

ASSEMBLY BILL NO. 101—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE LAS VEGAS CONVENTION AND
VISITORS AUTHORITY AND THE RENO-SPARKS
CONVENTION AND VISITORS AUTHORITY)

FEBRUARY 13, 2007

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing the Commission on
Tourism. (BDR 18-772)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: 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 the Commission on Tourism; amending the
membership of the Commission; making certain ex
officio nonvoting members of the Commission voting
members; and providing other matters properly relating
thereto.

Legislative Counsel's Digest:

Under existing law, the Commission on Tourism is comprised of the Lieutenant Governor, eight members who are appointed by the Governor and three ex officio nonvoting members who are the chief administrative officers of the county fair and recreation boards or, if there are no county fair and recreation boards, the chairmen of the boards of county commissioners, of the three counties that paid the largest amount of the proceeds from the tax on transient lodging for credit to the Fund for the Promotion of Tourism. (NRS 231.170, 231.250) **Section 2** of this bill reduces the number of ex officio nonvoting members on the Commission from three to two (the overall membership of the Commission is therefore reduced from twelve to eleven) and makes those members voting members of the Commission.

Section 3 of this bill increases the number of members of the Commission required to constitute a quorum from four members to six members as a result of the increased number of voting members on the Commission. (NRS 231.180)

Section 4 of this bill clarifies that only the appointed members of the Commission are entitled to a salary for their attendance at meetings of the Commission. (NRS 231.190)

Sections 1 and 5-12 of this bill change the title of the "Executive Director" of the Commission to the "Director" for the purpose of conformance to existing usage.



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

1 **Section 1.** NRS 231.015 is hereby amended to read as follows:
2 231.015 1. The Interagency Committee for Coordinating
3 Tourism and Economic Development is hereby created. The
4 Committee consists of the Governor, who is its Chairman, the
5 Lieutenant Governor, who is its Vice Chairman, the ~~{Executive}~~
6 Director of the Commission on Tourism, the Executive Director of
7 the Commission on Economic Development and such other
8 members as the Governor may from time to time appoint. The
9 appointed members of the Committee serve at the pleasure of the
10 Governor.

11 2. The Committee shall meet at the call of the Governor.

12 3. The Committee shall:

13 (a) Identify the strengths and weaknesses in state and local
14 governmental agencies which enhance or diminish the possibilities
15 of tourism and economic development in this State.

16 (b) Foster coordination and cooperation among state and local
17 governmental agencies, and enlist the cooperation and assistance of
18 federal agencies, in carrying out the policies and programs of the
19 Commission on Tourism and the Commission on Economic
20 Development.

21 (c) Formulate cooperative agreements between the Commission
22 on Tourism or the Commission on Economic Development, and
23 state and other public agencies pursuant to the Interlocal
24 Cooperation Act, so that each of those commissions may receive
25 applications from and, as appropriate, give governmental approval
26 for necessary permits and licenses to persons who wish to promote
27 tourism, develop industry or produce motion pictures in this State.

28 4. The Governor may from time to time establish regional or
29 local subcommittees to work on regional or local problems of
30 economic development or the promotion of tourism.

31 **Sec. 2.** NRS 231.170 is hereby amended to read as follows:

32 231.170 1. The Commission on Tourism is composed of ~~{the}~~
33 **11 voting members as follows:**

34 (a) **The** Lieutenant Governor, who is its Chairman ~~{and eight}~~ ;

35 (b) **Eight** members, ~~{who are}~~ appointed by the Governor, ~~{~~

36 ~~—2.— The Governor shall appoint as members of the Commission~~
37 ~~persons}~~ who are informed on and have experience in travel and
38 tourism, including the business of gaming ~~{~~

39 ~~—3.—~~ ; **and**

40 (c) The chief administrative officers of the county fair and
41 recreation boards or, if there is no county fair and recreation board
42 in the county, the chairman of the board of county commissioners,



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1 of the ~~{three}~~ **two** counties that paid the largest amount of the
2 proceeds from the taxes imposed on the revenue from the rental of
3 transient lodging to the Department of Taxation for deposit with the
4 State Treasurer for credit to the Fund for the Promotion of Tourism
5 created by NRS 231.250 for the previous fiscal year . ~~{are ex officio~~
6 ~~but nonvoting members of the Commission.}~~

7 **2.** A change in any member of the Commission who serves
8 pursuant to ~~{the provisions of this}~~ **paragraph (c) of** subsection **1**
9 that is required because of a change in the amount of the proceeds
10 paid to the Department of Taxation by each county must be effective
11 on January 1 of the calendar year immediately following the fiscal
12 year in which the proceeds were paid to the Department of Taxation.

