

SENATE BILL NO. 430—SENATOR SCHNEIDER

MARCH 19, 2007

Referred to Committee on Legislative Operations and Elections

SUMMARY—Authorizes the Director of the Legislative Counsel Bureau to include the sale of souvenir wine in the Legislative Gift Shop. (BDR 17-1283)

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 Legislative Counsel Bureau; authorizing the Director to include the sale of souvenir wine with other souvenirs sold in the Legislative Gift Shop; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes the Director of the Legislative Counsel Bureau to
2 approve the purchase and sale of souvenirs of the Nevada Legislature and of the
3 State of Nevada. (NRS 218.6845) Pursuant to this authority, the Legislative Gift
4 Shop was established. **Section 1** of this bill authorizes the Director to include the
5 sale of souvenir wine in the gift shop. **Sections 2, 3 and 4** of this bill exempt
6 the Legislative Counsel Bureau from licensing requirements with respect to the
7 purchase and sale of souvenir wine in the gift shop. (NRS 244.350, 268.090,
8 369.180)

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

1 **Section 1.** NRS 218.6845 is hereby amended to read as
2 follows:
3 218.6845 1. The Director may approve the purchase and sale
4 of souvenirs of the Nevada Legislature and of the State of Nevada in
5 the legislative building or any building maintained for the use of the
6 Legislature or the Legislative Counsel Bureau. ***Such souvenirs may***
7 ***include, without limitation, souvenir wine.*** The Director shall fix
8 reasonable fees for the items which must in the aggregate at least



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1 cover the cost to the Legislative Counsel Bureau of purchasing and
2 selling the items.

3 2. The money received from the sale of souvenirs must be
4 deposited in a revolving account in the Legislative Fund. The money
5 in the revolving account must be used to purchase additional
6 souvenirs for sale and pay any other expenses related to the sale of
7 souvenirs deemed appropriate by the Director. The balance in the
8 revolving account not exceeding \$150,000 must not be reverted to
9 the Legislative Fund at the end of the fiscal year.

10 **Sec. 2.** NRS 244.350 is hereby amended to read as follows:

11 244.350 1. The board of county commissioners and, in a
12 county whose population is less than 400,000, the sheriff of that
13 county, constitute a liquor board. The liquor board may, without
14 further compensation, grant or refuse liquor licenses, and revoke
15 those licenses whenever there is, in the judgment of a majority of
16 the board, sufficient reason for revocation. The board shall elect a
17 chairman from among its members.

18 2. ~~The~~ *Except as otherwise provided in this section, the*
19 liquor board in each of the several counties shall enact ordinances:

20 (a) Regulating the sale of intoxicating liquors in their respective
21 counties.

22 (b) Fixing the hours of each day during which liquor may be
23 sold or disposed of.

24 (c) Prescribing the conditions under which liquor may be sold or
25 disposed of.

26 (d) Prohibiting the employment or service of minors in the sale
27 or disposition of liquor.

28 (e) Prohibiting the sale or disposition of liquor in places where,
29 in the judgment of the board, the sale or disposition may tend to
30 create or constitute a public nuisance, or where by the sale or
31 disposition of liquor a disorderly house or place is maintained.

32 3. In a county whose population is 400,000 or more, the liquor
33 board shall refer any petition for a liquor license to the metropolitan
34 police department. The department shall conduct an investigation
35 relating to the petition and report its findings to the liquor board at
36 the next regular meeting of the board.

37 4. All liquor dealers within any incorporated city are exempt
38 from the effect of this section, and are to be regulated only by the
39 government of that city.

40 5. The liquor board may deny or refuse to renew the license of
41 a person who has willfully violated the provisions of NRS 369.630
42 more than three times in any 24-month period.

43 6. The liquor board shall not deny a license to a person solely
44 because he is not a citizen of the United States.



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1 ***7. The Legislative Counsel Bureau is exempt from the***
2 ***provisions of this section with respect to the purchase and sale of***
3 ***souvenir wine pursuant to NRS 218.6845.***

4 **Sec. 3.** NRS 268.090 is hereby amended to read as follows:

5 268.090 1. In addition to any authority or power now
6 provided by the charter of any incorporated city in this State,
7 whether incorporated by general or special act, or otherwise, ***except***
8 ***as otherwise provided in this section,*** there is hereby granted to
9 each of the cities incorporated under any law of this State the power
10 and authority to fix, impose and collect a license tax on, and
11 regulate the sale of, beer, wines or other beverages now or hereafter
12 authorized to be sold by act of Congress.

13 2. An incorporated city may deny or refuse to renew the license
14 of a person who has willfully violated the provisions of NRS
15 369.630 more than three times in any 24-month period.

16 3. An incorporated city shall not deny a license to a person
17 solely because he is not a citizen of the United States.

18 ***4. The Legislative Counsel Bureau is exempt from the***
19 ***provisions of this section with respect to the purchase and sale of***
20 ***souvenir wine pursuant to NRS 218.6845.***

21 **Sec. 4.** NRS 369.180 is hereby amended to read as follows:

22 369.180 1. ~~Has~~ ***Except as otherwise provided in this section,***
23 ***in*** addition to the limitations imposed by NRS 597.210 and 597.220,
24 a person shall not:

25 (a) Import liquors into this State unless he first secures an
26 importer's license or permit from this State.

27 (b) Engage in business as a wholesale dealer of wines and
28 liquors in this State unless he first secures a wholesale wine and
29 liquor dealer's license from this State.

30 (c) Engage in business as a wholesale dealer of beer in this State
31 unless he first secures a wholesale beer dealer's license from this
32 State.

33 (d) Operate a winery in this State or export wine from this State
34 unless he first secures a wine-maker's license from this State.

35 (e) Operate an instructional wine-making facility in this State
36 unless he first secures a license for the instructional wine-making
37 facility from this State.

38 (f) Operate a brewery in this State unless he first secures a
39 brewer's license from this State.

40 (g) Operate a brew pub in this State unless he first secures a
41 brew pub's license from this State.

42 2. A person who holds a license for an instructional wine-
43 making facility:

44 (a) May engage in any activity authorized by NRS 597.245.



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(b) May not engage in any other activity for which a license is required pursuant to this chapter, unless the person holds the appropriate license for that activity.

3. *The Legislative Counsel Bureau is exempt from the provisions of this section with respect to the purchase and sale of souvenir wine pursuant to NRS 218.6845.*

4. As used in this section:

(a) “Brew pub” has the meaning ascribed to it in NRS 597.200.

(b) “Brewery” means an establishment which manufactures malt beverages but does not sell those malt beverages at retail.

(c) “Malt beverage” has the meaning ascribed to it in NRS 597.200.

