

Senate

COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

Minutes of Meeting -- March 30, 1973

The thirty-fourth meeting of the Committee on Federal, State and Local Governments was held on the 30th day of March, 1973, at 12:05 P.M.

Committee members present: Chairman James Gibson
 John Foley
 Lee Walker
 Carl Dodge
 Chic Hecht
 Coe Swobe
 Stan Drakulich

Also present were:

Seymoure Brown, Las Vegas Policeman
Joe Braswell, Intertribal Council
Noel Clark, Public Service Commission
Roland Oakes, Advisory Commission
John Reiser, Nevada Industrial Commission
John Meder, County Commissioners
Assemblyman Huff
Senator Young
Wally Warren, Nevada Banking Association
Mike Mirabelli, State Treasurer
Press representatives

AB-660 Changes qualifications for judges of municipal courts of cities of Reno and Las Vegas.

Mr. Brown of the Las Vegas Police Department, and a candidate for Municipal Court Judge in Las Vegas, was first to testify before the committee. This bill makes it mandatory that a candidate be an attorney in order to qualify to run for the office of municipal court judge, and also grandfathers in the incumbent. The municipal court is a peoples' court and not a court of record -- it handles all traffic violations, misdemeanors, domestic relations, drunk driving and so on. Justices of the Peace and even the Attorney General don't have to be attorneys, consequently Mr. Brown believes that there are other qualifications that are important. Assemblyman Huff also spoke in opposition to this provision in the law.

SB-491 Provides for assumption and retrocession of state jurisdiction over Indian country.

The committee heard testimony from Mr. Joe Braswell, Intertribal Council, who stated that he believes this legislation would rectify, at least with the Indians of Nevada, an injustice that was done under the enactment of 280 (Congress) which made the matter of jurisdiction for civil and criminal matters on Indian land to be decided only between the federal government and the state government. The people most directly involved in proceeding services were not consulted and had no voice. This bill, under the authority of Public Law 284, which was passed at a later date, provides that the Indian people concerned should have the right to express their preference as to whether they wanted to be under state jurisdiction or remain under federal and tribal court jurisdiction. Mr. Braswell urged enactment of SB-491.

AB-262 Changes name of Indian affairs commission to "Nevada Indian Commission."

Mr. Braswell explained that the reason the Indian people would like to change the name and take that word "affairs" out, is because in the minds of many people they are identified with B.I.A. All this legislation does is change the name.

AB-258 Reduces number of members of the Indian affairs commission and removes certain restrictions on eligibility.

Mr. Braswell also testified on AB-258, and said that in connection with this legislation he has found no opposition in talking with intertribal members. The purpose is that a five-member board, still maintaining an Indian majority on the commission, is more workable statewide.

SB-62 Provides for reapportionment of Carson City and rural county senatorial districts.

SB-332 Provides for reapportionment of Carson City and rural county legislative districts.

Senator Dodge explained the purpose of this legislation and stated that Senator Pozzi was in agreement with the principle of the reapportionment. Senator Dodge then moved to "Amend SB-62 by deleting those particular townships from the Western

Nevada Senatorial District and insert into the bill the Assembly Districts, and Do Pass," seconded by Senator Swobe. Motion carried.

Senator Hecht moved to "Hold Indefinitely," on SB-332, seconded by Senator Walker. Motion carried.

SB-540 Allows public service commission to designate administrative assistant to hold public hearings.

The Chairman of the Public Service Commission, Mr. Noel Clark, explained that SB-540 was sponsored by the Commission for the purpose of expanding the hearing capabilities of the Commission by adding to the existing Act an administrative assistant who may conduct hearings under the direction of the Commission or a Commissioner. He also asked that Section 2 be deleted.

Senator Dodge moved "Amend and Do Pass," seconded by Senator Hecht. Motion carried.

SB-2 Makes technical changes in Nevada Industrial Commission organization and procedures.

A representative from the Nevada Industrial Commission, Mr. John Reiser, testified on this bill. He said that after the bill was drafted it had been reviewed by a labor-management group and they had some proposed amendments for consideration. Mr. Roland Oakes of the Advisory Commission also spoke on this legislation. Following discussion of the recommended amendments, Senator Walker moved to "Amend and Do Pass," seconded by Senator Hecht. Motion carried.

SB-318 Expands notice requirements for proposed regulations of administrative agencies.

Chairman Gibson read the proposed amendments to SB-318. Following brief discussion Senator Swobe moved to "Amend and Do Pass," seconded by Senator Walker. Motion carried.

SB-124 Redefines subdivision in planning and zoning law.

Chairman Gibson read a further amendment proposed for this bill. Senator Young testified on this amendment and discussed it with the committee. Senator Dodge moved to "Amend and Do Pass," seconded by Senator Foley. Motion carried.

