

ASSEMBLY BILL NO. 94—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF OFFICE OF THE MILITARY)

FEBRUARY 4, 1999

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to veterans' affairs. (BDR 37-455)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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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 veterans' affairs; revising certain provisions relating to the account for a veterans' cemetery in northern Nevada, the account for a veterans' cemetery in southern Nevada and the veterans' home account; creating an account for veterans' affairs, a gift account for veterans' cemeteries and a gift account for veterans' homes; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 417.145 is hereby amended to read as follows:
2 417.145 1. The veterans' home account is hereby established in the
3 state general fund.
4 2. *Money received by the executive director or the deputy executive*
5 *director from:*
6 *(a) Payments by the Department of Veterans Affairs for veterans who*
7 *receive care in a veterans' home;*
8 *(b) Other payments for medical care and services;*
9 *(c) Appropriations made by the legislature for veterans' homes; and*
10 *(d) Except as otherwise provided in subsection 7, gifts of money and*
11 *proceeds derived from the sale of gifts of personal property he is*
12 *authorized to accept for the use of veterans' homes, if the use of such*
13 *gifts has not been restricted by the donor,*
14 *must be deposited with the state treasurer for credit to the veterans' home*
15 *account.*

1 **3. Interest and income must not be computed on the money in the**
2 **veterans' home account.**

3 **4. The veterans' home** account must be administered by the executive
4 director, with the advice of the deputy executive director and the Nevada
5 veterans' services commission, and **the money deposited in the veterans'**
6 **home account may only be** expended for:

7 **(a) The operation of veterans' homes;**

8 **(b) A program or service related to a veterans' home;**

9 ~~[(b)]~~ **(c) The solicitation of other sources of money to fund a veterans'**
10 **home; and**

11 ~~[(c)]~~ **(d) The purpose of informing the public about issues concerning**
12 **the establishment and uses of a veterans' home.**

13 ~~[(3)]~~ **5. Except as otherwise provided in subsection 7, gifts of personal**
14 **property which the executive director or the deputy executive director is**
15 **authorized to receive for the use of veterans' homes:**

16 **(a) May be sold or exchanged if the sale or exchange is approved by**
17 **the state board of examiners; or**

18 **(b) May be used in kind if the gifts are not appropriate for conversion**
19 **to money.**

20 **6. All money in the veterans' home account must be paid out on**
21 **claims approved by the executive director as other claims against the**
22 **state are paid.**

23 **7. The gift account for veterans' homes is hereby established in the**
24 **state general fund.** The executive director ~~may accept any gift, grant or~~
25 ~~contribution made for the use of the account. Any such gift, grant or~~
26 ~~contribution of:~~

27 ~~—(a) Money]~~ **or the deputy executive director shall use gifts of money or**
28 **personal property that he is authorized to accept and which the donor has**
29 **restricted to one or more uses at a veterans' home, only in the manner**
30 **designated by the donor. Gifts of money that the executive director or**
31 **deputy executive director is authorized to accept and which the donor has**
32 **restricted to one or more uses at a veterans' home** must be deposited with
33 the state treasurer for credit to the ~~account.~~

34 ~~—(b) Property other than money may be sold or exchanged if the sale or~~
35 ~~exchange is approved by the state board of examiners. Money received~~
36 ~~from the sale or exchange of property pursuant to this paragraph must be~~
37 ~~deposited with the state treasurer for credit to the account.~~

38 ~~—4.]~~ **gift account for veterans' homes.** The interest and income earned on
39 the money in the **gift** account ~~for veterans' homes,~~ after deducting any
40 applicable charges, must be credited to the **gift** account ~~for veterans'~~
41 **homes.** Any money remaining in the **gift** account **for veterans' homes** at
42 the end of each fiscal year does not lapse to the state general fund, but must
43 be carried forward into the next fiscal year.

~~[5.—All money in the account must be paid out on claims approved by the executive director as other claims against the state are paid.]~~

Sec. 2. NRS 417.147 is hereby amended to read as follows:

417.147 1. The executive director shall:

(a) Take such actions as are necessary for the maintenance and operation of ~~[a veterans' home]~~ **veterans' homes** in this state; and

(b) Apply for federal grants and other sources of money available for establishing ~~[a veterans' home.]~~ **veterans' homes**. Federal grants and other money received pursuant to this paragraph must be deposited with the state treasurer for credit to the veterans' home account. A federal grant must be used only as permitted by the terms of the grant.

