

Amendment No. 1154

Assembly Amendment to Assembly Bill No. 162	(BDR 33-775)
Proposed by: Assembly Committee on Ways and Means	
Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date
Adopted	☐	Lost ☐	Adopted	☐	Lost ☐
Concurred In	☐	Not ☐	Concurred In	☐	Not ☐
Receded	☐	Not ☐	Receded	☐	Not ☐

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

HAC/TMC



Date: 6/3/2007

A.B. No. 162—Provides for the establishment of and the transfer of certain abandoned property to the Nevada Veterans' Museum.
(BDR 33-775)



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.~~ **Makes various changes concerning military service.** (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;~~ **military service;** establishing the Nevada Veterans' Museum as an institution of the Division of Museums and History of the Department ~~of Cultural Affairs;~~ **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;
- (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 the sale in a newspaper of general circulation in the county where the property is to be sold.

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

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

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

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

~~(c) A veterans' or military museum, upon its written request, if the property has military or military historical value and is not wanted by the Nevada Museum and Historical Society, the Nevada State Museum} or the Nevada {Historical Society} Veterans' Museum.~~

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

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

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

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

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

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

1. The Board of Regents may grant a waiver of registration fees and laboratory 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. For the purpose of assessing fees and charges against a person to whom a waiver is granted pursuant to this subsection, including, without limitation, tuition charges pursuant to NRS 396.540, the person shall be deemed to be a bona fide resident of this State.

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

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

or

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 3. 1. This section and sections 1 and 2 of this act ~~becomes~~ become effective on July 1, 2007.

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