AB-622 Permits investment of state funds in commercial paper.

Mr. Wally Warren, representing the Nevada Banking Association, spoke on this bill. He asked that this be amended to limit it to 28 days. Mr. Mirabelli, State Treasurer, said that this had come from the fiscal analysts office, and it allows the Treasurer to invest some of the idle funds that come into the office, subject to limitation.

Senator Swobe moved to "Amend and Do Pass," seconded by Senator Walker. Motion carried.

SB-376 Increases sheriff's fees for service of process and related matters.

Chairman Gibson stated that he had checked with the counties and they supported this legislation. John Meder, representing the county commissioners also confirmed that the counties felt this was realistic and that the increases were justified.

Senator Foley moved "Do Pass," seconded by Senator Walker. Motion carried.

SB-534 Increases maximum permissible number of voters in election precincts.

Following a brief discussion, Senator Hecht moved to "Hold Indefinitely," seconded by Senator Foley. Motion carried.

SB-555 Relaxes restrictions on casual employment by local governments.

Mr. Meder, representing the association of county commissioners, explained the recommendation was made to eliminate the definition of "day laborer" and take out the phrase in section 2, page 2.

Senator Walker moved "Do Pass," seconded by Senator Foley. Motion carried.

SB-576 Provides guideline for determining size of election precincts according to voting methods employed in such precincts.

Mr. Swackhamer requested this bill be introduced by the committee. It was drawn up as the result of the election officers meeting. Senator Dodge moved "Do Pass," seconded by Senator Hecht. Motion carried.

SB-529 Authorizes county commissioners to enact, enforce ordinances licensing dogs and regulating, prohibiting animals from running at large; allows such ordinances to apply to limited areas within a county.

Senator Dodge explained that there is presently no authority in the law where the county can enact ordinances to prevent animals from running at large. The Humane Society have requested that some ordinances be enacted for this purpose.

Senator Dodge moved "Do Pass," seconded by Senator Hecht. Motion carried.

SB-299 Clarifies ability of cities to condemn railroad property and regulate railroad movement.

Following discussion Senator Hecht moved to "Hold Indefinitely," seconded by Senator Foley. Motion carried.

SB-561 Authorizes certain counties to establish scholarship funds for medical students who need assistance and who agree to return to such counties for professional practice.

Chairman Gibson explained that this bill had been introduced at the request of Lincoln county with particular reference to their need for a doctor there. It was agreed to amend this by adding the language "physician's assistants." Senator Swobe moved "Amend and Do Pass," seconded by Senator Drakulich. Motion carried.

SB-259 Regulates land sales developers and reorganizes the real estate education, research and recovery fund.

Senator Drakulich moved to "Amend and Do Pass," seconded by Senator Swobe. Motion carried.

The committee then considered and took action on the following bills:

AB-660 Senator Drakulich moved "Hold Indefinitely," Seconded by Senator Swobe. Motion carried.

- SB-242 Senator Drakulich moved "Hold Indefinitely,"
Seconded by Senator Swobe.
Motion carried.
- SB-569 Wait for further testimony.
- SB-491 Senator Foley moved "Do Pass,"
Seconded by Senator Walker.
Motion carried.
- AB-262 Senator Swobe moved "Do Pass,"
Seconded by Senator Drakulich.
Motion carried.
- AB-258 Senator Walker moved "Do Pass,"
Seconded by Senator Swobe.
Motion carried.
- AB-78 Senator Drakulich moved "Do Pass,"
Seconded by Senator Swobe.
Motion carried.
- AB-139 Senator Drakulich moved "Do Pass,"
Seconded by Senator Swobe.
Motion carried.
- AB-302 Senator Drakulich moved "Do Pass,"
Seconded by Senator Swobe.
Motion carried.
- AB-412 Senator Drakulich moved to "Hold Indefinitely,"
Seconded by Senator Foley.
Motion carried.
- AB-437 Wait for further testimony.
- AB-441 Senator Walker moved to "Amend and Do Pass,"
Seconded by Senator Foley.
Motion carried.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Mary Jean Fondi,
Committee Secretary

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 660

ASSEMBLY BILL NO. 660—COMMITTEE ON
GOVERNMENT AFFAIRS

MARCH 16, 1973

Referred to Committee on Government Affairs

SUMMARY—Changes qualifications for judges of municipal courts of cities of
Reno and Las Vegas. Fiscal Note: No. (BDR S-1239)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