2. The first veterans' home that is established in this state must be established at a location in southern Nevada determined to be appropriate by the interim finance committee. The interim finance committee shall give preference to a site that is zoned appropriately for the establishment of a veterans' home, that affords minimum costs of maintenance and that is located in an area where the members of the families of the veterans can easily visit the veterans' home. The site for the construction of the veterans' home in southern Nevada must be:

(a) Located in reasonable proximity to:

(1) A public transportation system;

(2) Shopping centers; and

(3) A major hospital that has a center for the treatment of trauma which is designated as a level II center by the administrator of the health division of the department of human resources.

(b) Not less than 5 acres in area.

3. If an additional veterans' home is authorized, it must be established in northern Nevada.

Sec. 3. NRS 417.220 is hereby amended to read as follows:

417.220 1. ***The account for veterans' affairs is hereby created in the state general fund.***

2. Money received by the executive director or the deputy executive director from:

(a) Fees charged pursuant to NRS 417.210;

(b) Allowances for burial from the Department of Veterans Affairs ~~for the Social Security Administration;~~

~~—(c) Appropriations made by the legislature for veterans' cemeteries;];~~

(c) Receipts from the sale of gifts and general merchandise; and

(d) Except as otherwise provided in subsection ~~[5,]~~ **6 and** NRS 417.145 and 417.147, gifts of money ~~for~~ **and** proceeds derived from the sale of

gifts of personal property he is authorized to accept, ***if the use of such gifts***

has not been restricted by the donor,

1 must be deposited with the state treasurer for credit to the account for
2 *veterans' affairs and must be accounted for separately for* a veterans'
3 cemetery in northern Nevada or ~~{the account for}~~ a veterans' cemetery in
4 southern Nevada, whichever is appropriate . ~~{, in the state general fund.~~
5 ~~—2.}~~ 3. The interest and income earned on the money ~~{in the accounts,}~~
6 *deposited pursuant to subsection 2,* after deducting any applicable charges,
7 must be ~~{credited to the accounts.~~
8 ~~—3.}~~ *accounted for separately. Interest and income must not be*
9 *computed on:*

10 (a) *Money appropriated from the state general fund to the account for*
11 *veterans' affairs.*

12 (b) *Fees charged pursuant to NRS 417.110 that are deposited in the*
13 *account for veterans' affairs.*

14 4. Except as otherwise provided in subsection ~~{5.}~~ 6, the money ~~{in~~
15 ~~each account}~~ *deposited pursuant to subsection 2* may only be used for the
16 operation and maintenance of the cemetery for which the ~~{account was~~
17 ~~created.~~

18 ~~—4.}~~ *money was collected.*

19 5. Except as otherwise provided in subsection ~~{5.}~~ 6, gifts of personal
20 property which the executive director or the deputy executive director is
21 authorized to receive but which are not appropriate for conversion to
22 money may be used in kind.

23 ~~{5.}~~ 6. The *gift account for veterans' cemeteries is hereby created in*
24 *the state general fund. The* executive director or the deputy executive
25 director shall use gifts of money or personal property that he is authorized
26 to accept and for which the donor has restricted to one or more uses at a
27 veterans' cemetery, only in the manner designated by the donor. Gifts of
28 money that the executive director or the deputy executive director is
29 authorized to accept and for which the donor has restricted to one or more
30 uses at a veterans' cemetery must be accounted for separately in the ~~{state~~
31 ~~general fund.~~

32 ~~—6.}~~ *gift account for veterans' cemeteries. The interest and income*
33 *earned on the money deposited pursuant to this subsection must, after*
34 *deducting any applicable charges, be accounted for separately for a*
35 *veterans' cemetery in northern Nevada or a veterans' cemetery in*
36 *southern Nevada, as applicable.* Any money remaining in the ~~{accounts}~~
37 *gift account for veterans' cemeteries* at the end of each fiscal year does not
38 revert to the state general fund, but must be carried over into the next fiscal
39 year.

40 **Sec. 4.** NRS 482.3763 is hereby amended to read as follows:

41 482.3763 1. The director shall order the preparation of special
42 license plates in support of ~~{a veterans' home,}~~ *veterans' homes,* and
43 establish procedures for the application for and issuance of the plates.

2. The department shall, upon application therefor and payment of the prescribed fees, issue special license plates in support of ~~{a-veterans'-home}~~ **veterans' homes** to any veteran of the Armed Forces of the United States or his spouse, parent or child. The plates must be inscribed with the word VETERAN and four consecutive numbers, and with the seal of the branch of the Armed Forces of the United States requested by the applicant.

