

Assembly Bill No. 62–Committee
on Government Affairs

CHAPTER.....

AN ACT relating to veterans; establishing “Veterans Day at the Legislature” as a day of observance; revising provisions relating to preferences in state purchasing and state public works for a business owned and operated by a veteran with a service-connected disability; 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 certain state agencies and regulatory bodies to report certain information to the Interagency Council on Veterans Affairs; requiring the Council to report such information to the Legislature; requiring the Director of the Department of Veterans Services to compile in digital form certain information relating to state laws that affect veterans; requiring the Director to provide such information electronically to certain veterans for whom the Department has an electronic mail address of record; requiring the Director to maintain such information on its Internet website; authorizing xeriscaping in the area immediately above and surrounding the interred remains of a veteran at a veterans’ cemetery under certain circumstances; providing for the disposition of the unclaimed remains of a veteran by certain county agencies; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law sets forth certain days of observance in this State to commemorate certain persons or occasions or to publicize information regarding certain important topics. (Chapter 236 of NRS) **Section 1** of this bill establishes the third Wednesday of March during each regular session of the Legislature as “Veterans Day at the Legislature,” which is a day of observance and not a legal holiday.

Under existing law, a bid or proposal for a state purchasing contract for which the estimated cost exceeds \$50,000 that is submitted by a local business owned by a veteran with a service-connected disability of at least zero percent and who is a responsive and responsible bidder is deemed to be 5 percent lower than the bid or proposal actually submitted. (NRS 333.300, 333.3365, 333.3366) **Section 15** of this bill provides that this 5-percent preference applies with respect to bids or proposals by local businesses owned and operated by such veterans for state purchasing contracts for which the estimated cost is more than \$50,000 but not more than \$250,000. For state purchasing contracts for which the estimated cost is more than \$250,000 but less than \$500,000, **section 15** makes only a local business owned and operated by a veteran with a service-connected disability of 50 percent or more eligible for the 5-percent preference.



Under existing law, a bid submitted by a local business owned by a veteran with a service-connected disability of at least zero percent for a contract for a state public work for which the estimated cost is \$100,000 or less is deemed to be 5 percent lower than the bid or proposal actually submitted. (NRS 338.13843, 338.13844) **Section 19** of this bill provides a similar 5-percent preference to a local business owned and operated by a veteran with a service-connected disability of 50 percent or more for a contract for a state public work for which the estimated cost is more than \$100,000 but less than \$250,000.

Under existing law, the Purchasing Division and the State Public Works Division of the Department of Administration are required to provide a biannual report to the Legislature, if it is in session, or to the Interim Finance Committee, if the Legislature is not in session, regarding bids or proposals submitted by local businesses owned by a veteran with a service-connected disability for state purchasing and state public works contracts and any such contracts awarded to those businesses. (NRS 333.3368, 338.13846) **Sections 16 and 20** of this bill require those Divisions to also submit such reports to the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs when the Legislature is not in session.

Sections 9, 22, 24, 26, 27 and 31 of this bill provide for the naming by the Governor of a state building, park, monument, bridge, road or other property constructed, acquired, leased or opened on or after July 1, 2015, after deceased members of the Armed Forces of the United States who were residents of this State and killed in action.

Existing law provides for the creation, powers and duties of the Department of Veterans Services and the Interagency Council on Veterans Affairs. (NRS 417.0191-417.105) **Section 28** of this bill requires certain state agencies and regulatory bodies to report to the Council certain information relating to veterans and requires the Council to report such information annually to the Legislature or, if the Legislature is not in session, to the Legislative Commission. **Section 29** of this bill requires the Director of the Department to prepare a digital copy of certain information relating to state laws that affect veterans and services for veterans and to provide the information in digital form to each veteran in this State for whom the Department has an electronic mail address of record. **Section 29** further requires the Director to publish such information on the Department's Internet website.

Existing law provides for the establishment, operation and maintenance of veterans' cemeteries in this State, and further requires a cemetery superintendent to ensure that the area immediately above and surrounding the interred remains of veterans in each veterans' cemetery is landscaped with natural grass. (NRS 417.200-417.230) **Sections 32 and 33** of this bill require a cemetery superintendent to ensure that the area is landscaped with natural grass only if a veteran does not indicate by testamentary instrument or on an application for interment at the cemetery his or her desire to have the area landscaped with xeriscaping.

