

SENATE BILL NO. 48—COMMITTEE ON REVENUE
AND ECONOMIC DEVELOPMENT

(ON BEHALF OF THE COMMISSION ON TOURISM)

PREFILED DECEMBER 20, 2012

Referred to Committee on Revenue and
Economic Development

SUMMARY—Revises the composition of the Commission on
Tourism. (BDR 18-289)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to tourism; revising the composition of the
Commission on Tourism; and providing other matters
properly relating thereto.

Legislative Counsel’s Digest:

1 The Commission on Tourism within the Department of Tourism and Cultural
2 Affairs has various duties relating to the promotion of tourism and travel in
3 Nevada. (NRS 231.167, 231.170, 231.200) **Section 1** of this bill adds to the
4 Commission, as ex officio, nonvoting members, the Chairs of the following entities
5 that are within the Department: (1) the Commission for Cultural Affairs; (2) the
6 Board of Museums and History; (3) the Nevada Indian Commission; and (4) the
7 Board of the Nevada Arts Council. **Sections 2-4** of this bill make conforming
8 changes related to the revised composition of the Commission.

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

1 **Section 1.** NRS 231.170 is hereby amended to read as follows:
2 231.170 1. The Commission on Tourism is composed of ~~HH~~
3 :
4 (a) *Eleven* voting members as follows:
5 ~~H(a)~~ (1) The Lieutenant Governor, who is its Chair;



1 ~~(b)~~ (2) Eight members, appointed by the Governor, who are
2 informed on and have experience in travel and tourism, including
3 the business of gaming; and

4 ~~(e)~~ (3) The chief administrative officers of the county fair and
5 recreation boards or, if there is no county fair and recreation board
6 in the county, the chair of the board of county commissioners, of the
7 two counties that paid the largest amount of the proceeds from the
8 taxes imposed on the revenue from the rental of transient lodging to
9 the Department of Taxation for deposit with the State Treasurer for
10 credit to the Fund for the Promotion of Tourism created by NRS
11 231.250 for the previous fiscal year.

12 (b) *The following ex officio, nonvoting members:*

13 (1) *The Chair of the Commission for Cultural Affairs;*

14 (2) *The Chair of the Board of Museums and History;*

15 (3) *The Chair of the Nevada Indian Commission; and*

16 (4) *The Chair of the Board of the Nevada Arts Council.*

17 *↪ A person may serve as an ex officio, nonvoting member*
18 *pursuant to subparagraph (1) and subparagraph (2) or (4)*
19 *concurrently.*

20 2. A change in any member of the Commission who serves
21 pursuant to *subparagraph (3) of paragraph ~~(e)~~ (a)* of subsection 1
22 that is required because of a change in the amount of the proceeds
23 paid to the Department of Taxation by each county must be effective
24 on January 1 of the calendar year immediately following the fiscal
25 year in which the proceeds were paid to the Department of Taxation.

26 3. Of the members appointed by the Governor pursuant to
27 *subparagraph (2) of paragraph ~~(b)~~ (a)* of subsection 1:

28 (a) At least one member must be a resident of a county whose
29 population is 700,000 or more.

30 (b) At least one member must be a resident of a county whose
31 population is 100,000 or more but less than 700,000.

32 (c) At least two members must be residents of counties whose
33 population is less than 100,000.

34 (d) Four members must be residents of any county in this State.

35 **Sec. 2.** NRS 231.180 is hereby amended to read as follows:

36 231.180 1. The Commission on Tourism shall meet once
37 each calendar quarter, or at more frequent times if it deems
38 necessary, and may, within the limitations of its budget, hold special
39 meetings at the call of the Chair or a majority of the *voting*
40 members.

41 2. The Director is the Secretary of the Commission.

42 3. The Commission shall prescribe rules for its own
43 management and government.

44 4. Six *voting* members of the Commission constitute a quorum.



1 5. The Governor may remove an appointed member from the
2 Commission if the member neglects his or her duty or commits
3 malfeasance in office.

