

SENATE BILL NO. 396—COMMITTEE ON GOVERNMENT AFFAIRS

MARCH 28, 2011

Referred to Committee on Government Affairs

SUMMARY—Changes the governmental entity entrusted to administer and distribute the additional funds generated by the special license plates for the support of the natural environment of the Mount Charleston area. (BDR 43-919)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§ 1)
(REQUESTED BY AFFECTED LOCAL GOVERNMENT)

~

EXPLANATION – Matter in **bolded italics** is new; matter between brackets **[omitted material]** is material to be omitted.

AN ACT relating to motor vehicles; requiring that the additional funds generated by the special license plates for the support of the natural environment of the Mount Charleston area be administered and distributed by the Mount Charleston Town Advisory Board, or its successor, rather than by the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides for the issuance of special license plates for the support
2 of the natural environment of the Mount Charleston area, creates an account for
3 those license plates, requires the Administrator of the Division of State Lands of the
4 State Department of Conservation and Natural Resources to administer the account
5 and allows the Administrator to provide grants from the account. (NRS 321.5959,
6 482.37935) This bill: (1) eliminates the Account for License Plates for the Support
7 of the Natural Environment of the Mount Charleston Area; (2) eliminates the
8 involvement of the Administrator of the Division of State Lands; (3) requires that
9 the additional funds generated by those special license plates be distributed directly,
10 on a quarterly basis, to the Mount Charleston Town Advisory Board or its
11 successor; and (4) requires the Board to use and grant the money so distributed to it
12 only for the support of programs for the natural environment of the Mount
13 Charleston area. Thus, this bill does not change the permissible uses of the



* S B 3 9 6 *

14 additional funds generated by the special license plates for the support of the
15 natural environment of the Mount Charleston area. Rather, it simply changes the
16 identity of the governmental entity entrusted to administer and distribute those
17 funds.

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

1 **Section 1.** NRS 482.37935 is hereby amended to read as
2 follows:

3 482.37935 1. Except as otherwise provided in this
4 subsection, the Department, in cooperation with the Division of
5 State Lands of the State Department of Conservation and Natural
6 Resources, shall design, prepare and issue license plates for the
7 support of the natural environment of the Mount Charleston area
8 using any colors that the Department deems appropriate. The design
9 of the license plates must include a depiction of Mount Charleston
10 and its surrounding area. The Department shall not design, prepare
11 or issue the license plates unless it receives at least 250 applications
12 for the issuance of those plates.

13 2. If the Department receives at least 250 applications for the
14 issuance of license plates for the support of the natural environment
15 of the Mount Charleston area, the Department shall issue those
16 plates for a passenger car or light commercial vehicle upon
17 application by a person who is entitled to license plates pursuant to
18 NRS 482.265 and who otherwise complies with the requirements for
19 registration and licensing pursuant to this chapter. A person may
20 request that personalized prestige license plates issued pursuant to
21 NRS 482.3667 be combined with license plates for the support of
22 the natural environment of the Mount Charleston area if that person
23 pays the fees for the personalized prestige license plates in addition
24 to the fees for the license plates for the support of the natural
25 environment of the Mount Charleston area pursuant to subsections 3
26 and 4.

27 3. The fee for license plates for the support of the natural
28 environment of the Mount Charleston area is \$35, in addition to all
29 other applicable registration and license fees and governmental
30 services taxes. The license plates are renewable upon the payment
31 of \$10.

32 4. In addition to all *other applicable registration and license*
33 *fees* ~~{for the license, registration}~~ and governmental services taxes
34 ~~{ }~~ *and the fee prescribed in subsection 3,* a person who requests a
35 set of license plates for the support of the natural environment of the
36 Mount Charleston area must pay for the initial issuance of the plates
37 an additional fee of \$25 and for each renewal of the plates an



* S B 3 9 6 *

1 additional fee of \$20 , to ~~{finance projects for the natural~~
2 ~~environment of the Mount Charleston area.}~~ *be distributed pursuant*
3 *to subsection 5.*

4 5. The Department shall deposit the fees collected pursuant to
5 subsection 4 with the State Treasurer for credit to the ~~{Account for~~
6 ~~License Plates for the Support of the Natural Environment of the~~
7 ~~Mount Charleston Area created pursuant to NRS 321.5959.}~~ *State*
8 *General Fund. The State Treasurer shall, on a quarterly basis,*
9 *distribute the fees deposited pursuant to this subsection to the*
10 *Mount Charleston Town Advisory Board or its successor. The fees*
11 *distributed pursuant to this subsection:*

12 (a) *May be used by the Mount Charleston Town Advisory*
13 *Board or its successor only:*

14 (1) *For the support of programs for the natural*
15 *environment of the Mount Charleston area, including, without*
16 *limitation, programs to improve the wildlife habitat, the ecosystem,*
17 *the forest, public access to the area and its recreational use.*

