

Amendment No. 1096

Senate Amendment to Senate Bill No. 16 First Reprint	(BDR 37-196)
Proposed by: Senate Committee on Finance	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

KCR/EGO



Date: 6/2/2019

S.B. No. 16—Revises provisions relating to certain gift accounts for veterans services. (BDR 37-196)



SENATE BILL NO. 16—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE DEPARTMENT OF VETERANS SERVICES)

PREFILED NOVEMBER 15, 2018

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to certain gift accounts for veterans services. (BDR 37-196)

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 veterans; authorizing the Director of the Department of Veterans Services to apply for ~~certtain federal~~ grants and other sources of money; authorizing the Director to accept certain money received from various sources; requiring the Director to deposit any money received from ~~federal~~ certain grants or ~~certtain~~ other sources of money with the State Treasurer for credit to certain accounts ~~and~~ ; requiring the Director to use ~~such~~ money received from grants and other sources only for specified purposes; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, special fees collected from the issuance and renewal of certain license plates are deposited into the Gift Account for Veterans and may be used only for the support of outreach programs or services for veterans and their families, or both. (NRS 417.115, 482.3764) **Section 1** of this bill authorizes the Director of the Department of Veterans Services to apply for ~~federal~~ grants and other sources of money available for the support of outreach programs or services for veterans and their families, or both. **Section 1** further authorizes the Director to accept gifts, grants, donations and other sources of money for such support. **Section 1** additionally requires the Director to deposit any money received from ~~federal grants and certain other money received from~~ gifts, grants, donations or other sources of money, , except money received from a federal or state grant, with the State Treasurer for credit to the Gift Account for Veterans and to use such money only for specified purposes.

Existing law creates the Account to Assist Veterans Who Have Suffered Sexual Trauma within the State General Fund and requires the Director to administer the Account. (NRS 417.119) **Section 1.2** of this bill authorizes the Director to apply for ~~federal~~ grants and other sources of money available for the assistance of veterans who have suffered sexual trauma while on active duty or during military training. **Section 1.2** also requires the Director to deposit any money received from ~~federal grants and certain other money received from~~ gifts, grants, donations or other sources for such assistance, , except money received from a federal or state grant, with the State Treasurer for credit to the Account and to use such

money only to assist veterans who have suffered sexual trauma while on active duty or during military training.

Existing law creates the Gift Account for the Veterans Home in Southern Nevada and the Gift Account for the Veterans Home in Northern Nevada, both within the State General Fund. (NRS 417.145) **Section 1.4** of this bill requires the Director to administer both accounts. **Section 1.4** also authorizes the Director to apply for and accept gifts, grants, donations and any other source of money for the support of the veterans' home in southern Nevada and the veterans' home in northern Nevada. **Section 1.4** also provides that money deposited into either account must be used only for the support of the veterans' home in southern Nevada or the veterans' home in northern Nevada, as applicable.

Existing law creates the Gift Account for Veterans Cemeteries within the State General Fund. (NRS 417.220) **Section 1.6** of this bill requires the Director to administer the Account and authorizes the Director to apply for and accept gifts, grants, donations and any other sources of money for the support of veterans' cemeteries in Nevada. **Section 1.6** also provides any money deposited in the Account must be used only for the support of veterans' cemeteries in Nevada.

Existing law creates the Nevada Will Always Remember Veterans Gift Account in the State General Fund. (NRS 417.410) **Section 1.8** of this bill requires the Director to administer the Account and authorizes the Director to apply for ~~[[federal]]~~ grants and other sources of money available for the design, procurement and installation of markers, plaques, statues or signs bearing the names of deceased members of the Armed Forces of the United States. **Section 1.8** also requires the Director to deposit any money received from ~~[[federal]]~~ grants and other sources of money for such projects , except money received from a federal or state grant, with the State Treasurer for credit to the Nevada Will Always Remember Veterans Gift Account.

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

Section 1. NRS 417.115 is hereby amended to read as follows:

417.115 1. The Gift Account for Veterans is hereby created in the State General Fund. The Director shall administer the Gift Account for Veterans.

2. The money deposited in the Gift Account for Veterans pursuant to *subsection 5 or* NRS 482.3764 may only be used for the support of outreach programs or services for veterans and their families, or both, as determined by the Director.

3. *The Director may apply for ~~[[federal]]~~ grants and other sources of money available for the support of outreach programs or services for veterans and their families, or both, as determined by the Director. The Director shall use a ~~[[federal]]~~ grant only as permitted by the terms of the grant.*

4. *The Director may accept gifts, grants, donations and any other sources of money for the support of outreach programs or services for veterans and their families, or both, as determined by the Director.*

5. *The Director shall deposit any money received ~~[[from a federal grant and other money received]]~~ pursuant to subsection 3 or 4, except money received from a federal or state grant, with the State Treasurer for credit to the Gift Account for Veterans.*

6. The interest and income earned on the money in the Gift Account for Veterans, after deducting any applicable charges, must be credited to the Gift Account for Veterans.

