

ASSEMBLY BILL NO. 493—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE SUNSET SUBCOMMITTEE)

MARCH 25, 2013

Referred to Committee on Government Affairs

SUMMARY—Abolishes the Nevada Commission on Sports.
(BDR 18-572)

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 State Government; abolishing the Nevada
Commission on Sports; and providing other matters
properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law provides for the Nevada Commission on Sports, which is
2 authorized to promote physical fitness by developing, fostering and coordinating
3 physical fitness services and operating related facilities. (Chapter 233H of NRS)
4 This bill abolishes the Commission, as recommended by the Sunset Subcommittee
5 of the Legislative Commission.

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

- 1 **Section 1.** NRS 233H.010, 233H.020, 233H.030, 233H.040,
2 233H.050, 233H.060, 233H.070, 233H.080 and 233H.090 are
3 hereby repealed.

- 4 **Sec. 2.** NRS 482.3749 is hereby amended to read as follows:
5 482.3749 1. The Department shall, ~~in cooperation with the~~
6 ~~Nevada Commission on Sports and~~ using any colors and designs
7 that the Department deems appropriate, design, prepare and issue
8 license plates which indicate status as a hall of fame athlete. The
9 design of the license plates must include the words "hall of fame."



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2. The Department shall issue license plates that indicate status as a hall of fame athlete for a passenger car or a light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that indicate status as a hall of fame athlete if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates that indicate status as a hall of fame athlete.

3. An application for the issuance or renewal of license plates that indicate status as a hall of fame athlete is void unless it is accompanied by documentation which, in the determination of the Department, provides reasonable proof of identity and status as a hall of fame athlete.

4. In addition to all other applicable registration and license fees and governmental services taxes:

(a) A person who requests license plates that indicate status as a hall of fame athlete shall pay a fee to the Department of \$35.

(b) License plates that indicate status as a hall of fame athlete are renewable upon the payment to the Department of \$10.

5. If, during a registration year, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder may retain the plates and:

(a) Affix them to another vehicle that meets the requirements of this section if the transfer and registration fees are paid as set forth in this chapter; or

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

6. As used in this section, "hall of fame athlete" means a current or former athlete who has been inducted into a hall of fame pertaining to the sport in which the athlete participates or participated, including, but not limited to:

(a) The National Baseball Hall of Fame, located in Cooperstown, New York.

(b) The Basketball Hall of Fame, located in Springfield, Massachusetts.

(c) The Pro Football Hall of Fame, located in Canton, Ohio.

(d) The Hockey Hall of Fame, located in Toronto, Ontario, Canada.

(e) The National Soccer Hall of Fame, located in Oneonta, New York.



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(f) The International Tennis Hall of Fame, located in Newport, Rhode Island.

(g) The Pro Rodeo Hall of Fame, located in Colorado Springs, Colorado.

(h) Any hall of fame which has been established at a university, state college or community college within the Nevada System of Higher Education.

Sec. 3. Any balance remaining in the Account for Physical Fitness and Sports created by NRS 233H.090 must not be committed for expenditure after June 30, 2013, and must be reverted to the State General Fund on or before September 20, 2013.

Sec. 4. 1. This section and section 3 of this act become effective upon passage and approval.

2. Sections 1 and 2 of this act become effective on July 1, 2013.

TEXT OF REPEALED SECTIONS

233H.010 Definitions. As used in this chapter:

1. "Commission" means the Nevada Commission on Sports; and
2. "Sports facility" means real or personal property suitable for holding sports competitions approved by the Commission.

233H.020 Creation; number of members; appointment and selection of members; terms; election of Chair and Vice Chair; removal of members.

1. The Nevada Commission on Sports, consisting of nine members appointed by the Governor and two nonvoting members selected from the Legislature, is hereby created.

2. The Governor shall appoint to the Commission:

- (a) One member who is experienced in promoting physical fitness;
- (b) One member who is experienced in promoting sports for persons who are physically disabled or persons with mental retardation;
- (c) One member who has competed in the Olympic Games;
- (d) Three members who are experienced in promoting amateur sports;
- (e) One member who represents the gaming industry;
- (f) One member who represents the mining industry; and
- (g) One member who represents the public utilities and similar entities.