13 ~~{4. In addition to the appointments made}~~

14 **3. Of the members appointed by the Governor** pursuant to
15 **paragraph (b) of** subsection ~~{3, the Governor shall appoint:}~~ **1:**

16 (a) At least one member ~~{who is}~~ **must be** a resident of ~~{Clark~~
17 ~~County.}~~ **a county whose population is 400,000 or more.**

18 (b) At least one member ~~{who is}~~ **must be** a resident of ~~{Washoe~~
19 ~~County.}~~ **a county whose population is 100,000 or more but less**
20 **than 400,000.**

21 (c) At least two members ~~{who are}~~ **must be** residents of
22 counties whose population is **less than** 100,000 . ~~{or less.}~~

23 (d) ~~{One member who is}~~ **Four members must be** ~~{a resident}~~
24 **residents** of any county in this State.

25 **Sec. 3.** NRS 231.180 is hereby amended to read as follows:

26 231.180 1. The Commission on Tourism shall meet once
27 each calendar quarter, or at more frequent times if it deems
28 necessary, and may, within the limitations of its budget, hold special
29 meetings at the call of the Chairman or a majority of the members.

30 2. The ~~{Executive}~~ Director is the Secretary of the
31 Commission.

32 3. The Commission shall prescribe rules for its own
33 management and government.

34 4. ~~{Four}~~ **Six** members of the Commission constitute a quorum
35 . ~~{, but a majority of the members of the Commission are required to~~
36 ~~exercise the power conferred on the Commission.}~~

37 5. The Governor may remove ~~{a}~~ **an appointed** member from
38 the Commission if the member neglects his duty or commits
39 malfeasance in office.

40 **Sec. 4.** NRS 231.190 is hereby amended to read as follows:

41 231.190 Each **appointed** member of the Commission on
42 Tourism is entitled to receive a salary of \$80 for each day's
43 attendance at a meeting of the Commission.



1 **Sec. 5.** NRS 231.210 is hereby amended to read as follows:
2 231.210 The ~~{Executive}~~ Director of the Commission on
3 Tourism:

4 1. Must be appointed by the Governor from a list of three
5 persons submitted to him by the Commission.

6 2. Is responsible to the Commission and serves at its pleasure.

7 3. Shall, except as otherwise provided in NRS 284.143, devote
8 his entire time to the duties of his office, and he shall not follow any
9 other gainful employment or occupation.

10 **Sec. 6.** NRS 231.220 is hereby amended to read as follows:

11 231.220 The ~~{Executive}~~ Director of the Commission on
12 Tourism shall direct and supervise all its administrative and
13 technical activities, including coordinating its plans for tourism and
14 publications, scheduling its programs, analyzing the effectiveness of
15 those programs and associated expenditures, and cooperating with
16 other governmental agencies which have programs related to travel
17 and tourism. In addition to other powers and duties, the ~~{Executive}~~
18 Director:

19 1. Shall attend all meetings of the Commission and act as its
20 Secretary, keeping minutes and audio recordings or transcripts of its
21 proceedings.

22 2. Shall report regularly to the Commission concerning the
23 administration of its policies and programs.

24 3. Shall serve as the Director of the Division of Tourism.

25 4. Shall appoint the Administrator of the Division of
26 Publications.

27 5. May perform any other lawful acts which he considers
28 necessary to carry out the provisions of NRS 231.160 to 231.360,
29 inclusive.

30 **Sec. 7.** NRS 231.230 is hereby amended to read as follows:

31 231.230 1. The Commission on Tourism through its
32 ~~{Executive}~~ Director may:

33 (a) Employ such professional, technical, clerical and operational
34 employees as the operation of the Commission may require; and

35 (b) Employ such experts, researchers and consultants and enter
36 into such contracts with any public or private entities as may be
37 necessary to carry out the provisions of NRS 231.160 to 231.360,
38 inclusive.

39 2. The ~~{Executive}~~ Director and all other nonclerical
40 employees of the Commission are in the unclassified service of the
41 State.

42 3. The clerical employees of the Commission are in the
43 classified service of the State.



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Sec. 8. NRS 231.240 is hereby amended to read as follows:

231.240 1. The ~~Executive~~ Director of the Commission on Tourism may charge reasonable fees for materials prepared for distribution.

2. All such fees must be deposited with the State Treasurer for credit to the Commission. The fees must first be expended exclusively for materials and labor incident to preparing and printing those materials for distribution. Any remaining fees may be expended, in addition to any other money appropriated, for the support of the Commission.

Sec. 9. NRS 231.300 is hereby amended to read as follows:

231.300 In performing their duties, the ~~Executive~~ Director of the Commission on Tourism and the Administrator of the Division of Publications shall not interfere with the functions of any other state agencies, but those agencies shall, from time to time, on reasonable request, furnish the ~~Executive~~ Director and Administrator with data and other information from their records bearing on the objectives of the Commission and its divisions. The ~~Executive~~ Director and Administrator shall avail themselves of records and assistance of such other state agencies as might make a contribution to the work of the Commission.

