

SENATE BILL NO. 174—SENATORS HUTCHISON, GUSTAVSON,
SPEARMAN, CEGAVSKE, HAMMOND; FORD, KIHUEN AND
SETTELMAYER

FEBRUARY 20, 2013

JOINT SPONSORS: ASSEMBLYMEN PAUL ANDERSON,
FIORE, DUNCAN; AND STEWART

Referred to Committee on Government Affairs

SUMMARY—Authorizes the Governor to require the naming of a
state building, park, highway or other property after
a deceased member of the Armed Forces of the
United States under certain circumstances.
(BDR 27-853)

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 public property; authorizing the Governor to
require the naming of a state building, park, highway or
other property after a deceased member of the Armed
Forces of the United States under certain circumstances;
requiring the Nevada Veterans Services Commission to
recommend to the Governor the names of certain
deceased members of the Armed Forces of the United
States for such an honor; and providing other matters
properly relating thereto.

Legislative Counsel's Digest:

1 This bill provides for the naming of a state building, park, monument, bridge,
2 road or other property after certain deceased members of the Armed Forces of the
3 United States. **Sections 10 and 11.5** of this bill require the members of the Nevada
4 Veterans Services Commission to recommend to the Governor for the naming of
5 certain state buildings or properties the names of deceased members of the Armed
6 Forces of the United States who were residents of Nevada and were killed in action
7 in Operation Enduring Freedom or Operation Iraqi Freedom. **Sections 1, 5 and 7** of
8 this bill authorize the Governor to direct the Administrator of the State Public



9 Works Division of the Department of Administration, the Administrator of the
10 Division of State Parks of the State Department of Conservation and Natural
11 Resources and the Director of the Department of Transportation, respectively, to
12 name various state buildings and other properties after those deceased members of
13 the Armed Forces of the United States whose names are recommended by the
14 Commission. **Section 11** of this bill creates the Nevada Will Always Remember
15 Veterans Gift Account and authorizes the Executive Director for Veterans Services
16 and the Deputy Executive Director for Veterans Services to accept donations, gifts
17 and grants of money to be deposited in the Account. **Sections 1, 5 and 7** authorize
18 the Administrator of the State Public Works Division, the Administrator of the
19 Division of State Parks and the Director of the Department of Transportation,
20 respectively, to use funds from the Account for the design, procurement and
21 installation of markers, plaques, statues or signs bearing the names of the selected
22 deceased members of the Armed Forces of the United States at or upon the
23 buildings or other properties chosen to be named.

1 WHEREAS, Many sons and daughters of the State of Nevada,
2 imbued with the love of their country and the courage born in the
3 desert, hills, sage and pines of Nevada, have entered into the Armed
4 Forces of the United States; and

5 WHEREAS, Some of those sons and daughters have made the
6 ultimate sacrifice and given their lives as their last full measure of
7 devotion in defense of our country in Afghanistan and Iraq; and

8 WHEREAS, The State of Nevada and Nevadans can honor those
9 brave sons and daughters and offer them the thanks of a grateful
10 state by attaching their names to state-owned buildings, parks,
11 monuments, bridges, roads and other properties; and

12 WHEREAS, Nevadans Will Always Remember Veterans; now,
13 therefore,
14

15 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
16 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
17

18 **Section 1.** Chapter 331 of NRS is hereby amended by adding
19 thereto a new section to read as follows:

20 *1. The Governor may, upon receiving a recommendation*
21 *from the Nevada Veterans Services Commission pursuant to*
22 *section 10 of this act, direct the Administrator to name a building,*
23 *ground or property over which the Administrator has supervision*
24 *and control pursuant to NRS 331.070 after a deceased member of*
25 *the Armed Forces of the United States.*

26 *2. The Administrator shall, as soon as sufficient money is*
27 *available from the Nevada Will Always Remember Veterans Gift*
28 *Account created by section 11 of this act, cause to be designed,*
29 *procured and installed an appropriate marker, plaque, statue or*
30 *sign bearing the name of the deceased member of the Armed*
31 *Forces of the United States at or upon the respective building,*



ground or property as directed by the Governor pursuant to subsection 1.

