

Senate

118

COMMITTEE ON GOVERNMENT AFFAIRS

Minutes of Meeting - February 12, 1975

Present:

Chairman Gibson  
Margie Foote  
Lee Walker  
Carl Dodge  
Mary Gojack  
Jack Schofield

Also Present:

Ty Hilbrecht.  
Henry Etchemendy, Carson City  
Joe Bensinger,  
Senator Raggio  
Lucy Barrier, Tax Comm.  
Joe Braswell, American Elders  
Alan Glover, Assemblyman  
Bob Broadbent, County Commissioners

Bob Gagnier, S.N.E.A.  
Russ McDonald, Washoe County  
Bob Warren, Nev. League of Cities  
Mickie Blomdal, Tax Comm.  
Mike Kerup, S.N.E.A.  
Doris Sitterson, S.N.E.A.  
John A. Duarte, Welfare Div.  
Dino Martini, Welfare Div.  
W. J. LaBodie, Welfare Div.  
Fred Bailey, Personnel Div.  
Jim Wittenberg, Personnel Div.  
Dan Mooney, Bureau of Voc. & Rehab.  
Blaine Sullivan, Rehabilitation  
John Crossley, L.C.B. Audit  
Earl T. Oliver, L.C.B. Audit  
Frank Fahrenkopf, Washoe County  
Richard Bunker, Clark County  
John Reiser, N.I.C.

The meeting was called to order at 2:30 p.m. and the minutes reflect a quorum present.

SB-159 Authorizes certain county commissioners to expand land from subdivision law requirements if land owned by Nevada nonprofit corporation as immediate successor in title to railroad company. Fiscal note (BDR 22-870)

Mr. Russ McDonald, representing the City of Reno, spoke in favor of SB-159 and gave the history between the community of Gerlach and the railroad which brought about the drafting of SB-159. Mr. McDonald indicated that the escrow period has expired and therefore action by the committee was most desirable. (See attached for details)

Motion of "Do Pass" by Senator Dodge, Seconded by Senator Gojack. Motion carried unanimously.

Chairman Gibson asked Senator Gojack to handle this emergency measure.

AB-218 Authorizes Carson City to issue general obligation bonds and other general obligation securities not exceeding \$1,100,000. to purchase, otherwise acquire, improve and equip a municipal water system and not exceeding \$1,400,000. to construct, purchase, otherwise acquire, improve and operate recreational and park facilities. Fiscal Note (BDR S-865)

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Mr. Etchemendy, City Manager of Carson City, spoke in favor of AB-218 stating that the increasing of maximum interest rates from the present 7% to 8% to sell outstanding bonds would help their financial situation greatly. He urged the committee to take action on this bill as soon as possible due to the emergency situation the city is now in.

Motion of "Do Pass" with a recommendation of an emergency situation by Senator Hilbrecht, seconded by Senator Dodge, motion carried unanimously.

SB-45 Expands authority of county commissioners to enact enforce ordinances licensing all animals and limiting number of animals per owner in residential districts. Fiscal Note (BDR 20-534)

Mr. Etchemendy stated that this bill is specifically designed to take care of the dog and cat problem. They feel that if they can license cats as well as dogs that it would help greatly in the problem of distinguishing the strays from the pets.

Discussion followed and Senator Dodge asked why this measure wasn't written into the Carson City Charter. Chairman Gibson felt that they could do this more effectively by putting it in their own charter also.

Later in the meeting Senator Dodge motioned to indefinitely postpone this bill, seconded by Senator Gojack. Motion carried unanimously.

SB-145 Enables county clerk to issue marriage licenses at places in addition to county seat. Fiscal Note (BDR 11-431)

Senator Foote explained the reasons behind the drafting of this bill indicating that Sparks could easily include the issuing of marriage licenses in their city courthouse.

Mr. Richard Bunker, representing Clark County, feels that they would rather leave the laws as they are and stated that he was against passage of SB-145.

Mr. Bob Broadbent, County Commissioner, stated that he is in favor of passage of SB-145. Many of the smaller counties where the more populated areas are more often than not in the county seat. Would be interested in knowing more about this bill.

Chairman Gibson requested that further discussion on SB-145 be set aside until the committee could hear more testimony.

SB-146 Establishes preference on state employment eligibility lists for certain handicapped persons. Fiscal Note (BDR 23-430)

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Senator Foote explained the reasons for having this bill drafted. She felt that there are many types of employment that a handicapped person is precluded from.

Mr. Wittenberg, Dept. of Personnel, indicated that up to a certain job level the physical examination is waived for the handicapped person. He also indicated that a recently completed statewide affirmative action plan will incorporate the handicapped person. Mr. Wittenberg felt that passage of SB-146 is not necessary and would create a great deal more work.

Discussion followed with regards to the point system for the handicapped in state tests and the possibilities of making it too easy for the handicapped to get a job.

Mr. Bob Gagnier, S.N.E.A. felt that the committee should be aware that the disabled veteran who is a resident of Nevada has a great advantage in getting a state job.