~~[[4]]~~ 7. All money in the Gift Account for Veterans must be paid out on claims approved by the Director as other claims against the State are paid.

~~[5.]~~ 8. Any money remaining in the Gift Account for Veterans at the end of each fiscal year does not lapse to the State General Fund, but must be carried forward into the next fiscal year.

~~[6.]~~ 9. The Director shall, on or before August 1 of each year, prepare and submit to the Interim Finance Committee a report detailing the expenditures made from the Gift Account for Veterans.

Sec. 1.2. NRS 417.119 is hereby amended to read as follows:

417.119 1. The Account to Assist Veterans Who Have Suffered Sexual Trauma is hereby created in the State General Fund. The Director shall administer the Account.

2. *The Director may apply for ~~[federal]~~ grants and other sources of money available for the assistance of veterans who have suffered sexual trauma while on active duty or during military training. The Director shall use a ~~[federal]~~ grant only as permitted by the terms of the grant.*

3. The Director may ~~[apply for any available grants and]~~ accept gifts, grants, donations and any other source of money ~~[for deposit in the Account.]~~ for the assistance of veterans who have suffered sexual trauma while on active duty or during military training.

~~[3.]~~ 4. *The Director shall deposit any money received ~~[from a federal grant and other money received]~~ pursuant to subsection 2 or 3, except money received from a federal or state grant, with the State Treasurer for credit to the Account.*

5. Money deposited in the Account and any interest and income earned on such money must be used only to assist veterans who have suffered sexual trauma while on active duty or during military training. The interest and income earned on money in the Account, after deducting any applicable charges, must be credited to the Account. All money in the Account must be paid out on claims approved by the Director as other claims against the State are paid. Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund, but must be carried forward to the next fiscal year.

Sec. 1.4. NRS 417.145 is hereby amended to read as follows:

417.145 1. The Veterans Home Account is hereby established in the State General Fund.

2. Money received from:

(a) Payments made by the United States Department of Veterans Affairs for veterans who receive care in a veterans' home;

(b) Other payments for medical care and services;

(c) Appropriations made by the Legislature for veterans' homes;

(d) Federal grants and other money received pursuant to paragraph (c) of subsection 1 of NRS 417.147;

(e) Money collected pursuant to the schedule of rates established pursuant to subsection 2 of NRS 417.147 for occupancy of rooms at veterans' homes; and

(f) Except as otherwise provided in subsections 7 and 8, gifts of money and proceeds derived from the sale of gifts of personal property for the use of veterans' homes, if the use of those gifts has not been restricted by the donor,

must be deposited with the State Treasurer for credit to the Veterans Home Account.

3. Interest and income must not be computed on the money in the Veterans Home Account.

4. The Veterans Home Account must be administered by the Director, with the advice of the administrators, and except as otherwise provided in paragraph (c) of subsection 1 of NRS 417.147, the money deposited in the Veterans Home Account may only be expended for:

1 (a) The establishment, management, maintenance and operation of veterans'
2 homes;

3 (b) A program or service related to a veterans' home;

4 (c) The solicitation of other sources of money to fund a veterans' home; and

5 (d) The purpose of informing the public about issues concerning the
6 establishment and uses of a veterans' home.

7 5. Except as otherwise provided in subsections 7 and 8, gifts of personal
8 property for the use of veterans' homes:

9 (a) May be sold or exchanged if the sale or exchange is approved by the State
10 Board of Examiners; or

11 (b) May be used in kind if the gifts are not appropriate for conversion to
12 money.

13 6. All money in the Veterans Home Account must be paid out on claims
14 approved by the Director as other claims against the State are paid.

15 7. The Gift Account for the Veterans Home in Southern Nevada is hereby
16 established in the State General Fund. *The Director shall administer the Gift*
17 *Account for the Veterans Home in Southern Nevada and may apply for and*
18 *accept gifts, grants, donations and any other sources of money for the support of*
19 *the veterans' home in southern Nevada. The Director shall deposit such money,*
20 *except for money received from a federal or state grant, with the State Treasurer*
21 *for credit to the Account. The money deposited in the Account and any interest*
22 *and income earned on such money must be used only for the support of the*
23 *veterans' home in southern Nevada.* Gifts of money or personal property which
24 the donor has restricted to one or more uses at the veterans' home in southern
25 Nevada must be used only in the manner designated by the donor. Gifts of money
26 which the donor has restricted to one or more uses at this veterans' home must be
27 deposited with the State Treasurer for credit to the Gift Account for the Veterans
28 Home in Southern Nevada. The interest and income earned on the money in the
29 Gift Account for the Veterans Home in Southern Nevada, after deducting any
30 applicable charges, must be credited to the Gift Account for the Veterans Home in
31 Southern Nevada. Any money remaining in the Gift Account for the Veterans
32 Home in Southern Nevada at the end of each fiscal year does not lapse to the State
33 General Fund, but must be carried forward into the next fiscal year.