Sec. 10. NRS 235.012 is hereby amended to read as follows:

235.012 1. The Director, after consulting with the ~~Executive~~ Director of the Commission on Tourism, the Administrator of the Division of Museums and History of the Department of Cultural Affairs and the Administrator of the Division of Minerals of the Commission on Mineral Resources, may contract with a mint to produce medallions made of gold, silver, platinum or nonprecious metals and bars made of gold, silver or platinum.

2. The decision of the Director to award a contract to a particular mint must be based on the ability of the mint to:

(a) Provide a product of the highest quality;

(b) Advertise and market the product properly, including the promotion of museums and tourism in this State; and

(c) Comply with the requirements of the contract.

3. The Director shall award the contract to the lowest responsible bidder, except that if in his judgment no satisfactory bid has been received, he may reject all bids.

4. All bids for the contract must be solicited in the manner prescribed in NRS 333.310 and comply with the provisions of NRS 333.330.

Sec. 11. NRS 235.014 is hereby amended to read as follows:

235.014 1. The ore used to produce a medallion or bar must be mined in Nevada, if the ore is available. If it is not available, ore



1 newly mined in the United States may be used. Each medallion or
2 bar made of gold, silver or platinum must be 0.999 fine. Additional
3 series of medallions made of gold, silver or platinum at degrees of
4 fineness of 0.900 or greater may be approved by the Director with
5 the concurrence of the Interim Finance Committee. The degree of
6 fineness of the materials used must be clearly indicated on each
7 medallion.

8 2. Medallions may be minted in weights of 1 ounce, 0.5 ounce,
9 0.25 ounce and 0.1 ounce.

10 3. Bars may be minted in weights of 1 ounce, 5 ounces, 10
11 ounces and 100 ounces.

12 4. Each medallion must bear on its obverse The Great Seal of
13 the State of Nevada and on its reverse a design selected by the
14 Director, in consultation with the ~~Executive~~ Director of the
15 Commission on Tourism, the Administrator of the Division of
16 Museums and History of the Department of Cultural Affairs and the
17 Administrator of the Division of Minerals of the Commission on
18 Mineral Resources.

19 **Sec. 12.** NRS 408.210 is hereby amended to read as follows:

20 408.210 1. The Director may restrict the use of, or close, any
21 highway whenever he considers the closing or restriction of use
22 necessary:

23 (a) For the protection of the public.

24 (b) For the protection of such highway from damage during
25 storms or during construction, reconstruction, improvement or
26 maintenance operations thereon.

27 (c) To promote economic development or tourism in the best
28 interest of the State or upon the written request of the Executive
29 Director of the Commission on Economic Development or the
30 *Director of the* Commission on Tourism.

31 2. The Director may:

32 (a) Divide or separate any highway into separate roadways,
33 wherever there is particular danger to the traveling public of
34 collisions between vehicles proceeding in opposite directions or
35 from vehicular turning movements or cross-traffic, by constructing
36 curbs, central dividing sections or other physical dividing lines, or
37 by signs, marks or other devices in or on the highway appropriate to
38 designate the dividing line.

39 (b) Lay out and construct frontage roads on and along any
40 highway or freeway and divide and separate any such frontage road
41 from the main highway or freeway by means of curbs, physical
42 barriers or by other appropriate devices.

43 3. The Director may remove from the highways any unlicensed
44 encroachment which is not removed, or the removal of which is not
45 commenced and thereafter diligently prosecuted, within 5 days after



1 personal service of notice and demand upon the owner of the
2 encroachment or his agent. In lieu of personal service upon that
3 person or his agent, service of the notice may also be made by
4 registered or certified mail and by posting, for a period of 5 days, a
5 copy of the notice on the encroachment described in the notice.
6 Removal by the Department of the encroachment on the failure of
7 the owner to comply with the notice and demand gives the
8 Department a right of action to recover the expense of the removal,
9 cost and expenses of suit, and in addition thereto the sum of \$100
10 for each day the encroachment remains beyond 5 days after the
11 service of the notice and demand.

12 4. If the Director determines that the interests of the
13 Department are not compromised by a proposed or existing
14 encroachment, he may issue a license to the owner or his agent
15 permitting an encroachment on the highway. Such a license is
16 revocable and must provide for relocation or removal of the
17 encroachment in the following manner. Upon notice from the
18 Director to the owner of the encroachment or his agent, the owner or
19 agent may propose a time within which he will relocate or remove
20 the encroachment as required. If the Director and the owner or his
21 agent agree upon such a time, the Director shall not himself remove
22 the encroachment unless the owner or his agent has failed to do so
23 within the time agreed. If the Director and the owner or his agent do
24 not agree upon such a time, the Director may remove the
25 encroachment at any time later than 30 days after the service of the
26 original notice upon the owner or his agent. Service of notice may
27 be made in the manner provided by subsection 3. Removal of the
28 encroachment by the Director gives the Department the right of
29 action provided by subsection 3, but the penalty must be computed
30 from the expiration of the agreed period or 30-day period, as the
31 case may be.

32 **Sec. 13.** This act becomes effective on July 1, 2007.

