Each city that is consolidated into the county library district;

2. The county library district at the time of the establishment of the consolidated library district, except for an area annexed by another city which:

(a) Is not consolidated into the county library district;

(b) Has established a city library pursuant to NRS 379.105 or created a municipal library district pursuant to the provisions of its charter; and

(c) Is included in a county library district, that has not merged with the consolidated library district, pursuant to an interlocal agreement before May 2, 2001, or pursuant to NRS 379.065; and

3. Any other county library district which has merged with the county library district being consolidated.

(Added to NRS by 1985, 8; A 1997, 1755; 2001, 372)

NRS 379.0225 Issuance of bonds by consolidated or county library district.

1. Except as otherwise provided in this subsection, the trustees of a consolidated or county library district may propose the issuance of general obligation bonds in an amount not to exceed 10 percent of the total last assessed valuation of the taxable property of the district for the purpose of acquiring, constructing or improving buildings and other real property to be used for library purposes or for purchasing books, materials or equipment for newly constructed libraries. The trustees of a consolidated library district shall not propose an issuance of bonds or any other form of indebtedness unless a public hearing on the proposal is first held before the board of county commissioners and the governing body of the city that initially formed the consolidated library district pursuant to NRS 379.0221. After such a public hearing has been held, the board of county commissioners and the governing body of the city may each:

(a) Adopt a resolution that supports or opposes in whole or in part the proposal of the trustees of the consolidated library district; and

(b) Transmit the resolution to the debt management commission of the county in which the district is situated.

2. A proposal for the issuance of bonds pursuant to subsection 1 must be submitted to the debt management commission of the county in which the district is situated for its approval or disapproval, pursuant to the provisions of NRS 350.011 to 350.0165, inclusive. If the debt management commission approves the proposed issuance, the question of issuing the bonds must be submitted to the registered electors of the district in accordance with the provisions of NRS 350.020 to 350.070, inclusive. If a majority of the electors voting on the question favors the proposal, the board of county commissioners shall issue the bonds as general obligations of the consolidated or county library district pursuant to the provisions of the Local Government Securities Law.

3. Any bond issued for purchasing books, materials or equipment for newly constructed libraries must be redeemed within 5 years after its issuance.

(Added to NRS by 1981, 996; A 1985, 9; 1989, 613; 1993, 2548; 1995, 772; 2001, 370)

NRS 379.0227 Consolidated library district: Levy of tax; fund for the consolidated library; transfer of money to separate account.

1. Upon the establishment of a consolidated library district, the board of county commissioners shall, at the next time for levying taxes and in each year thereafter, at the time and in the manner other taxes are levied, levy a tax upon all taxable property in the consolidated library district for the purpose of creating and maintaining a fund known as the fund for the consolidated library.

2. All money received by the county treasurer pursuant to subsection 1 and NRS 379.026 may be transferred to a separate account established and administered by the trustees of a consolidated library district in accordance with the provisions of NRS 354.603.

(Added to NRS by 1985, 8; A 1989, 614)

NRS 379.023 Town library: Establishment and maintenance; levy of tax; town library fund.

1. Any free public library existing on July 1, 1967, which was established in an unincorporated town pursuant to the provisions of chapter 90, Statutes of Nevada 1895, or of NRS 379.070 to 379.120, inclusive, may be maintained pursuant to NRS 379.005 to 379.040, inclusive.

2. So long as such library is so maintained, the board of county commissioners of the county in which such library exists shall each year, at the time and in the manner other taxes are levied, levy a tax upon all taxable property in such unincorporated town for the purpose of maintaining a fund to be known as the town library fund.

(Added to NRS by 1967, 1059; A 1981, 999)

NRS 379.025 Powers and duties of trustees of consolidated, county, district, town or other public library.

1. Except as otherwise provided in subsection 2, the trustees of any consolidated, county, district, town or other public library, and their successors, shall:

(a) Establish, supervise and maintain a library.

(b) Appoint, evaluate the performance of and, if necessary, dismiss a librarian or, in the case of a consolidated library district, an executive director.

(c) Hold and possess the property and effects of the library in trust for the public.

(d) In the case of a county library, submit annual budgets to the board of county commissioners, containing detailed estimates of the amount of money necessary for the operation and management of the library for the next succeeding year.

(e) In the case of a consolidated, district or town library, prepare annual budgets in accordance with NRS 354.470 to 354.626, inclusive.

(f) In the case of a consolidated library district:

(1) Administer any separate account established pursuant to NRS 354.603.