Section 34.5 of this bill provides for the reporting and disposition of the unclaimed remains of a veteran by the agency in a county that is responsible for interring or cremating the remains of indigent persons.



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

Section 1. Chapter 236 of NRS is hereby amended by adding thereto a new section to read as follows:

The third Wednesday in March during each regular session of the Legislature is established as “Veterans Day at the Legislature” in the State of Nevada in recognition of the contributions veterans have made to the prosperity of Nevada and the United States.

Secs. 2-8. (Deleted by amendment.)

Sec. 9. Chapter 331 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 26 of this act, direct the Administrator to name after a deceased member of the Armed Forces of the United States a building, ground or other property constructed, acquired, leased or opened on or after July 1, 2015, over which the Administrator has supervision and control pursuant to NRS 331.070.

2. The Administrator shall, as soon as sufficient money is available from the Nevada Will Always Remember Veterans Gift Account created by section 27 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 building, ground or property as directed by the Governor pursuant to subsection 1.

Sec. 10. NRS 331.010 is hereby amended to read as follows:
331.010 As used in NRS 331.010 to 331.145, inclusive, *and section 9 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. 11. NRS 331.080 is hereby amended to read as follows:
331.080 1. ~~The~~ *Except as otherwise provided in section 9 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. 12. 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. ~~It is~~ *Except as otherwise provided in section 9 of this act, all* costs of administering the provisions of NRS 331.010 to 331.145, inclusive, *and section 9 of this act* must be paid out of the Buildings and Grounds Operating Fund as other claims against the State are paid.

Secs. 13 and 14. (Deleted by amendment.)

Sec. 14.5. NRS 333.3362 is hereby amended to read as follows:

333.3362 “Business owned *and operated* by a veteran with a service-connected disability” has the meaning ascribed to it in NRS 338.13841.

Sec. 15. NRS 333.3366 is hereby amended to read as follows:

333.3366 1. For the purpose of awarding a formal contract solicited pursuant to subsection 2 of NRS 333.300, if ~~it is~~ :

(a) A local business owned and operated by a veteran with a service-connected disability submits a bid or proposal for a contract for which the estimated cost is more than \$50,000 but not more than \$250,000 and is a responsive and responsible bidder, the bid or proposal shall be deemed to be 5 percent lower than the bid or proposal actually submitted.

(b) A local business owned and operated by a veteran with a service-connected disability which is determined to be 50 percent or more by the United States Department of Veterans Affairs submits a bid or proposal for a contract for which the estimated cost is more than \$250,000 but less than \$500,000 and is a responsive and responsible bidder, the bid or proposal shall be deemed to be 5 percent lower than the bid or proposal actually submitted.

2. *The preferences described in subsection 1 may not be combined with any other preference.*

Sec. 16. NRS 333.3368 is hereby amended to read as follows:

333.3368 The Purchasing Division shall , ~~report~~ every 6 months , *submit* to the Legislature, if it is in session, or to the Interim Finance Committee ~~it~~ *and the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs created*



by **NRS 218E.750**, if the Legislature is not in session ~~[-The]~~, a report *which* must contain, for the period since the *submission of the* last report:

1. The number of state purchasing contracts that were subject to the provisions of NRS 333.3361 to 333.3369, inclusive.

2. The total dollar amount of state purchasing contracts that were subject to the provisions of NRS 333.3361 to 333.3369, inclusive.

3. The number of local businesses owned *and operated* by veterans with service-connected disabilities that submitted a bid or proposal on a state purchasing contract.

4. The number of state purchasing contracts that were awarded to local businesses owned *and operated* by veterans with service-connected disabilities.

5. The total number of dollars' worth of state purchasing contracts that were awarded to local businesses owned *and operated* by veterans with service-connected disabilities.

6. Any other information deemed relevant by the Director of the Legislative Counsel Bureau.

Secs. 17 and 18. (Deleted by amendment.)