18 (2) *To make grants to governmental entities and nonprofit*
19 *organizations to carry out the programs described in*
20 *subparagraph (1).*

21 (b) *Must not be used to replace or supplant money available*
22 *from other sources.*

23 6. If, during a registration year, the holder of license plates
24 issued pursuant to the provisions of this section disposes of the
25 vehicle to which the plates are affixed, the holder ~~{may retain}~~ *shall:*

26 (a) *Retain* the plates and ~~{~~
27 ~~—(a) Affix}~~ *affix* them to another vehicle that meets the
28 requirements of this section if the *holder pays the fee for the*
29 *transfer of the registration* and *any* registration ~~{fees are paid as set~~
30 ~~out in this chapter.}~~ *fee or governmental services tax due pursuant*
31 *to NRS 482.399; or*

32 (b) Within 30 days after removing the plates from the vehicle,
33 return them to the Department.

34 **Sec. 2.** NRS 269.576 is hereby amended to read as follows:

35 269.576 1. Except as appointment may be deferred pursuant
36 to NRS 269.563, the board of county commissioners of any county
37 whose population is 400,000 or more shall, in each ordinance which
38 establishes an unincorporated town pursuant to NRS 269.500 to
39 269.625, inclusive, provide for:

40 (a) Appointment by the board of county commissioners or the
41 election by the registered voters of the unincorporated town of three
42 or five qualified electors who are residents of the unincorporated
43 town to serve as the town advisory board. If the ordinance provides
44 for appointment by the board of county commissioners, in making



1 such appointments, the board of county commissioners shall
2 consider:

3 (1) The results of any poll conducted by the town advisory
4 board; and

5 (2) Any application submitted to the board of county
6 commissioners by persons who desire to be appointed to the town
7 advisory board in response to an announcement made by the town
8 advisory board.

9 (b) A term of 2 years for members of the town advisory board.

10 (c) Election of a chair from among the members of the town
11 advisory board for a term of 2 years, and, if a vacancy occurs in the
12 office of chair, for the election of a chair from among the members
13 for the remainder of the unexpired term. The ordinance must also
14 provide that a chair is not eligible to succeed himself or herself for a
15 term of office as chair.

16 2. The members of a town advisory board serve at the pleasure
17 of the board of county commissioners. If a member is removed, the
18 board of county commissioners shall appoint a new member to serve
19 out the remainder of the unexpired term of the member who was
20 removed.

21 3. The board of county commissioners shall provide notice of
22 the expiration of the term of a member of and any vacancy on a
23 town advisory board to the residents of the unincorporated town by
24 mail, newsletter or newspaper at least 30 days before the expiration
25 of the term or filling the vacancy.

26 4. The duties of the town advisory board are to:

27 (a) Assist the board of county commissioners in governing the
28 unincorporated town by acting as liaison between the residents of
29 the town and the board of county commissioners; ~~and~~

30 (b) Advise the board of county commissioners on matters of
31 importance to the unincorporated town and its residents ~~H~~; and

32 *(c) Perform such other tasks as may be required or allowed by*
33 *any statute or other law.*

34 5. The board of county commissioners may provide by
35 ordinance for compensation for the members of the town advisory
36 board.

37 **Sec. 3.** NRS 321.5959 is hereby repealed.

38 **Sec. 4.** The provisions of NRS 354.599 do not apply to any
39 additional expenses of a local government that are related to the
40 provisions of this act.

41 **Sec. 5.** 1. On July 1, 2011, or as soon as practicable
42 thereafter, the Administrator shall cause to be transferred to the
43 Board any money that was in the Account at the end of the day on
44 June 30, 2011. Any money so transferred may be used only for the



1 purposes set forth in subsection 5 of NRS 482.37935, as amended
2 by section 1 of this act.

3 2. As used in this section:

4 (a) "Account" means the Account for License Plates for the
5 Support of the Natural Environment of the Mount Charleston Area,
6 created by NRS 321.5959.

7 (b) "Administrator" means the Administrator of the Division of
8 State Lands of the State Department of Conservation and Natural
9 Resources.

10 (c) "Board" means the Mount Charleston Town Advisory Board
11 or its successor.

12 **Sec. 6.** This act becomes effective on July 1, 2011.

TEXT OF REPEALED SECTION

321.5959 Account for License Plates for Support of Natural Environment of Mount Charleston Area.

1. The Account for License Plates for the Support of the Natural Environment of the Mount Charleston Area is hereby created in the State General Fund. The Administrator of the Division shall administer the Account.

2. The money in the Account does not lapse to the State General Fund at the end of a fiscal year. The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account.

3. The money in the Account must be used only for the support of programs for the natural environment of the Mount Charleston area, including, without limitation, programs to improve the wildlife habitat, the ecosystem, the forest, public access to the area and its recreational use, and must not be used to replace or supplant money available from other sources. The Administrator may provide grants from the Account to other public agencies and political subdivisions, including, without limitation, unincorporated towns, to carry out the provisions of this section.

