

ASSEMBLY BILL NO. 162—ASSEMBLYMEN MCCLAIN, KOIVISTO, MANENDO, PARKS, HOGAN, ALLEN, ANDERSON, ARBERRY, ATKINSON, BEERS, BOBZIEN, BUCKLEY, CARPENTER, CHRISTENSEN, CLABORN, COBB, CONKLIN, DENIS, GANSERT, GERHARDT, GOEDHART, GOICOECHEA, GRADY, HARDY, HORNE, KIHUEN, KIRKPATRICK, LESLIE, MABEY, MARVEL, MORTENSON, MUNFORD, OCEGUERA, OHRENSCHALL, PARNELL, PIERCE, SEGERBLOM, SETTELMAYER, SMITH, STEWART, WEBER AND WOMACK

FEBRUARY 23, 2007

JOINT SPONSORS: SENATORS CARE, WIENER, TITUS, COFFIN, HECK, AMODEI, BEERS, CEGAVSKE, HARDY, HORSFORD, LEE, MATHEWS, MCGINNESS, NOLAN, RAGGIO, RHOADS, SCHNEIDER, TOWNSEND, WASHINGTON AND WOODHOUSE

Referred to Committee on Government Affairs

SUMMARY—Provides for the establishment of and the transfer of certain abandoned property to the Nevada Veterans' Museum. (BDR 33-775)

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 Department of Cultural Affairs; establishing the Nevada Veterans' Museum as an institution of the Division of Museums and History of the Department; authorizing the transfer of certain abandoned property to the Nevada Veterans' Museum; and providing other matters properly relating thereto.



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Legislative Counsel's Digest:

Existing law establishes several museums and societies within the Division of Museums and History of the Department of Cultural Affairs, and provides that the duties of such museums and societies are assigned by the Administrator of the Division. (NRS 381.004) **Section 1** of this bill establishes the Nevada Veterans' Museum as an institution of the Division.

Under existing law, certain abandoned property held by certain businesses and governmental entities must be turned over to the State Treasurer in his capacity as the Administrator of Unclaimed Property. (Chapter 120A of NRS) **Section 2** of this bill includes the Nevada Veterans' Museum as an entity to which such abandoned property may be transferred under certain circumstances. (NRS 120A.360)

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

Section 1. NRS 381.004 is hereby amended to read as follows:
381.004 1. The Division of Museums and History is hereby created in the Department.

2. The Division consists of the Office of the Administrator and a state system of museums consisting of the following museums and historical societies, which are hereby established as institutions of the Division:

(a) The Nevada State Museum;

(b) The Lost City Museum;

(c) The Nevada Museum and Historical Society;

(d) The Nevada Historical Society;

(e) The East Ely Depot Museum;

(f) The Nevada State Railroad Museum in Carson City; ~~and~~

(g) The Nevada State Railroad Museum in Boulder City ~~and~~ ;

and

(h) The Nevada Veterans' Museum.

3. Each institution shall, in accordance with the duties assigned to it by the Administrator, collect, preserve and interpret the history, prehistory and natural history of this State.

Sec. 2. NRS 120A.360 is hereby amended to read as follows:

120A.360 1. Except as otherwise provided in subsections 4, 5 and 6, all abandoned property other than money delivered to the Administrator under this chapter must, within 2 years after the delivery, be sold by the Administrator to the highest bidder at public sale in whatever manner affords in his judgment the most favorable market for the property involved. The Administrator may decline the highest bid and reoffer the property for sale if he considers the price bid insufficient.

2. Any sale held under this section must be preceded by a single publication of notice thereof at least 2 weeks in advance of



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1 the sale in a newspaper of general circulation in the county where
2 the property is to be sold.

3 3. The purchaser at any sale conducted by the Administrator
4 pursuant to this chapter is vested with title to the property
5 purchased, free from all claims of the owner or prior holder and of
6 all persons claiming through or under them. The Administrator shall
7 execute all documents necessary to complete the transfer of title.

8 4. The Administrator need not offer any property for sale if, in
9 his opinion, the probable cost of the sale exceeds the value of the
10 property. The Administrator may destroy or otherwise dispose of
11 such property or may transfer it to:

12 (a) The Nevada Museum and Historical Society, the Nevada
13 State Museum, ~~for~~ the Nevada Historical Society ~~or~~ *or the Nevada*
14 *Veterans' Museum*, upon its written request, if the property has, in
15 the opinion of the requesting institution, historical, artistic, ~~for~~
16 literary *or military* value, *as applicable*, and is worthy of
17 preservation; *or*

18 (b) A genealogical library, upon its written request, if the
19 property has genealogical value and is not wanted by the Nevada
20 Museum and Historical Society, the Nevada State Museum, ~~for~~ the
21 Nevada Historical Society ~~or~~

22 ~~—(c) A veterans' or military museum, upon its written request, if~~
23 ~~the property has military or military historical value and is not~~
24 ~~wanted by the Nevada Museum and Historical Society, the Nevada~~
25 ~~State Museum] or the Nevada [Historical Society.] Veterans'~~
26 *Museum.*

27 ➡ An action may not be maintained by any person against the
28 holder of the property because of that transfer, disposal or
29 destruction.

30 5. Securities listed on an established stock exchange must be
31 sold at the prevailing price for that security on the exchange at the
32 time of sale. Other securities not listed on an established stock
33 exchange may be sold:

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

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

37 6. The Administrator shall hold property that was removed
38 from a safe-deposit box or other safekeeping repository for 1 year
39 after the date of the delivery of the property to the Administrator,
40 unless that property is a will or a codicil to a will, in which case the
41 Administrator shall hold the property for 10 years after the date of
42 the delivery of the property to the Administrator. If no claims are
43 filed for the property within that period, it may be destroyed.



1 **Sec. 3.** This act becomes effective on July 1, 2007.