4 **Sec. 3.** NRS 231.210 is hereby amended to read as follows:

5 231.210 The Director:

6 1. Must be appointed by the Governor from a list of three
7 persons submitted to the Governor by the Lieutenant Governor from
8 recommendations made to the Lieutenant Governor by the:

- 9 (a) ~~Members~~ *Voting members* of the Commission on Tourism;
10 (b) Chair of the Commission for Cultural Affairs;
11 (c) Chair of the Board of Museums and History;
12 (d) Chair of the Nevada Indian Commission; and
13 (e) Chair of the Board of the Nevada Arts Council.

14 2. Shall, except as otherwise provided in NRS 284.143, devote
15 his or her entire time to the duties of his or her office and shall not
16 follow any other gainful employment or occupation.

17 **Sec. 4.** NRS 490.068 is hereby amended to read as follows:

18 490.068 1. The Commission shall:

19 (a) Elect a Chair, Vice Chair, Secretary and Treasurer from
20 among its members.

21 (b) Meet at the call of the Chair.

22 (c) Meet at least four times each year.

23 (d) Solicit nine nonvoting advisers to the Commission to serve
24 for terms of 2 years as follows:

25 (1) One adviser from the Bureau of Land Management.

26 (2) One adviser from the United States Forest Service.

27 (3) One adviser who is:

28 (I) From the Natural Resources Conservation Service of
29 the United States Department of Agriculture; or

30 (II) A teacher, instructor or professor at an institution of
31 the Nevada System of Higher Education and who provides
32 instruction in environmental science or a related field.

33 (4) One adviser from the State Department of Conservation
34 and Natural Resources.

35 (5) One adviser from the Department of Wildlife.

36 (6) One adviser from the Department of Motor Vehicles.

37 (7) One adviser from the Commission on Tourism ~~+~~, *other*
38 *than the Chair of the Nevada Indian Commission.*

39 (8) One adviser from the Nevada Indian Commission.

40 (9) One adviser from the United States Fish and Wildlife
41 Service.

42 2. The Commission may award a grant of money from the
43 Fund. Any such grant must comply with the requirements set forth
44 in NRS 490.069. The Commission shall:



1 (a) Adopt regulations setting forth who may apply for a grant of
2 money from the Fund and the manner in which such a person may
3 submit the application to the Commission. The regulations adopted
4 pursuant to this paragraph must include, without limitation,
5 requirements that:

6 (1) Any person requesting a grant provide proof satisfactory
7 to the Commission that the appropriate federal, state or local
8 governmental agency has been consulted regarding the nature of the
9 project to be funded by the grant and regarding the area affected by
10 the project;

11 (2) The application for the grant address all applicable laws
12 and regulations, including, without limitation, those concerning:

13 (I) Threatened and endangered species in the area affected
14 by the project;

15 (II) Ecological, cultural and archaeological sites in the
16 area affected by the project; and

17 (III) Existing land use authorizations and prohibitions,
18 land use plans, special designations and local ordinances for the area
19 affected by the project; and

20 (3) Any compliance information provided by an appropriate
21 federal, state or local governmental agency, and any information or
22 advice provided by any agency, group or individual be submitted
23 with the application for the grant.

24 (b) Adopt regulations for awarding grants from the Fund.

25 (c) Adopt regulations for determining the acceptable
26 performance of work on a project for which a grant is awarded.

27 (d) Approve the completion of, and payment of money for, work
28 performed on a project for which a grant is awarded, if the
29 Commission determines the work is acceptable.

30 (e) Monitor the accounting activities of the Fund.

31 3. The nonvoting advisers solicited by the Commission
32 pursuant to paragraph (d) of subsection 1 shall assist the
33 Commission in carrying out the duties set forth in this section and
34 shall review for completeness and for compliance with the
35 requirements of paragraph (a) of subsection 2 all applications for
36 grants.

37 4. For each regular session of the Legislature, the Commission
38 shall prepare a comprehensive report, including, without limitation,
39 a summary of any grants that the Commission awarded and of the
40 accounting activities of the Fund, and any recommendations of the
41 Commission for proposed legislation. The report must be submitted
42 to the Director of the Legislative Counsel Bureau for distribution to
43 the Legislature not later than September 1 of each even-numbered
44 year.



1 **Sec. 5.** This act becomes effective upon passage and approval.

③



* S B 4 8 *