Sec. 2. NRS 331.010 is hereby amended to read as follows:

331.010 As used in NRS 331.010 to 331.145, inclusive, *and section 1 of this act*, unless the context otherwise requires:

1. "Administrator" means the Administrator of the Division.

2. "Buildings and Grounds Section" means the Buildings and Grounds Section of the Division.

3. "Department" means the Department of Administration.

4. "Director" means the Director of the Department.

5. "Division" means the State Public Works Division of the Department.

Sec. 3. NRS 331.080 is hereby amended to read as follows:

331.080 1. ~~The~~ *Except as otherwise provided in section 1 of this act, the* Administrator may expend appropriated money to meet expenses for the care, maintenance and preservation of the buildings, grounds and their appurtenances identified in NRS 331.070, and for the repair of the furniture and fixtures therein.

2. The Administrator shall take proper precautions against damage thereto, or to the furniture, fixtures or other public property therein.

Sec. 4. NRS 331.101 is hereby amended to read as follows:

331.101 1. The Buildings and Grounds Operating Fund is hereby created as an internal service fund.

2. ~~The~~ *Except as otherwise provided in section 1 of this act, all* costs of administering the provisions of NRS 331.010 to 331.145, inclusive, *and section 1 of this act* must be paid out of the Buildings and Grounds Operating Fund as other claims against the State are paid.

Sec. 5. Chapter 407 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Governor may, upon receiving a recommendation from the Nevada Veterans Services Commission pursuant to section 10 of this act, direct the Administrator to name, subject to the provisions of NRS 407.065, a state park, monument or recreational area after a deceased member of the Armed Forces of the United States.

2. The Administrator shall, as soon as sufficient money is available from the Nevada Will Always Remember Veterans Gift Account created by section 11 of this act, cause to be designed, procured and installed an appropriate marker, plaque, statue or sign bearing the name of the deceased member of the Armed Forces of the United States at or upon the respective state park, monument or recreational area as directed by the Governor pursuant to subsection 1.



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Sec. 6. NRS 407.065 is hereby amended to read as follows:

407.065 1. The Administrator, subject to the approval of the Director:

(a) Except as otherwise provided in this paragraph ~~H~~ **and section 5 of this act**, may establish, name, plan, operate, control, protect, develop and maintain state parks, monuments and recreational areas for the use of the general public. The name of an existing state park, monument or recreational area may not be changed unless the Legislature approves the change by statute.

(b) Shall protect state parks and property controlled or administered by the Division from misuse or damage and preserve the peace within those areas. The Administrator may appoint or designate certain employees of the Division to have the general authority of peace officers.

(c) May allow multiple use of state parks and real property controlled or administered by the Division for any lawful purpose, including, but not limited to, grazing, mining, development of natural resources, hunting and fishing, in accordance with such regulations as may be adopted in furtherance of the purposes of the Division.

(d) Shall impose and collect reasonable fees for entering, camping and boating in state parks and recreational areas. The Division shall issue, upon application therefor and proof of residency and age, an annual permit for entering, camping and boating in all state parks and recreational areas in this State to any person who is 65 years of age or older and has resided in this State for at least 5 years immediately preceding the date on which the application is submitted. The permit must be issued without charge, except that the Division shall charge and collect an administrative fee for the issuance of the permit in an amount sufficient to cover the costs of issuing the permit.

(e) May conduct and operate such special services as may be necessary for the comfort and convenience of the general public, and impose and collect reasonable fees for such special services.

(f) May rent or lease concessions located within the boundaries of state parks or of real property controlled or administered by the Division to public or private corporations, to groups of natural persons, or to natural persons for a valuable consideration upon such terms and conditions as the Division deems fit and proper, but no concessionaire may dominate any state park operation.

(g) May establish such capital projects construction funds as are necessary to account for the parks improvements program approved by the Legislature. The money in these funds must be used for the construction and improvement of those parks which are under the supervision of the Administrator.