AN ACT relating to the municipal courts of the cities of Reno and Las Vegas;
providing amended qualifications for the judges thereof; and providing other
matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1 SECTION 1. Section 4.020 of Article IV of the charter of the City of
2 Las Vegas, effective July 1, 1973, being chapter 515, Statutes of Nevada
3 1971, at page 1076, is hereby amended to read as follows:
4 Section 4.020. Municipal court: Qualifications of municipal judges;
5 salary.
6 1. Each department of the municipal court shall be presided over
7 by a municipal judge, who shall be:
8 (a) [Not less than] *Over 25 years of age.*
9 (b) [A citizen of the United States.] *An attorney licensed to practice*
10 *law in the State of Nevada or a previously elected and presently incumb-*
11 *ent judge of the court.*
12 (c) A registered voter [for a continuous 2-year period immediately
13 preceding the year in which he is elected.] *of the city.*
14 2. The salary of the municipal judges shall be fixed by the board
15 of commissioners.
16 SEC. 2. Section 4.020 of Article IV of the charter of the City of
17 Reno, effective July 1, 1973, being chapter 662, Statutes of Nevada
18 1971, at page 1976, is hereby amended to read as follows:
19 Section 4.020. Municipal court: Qualifications of municipal judge;
20 salary.
21 1. The municipal court shall be presided over by a municipal judge,
22 who shall be:
23 (a) [Not less than] *Over 25 years of age.*

3-20

SENATE BILL NO. 491—SENATOR WILSON

MARCH 19, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Provides for assumption and retrocession of state jurisdiction over Indian country. Fiscal Note: No. (BDR 18-1329)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT to provide for the assumption and retrocession of jurisdiction of the State of Nevada over areas of Indian country in the state with the consent of the Indians occupying such areas; providing for an election to determine such consent; affording certain rights to Indians subject to the jurisdiction of the state; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 41.430 is hereby amended to read as follows:
2 41.430 1. Pursuant to the provisions of section 7, chapter 505,
3 Public Law 280 of the 83d Congress, approved August 15, 1953, and
4 being 67 Stat. 588, *and sections 401 to 403, inclusive, of Title IV, Public*
5 *Law 284 of the 90th Congress, approved April 11, 1968, and being 82*
6 *Stat. 78, et seq.*, the State of Nevada does hereby assume jurisdiction
7 over public offenses committed by or against Indians in the areas of
8 Indian country in Nevada, as well as jurisdiction over civil causes of
9 action between Indians or to which Indians are parties which arise in
10 the areas of Indian country in Nevada, subject only to the conditions of
11 [subsection 2] *subsections 3 and 4* of this section.
12 2. [This section shall become effective 90 days after July 1, 1955,
13 and shall apply to all the counties in this state except that, prior to the
14 effective date, the board of county commissioners of any county may
15 petition the governor to exclude and except the area of Indian country in
16 that county from the operation of this section and the governor, by procla-
17 mation issued before the effective date of this section, may exclude and
18 except such Indian country.
19 3. In any case where the governor does exclude and except any area
20 of Indian country, as provided in subsection 2 of this section, he may, by
21 subsequent proclamation at the request of the board of county commis-
22 sioners of any county which has been excluded and excepted, withdraw
23 and remove the exclusion and exception and thereafter the Indian country
24 in that county shall become subject to the provisions of this section.] *Any*

A. B. 262

ASSEMBLY BILL NO. 262—MRS. BROOKMAN, MESSRS. BREMNER, FRY, SMALLEY, TORVINEN, HICKEY, MAY, MELLO, JACOBSEN, ROBINSON, HOWARD, DEMERS, BENNETT, DREYER, CRADDOCK, LOWMAN, VERGIELS, MISS FOOTE, MR. SCHOFIELD, MRS. GOJACK, MESSRS. BROADBENT, ULLOM AND MRS. FORD

FEBRUARY 12, 1973

Referred to Committee on Government Affairs

SUMMARY—Changes name of Indian affairs commission to “Nevada Indian commission.” Fiscal Note: No. (BDR 18-237)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to the Indian affairs commission; changing its name to the “Nevada Indian commission.”

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 233A.010 is hereby amended to read as follows:
2 233A.010 As used in this chapter:
3 1. “Chairman” means the chairman of the [Indian affairs commis-
4 sion.] *Nevada Indian commission.*
5 2. “Commission” means the [Indian affairs commission.] *Nevada*
6 *Indian commission.*
7 3. “Commissioner” means a commissioner of the [Indian affairs
8 commission.] *Nevada Indian commission.*
9 SEC. 2. NRS 233A.020 is hereby amended to read as follows:
10 233A.020 There is hereby created the [Indian affairs commission]
11 *Nevada Indian commission* in which shall be vested the administration of
12 this chapter.
13 SEC. 3. The legislative counsel shall, in preparing the supplement to
14 Nevada Revised Statutes with respect to any section which is not
15 amended by this act or is further amended by another act, correct any
16 reference to the “Indian affairs commission” by substituting the “Nevada
17 Indian commission.”