(2) Annually submit a budget to the board of county commissioners and governing body of the city for joint review and recommendation, which must contain detailed priorities and estimates of the amount of money necessary for the operation and management of the consolidated library district for the next succeeding year. Unless a majority of the members of the board of county commissioners and a majority of the members of the governing body of the city reject the budget within 21 days after it is submitted to them, the trustees shall cause copies of the final budget to be submitted to the board of county commissioners for attachment to the copy of the final budget for the county which is filed pursuant to NRS 354.59801, and to the governing body of the city for attachment to the copy of the final budget for the city which is filed pursuant to NRS 354.59801. If the budget is so rejected, the trustees shall resubmit a revised budget for joint review pursuant to this subparagraph.

(3) Submit quarterly reports to the board of county commissioners and governing body of the city concerning the budget and the programs of the library, and provide any additional information requested by either governing body as soon as is reasonably practicable after receiving the request.

(g) In the case of a district library, administer any separate account established pursuant to NRS 354.603.

(h) Establish bylaws and regulations for the management of the library and their own management.

(i) Manage all the property, real and personal, of the library.

(j) Acquire and hold real and personal property, by gift, purchase or bequest, for the library.

(k) Administer any trust declared or created for the library.

(l) Maintain or defend any action in reference to the property or affairs of the library.

2. The trustees may:

(a) Make purchases and secure rooms.

(b) Authorize the merger or, subject to the limitations in NRS 379.0221, the consolidation of a town or city library with a county library district.

(c) Invest the money in the appropriate library fund in accordance with the provisions of chapter 355 of NRS.

(d) Do all acts necessary for the orderly and efficient management and control of the library.

3. The trustees shall, as a primary goal of the consolidated library district, provide the library facilities, resources and trained staff to meet the informational needs of all residents of the district.

(Added to NRS by 1959, 328; A 1967, 1060; 1969, 492; 1981, 999; 1985, 9; 1989, 614; 1993, 2548; 1995, 2202)

NRS 379.026 Gift funds of libraries: Establishment; source; use; investment of money.

1. The trustees of any consolidated, county, district or town library may establish with the county treasurer, as custodian, a special fund, to be known as the gift fund of the ..... consolidated library, the gift fund of the county library, the gift fund of the ..... district library or the gift fund of the ..... town library, as the case may be. The money in such a fund must be derived from all or any part of any gift, bequest or devise, including the interest thereon. The fund must be a separate and continuing fund and no money in the fund reverts to the general fund of the county at any time.

2. The money in a gift fund of a library may be used for construction of new library buildings, capital improvements to library buildings, special library services or other library purposes. No expenditure from a gift fund of a library may be made until authorized by the trustees.

3. The trustees may invest or reinvest all or part of the money in the gift fund of a library in any investment authorized for city and county money under chapter 355 of NRS.

(Added to NRS by 1961, 354; A 1967, 1061; 1985, 10)

NRS 379.027 Powers and duties of librarian. The librarian of any consolidated, county, district or town library shall administer all functions of the library, employ assistants and carry out the policies established by the trustees of the library, and may recommend policies to the trustees.

(Added to NRS by 1959, 328; A 1967, 1061; 1981, 1000; 1985, 10)

NRS 379.030 Payment of claims against library fund.

1. All claims for indebtedness incurred or created by the trustees of any consolidated, county, district or town library must:

(a) Be audited and approved by a majority of the trustees;

(b) Be presented to and acted upon by the board of county commissioners, unless a separate account has been established pursuant to NRS 354.603; and

(c) Be paid out of the appropriate library fund in the same manner as claims against the county are presented, acted upon and paid.

2. In no case may any claim except for a library and reading room be allowed or paid out of the appropriate library fund.

3. Any money remaining in the county library fund on June 30 of any year reverts to the general fund of the county.

[3:187:1925; NCL § 5597]—(NRS A 1967, 1061; 1981, 1000; 1985, 10; 1989, 615)

NRS 379.040 Library to be free and accessible to public; regulations of trustees. The library and reading room of any consolidated, county, district or town library must forever be and remain free and accessible to the public, subject to such reasonable regulations as the trustees of the library may adopt.

[4:187:1925; NCL § 5598]—(NRS A 1967, 1061; 1985, 10)

NRS 379.050 Transfer of property of district library to new county library in certain counties; merger of county library districts in certain counties; merger or consolidation of city or town library with county library district.

1. Whenever a new county library is provided for in any county whose population is 40,000 or more, the trustees of any district library in the county previously established may transfer all books, funds, equipment or other property in the possession of such trustees to the new library upon the demand of the trustees of the new library.

