

SENATE BILL NO. 59—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE DEPARTMENT OF
TOURISM AND CULTURAL AFFAIRS)

PREFILED NOVEMBER 19, 2018

Referred to Committee on Government Affairs

SUMMARY—Requires proceeds from fees collected for the use of Stewart Indian School land be credited to the Nevada Indian Commission’s Gift Fund. (BDR 18-187)

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 state lands; revising provisions relating to the accounting of certain fees for the use of the Stewart Indian School land; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the State Land Registrar to account for the proceeds of fees collected for authorization to use certain state land and to pay such proceeds into specific funds in the State Treasury. (NRS 322.160) **Section 1** of this bill requires that the proceeds from fees collected for the use of the Stewart Indian School land be paid into the State Treasury for credit to the Nevada Indian Commission’s Gift Fund to further preservation efforts at the Stewart Indian School. **Sections 2 and 3** of this bill make conforming changes.

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

Section 1. Chapter 233A of NRS is hereby amended by adding thereto a new section to read as follows:

The proceeds of any fee charged for authorization to use the buildings or grounds of the former Stewart Indian School must be paid into the State Treasury for credit to the Nevada Indian Commission’s Gift Fund created by NRS 233A.097 and used by



the Nevada Indian Commission to carry out programs to preserve and maintain the buildings and grounds of the former Stewart Indian School.

Sec. 2. NRS 233A.097 is hereby amended to read as follows:

233A.097 1. Except for gifts or grants specifically accounted for in another fund, all gifts or grants of money or other property which the Commission is authorized to accept must be accounted for in the Nevada Indian Commission's Gift Fund, which is hereby created as a special revenue fund. The Fund is a continuing fund without reversion. The Commission may establish such accounts in the Fund as are necessary to account properly for gifts and grants received ~~and~~ *and fees deposited pursuant to section 1 of this act.* All such money received by the Commission must be deposited in the State Treasury for credit to the Fund. The money in the Fund must be paid out on claims as other claims against the State are paid. Unless otherwise specifically provided by statute, claims against the Fund must be approved by the Executive Director of the Commission or his or her designee.

2. Gifts of property other than money may be sold or exchanged when this is deemed by the Commission to be in the best interest of the Commission. The sale price must not be less than 90 percent of the value determined by a qualified appraiser appointed by the Commission. All money received from the sale must be deposited in the State Treasury to the credit of the appropriate gift account in the Nevada Indian Commission's Gift Fund. The money may be spent only for the purposes of the Commission. The property may not be sold or exchanged if to do so would violate the terms of the gift.

Sec. 3. NRS 322.160 is hereby amended to read as follows:

322.160 The proceeds of any fee charged pursuant to NRS 322.100 to 322.130, inclusive, must be accounted for by the State Land Registrar and:

1. If the fee is for any authorization to use land granted to the State by the Federal Government for educational purposes, the proceeds must be paid into the State Treasury for credit to the State Permanent School Fund.

2. If the fee is for any authorization to use any other state land, except as otherwise provided in this subsection ~~or~~ *or section 1 of this act,* the proceeds must be paid into the State Treasury for credit to the State General Fund. If the proceeds of the fees charged pursuant to NRS 322.120 to use any other state land exceed \$65,000 in any fiscal year, the amount which is in excess of \$65,000 must be accounted for separately and used by the State Land Registrar to carry out programs to preserve, protect, restore and enhance the natural environment of the Lake Tahoe Basin.



1 **Sec. 4.** This act becomes effective on July 1, 2019.