34 8. The Gift Account for the Veterans Home in Northern Nevada is hereby
35 established in the State General Fund. *The Director shall administer the Gift*
36 *Account for the Veterans Home in Northern Nevada and may apply for and*
37 *accept gifts, grants, donations and any other sources of money for the support of*
38 *the veterans' home in northern Nevada. The Director shall deposit such money,*
39 *except for money received from a federal or state grant, with the State Treasurer*
40 *for credit to the Account. The money deposited in the Account and any interest*
41 *and income earned on such money must be used only for the support of the*
42 *veterans' home in northern Nevada.* Gifts of money or personal property which
43 the donor has restricted to one or more uses at the veterans' home in northern
44 Nevada must be used only in the manner designated by the donor. Gifts of money
45 which the donor has restricted to one or more uses at this veterans' home must be
46 deposited with the State Treasurer for credit to the Gift Account for the Veterans
47 Home in Northern Nevada. The interest and income earned on the money in the
48 Gift Account for the Veterans Home in Northern Nevada, after deducting any
49 applicable charges, must be credited to the Gift Account for the Veterans Home in
50 Northern Nevada. Any money remaining in the Gift Account for the Veterans
51 Home in Northern Nevada at the end of each fiscal year does not lapse to the State
52 General Fund, but must be carried forward into the next fiscal year.

9. The Director shall, on or before August 1 of each year, prepare and submit to the Interim Finance Committee a report detailing the expenditures made from the Gift Account for the Veterans Home in Southern Nevada and the Gift Account for the Veterans Home in Northern Nevada.

Sec. 1.6. NRS 417.220 is hereby amended to read as follows:

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

2. Money received by the Director from:

(a) Fees charged pursuant to NRS 417.210;

(b) Allowances for burial from the United States Department of Veterans Affairs or other money provided by the Federal Government for the support of veterans' cemeteries;

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

(d) Grants obtained by the Director for the support of veterans' cemeteries; and

(e) Except as otherwise provided in subsection 6 and NRS 417.115, 417.145, 417.147 and 417.410, gifts of money and proceeds derived from the sale of gifts of personal property that he or she is authorized to accept, if the use of such gifts has not been restricted by the donor,

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

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

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

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

6. The Gift Account for Veterans Cemeteries is hereby created in the State General Fund. *The Director shall administer the Gift Account for Veterans Cemeteries and may apply for and accept gifts, grants, donations and any other sources of money for the support of the veterans' cemeteries in Nevada. The Director shall deposit such money, except for money received from a federal or state grant, with the State Treasurer for credit to the Account. The money deposited in the Account and any interest and income earned on such money must be used only for the support of veterans' cemeteries in Nevada.* Gifts ~~to~~, grants, donations and other money that the Director is authorized to accept and which the donor has restricted to one or more uses at a veterans' cemetery must be accounted for separately in the Gift Account for Veterans Cemeteries. The interest and income earned on the money deposited pursuant to this subsection must, after deducting any applicable charges, be accounted for separately for a veterans' cemetery in northern Nevada or a veterans' cemetery in southern Nevada, as applicable. Any money remaining in the Gift Account for Veterans Cemeteries at

1 the end of each fiscal year does not revert to the State General Fund, but must be
2 carried over into the next fiscal year.

3 7. The Director shall use gifts of money or personal property that he or she is
4 authorized to accept and for which the donor has restricted to one or more uses at a
5 veterans' cemetery in the manner designated by the donor, except that if the
6 original purpose of the gift has been fulfilled or the original purpose cannot be
7 fulfilled for good cause, any money or personal property remaining in the gift may
8 be used for other purposes at the veterans' cemetery in northern Nevada or the
9 veterans' cemetery in southern Nevada, as appropriate.

10 **Sec. 1.8.** NRS 417.410 is hereby amended to read as follows:

11 417.410 1. The Nevada Will Always Remember Veterans Gift Account is
12 hereby created in the State General Fund.

13 2. ~~The Director may accept donations, gifts and grants of money from any~~
14 ~~source for deposit in the Account.~~

15 ~~3.~~ The money deposited in the Account pursuant to subsection ~~[2]~~ 4 must
16 only be used to pay for the design, procurement and installation of markers,
17 plaques, statues or signs bearing the names of deceased members of the Armed
18 Forces of the United States pursuant to the provisions of NRS 331.125, 407.066 and
19 408.119.

20 3. *The Director shall administer the Account and may apply for ~~federal~~*
21 *grants and other sources of money available for the purposes set forth in*
22 *subsection 2. The Director shall use a ~~federal~~ grant only as permitted by the*
23 *terms of the grant.*

24 4. *The Director may accept gifts, grants, donations and any other sources of*
25 *money received pursuant to this subsection or subsection 3 and, except for money*
26 *received from a federal or state grant, shall deposit the money with the State*
27 *Treasurer for credit to the Account.*

28 5. The interest and income earned on the money in the Account, after
29 deducting any applicable charges, must be credited to the Account.

30 ~~[5.]~~ 6. Any money remaining in the Account at the end of each fiscal year
31 does not revert to the State General Fund, but must be carried forward to the next
32 fiscal year.

33 **Sec. 2.** This act becomes effective upon passage and approval.