Sec. 18.5. NRS 338.13841 is hereby amended to read as follows:

338.13841 "Business owned *and operated* by a veteran with a service-connected disability" means a business:

1. Of which at least 51 percent of the ownership interest is held by one or more veterans with service-connected disabilities;

2. That is organized to engage in commercial transactions; and

3. That is managed and operated on a day-to-day basis by one or more veterans with service-connected disabilities.

↪ The term includes a business which meets the above requirements that is transferred to the spouse of a veteran with a service-connected disability upon the death of the veteran, as determined by the United States Department of Veterans Affairs.

Sec. 19. NRS 338.13844 is hereby amended to read as follows:

338.13844 1. For the purpose of awarding a contract for a public work of this State for which the estimated cost is \$100,000 or less, as governed by NRS 338.13862, if a local business owned *and operated* by a veteran with a service-connected disability submits a bid, the bid shall be deemed to be 5 percent lower than the bid actually submitted.

2. *For the purpose of awarding a contract for a public work of this State for which the estimated cost is more than \$100,000*



but less than \$250,000, if a local business owned and operated by a veteran with a service-connected disability that has been determined to be 50 percent or more by the United States Department of Veterans Affairs submits a bid and is a responsive and responsible bidder, the bid shall be deemed to be 5 percent lower than the bid actually submitted.

3. The ~~preference~~ *preferences* described in ~~subsection~~ *subsections 1 and 2* may not be combined with any other preference.

Sec. 20. NRS 338.13846 is hereby amended to read as follows:

338.13846 The Division shall , ~~report~~ every 6 months , *submit* to the Legislature, if it is in session, or to the Interim Finance Committee ~~and the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs created by NRS 218E.750,~~ if the Legislature is not in session ~~The~~ , a report *which* must contain, for the period since the *submittal of the* last report:

1. The number of contracts for public works of this State that were subject to the provisions of NRS 338.1384 to 338.13847, inclusive.

2. The total dollar amount of contracts for public works of this State that were subject to the provisions of NRS 338.1384 to 338.13847, inclusive.

3. The number of local businesses owned *and operated* by veterans with service-connected disabilities that submitted a bid ~~or proposal~~ on a contract for a public work of this State.

4. The number of contracts for public works of this State that were awarded to local businesses owned *and operated* by veterans with service-connected disabilities.

5. The total number of dollars' worth of contracts for public works of this State that were awarded to local businesses owned *and operated* by veterans with service-connected disabilities.

6. Any other information deemed relevant by the Director of the Legislative Counsel Bureau.

Sec. 21. (Deleted by amendment.)

Sec. 22. 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 26 of this act, direct the Administrator to name, subject to the provisions of NRS 407.065, a state park, monument or recreational area constructed, acquired, leased or opened on or



after July 1, 2015, 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 27 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.

Sec. 23. 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 ~~§~~ *and section 22 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) Except as otherwise provided in this paragraph, shall impose and collect reasonable fees for entering, camping and boating in state parks and recreational areas. The Division shall issue an annual permit for entering, camping and boating in all state parks and recreational areas in this State:

(1) Upon application therefor and proof of residency and age, 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.

(2) Upon application therefor and proof of residency and proof of status as described in subsection 5 of NRS 361.091, to a bona fide resident of the State of Nevada who has incurred a permanent service-connected disability of 10 percent or more and



has been honorably discharged from the Armed Forces of the United States.

↳ 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.

(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 Account for State Park Interpretative and Educational Programs and Operation of Concessions created by NRS 407.0755.

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. 24. 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 26 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 constructed, acquired, leased or opened on or after July 1, 2015, 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 27 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 or transportation facility as required by the Governor pursuant to subsection 1.

Sec. 25. Chapter 417 of NRS is hereby amended by adding thereto the provisions set forth as sections 26 to 29, inclusive, of this act.

Sec. 26. *1. The Nevada Veterans Services Commission shall recommend to the Governor:*

(a) The names of deceased members of the Armed Forces of the United States to be honored pursuant to the provisions of section 9, 22 or 24 of this act. Each deceased member must have been:

- (1) A resident of this State; and*
- (2) Killed in action.*

(b) The building, ground, property, park, monument, recreational area, highway, road, bridge or transportation facility of this State constructed, acquired, leased or opened on or after July 1, 2015, which may be named after each deceased member recommended to the Governor pursuant to paragraph (a).