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(h) In addition to any concession specified in paragraph (f), may establish concessions within the boundaries of any state park to provide for the sale of food, drinks, ice, publications, sundries, gifts and souvenirs, and other such related items as the Administrator determines are appropriately made available to visitors. Any money received by the Administrator for a concession established pursuant to this paragraph must be deposited in the Fund for State Park Interpretative and Educational Programs and Operation of Concessions.

2. The Administrator:

(a) Shall issue an annual permit to a person who pays a reasonable fee as prescribed by regulation which authorizes the holder of the permit to enter each state park and each recreational area in this State and, except as otherwise provided in subsection 3, use the facilities of the state park or recreational area without paying the entrance fee; and

(b) May issue an annual permit to a person who pays a reasonable fee as prescribed by regulation which authorizes the holder of the permit to enter a specific state park or specific recreational area in this State and, except as otherwise provided in subsection 3, use the facilities of the state park or recreational area without paying the entrance fee.

3. An annual permit issued pursuant to subsection 2 does not authorize the holder of the permit to engage in camping or boating, or to attend special events. The holder of such a permit who wishes to engage in camping or boating, or to attend special events, must pay any fee established for the respective activity.

4. Except as otherwise provided in subsection 1 of NRS 407.0762 and subsection 1 of NRS 407.0765, the fees collected pursuant to paragraphs (d), (e) and (f) of subsection 1 or subsection 2 must be deposited in the State General Fund.

Sec. 7. Chapter 408 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Governor may, upon receiving a recommendation from the Nevada Veterans Services Commission pursuant to section 10 of this act, require the Director to name, subject to the provisions of this chapter, a highway, road, bridge or transportation facility of this State after a deceased member of the Armed Forces of the United States.

2. The Director shall, as soon as sufficient money is available from the Nevada Will Always Remember Veterans Gift Account created by section 11 of this act, cause to be designed, procured and installed an appropriate marker, plaque, statue or sign bearing the name of the deceased member of the Armed Forces of the United States at or upon the respective highway, road, bridge



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1 *or transportation facility as required by the Governor pursuant to*
2 *subsection 1.*

3 **Sec. 8.** Chapter 417 of NRS is hereby amended by adding
4 thereto the provisions set forth as sections 9, 10 and 11 of this act.

5 **Sec. 9.** (Deleted by amendment.)

6 **Sec. 10. 1. The Nevada Veterans Services Commission**
7 **shall recommend to the Governor:**

8 *(a) The names of deceased members of the Armed Forces of*
9 *the United States to be honored pursuant to the provisions of*
10 *section 1, 5 or 7 of this act. Each deceased member must have*
11 *been:*

12 *(1) A resident of this State; and*

13 *(2) Killed in action in:*

14 *(I) Operation Enduring Freedom; or*

15 *(II) Operation Iraqi Freedom.*

16 *(b) The building, ground, property, park, monument,*
17 *recreational area, highway, road, bridge or transportation facility*
18 *of this State which may be named after a deceased member*
19 *recommended to the Governor pursuant to paragraph (a).*

20 **2. The Commission shall develop criteria to be used in**
21 **determining the names to be recommended to the Governor**
22 **pursuant to subsection 1.**

23 **3. As used in this section, the terms “killed in action,”**
24 **“Operation Enduring Freedom” and “Operation Iraqi Freedom”**
25 **have the meanings ascribed to them by the United States**
26 **Department of Defense.**

27 **Sec. 11. 1. The Nevada Will Always Remember Veterans**
28 **Gift Account is hereby created in the State General Fund.**

29 **2. The Executive Director and the Deputy Executive Director**
30 **may accept donations, gifts and grants of money from any source**
31 **for deposit in the Account.**

32 **3. The money deposited in the Account pursuant to**
33 **subsection 2 may only be used to pay for the design, procurement**
34 **and installation of markers, plaques, statues or signs bearing the**
35 **names of deceased members of the Armed Forces of the United**
36 **States pursuant to the provisions of section 1, 5 or 7 of this act.**

37 **4. The interest and income earned on the money in the**
38 **Account, after deducting any applicable charges, must be credited**
39 **to the Account.**

40 **5. Any money remaining in the Account at the end of the**
41 **each fiscal year does not revert to the State General Fund, but**
42 **must be carried over to the next fiscal year.**

43 **Sec. 11.5.** NRS 417.190 is hereby amended to read as follows:
44 **417.190 The Nevada Veterans Services Commission shall:**



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1 1. Advise the Executive Director and Deputy Executive
2 Director.

