

(Reprinted with amendments adopted on June 4, 2007)

FIRST REPRINT

A.B. 162

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—Makes various changes concerning military service.
(BDR 33-775)

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 military service; establishing the Nevada Veterans' Museum as an institution of the Division of Museums and History of the Department of Cultural Affairs; authorizing the transfer of certain abandoned property to the Nevada Veterans' Museum; providing that the Board of Regents of the University of Nevada may grant a waiver of certain fees for the child, widow or widower of a person who was killed while he was performing his duties as a member of the Nevada National Guard; revising provisions that provide certain benefits for licenses, tags or permits for hunting, fishing or trapping to certain members of the Armed Forces of the



United States and their families to provide those benefits to certain members of the Nevada National Guard and their families; authorizing the Department of Wildlife to issue, under certain circumstances, a fishing or hunting license to a member of the Nevada National Guard who is a bona fide resident of this State; and providing other matters properly relating thereto.

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)

Existing law authorizes the Board of Regents of the University of Nevada to waive certain fees for a member of the Nevada National Guard or a recruit for the Nevada National Guard. (NRS 396.544) Additionally, existing law requires the Board of Regents to pay certain fees for the dependent child of a police officer, firefighter, officer of the Nevada Highway Patrol or volunteer ambulance driver or attendant killed while performing his duties. (NRS 396.545) **Section 2.2** of this bill authorizes the Board of Regents to waive certain fees for any child, widow or widower of a person who was killed while he was performing his duties as a member of the Nevada National Guard.

Existing law provides certain benefits relating to obtaining licenses, tags or permits for hunting, fishing or trapping to certain members of the Armed Forces of the United States and their families. (NRS 502.070, 502.290) **Sections 2.4 and 2.6** of this bill extend those benefits to certain members of the Nevada National Guard and their families.

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;



- 1 (f) The Nevada State Railroad Museum in Carson City; ~~and~~
2 (g) The Nevada State Railroad Museum in Boulder City ~~H~~ ;
3 *and*

4 *(h) The Nevada Veterans' Museum.*

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

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

9 120A.360 1. Except as otherwise provided in subsections 4, 5
10 and 6, all abandoned property other than money delivered to the
11 Administrator under this chapter must, within 2 years after the
12 delivery, be sold by the Administrator to the highest bidder at public
13 sale in whatever manner affords in his judgment the most favorable
14 market for the property involved. The Administrator may decline
15 the highest bid and reoffer the property for sale if he considers the
16 price bid insufficient.

17 2. Any sale held under this section must be preceded by a
18 single publication of notice thereof at least 2 weeks in advance of
19 the sale in a newspaper of general circulation in the county where
20 the property is to be sold.

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

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

30 (a) The Nevada Museum and Historical Society, the Nevada
31 State Museum, ~~or~~ the Nevada Historical Society ~~H~~ *or the Nevada*
32 *Veterans' Museum*, upon its written request, if the property has, in
33 the opinion of the requesting institution, historical, artistic, ~~or~~
34 literary *or military* value, *as applicable*, and is worthy of
35 preservation; *or*

36 (b) A genealogical library, upon its written request, if the
37 property has genealogical value and is not wanted by the Nevada
38 Museum and Historical Society, the Nevada State Museum, ~~or~~ the
39 Nevada Historical Society ~~;~~ ~~or~~

40 ~~—(c) A veterans' or military museum, upon its written request, if~~
41 ~~the property has military or military historical value and is not~~
42 ~~wanted by the Nevada Museum and Historical Society, the Nevada~~
43 ~~State Museum] or the Nevada [Historical Society.] Veterans'~~
44 *Museum.*



1 ➡ An action may not be maintained by any person against the
2 holder of the property because of that transfer, disposal or
3 destruction.

4 5. Securities listed on an established stock exchange must be
5 sold at the prevailing price for that security on the exchange at the
6 time of sale. Other securities not listed on an established stock
7 exchange may be sold:

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

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

11 6. The Administrator shall hold property that was removed
12 from a safe-deposit box or other safekeeping repository for 1 year
13 after the date of the delivery of the property to the Administrator,
14 unless that property is a will or a codicil to a will, in which case the
15 Administrator shall hold the property for 10 years after the date of
16 the delivery of the property to the Administrator. If no claims are
17 filed for the property within that period, it may be destroyed.