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

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

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

3. The money deposited in the Account pursuant to subsection 2 must only be used to pay 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 pursuant to the provisions of section 9, 22 and 24 of this act.

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

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

Sec. 28. *1. Each state agency and regulatory body identified in subsections 2 to 15, inclusive, shall report, subject to any limitations or restrictions contained in any state or federal law governing the privacy or confidentiality of records, the data identified in subsections 2 to 15, inclusive, as applicable, to the Interagency Council on Veterans Affairs. Each state agency and regulatory body shall submit such information to the Council not later than November 30 of each year and shall provide the information in aggregate and in digital form, and in a manner such that the data is capable of integration by the Council.*

2. The Department of Administration shall provide:

(a) Descriptions of and the total amount of the grant dollars received for veteran-specific programs;

(b) The total number of veterans employed by each agency in the State; and

(c) The total number of veterans with service-connected disabilities who are seeking preferences through the Purchasing Division and the State Public Works Division of the Department of Administration pursuant to NRS 333.3368 and 338.13846.

3. The State Department of Conservation and Natural Resources shall provide the total number of veterans receiving:



(a) Expedited certification for the grade I certification examination for wastewater treatment plant operators based on their military experience; and

(b) Any discounted fees for access to or the use of state parks.

4. The Department of Corrections shall provide:

(a) An annual overview of the monthly population of inmates in this State who are veterans; and

(b) The success rates for any efforts developed by the Incarcerated Veterans Reintegration Council.

5. The Office of Economic Development shall provide an overview of the workforce that is available statewide of veterans, organized by O*NET-SOC code from the United States Department of Labor or the trade, job title, employment status, zip code, county, highest education level and driver's license class.

6. The Department of Education shall provide the distribution of dependents of service members enrolled in Nevada's public schools.

7. The Department of Employment, Training and Rehabilitation shall provide a summary of:

(a) The average number of veterans served by a veteran employment specialist of the Department per week;

(b) The average number of initial and continuing claims for benefits filed per week by veterans pursuant to NRS 612.455 to 612.530, inclusive;

(c) The average weekly benefit received by veterans receiving benefits pursuant to chapter 612 of NRS; and

(d) The average duration of a claim by claimants who are veterans receiving benefits pursuant to chapter 612 of NRS.

8. The Department of Health and Human Services shall provide:

(a) The total number of veterans who have applied for and received certification as an Emergency Medical Technician-B, Advanced Emergency Medical Technician and Paramedic through the State Emergency Medical Systems program; and

(b) A report from the State Registrar of Vital Statistics setting forth the suicide mortality rate of veterans in this State.

9. The Department of Motor Vehicles shall provide:

(a) The total number of veterans who have declared themselves as a veteran and who applied for and received a commercial driver's license;

(b) The average monthly total of veteran license plates issued; and



(c) An overview of the data on veterans collected pursuant to NRS 483.292 and 483.852.

10. The Adjutant General shall provide the total number of:

(a) Members of the Nevada National Guard using waivers for each semester and identifying which schools accepted the waivers;

(b) Members of the Nevada National Guard identified by Military Occupational Specialty and zip code; and

(c) Members of the Nevada National Guard employed under a grant from Beyond the Yellow Ribbon.

11. The Department of Public Safety shall provide the percentage of veterans in each graduating class of its academy for training peace officers.

12. The Department of Taxation shall provide the total number of veterans receiving tax exemptions pursuant to NRS 361.090, 361.091, 361.155, 371.103 and 371.104.

13. The Department of Wildlife shall provide the total number of:

(a) Veterans holding hunting or fishing licenses based on disability; and

(b) Service members holding hunting or fishing licenses who are residents of this State but are stationed outside this State.

14. The Commission on Postsecondary Education shall provide, by industry, the total number of schools in this State approved by the United States Department of Veterans Affairs that are serving veterans.

15. Each regulatory body shall provide the total number of veterans and service members applying for licensure by the regulatory body.