ASSEMBLY BILL NO. 258—MRS. BROOKMAN, MESSRS. SMALLEY, GLOVER, HICKEY, BREMNER, DEMERS, HAYES, CRAWFORD, MELLO, JACOBSEN, FRY, HUFF, BARENGO, BENNETT, ROBINSON, HAFEN, SCHOFIELD, DREYER, SMITH, LOWMAN, MRS. GOJACK, MESSRS. BROADBENT AND ULLOM

FEBRUARY 12, 1973

Referred to Committee on Government Affairs

SUMMARY—Reduces number of members of the Indian affairs commission and removes certain restrictions on eligibility. Fiscal Note: No. (BDR 18-236)



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to the Indian affairs commission; reducing the number of commissioners; removing certain restrictions on eligibility for membership; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 233A.030 is hereby amended to read as follows:
2 233A.030 1. The commission shall consist of ~~seven~~ *five* commis-
3 sioners, of whom at least three shall be Indians. Any person who is ~~an~~
4 employee, member or ~~in~~ a policy-making position of any governmental
5 agency which receives federal funds for the benefit of Indians is ineligible
6 to be a commissioner.
7 2. The commissioners shall be appointed by and serve at the pleasure
8 of the governor and may be reappointed by him. However, the tenure of
9 office of each commissioner shall not extend beyond 3 years from the date
10 of his original appointment.
11 3. The governor shall have authority to fill all vacancies created by
12 by death, resignation or inability of a commissioner to perform his duties.
13 SEC. 2. NRS 233A.050 is hereby amended to read as follows:
14 233A.050 The commissioners shall designate a chairman and secre-
15 tary. The commissioners shall meet at least four times each year and at
16 such places and times as shall be specified by a call of the chairman or
17 majority of the commission. The commission shall prescribe regulations
18 for its own management. ~~Four~~ *Three* members of the commission shall
19 constitute a quorum which may exercise all the authority conferred upon
20 the commission.

20

SENATE BILL NO. 332—SENATOR POZZI

MARCH 1, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Provides for reapportionment of Carson City and rural county legislative districts. Fiscal Note: No. (BDR 17-1309)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to the reapportionment of Carson City and rural county legislative districts; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 218.075 is hereby amended to read as follows:
2 218.075 1. The following senatorial districts are created in Carson
3 City and the 14 rural counties of the state, and the following numbers of
4 senators apportioned to each, separately:
5 (a) Northern Nevada senatorial district shall consist of Elko, Eureka,
6 Humboldt [.] and Lander [and Pershing] counties: One senator.
7 (b) Central Nevada senatorial district shall consist of Esmeralda, Lin-
8 coln, [Mineral,] Nye and White Pine counties [:] and *Hawthorne and*
9 *Mina townships of Mineral County as established by the board of county*
10 *commissioners of Mineral County on October 22, 1945:* One senator.
11 (c) Western Nevada senatorial district shall consist of Churchill, Lyon
12 and [Storey] Pershing counties and [Carson City enumeration districts
13 Nos. 2 and 11:] *Schurz township of Mineral County as established by the*
14 *board of county commissioners of Mineral County on October 22, 1945,*
15 *and Bald Mountain, Gerlach and Wadsworth townships of Washoe*
16 *County as established by the board of county commissioners of Washoe*
17 *County on December 27, 1965:* One senator.
18 (d) Capital senatorial district shall consist of Douglas [County] and
19 Storey counties and Carson City: [., less enumeration districts Nos. 2 and
20 11:] One senator.
21 2. The following assembly districts are created in Carson City and the
22 14 rural counties of the state:
23 (a) Assembly district No. 33 shall consist of Elko County [.] less
24 *Carlin township: One assemblyman.*
25 (b) Assembly district No. 34 shall consist of Eureka, Humboldt [.]

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 540

SENATE BILL NO. 540—COMMITTEE ON FEDERAL,
STATE AND LOCAL GOVERNMENTS

MARCH 26, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Allows public service commission to designate administrative
assistant to hold public hearings. Fiscal Note: No. (BDR 58-1943)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

AN ACT relating to the public service commission of Nevada; allowing the com-
mission to designate an administrative assistant to hold public hearings; and
providing for other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1 SECTION 1. NRS 703.110 is hereby amended to read as follows:
2 703.110 1. The majority of the commissioners shall have full power
3 to act in all matters within their jurisdiction.
4 2. If two commissioners are disqualified or if there are two vacancies
5 within the commission, the remaining commissioner shall exercise all the
6 powers of the commission.
7 3. Public hearings shall be conducted by one or more commissioners
8 or, when [so directed by] the commission [.] *so directs*, by the secre-
9 tary [.] *or an administrative assistant.*

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Original bill is on file at
the Research Library.