3. If during a registration year, the holder of special plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, he shall retain the plates and:

(a) Affix them to another vehicle which meets the requirements of this section and report the change to the department in accordance with the procedure set forth for other transfers; or

(b) Within 30 days after removing the plates from the vehicle, return them to the department.

4. In addition to all other applicable registration and license fees and motor vehicle privilege taxes, and to the special fee for ~~{a-veterans'-home}~~ **veterans' homes**, the fee for:

(a) The initial issuance of the special license plates is \$35.

(b) The annual renewal sticker is \$10.

5. If the special plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of replacement license plates from the department for a fee of \$10.

Sec. 5. NRS 482.3764 is hereby amended to read as follows:

482.3764 1. Before the department issues to any person, pursuant to NRS 482.3763:

(a) An initial set of special license plates, it shall collect a special fee for ~~{a-veterans'-home}~~ **veterans' homes** in the amount of \$25.

(b) An annual renewal sticker, it shall collect a special fee for ~~{a-veterans'-home}~~ **veterans' homes** in the amount of \$20.

2. The department shall deposit any money collected pursuant to this section with the state treasurer for credit to the veterans' home account.

Sec. 6. NRS 482.3794 is hereby amended to read as follows:

482.3794 1. Except as otherwise provided in this subsection, the director shall order the preparation of special license plates for the support of veterans' cemeteries in this state and establish the procedure for the application for and issuance of the plates. The director shall not order the preparation of the special license plates unless he receives at least 250 applications for the issuance of those plates.

2. The department shall, upon application therefor and payment of the prescribed fees, issue special license plates for the support of the veterans' cemeteries in this state to any person who is a retired member of the Armed Forces of the United States. The plates must be inscribed with the words ARMED FORCES RETIRED and four consecutive numbers, and except as

1 otherwise provided in subsections 3 and 4, with the seal of the branch of
2 the Armed Forces of the United States requested by the applicant.

3 3. Except as otherwise provided in subsection 4, the department shall,
4 upon the request of an applicant, substitute for the seal of the branch of the
5 Armed Forces of the United States the emblem or other insignia of the
6 specific military unit to which the applicant was assigned if:

7 (a) The military unit is a recognized unit within the particular branch of
8 the Armed Forces of the United States; and

9 (b) At least 250 applicants request the substitution of that emblem or
10 insignia.

11 4. The director may use or imitate a seal, emblem or other insignia of a
12 branch, or unit within that branch, of the Armed Forces of the United States
13 only if that use or imitation complies with the provisions of 10 U.S.C. §
14 1057, as that section existed on October 1, 1995.

15 5. In addition to all other applicable registration and license fees and
16 privilege taxes, the fee for the initial issuance of the special license plates is
17 \$35. The annual renewal fee is \$10.

18 6. In addition to all other applicable registration and license fees and
19 privilege taxes, a person who requests special license plates issued pursuant
20 to this section shall pay:

21 (a) A fee of \$25 for the initial issuance of the plates; and

22 (b) A fee of \$20 for the annual renewal of the plates,
23 for the support of veterans' cemeteries in this state.

24 7. The department shall deposit the fees collected pursuant to
25 subsection 6 with the state treasurer for credit to *the account for veterans'*
26 *affairs in the state general fund and accounted for separately for a:*

27 (a) ~~{The account for a veterans'}~~ *Veterans'* cemetery in northern Nevada
28 ~~{created}~~ pursuant to NRS 417.220, if the plates were issued for a vehicle
29 registered in the counties of Washoe, Storey, Douglas, Lyon, Churchill,
30 Pershing, Humboldt, Lander, Elko, Eureka, Mineral, White Pine or Carson
31 City; or

32 (b) ~~{The account for a veterans'}~~ *Veterans'* cemetery in southern
33 Nevada ~~{created}~~ pursuant to NRS 417.220, if the plates were issued for a
34 vehicle registered in the counties of Lincoln, Nye, Esmeralda or Clark.

35 8. If during a registration year, the holder of special plates issued
36 pursuant to this section disposes of the vehicle to which the plates are
37 affixed, he shall retain the plates and:

38 (a) Affix them to another vehicle which meets the requirements of this
39 section and report the change to the department in accordance with the
40 procedure set forth for other transfers; or

41 (b) Within 30 days after removing the plates from the vehicle, return
42 them to the department.

1 9. If the special plates issued pursuant to this section are lost, stolen or
2 mutilated, the owner of the vehicle may obtain a set of replacement license
3 plates from the department for a fee of \$10.

4 **Sec. 7.** This act becomes effective upon passage and approval.

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