16. The Council shall, upon receiving the information submitted pursuant to this section, synthesize and compile the information, including any recommendations of the Council, and submit the information with the report submitted pursuant to subsection 3 of NRS 417.0195.

17. As used in this section:

(a) "Regulatory body" has the meaning ascribed to it in NRS 622.060.

(b) "Service member" has the meaning ascribed to it in NRS 125C.0635.

Sec. 29. 1. The Director shall, not later than September 1 following each regular session of the Legislature, prepare a digital copy of the provisions of NRS relating to veterans and transmit a digital copy to each veteran in this State for whom the Department has an electronic mail address of record.



2. The Director shall, to the extent practicable, include with the digital copy provided pursuant to subsection 1, a memorandum that includes:

(a) A description of each statute newly enacted by the Legislature which affects veterans in this State. The memorandum may compile each statute into one document.

(b) A description of each bill, or portion of a bill, newly enacted by the Legislature that appropriates or authorizes money for veterans, or otherwise affects the amount of money that is available for veterans' services, including, without limitation, each line item in a budget for such an appropriation or authorization. The memorandum may compile each bill, or portion of a bill, as applicable, into one document.

(c) If a statute or bill described in the memorandum requires the Director or the Department to take action to carry out the statute or bill, a brief plan for carrying out such duties.

(d) The date on which each statute and bill described in the memorandum becomes effective and the date by which each statute and bill must be carried into effect.

3. If a statute or bill described in subsection 2 is enacted during a special session of the Legislature that concludes after July 1, the Director shall, to the extent practicable, prepare an addendum to the memorandum that includes the information required by this section for each such statute or bill. The addendum must be provided electronically to each veteran who received the memorandum not later than 30 days after the conclusion of the special session.

4. The Director shall publish a digital copy of the information prepared pursuant to this section on the Internet website maintained by the Department.

Sec. 30. (Deleted by amendment.)

Sec. 30.5. NRS 417.105 is hereby amended to read as follows:

417.105 1. Each year on or before October 1, the Department shall review the reports submitted pursuant to NRS 333.3368 and 338.13846.

2. In carrying out the provisions of subsection 1, the Department shall seek input from:

(a) The Purchasing Division of the Department of Administration.

(b) The State Public Works Board of the State Public Works Division of the Department of Administration.

(c) The Office of Economic Development.



(d) Groups representing the interests of veterans of the Armed Forces of the United States.

(e) The business community.

(f) Local businesses owned *and operated* by veterans with service-connected disabilities.

3. After performing the duties described in subsections 1 and 2, the Department shall make recommendations to the Legislative Commission regarding the continuation, modification, promotion or expansion of the preferences for local businesses owned *and operated* by veterans with service-connected disabilities which are described in NRS 333.3366 and 338.13844.

4. As used in this section:

(a) "Business owned *and operated* by a veteran with a service-connected disability" has the meaning ascribed to it in NRS 338.13841.

(b) "Local business" has the meaning ascribed to it in NRS 333.3363.

(c) "Veteran with a service-connected disability" has the meaning ascribed to it in NRS 338.13843.

Sec. 31. NRS 417.190 is hereby amended to read as follows:

417.190 The Nevada Veterans Services Commission shall:

1. Advise the Director and Deputy Director.

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

3. *Make recommendations to the Governor pursuant to section 26 of this act.*

Sec. 32. NRS 417.200 is hereby amended to read as follows:

417.200 1. The Director shall establish, operate and maintain a veterans' cemetery in northern Nevada and a veterans' cemetery in southern Nevada, and may, within the limits of legislative authorization, employ personnel and purchase equipment and supplies necessary for the operation and maintenance of the cemeteries. The Director shall employ a cemetery superintendent to operate and maintain each cemetery.

2. The cemetery superintendent shall, *if a veteran does not indicate by testamentary instrument that the veteran desires to have the area immediately above and surrounding the interred remains of the veteran landscaped with xeriscaping, or if an application for interment submitted pursuant to NRS 417.210 does not indicate that the veteran desires to have the area immediately above and surrounding the interred remains of the veteran landscaped with xeriscaping*, ensure that the area immediately



above and surrounding the interred remains *of the veteran* in ~~each~~ *the* veterans' cemetery is landscaped with natural grass.