3- 25

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 2

SENATE BILL NO. 2—SENATORS DODGE AND CLOSE

JANUARY 16, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Makes technical changes in Nevada industrial commission organization and procedures. Fiscal Note: No. (BDR 53-17)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to Nevada industrial commission; providing for reports of earnings by persons receiving permanent total disability benefits; deleting all references to accident benefit fund, compensation payment fund and rent and expense fund; establishing state insurance fund deposit account; permitting adoption of voluntary rating plans; increasing amount of charge in premium contributions; permitting extension of accident benefits without commission approval; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. Chapter 616 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 *Any employee receiving permanent total disability benefits shall report*
4 *annually on the anniversary date of the award to the commission all of*
5 *his earnings for the prior 12-month period. In the event the employee*
6 *fails to make such a report to the commission within 30 days following*
7 *the anniversary date, the commission shall notify the employer and the*
8 *employee that such reports have not been received and the commission*
9 *may then suspend any further payments until such report of earnings is*
10 *filed with the commission.*
11 SEC. 2. NRS 616.220 is hereby amended to read as follows:
12 616.220 The commission shall:
13 1. Adopt reasonable and proper rules to govern its procedure.
14 2. Prescribe the time within which adjudications and awards shall be
15 made.
16 3. Prepare, provide and regulate forms of notices, claims and other
17 blank forms deemed proper and advisable.
18 4. Furnish blank forms upon request.
19 5. Regulate the nature and extent of the proofs and evidence, and the
20 method of taking and furnishing the same, to establish the rights to com-
21 pensation from the state insurance fund. [and the accident benefit fund.]

Original bill is 8 pages long.
Contact the Research Library for
a copy of the complete bill.

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(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 318

SENATE BILL NO. 318—SENATOR POZZI

FEBRUARY 27, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Expands notice requirements for proposed regulations of administrative agencies. Fiscal Note: No. (BDR 18-1192)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to administrative procedure; expanding the provisions for notice of proposed regulations; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 233B.060 is hereby amended to read as follows:
2 233B.060 1. Prior to the adoption, amendment or repeal of any reg-
3 ulation, the agency shall give at least [20] 30 days' notice of its intended
4 action.
5 2. The notice shall:
6 (a) Include a statement of either the terms or substance of the prop-
7 posed regulation or a description of the subjects and issues involved, and
8 of the time when, the place where, and the manner in which, interested
9 persons may present their views thereon.
10 (b) Be mailed to all persons who have requested in writing that they
11 be placed upon a mailing list, which shall be kept by the agency for such
12 purpose.
13 *The agency shall at the time of giving the notice deposit one copy of the*
14 *text of the proposed regulation with the secretary of state, and keep at*
15 *least one copy available in its office from the date of the notice to the*
16 *date of the hearing, for inspection and copying by the public. The notice*
17 *shall state the address or addresses at which the text of the proposed reg-*
18 *ulation may be inspected and copied.*
19 3. All interested persons shall be afforded a reasonable opportunity
20 to submit data, views or arguments, orally or in writing. With respect to
21 substantive regulations, opportunity for oral hearing must be granted if
22 requested by any interested person who will be directly affected by the
23 proposed regulation. The agency shall consider fully all written and oral
24 submissions respecting the proposed regulation.
25 4. If an agency finds that an emergency exists, and such a finding is
26 concurred in by the governor by written endorsement on the original copy

(REPRINTED WITH ADOPTED AMENDMENTS)

THIRD REPRINT

S. B. 124

SENATE BILL NO. 124—SENATORS YOUNG, HECHT,
SWOBE, WILSON AND RAGGIO

JANUARY 30, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Redefines subdivision in planning and zoning law.
Fiscal Note: No. (BDR 22-319)



EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

AN ACT relating to planning and zoning; redefining subdivision; making special
provision for certain small subdivisions; and providing other matters properly
relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1 SECTION 1. NRS 117.120 is hereby amended to read as follows:
2 117.120 1. A condominium project consisting of five or more units
3 shall be deemed to be a subdivision of land within the meaning of NRS
4 278.320, but only NRS 278.330, 278.340, 278.350, 278.360, 278.370,
5 278.380, 278.390, subsection 1 of NRS 278.400, subsections 1, 2, 3, 4,
6 5, 7, 8, 9 and 10 of NRS 278.410 and NRS 278.420, 278.430, 278.-
7 450, 278.460, 278.470, 278.480 and 278.490 shall be applicable to such
8 condominium projects.
9 2. A condominium project consisting of four units or less shall be
10 deemed to be a subdivision within the meaning of NRS 278.500, but only
11 NRS 278.500, 278.510, [278.530,] 278.540, 278.550 and subsection 1
12 of NRS 278.560 shall be applicable to such condominium projects.
13 3. Tentative or final maps or [records of survey] *parcel maps*
14 required to be prepared and recorded by any of the statutory sections
15 listed in subsections 1 and 2 of this section shall conform with the require-
16 ments of NRS 117.020. The sections of NRS listed in subsections 1 and 2
17 of this section and all other sections of NRS which are deemed applicable
18 to condominiums or condominium projects shall be liberally construed to
19 avoid unreasonable and undue technical application of such sections to
20 condominiums and condominium projects, and to encourage the establish-
21 ment of condominiums and condominium projects in Nevada.
22 SEC. 2. NRS 278.010 is hereby amended to read as follows:
23 278.010 1. For the purpose of NRS 278.010 to 278.630, inclusive:

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 622

ASSEMBLY BILL NO. 622—COMMITTEE ON
GOVERNMENT AFFAIRS

MARCH 13, 1973

Referred to Committee on Government Affairs

SUMMARY—Permits investment of state funds in commercial paper.
Fiscal Note: No. (BDR 31-1146)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

AN ACT to amend NRS 355.140, relating to permissible investments of state
funds by permitting investment in commercial paper.

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1 SECTION 1. NRS 355.140 is hereby amended to read as follows:
2 355.140 Any law of this state to the contrary notwithstanding, the
3 following bonds and other securities, or either or any of them, are proper
4 and lawful investments of any of the funds of this state, and of its various
5 departments, institutions and agencies, and of the state insurance fund:
6 1. Bonds and certificates of the United States;
7 2. Bonds of federal agencies where underwritten by or payment is
8 guaranteed by the United States;
9 3. Obligations of the United States Postal Service or the Federal
10 National Mortgage Association whether or not guaranteed by the United
11 States;
12 4. Bonds of this state or other states of the Union;
13 5. Bonds of any county of the State of Nevada or of other states;
14 6. Bonds of incorporated cities in this state or in other states of the
15 Union, including special assessment district bonds when such bonds pro-
16 vide that any deficiencies in the proceeds to pay the bonds are to be paid
17 from the general fund of the incorporated city;
18 7. General obligation bonds of irrigation districts and drainage dis-
19 tricts in the State of Nevada which are liens upon the property within
20 such districts, when the value of such property is found by the board or
21 commission making such investments to render such bonds financially
22 sound over and above all other obligations of such districts;
23 8. Bonds of school districts within the State of Nevada;
24 9. Bonds of any general improvement district having a population of

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 376

SENATE BILL NO. 376—SENATOR RAGGIO

MARCH 7, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Increases sheriff's fees for service of process and related matters. Fiscal Note: No. (BDR 20-1345)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT to amend NRS 248.275; increasing sheriff's fees for service of process and related matters.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

1 SECTION 1. NRS 248.275 is hereby amended to read as follows:
2 248.275 1. The sheriff of each county in this state may charge and
3 collect the following fees:
4 For serving a summons or complaint, or any other process,
5 by which an action or proceeding is commenced,
6 except a writ of habeas corpus, on every defend-
7 ant.....**[\$2.00]** \$5.00
8 For traveling and making such service, per mile in going
9 only, to be computed in all cases the distance actu-
10 ally traveled, for each mile..... .50
11 If any two or more papers are required to be
12 served in the same suit at the same time,
13 where parties live in the same direction,
14 one mileage only shall be charged.
15 For taking a bond or undertaking in any case in which he
16 is authorized to take a bond or undertaking.....**[1.50]** 3.00
17 For a copy of any writ, process or other paper, when
18 demanded or required by law, for each **[folio]**
19 *page*.....**[\$0.30]** .50
20 For serving every notice, rule or order.....**[1.00]** 5.00
21 For serving a subpoena, for each witness summoned.....**[.50]** 5.00
22 For traveling, per mile in serving subpoenas, or a venire, in
23 going only, for each mile..... .50
24 When two or more witnesses or jurors live in
25 the same direction, traveling fees shall be
26 charged only for the most distant.

S. B. 534

SENATE BILL NO. 534—COMMITTEE ON FEDERAL,
STATE AND LOCAL GOVERNMENTS

MARCH 26, 1973

Referred to Committee on Federal, State and Local Governments
SUMMARY—Increases maximum permissible number of voters in election
precincts. Fiscal Note: No. (BDR 24-1919)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

AN ACT to amend NRS 293.207, relating to election precincts, by increasing
the maximum permissible number of voters therein.

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1 SECTION 1. NRS 293.207 is hereby amended to read as follows:
2 293.207 Election precincts shall be established on the basis of the
3 **[numbers]** *number* of registered voters therein with a maximum **[limita-**
4 **tion]** of no more than **[400]** *600* voters per precinct.

Ⓢ

Original bill is on file at
the Research Library.