Mr. John Reiser, Nevada Industrial Commission felt there was a great deal that could be done for the handicapped and was in favor of SB-146 with an amendment on line 12 to read after rehabilitation division to add "of the Industrial Rehabilitation Department"....

Mr. Dan Mooney, Bureau of Vocational & Rehabilitation, indicated that this bill would give the handicapped person a much better chance to get a state job and it should be an equal chance. Therefore, Mr. Mooney is against the passage of this bill. See attached statement)

Motion to indefinitely postpone by Senator Foote, seconded by Senator Schofield. Motion carried unanimously

SB-147 Changes approving authority for salary augmentations and fund from which such augmentations are paid. Fiscal Note (BDR 31-672)

Mr. Earl Oliver, Legislative Auditor, feels that this bill will enable their department to be more efficient with less problems in the budget regarding movement of personnel within state jobs.

Mr. Oliver requested the committee's review of the Interim Finance Committee handling these situations and keeping the problem in one department.

Discussion followed concerning the types of bookkeeping that could possibly be implemented to correct the situation.

Mr. Barrett from the Board of Examiners felt that the present laws are working well and would rather leave well enough alone. Mr. Barrett feels that this is not the responsibility of the Interim

Finance Committee, that it should be handled in the department where the change took place.

After further discussion later in the meeting a motion of "Do Pass" from Senator Dodge, seconded by Senator Hilbrecht, motion carried unanimously.

SB-148 Makes certain technical changes in state financial administration provisions. Fiscal Note (BDR 31-671)

Mr. Oliver, Legislative Auditor, wanted the language changed to read "report" instead "affidavit". Also on line 18 they want to eliminate the "contingency fund".

Motion of "Do Pass" by Senator Dodge, seconded by Senator Schofield. Motion carried unanimously.

SB-150 Impose penalty on counties which fail promptly to pay moneys due state for assistance to indigent persons. Fiscal Note (BDR 38-676)

Mr. John Crossley, L.C.B. Audit Div., spoke in favor of this bill. See attached report conducted by the audit division on the Welfare Divisions Medical Care Unit.

Mr. Crossley indicated the recommendation to request legislation establishing a penalty for delinquent payments. The Welfare Division feels that it is not their responsibility to collect delinquent advalorum tax payments. The Audit Division felt that with the counties not paying their taxes on time the situation should be brought to the attention of the legislature.

Mr. Martini, Finance Division, felt that most of the counties were complying with the laws and paying their taxes, that it is not necessary to have SB-150.

Mr. Bob Broadbent, County Commissioners, felt that in its present language the bill is not acceptable. The penalty should go both ways and be uniformly applied.

Discussion followed and the committee decided to hold this bill until they could hear more testimony.

With no more bills to be heard the committee took action on the following bills:

SB-96 - Chairman Gibson indicated that it was requested that this bill be held. Motion by Senator Dodge to indefinitely postpone this bill, seconded by Senator Schofield. Motion carried unanimously.

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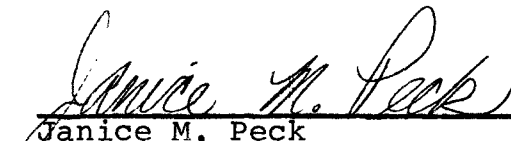
- SB-101 Motion to indefinitely postpone by Senator Dodge, seconded by Senator Schofield. Motion carried unanimously.
- SB-103 Motion to indefinitely postpone by Senator Foote, seconded by Senator Dodge, motion carried unanimously.
- SB-106 Motion of "Do Pass" by Senator Gojack, seconded by Senator Hilbrecht, motion carried unanimously.
- SB-111 Motion for re-referral to Finance Committee by Senator Dodge, seconded by Senator Hilbrecht. Motion carried unanimously.
- SB-112 The Farm Bureau contacted Chairman Gibson requesting the committee to hold action on this bill until they could get someone to testify. Felt the bill to be ambiguous and giving too much power.

Motion to hold SB-112 by Senator Gojack, seconded by Senator Hilbrecht, motion carried unanimously.

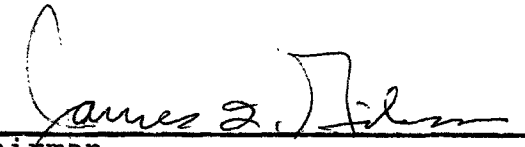
Senator Hilbrecht reported to the committee that SB-97 is still in the drafter's office. He would check with them and see if he could report to the committee on Thursday, 2-13.

With no further business the committee adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
Janice M. Peck  
Committee Secretary

Approved:

  
\_\_\_\_\_  
Chairman

S E N A T E

AGENDA FOR COMMITTEE ON .. GOVERNMENT AFFAIRS .....

Wednesday

DATE ..2-12-75.....TIME....2:30.....ROOM....345.....