18 **Sec. 2.2.** Chapter 396 of NRS is hereby amended by adding
19 thereto a new section to read as follows:

20 ***1. The Board of Regents may grant a waiver of registration***
21 ***fees and laboratory fees for any child, widow or widower of a***
22 ***person who was killed while he was performing his duties as a***
23 ***member of the Nevada National Guard. For the purpose of***
24 ***assessing fees and charges against a person to whom a waiver is***
25 ***granted pursuant to this subsection, including, without limitation,***
26 ***tuition charges pursuant to NRS 396.540, the person shall be***
27 ***deemed to be a bona fide resident of this State.***

28 ***2. To be eligible for a waiver pursuant to subsection 1, a***
29 ***person must maintain at least a 3.25 grade point average, on a 4.0***
30 ***grading scale, each semester, or the equivalent of a 3.25 grade***
31 ***point average if a different grading scale is used and:***

32 ***(a) Be the widow or widower of the member of the Nevada***
33 ***National Guard; or***

34 ***(b) Be the child of the member of the Nevada National Guard.***

35 ***3. A widow or widower is eligible for 4 years after the date of***
36 ***the death of the member of the Nevada National Guard. A child is***
37 ***eligible for 4 years after he attains the age of 18 years or, if he***
38 ***enrolls in the System before the age of 18 years, for 4 years after***
39 ***the date of his enrollment.***

40 ***4. The Board of Regents may request the Adjutant General to***
41 ***verify that a person is the widow, widower or child of a person who***
42 ***was killed while he was performing his duties as a member of the***
43 ***Nevada National Guard. The Adjutant General shall, upon***
44 ***receiving such a request, notify the Board of Regents in writing***
45 ***concerning the status of that person.***



1 **Sec. 2.4.** NRS 502.070 is hereby amended to read as follows:

2 502.070 1. The Department shall issue to any member of the
3 Armed Forces of the United States who has been assigned to
4 permanent duty, as opposed to temporary or casual duty, within the
5 State of Nevada *or to any member in good standing of the Nevada*
6 *National Guard who has served on active duty* all necessary
7 hunting or fishing licenses, tags or permits for fishing, hunting or
8 trapping in the State of Nevada. A like privilege must be extended to
9 spouses and dependents, under the age of 21, of ~~[such]~~ *those*
10 members of the Armed Forces ~~[-All-such]~~ *or the Nevada National*
11 *Guard. The* licenses, tags or permits must be issued on the same
12 terms and conditions and at the same costs as licenses, tags or
13 permits are issued to Nevada residents, except that the 6 months'
14 residence requirement must be waived.

15 2. The issuance of ~~[all-such]~~ *the* licenses, tags and permits
16 must be made by application upon a form provided for that purpose
17 by the Department. The application must include such proof of
18 assignment to permanent duty within the State of Nevada *or proof*
19 *of service on active duty and membership in good standing in the*
20 *Nevada National Guard* as may be deemed necessary by the
21 Department to determine whether or not an applicant is ~~[actually so~~
22 ~~assigned]~~ *eligible for a license, tag or permit pursuant to*
23 *subsection 1.*

24 **Sec. 2.6.** NRS 502.290 is hereby amended to read as follows:

25 502.290 1. The ~~[Commission is authorized to issue to those~~
26 ~~persons serving in the Armed Forces of the United States who are~~
27 ~~bona fide residents of the State of Nevada]~~ *Department may issue*
28 fishing or hunting licenses, upon the payment of \$5 for each license,
29 ~~[provided those persons requesting the licenses are at the time on]~~ *to*
30 *any person who is a bona fide resident of the State of Nevada and*
31 *is:*

32 (a) *On* active duty in the Armed Forces of the United States
33 ~~[and are not stationed in the State of Nevada.]; or~~

34 (b) *A member in good standing of the Nevada National Guard*
35 *who has served on active duty.*

36 2. The ~~[Commission]~~ *Department* may require whatever proof
37 it deems necessary to determine whether ~~[such persons come within]~~
38 *a person is subject to* the provisions of this section.

39 3. *If the Department incurs a deficiency caused by the*
40 *issuance of licenses pursuant to this section, the Department may*
41 *request an allocation from the Contingency Fund pursuant to*
42 *NRS 353.266, 353.268 and 353.269 to reimburse the Department*
43 *for the amount of the deficiency.*



* A B 1 6 2 R 1 *

1 **4.** Any person who is guilty of giving false information to
2 obtain a license as provided in this section is guilty of a
3 misdemeanor.

4 **Sec. 3.** 1. This section and sections 1 and 2 of this act
5 become effective on July 1, 2007.

6 2. Sections 2.2, 2.4 and 2.6 of this act become effective on
7 October 1, 2007.