3- 31

SENATE BILL NO. 555—COMMITTEE ON FEDERAL,
STATE AND LOCAL GOVERNMENTS

MARCH 27, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Relaxes restrictions on casual employment by local
governments. Fiscal Note: No. (BDR 28-1956)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

AN ACT relating to employment on public works; removing certain provisions
governing casual employment; and providing other matters properly relating
thereto.

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1 SECTION 1. NRS 338.010 is hereby amended to read as follows:
2 338.010 As used in this chapter:
3 1. ["Day labor" means all cases where public bodies, their officers,
4 agents or employees, hire, supervise and pay the wages thereof directly
5 to a workman or workmen employed by them on public works by the
6 day and not under a contract in writing.
7 2.] "Public body" means the state, county, city, town, village,
8 school district or any public agency of this state or its political subdivi-
9 sions sponsoring or financing a public work.
10 [3.] 2. "Public work" means new construction of and the repair and
11 reconstruction work on all public buildings, public highways, public
12 roads, public streets and alleys, public utilities paid for in whole or in part
13 by public funds, publicly owned water mains and sewers, public parks
14 and playgrounds, and all other publicly owned works and property.
15 [4.] 3. "Wages" means:
16 (a) The basic hourly rate of pay; and
17 (b) The amount of pension, health and welfare, vacation and holiday
18 pay, the cost of apprenticeship training or other similar programs, or
19 other bona fide fringe benefits which are a benefit to the workman.
20 The obligation of a contractor or subcontractor to make such wage
21 payments in accordance with the prevailing wage determination of the
22 labor commissioner may be discharged by the making of payments in
23 cash, or by making contributions to an established third person pursuant
24 to a fund, plan or program in the name of the workman.

SENATE BILL NO. 576—COMMITTEE ON FEDERAL,
STATE AND LOCAL GOVERNMENTS

MARCH 29, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Provides guideline for determining size of election precincts according to voting methods employed in such precincts. Fiscal Note: No. (BDR 24-2084)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to elections; providing a guideline for the size of election precincts according to the voting methods employed in such precincts; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 293.205 is hereby amended to read as follows:
2 293.205 **[On]** 1. *Except as provided in subsection 2, on or before*
3 *the 1st Wednesday in July of every even-numbered year, the county clerk*
4 *shall establish election precincts, define the boundaries thereof, abolish*
5 *alter, consolidate and designate precincts as public convenience, necessity*
6 *and economy may require in accordance with NRS 293.207 to 293.215,*
7 *inclusive.*
8 2. *If after the time provided in subsection 1 the county clerk finds*
9 *that the number of registered voters in a precinct is nearing twice the*
10 *optimum number of registered voters for such precinct, as provided in*
11 *NRS 293.207, he may divide the precinct into two or more precincts.*
12 *Upon creating new precincts pursuant to this subsection, the county clerk*
13 *shall so notify the registered voters residing in the affected precincts by a*
14 *notice in the sample ballot.*
15 3. *Except as provided in subsection 4, each election precinct shall be*
16 *one contiguous area within a local political subdivision or district.*
17 4. *Where local political subdivisions or districts are composed of*
18 *noncontiguous areas, two or more of such areas may comprise one pre-*
19 *inct if such areas employ the same voting methods.*
20 SEC. 2. NRS 293.207 is hereby amended to read as follows;
21 293.207 Election precincts shall be established on the basis of the
22 numbers of registered voters therein with a maximum limitation of **[no**
23 **more than 400 voters per precinct.]** *not more than twice the optimum*

S. B. 529

SENATE BILL NO. 529—COMMITTEE ON FEDERAL,
STATE AND LOCAL GOVERNMENTS

MARCH 26, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Authorizes county commissioners to enact, enforce ordinances licensing dogs and regulating, prohibiting animals from running at large; allows such ordinances to apply to limited areas within a county. Fiscal Note: No. (BDR 20-2037)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT authorizing boards of county commissioners to enact and enforce ordinances licensing dogs and regulating or prohibiting the running at large and disposal of animals; authorizing such ordinances to apply to limited areas within a county; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. Chapter 244 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *Each board of county commissioners may enact and enforce an*
4 *ordinance or ordinances:*
5 (a) *Fixing, imposing and collecting an annual license fee on dogs and*
6 *providing for the capture and disposal of all dogs on which the license fee*
7 *is not paid.*
8 (b) *Regulating or prohibiting the running at large and disposal of all*
9 *kinds of animals.*
10 (c) *Establishing a pound, appointing a poundkeeper and prescribing*
11 *his duties.*
12 (d) *Prohibiting cruelty to animals.*
13 2. *Any ordinance or ordinances enacted pursuant to the provisions of*
14 *paragraphs (a) and (b) of subsection 1 may apply throughout an entire*
15 *county or govern only a limited area within the county which shall be*
16 *specified in the ordinance or ordinances.*
17 SEC. 2. This act shall become effective upon passage and approval.