2. Whenever there are two or more county library districts in any county whose population is 40,000 or more, the districts may merge into one county library district upon approval of the library trustees of the merging districts.

3. Whenever there is a city or a town library located adjacent to a county library district, the city or town library may:

(a) Merge with the county library district upon approval of the trustees of the merging library and district; or

(b) Subject to the limitations in NRS 379.0221, consolidate with the county library district.

4. All expenses incurred in making a transfer or merger must be paid out of the general fund of the new library.

[1:140:1929; A 1956, 213] + [2:140:1929; NCL § 5600]—(NRS A 1967, 1062; 1969, 493; 1985, 11; 1989, 1923; 2001, 1987)

NRS 379.055 Transfer of county library district's property, money, contracts and appropriations to consolidated library district. All property, money, and contracts of, and appropriations to, the county

library district being consolidated become the property, money and contracts of, and appropriations to, the consolidated library district.

(Added to NRS by 1985, 8)

NRS 379.060 Extension of services of consolidated, county or district library: Contracts with counties, cities, towns and school districts.

1. The trustees of any consolidated, county or district library shall cooperate with and enter into contracts with the board of county commissioners of any other county, or with any city or town in any other county, or with any school district, when necessary to secure to the residents of the other county, or to the residents of the city or town in the other county, or to the pupils of the school district, the same privileges of the consolidated, county or district library as are granted to or enjoyed by the residents of the county or consolidated or county library district, or such privileges as may be agreed upon in the contract. The consideration agreed upon must be specified in the contract, and must be paid into the consolidated, county or district library fund or a special fund for library purposes of the county providing the service.

2. Any contracting county, city, town or school district may terminate any contract which may be entered into upon such terms as may be agreed upon by the parties thereto.

3. Any county, city or town wherein a library has been established may cooperate with and contract with the trustees of any consolidated, county, district or town library to obtain for the residents of the county, city or town an increase in library services or such privileges as may be agreed upon.

4. The trustees of any consolidated, county or district library may cooperate with and contract with the board of county commissioners of any other county, relative to any phase of library service.

5. Any county, city or town contracting for library service may at any time establish a library for the use of its inhabitants, whereupon its contract for service may be continued or terminated on such terms as may be agreed upon by the parties thereto.

6. The tax-levying body of any county, city or town contracting to receive library services may budget for and levy a tax to meet the terms of the contract. The board of trustees of a school district may budget to meet the terms of the contract.

7. The trustees of the consolidated, county or district library providing services may expend any amounts received in consideration of any such contract in addition to the amount budgeted for the consolidated, county or district library.

[1:144:1945; A 1956, 213] + [2:144:1945; 1943 NCL § 5598.02] + [3:144:1945; 1943 NCL § 5598.03] + [4:144:1945; 1943 NCL § 5598.04]—(NRS A 1959, 279; 1961, 168; 1967, 1062; 1981, 1000; 1985, 11)

NRS 379.065 Provision of library services of county library district in contiguous territory served by another library district or library: Request; joint study; determination by board of county commissioners; alteration of boundaries.

1. If the trustees of a county library district desire to provide library services in territory which is contiguous to its boundaries but is within the boundaries of another county library district, a consolidated library district or a county, city or town which has a library, the trustees of the county library district may submit a request to the trustees of such a library or library district to provide library services within that territory.

2. If the trustees of a library or library district that receives a request pursuant to subsection 1 desire that the library or library district receive such library services, the trustees shall conduct a joint study with the county library district to determine whether the county library district has the financial capability to provide the library services. If the results of the study demonstrate that the county library district has such financial capability, the county library district may alter its boundaries to include the territory.

3. If:

(a) The trustees of a library or library district that receives a request pursuant to subsection 1 do not desire that the library or library district receive such library services; or

(b) The results of a study conducted pursuant to subsection 2 demonstrated that the county library district did not have the financial capability to provide the library services,

➥ the county library district may submit the matter to the board of county commissioners of the county for its determination. The board of county commissioners may request such information from the county library district and library or library district as necessary to make its determination. If the board of county commissioners determines it is in the best interest of the residents of the territory to receive library services from the county library district, the board of county commissioners shall by resolution authorize the county library district to alter its boundaries to include the territory. In making such a determination, the board of county commissioners may solicit public comment from residents who are affected by the proposed

alteration of the boundaries of the county library district through polling, public hearings, submission of an advisory question at an election or any other form of public comment.

4. The provisions of this section do not apply to alter the boundaries of any library or library district for the purposes of taxes levied for the repayment, when due, of the principal of and interest on bonds, notes or other indebtedness issued before the effective date of the alteration.

(Added to NRS by 2001, 371)