3. A person desiring to provide voluntary services to further the establishment, maintenance or operation of either of the cemeteries shall submit a written offer to the cemetery superintendent which describes the nature of the services. The cemetery superintendent shall consider all such offers and approve those he or she deems appropriate. The cemetery superintendent shall coordinate the provision of all services so approved.

Sec. 33. NRS 417.210 is hereby amended to read as follows:

417.210 1. A veteran who is eligible for interment in a national cemetery pursuant to the provisions of 38 U.S.C. § 2402 is eligible for interment in a veterans' cemetery in this State.

2. An eligible veteran, or a member of his or her immediate family, or a veterans' organization recognized by the Director may apply for a plot in a cemetery for veterans in this State by submitting a request to the cemetery superintendent on a form to be supplied by the cemetery superintendent. The cemetery superintendent shall assign available plots in the order in which applications are received. *The application for interment must provide for a selection to have the area immediately above and surrounding the interred remains of the applicant landscaped with natural grass or xeriscaping.* A specific plot may not be reserved before it is needed for burial. No charge may be made for a plot or for the interment of a veteran.

3. One plot is allowed for the interment of each eligible veteran and for each member of his or her immediate family, except where the conditions of the soil or the number of the decedents of the family requires more than one plot.

4. The Director shall charge a fee for the interment of a family member, but the fee may not exceed the actual cost of interment.

5. As used in this section, "immediate family" means the spouse, minor child or, when the Director deems appropriate, the unmarried adult child of an eligible veteran.

Sec. 34. 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 or the Deputy 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 or the Deputy Director for the support of veterans' cemeteries; and
- (e) Except as otherwise provided in subsection 6 and NRS 417.145 and 417.147, *and section 27 of this act*, 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 or the Deputy 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. Gifts of money that the Director or the Deputy 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 the end of each fiscal year does not revert to the State General Fund, but must be carried over into the next fiscal year.

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

Sec. 34.5. Chapter 451 of NRS is hereby amended by adding thereto a new section to read as follows:

1. If the county agency that is responsible for interring or cremating the remains of indigent persons obtains custody of the unclaimed human remains of a deceased person whom the county agency knows, has reason to know or reasonably believes is a veteran, the county agency shall report the name of the deceased person to the Department of Veterans Services as soon as practicable after obtaining custody of the remains.

2. Upon receipt of a report made pursuant to subsection 1, the Department of Veterans Services shall determine whether the deceased person is a veteran who is eligible for interment at a national cemetery pursuant to 38 U.S.C. § 2402 or a veterans' cemetery pursuant to NRS 417.210. The Department shall provide notice of the determination to the county agency.

3. If the Department of Veterans Services provides notice pursuant to subsection 2 to a county agency of a determination that a deceased person is a veteran who:

(a) Is eligible for interment at a national cemetery or a veterans' cemetery, the county agency shall arrange for the proper disposition of the veteran's remains with:

(1) A national cemetery or veterans' cemetery; or

(2) The Department of Veterans Services.

(b) Is not eligible for interment at a national cemetery or a veterans' cemetery and is indigent, the county agency shall cause the veteran's remains to be decently interred or cremated in the county.

4. A county agency that is responsible for interring or cremating the remains of indigent persons is immune from civil or criminal liability for any act or omission with respect to complying with the provisions of this section.



5. As used in this section, “veteran” has the meaning ascribed to it in NRS 176A.090.

Sec. 34.7. NRS 451.005 is hereby amended to read as follows:

451.005 As used in NRS 451.010 to 451.470, inclusive, **and section 34.5 of this act**, unless the context otherwise requires, “human remains” or “remains” means the body of a deceased person, and includes the body in any stage of decomposition and the cremated remains of a body.

Sec. 35. (Deleted by amendment.)

Sec. 36. The provisions of subsection 1 of NRS 218D.380 do not apply to the reporting requirements of NRS 333.3368, as amended by section 16 of this act, the reporting requirements of NRS 338.13846, as amended by section 20 of this act, or the reporting requirements of section 28 of this act.

Sec. 37. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 38. (Deleted by amendment.)

Sec. 39. This act becomes effective on July 1, 2015.