20

S. B. 299

SENATE BILL NO. 299—COMMITTEE ON FEDERAL, STATE
AND LOCAL GOVERNMENTS

FEBRUARY 21, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Clarifies ability of cities to condemn railroad property and
regulate railroad movement. Fiscal Note: No. (BDR 21-693)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

AN ACT relating to the relationship between cities and railroads; clarifying the
ability of cities to condemn railroad property for public purposes; clarifying the
ability of cities to regulate the movement of railroads within city boundaries;
and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1 SECTION 1. Chapter 268 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.
3 SEC. 2. *An incorporated city may condemn property owned by a rail-*
4 *road for any public use, including but not limited to track crossings for*
5 *public streets and public utilities, in the manner prescribed by chapter 37*
6 *of NRS.*
7 SEC. 3. *An incorporated city by ordinance may regulate and control*
8 *all aspects of the movement of railroad engines, cars and other facilities*
9 *within the corporate limits of such city. The subjects of such regulation*
10 *and control shall include but not be limited to speed, duration of stops*
11 *and standing of such engines, cars and other facilities.*

30

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 561

SENATE BILL NO. 561—COMMITTEE ON FEDERAL,
STATE AND LOCAL GOVERNMENTS

MARCH 27, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Authorizes certain counties to establish scholarship funds for medical students who need assistance and who agree to return to such counties for professional practice. Fiscal Note: No. (BDR 20-1985)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to county government; authorizing certain counties to establish scholarship funds for medical students who need assistance and who agree to return, after graduation and certification, to such counties for residency and professional practice.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

1 SECTION 1. Chapter 244 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

3 SEC. 2. *The legislature finds that:*

4 1. *Many of the less populous counties of the state have experienced*
5 *shortages of physicians, surgeons, anesthetists, dentists, other medical*
6 *professionals and physicians assistants.*

7 2. *By granting county scholarships to students in such medical pro-*
8 *fessions who will agree to return to the counties for residence and prac-*
9 *tice, these counties can alleviate the shortages to a degree and thereby*
10 *provide their people with needed health services.*

11 SEC. 3. 1. *In addition to the powers elsewhere conferred upon all*
12 *counties, any county whose population is less than 100,000, as deter-*
13 *mined by the last preceding national census of the Bureau of the Census*
14 *of the United States Department of Commerce, may establish a medical*
15 *scholarship program to induce students in the medical professions to*
16 *return to such counties for practice. Students in the medical professions*
17 *for the purposes of sections 2 to 5, inclusive, of this act shall include per-*
18 *sons studying to be physicians assistants.*

19 2. *The boards of county commissioners of such counties may appro-*
20 *priate moneys from the general fund of the counties for medical scholar-*
21 *ship funds and may accept private contributions to augment the*
22 *scholarship funds.*

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

S. B. 259

SENATE BILL NO. 259—SENATORS LAMB AND GIBSON

FEBRUARY 16, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Regulates land sales developers and reorganizes the real estate education, research and recovery fund. Fiscal Note: Yes. (BDR 10-389)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to the regulation of certain enterprises engaging in the sale of real estate; providing for stricter licensing and regulation of certain developers and their agents; providing for more complete disclosure of certain provisions relating to land sales; providing equitable remedies; providing penalties; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 119.010 is hereby amended to read as follows:
2 119.010 As used in this chapter, unless the context otherwise
3 requires, the words and terms defined in NRS 119.020 to 119.110, inclu-
4 sive, and sections 13, 14 and 14.5 of this act have the meanings ascribed
5 to them in such sections.
- 6 SEC. 2. NRS 119.040 is hereby amended to read as follows:
7 119.040 "Developer" means:
8 1. The owner of subdivided land who, *on his own behalf or through*
9 *an agent or subsidiary*, offers it for sale. [or]
10 2. The principal agent of an inactive owner.
- 11 SEC. 3. NRS 119.080 is hereby amended to read as follows:
12 119.080 "Purchaser" means any person who acquires *or attempts to*
13 *acquire* an interest in any portion of a subdivision.
- 14 SEC. 4. NRS 119.090 is hereby amended to read as follows:
15 119.090 "Registered representative" is any person who is employed
16 or engaged by a developer to represent a company for compensation [.]
17 *in offering or selling subdivided lands pursuant to this chapter, but does*
18 *not include any officer of the developer or any of the subsidiaries of the*
19 *developer, or any owner, partner or associate of the developer who would*
20 *not be classed as a dealer and who is listed and approved by the division.*
21 [Except as provided in paragraph (b) of subsection 1 of NRS 119.180,
22 "registered representative" does not include a real estate salesman
23 licensed in the State of Nevada.]