3. The Majority Leader of the Senate and the Speaker of the Assembly shall appoint one member of the Senate and one member of the Assembly, respectively, to serve as nonvoting members of the Commission for terms of 2 years.

4. If a vacancy occurs during the term of a member appointed by the Governor, the Governor shall appoint a person similarly qualified to replace that member for the remainder of the unexpired term.



5. The Commission shall elect a Chair and a Vice Chair from among its voting members.

6. The Governor may remove a member from the Commission if the member neglects his or her duty or commits malfeasance in office.

233H.030 Reimbursement of members. While engaged in the business of the Commission, members of the Commission are entitled to reimbursement for expenses incurred on behalf of the Commission and approved by the Chair.

233H.040 Meetings. The Commission shall meet at least four times annually or more frequently at the discretion of the Chair.

233H.050 Executive Director. The Commission may appoint an Executive Director who may hire other employees with the approval of the Commission. The Executive Director is in the unclassified service of the State and serves at the pleasure of the Commission.

233H.060 Powers of Commission: Administration. The Commission may:

1. Adopt regulations necessary or convenient to carry out the provisions of this chapter;

2. Sue and be sued;

3. Acquire by lease, purchase or gift all rights, title or other interest in real or personal property necessary to carry out the provisions of this chapter;

4. Construct, repair or refurbish any real or personal property necessary for a sports facility;

5. Purchase insurance in the amounts it considers necessary to protect the members of the Commission or its officers or employees from liability for personal injury, death or property damage related to the proper exercise of its powers;

6. Enter into contracts with persons to design, construct or remodel a sports facility and any materials necessary for that design, construction or remodeling;

7. Sell or otherwise dispose of real or personal property it owns and that is no longer required to carry out its duties;

8. Apply for and accept gifts, bequests, grants or loans of money or other property from public and private sources, and take any actions necessary to comply with any conditions of the gift, bequest, grant or loan;

9. Make grants, loans or gifts of money or property to carry out its duties; and

10. Conduct research, studies and hearings upon matters related to its duties.

233H.070 Powers of Commission: Agreements concerning use of sports facility; fees. The Commission may charge and collect fees for permission to use any sports facility or other property under its ownership or control and may enter into agreements whereby exclusive use of a sports facility or other property of the Commission is provided to a person.

233H.080 Powers of Commission: Promotion of physical fitness and sports. The Commission may:

1. Promote the development of Olympic training centers;

2. Promote physical fitness through participation in sports;



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3. Develop, foster and coordinate physical fitness services and programs;
4. Sponsor workshops, clinics and conferences for amateurs in sports;
5. Provide recognition for outstanding developments, achievements and contributions to amateur sports;
6. Stimulate and promote research into amateur sports;
7. Collect and disseminate information about amateur sports;
8. Promote amateur sports and programs for physical fitness in schools and local communities;
9. Develop programs to promote personal health and physical fitness through participation in amateur sports in cooperation with medical, dental and other professional societies;
10. Promote the development of recreational opportunities and activities in amateur sport, including the acquisition, financing, construction and rehabilitation of sports facilities for holding amateur sports events;
11. Promote national and international sport competitions and events for amateurs;
12. Sanction and sponsor sports competitions for amateurs;
13. Become a member of regional or national sports associations or organizations for amateurs;
14. Promote the inclusion of persons with physical or mental disabilities or visual or hearing impairments in amateur sports under conditions that are as comparable to those pertaining to other athletes as their disabilities and impairments allow;
15. Assist with the Nevada Special Olympics;
16. Assist with the Nevada Senior Games; and
17. Develop and promote a program of statewide sports competition for amateurs to be known as the Silver State Games, which must be patterned after the summer and winter Olympic Games and designed to encourage the participation of athletes representing a broad range of ages, levels of skill and geographic areas of the State.

233H.090 Account for Physical Fitness and Sports: Creation; use; claims. The Account for Physical Fitness and Sports is hereby created in the State General Fund. All money received by the Commission from public and private sources must be deposited in the Account. The money in the Account must be used to pay the expenses of the Commission and to carry out the duties of the Commission. Claims against the Account must be paid as other claims against the State are paid upon the approval of the Chair of the Commission.