3 2. Make recommendations to the Governor, the Legislature, the
4 Executive Director and the Deputy Executive Director regarding aid
5 or benefits to veterans.

6 **3. *Make recommendations to the Governor pursuant to***
7 ***section 10 of this act.***

8 **Sec. 12.** NRS 417.220 is hereby amended to read as follows:

9 417.220 1. The Account for Veterans Affairs is hereby
10 created in the State General Fund.

11 2. Money received by the Executive Director or the Deputy
12 Executive Director from:

13 (a) Fees charged pursuant to NRS 417.210;

14 (b) Allowances for burial from the Department of Veterans
15 Affairs or other money provided by the Federal Government for the
16 support of veterans cemeteries;

17 (c) Receipts from the sale of gifts and general merchandise;

18 (d) Grants obtained by the Executive Director or the Deputy
19 Executive Director for the support of veterans cemeteries; and

20 (e) Except as otherwise provided in subsection 6 and NRS
21 417.145 and 417.147, ***and section 11 of this act***, gifts of money and
22 proceeds derived from the sale of gifts of personal property that he
23 or she is authorized to accept, if the use of such gifts has not been
24 restricted by the donor,

25 ➡ must be deposited with the State Treasurer for credit to the
26 Account for Veterans Affairs and must be accounted for separately
27 for a veterans cemetery in northern Nevada or a veterans cemetery
28 in southern Nevada, whichever is appropriate.

29 3. The interest and income earned on the money deposited
30 pursuant to subsection 2, after deducting any applicable charges,
31 must be accounted for separately. Interest and income must not be
32 computed on money appropriated from the State General Fund to
33 the Account for Veterans Affairs.

34 4. The money deposited pursuant to subsection 2 may only be
35 used for the operation and maintenance of the cemetery for which
36 the money was collected. In addition to personnel he or she is
37 authorized to employ pursuant to NRS 417.200, the Executive
38 Director may use money deposited pursuant to subsection 2 to
39 employ such additional employees as are necessary for the operation
40 and maintenance of the cemeteries, except that the number of such
41 additional full-time employees that the Executive Director may
42 employ at each cemetery must not exceed 60 percent of the number
43 of full-time employees for national veterans cemeteries that is
44 established by the National Cemetery Administration of the United
45 States Department of Veterans Affairs.



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1 5. Except as otherwise provided in subsection 7, gifts of
2 personal property which the Executive Director or the Deputy
3 Executive Director is authorized to receive but which are not
4 appropriate for conversion to money may be used in kind.

5 6. The Gift Account for Veterans Cemeteries is hereby created
6 in the State General Fund. Gifts of money that the Executive
7 Director or the Deputy Executive Director is authorized to accept
8 and which the donor has restricted to one or more uses at a veterans
9 cemetery must be accounted for separately in the Gift Account for
10 Veterans Cemeteries. The interest and income earned on the money
11 deposited pursuant to this subsection must, after deducting any
12 applicable charges, be accounted for separately for a veterans
13 cemetery in northern Nevada or a veterans cemetery in southern
14 Nevada, as applicable. Any money remaining in the Gift Account
15 for Veterans Cemeteries at the end of each fiscal year does not
16 revert to the State General Fund, but must be carried over into the
17 next fiscal year.

18 7. The Executive Director or the Deputy Executive Director
19 shall use gifts of money or personal property that he or she is
20 authorized to accept and for which the donor has restricted to one or
21 more uses at a veterans cemetery in the manner designated by the
22 donor, except that if the original purpose of the gift has been
23 fulfilled or the original purpose cannot be fulfilled for good cause,
24 any money or personal property remaining in the gift may be used
25 for other purposes at the veterans cemetery in northern Nevada or
26 the veterans cemetery in southern Nevada, as appropriate.

27 **Sec. 13.** (Deleted by amendment.)

28 **Sec. 14.** This act becomes effective on July 1, 2013.