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel Requested*</u>
SB-145	Enables county clerk to issue marriage licenses at places in addition to county seat. Fiscal Note (BDR 11-431)	
	Notify: Senator Foote, County Commission Association, Bob Broadbent, County Clerk of Las Vegas.	
SB-146	Establishes preference on state employment eligibility lists for certain handicapped persons. Fiscal Note (BDR 23-430)	
	Notify: Senator Foote, Jim Wittenberg, Bob Gagnier, Howard Barrett	
SB-147	Changes approving authority for salary augmentations and fund from which such augmentations are paid. Fiscal Note (BDR 31-672)	
	Notify: Howard Barrett, Legislative Functions committee, Budget Legislative Auditor, Mr. Crossley, Senator Monroe	
SB-148	Makes certain technical changes in state financial administration provisions. Fiscal Note (BDR 31-671)	
	Notify: Howard Barrett, Budget Legislative Auditor, Mr. Crossley, Senator Monroe	
SB-149	Expands list of boards required to engage independent accountant for audit of fiscal records. Fiscal Note (BDR 17-668)	

over

Notify: Howard Barrett, Budget Legislative Auditor, Mr. Crossley, Senator Monroe

SB-150

Impose penalty on counties which fail promptly to pay moneys due state for assistance to indigent persons. Fiscal Note (BDR 38-676)

Notify: Howard Barrett, Budget Legislative Auditor, Mr. Crossley, Senator Monroe, Mr. Broadbent

SB-159

Authorizes certain county commissioners to expand land from subdivision law requirements if land owned by Nevada nonprofit corporation as immediate successor in title to railroad co. Fiscal Note. (BDR 22-870)

Notify: Senator Gojack, Russ McDonald

\* Please do not ask for counsel unless necessary

AGENDA FOR COMMITTEE ON .GOVERNMENT AFFAIRS.....

DATE ...2-12-75.....TIME... 2:30 P.M... ROOM... 345.....

ADENDUM TO AGENDA FOR 2-12-75

<u>Bills or Resolutions</u>	<u>Subject</u>	<u>Counsel</u>
<u>to be considered</u>		<u>Requested*</u>

AB-218                      Authorizes Carson City to issue general obligation bonds and other general obligation securities not exceeding \$1,100,000 to purchase, otherwise acquire, improve and equip a municipal water system and not exceeding \$1,400,000 to construct purchase, otherwise acquire, improve and operate recreational and park facilities. Fiscal Note (BDR S-865)

Notify: Assemblymen Jacobsen, and Glover  
 Senator Sheerin, & Carson City Bonds  
 Mr. Etchemendy, City Manager, Carson City  
 Bob Warren, Nev. League of Cities

AB-45                      Amends provision relating to sealing records of criminal proceedings. Fiscal Note (BDR 14-583)

Notify: Senator Sheerin  
 Mr. Etchemendy

THE FOLLOWING BILLS, HAVING BEEN HEARD WILL BE ACTED ON BY THE COMMITTEE:

- SB-96                      The division has requested that this bill be held. Motion to hold
- SB-101                    The division has requested that this bill be held. Motion to hold.
- SB-103                    Committee to act.
- SB-106                    Committee to act.
- SB-111                    An appropriation is involved. The bill should be re-referred to Finance Committee. Motion to re-refer.
- SB-112                    Committee to act.

\* Please do not ask for counsel unless necessary



STATE OF NEVADA  
WELFARE DIVISION - MEDICAL CARE UNIT

OPERATIONS

AD VALOREM TAX PAYMENTS

NRS 428.260 designates the Welfare Division as the single State agency responsible for carrying out the provisions of NRS 428.150 through 428.370.

NRS 428.370 requires each county to pay to the State eleven cents ad valorem tax per \$100 assessed valuation of taxes collected. A review of the quarterly ad valorem tax payments by the counties showed that at least eleven of the seventeen counties were late in submitting their payments each quarter. For example, in June 1973, Douglas County had not yet paid their 1971-72 fourth quarter installment which was due on May 10, 1972. In addition, we noted that the Welfare Division currently does not verify that the State is receiving all of the money to which it may be entitled.

RECOMMENDATIONS

We recommend that the Welfare Division:

1. Develop additional methods of control to insure that the counties submit their ad valorem payments on a timely basis.
2. Request legislation establishing a penalty for delinquent payments.
3. Establish procedures for verification of the county ad valorem taxes.

TITLE XIX  
DATE OF RECEIPT OF COUNTY AD VALOREM TAX  
FYE 6/30/72

Title XIX - County Advances (Ad Valorem Receipts) FY 1971-72

	First Quarter Due 8/10/71	Second Quarter Due 11/10/71	Third Quarter Due 2/10/72	Fourth Quarter Due 5/10/72	
CARSON CITY	8/23/71 (1)	11/22/71 (1)	3/22/72 (1)	5/16/72 (1)	1
CHURCHILL	8/9/71	11/5/71	1/24/72	5/17/72 (1)	2
CLARK	11/2/71 (1)	2/16/72 (1)	5/26/72 (1)	6/23/72 (1)	3
DOUGLAS	3/16/72 (1)	3/16/72 (1)	3/16/72 (1)	(2)	4
ELKO	9/9/71 (1)	12/10/71 (1)	2/11/72 (1)	6/8/72 (1)	5
ESMERALDA	10/15/71 (1)	3/22/72 (1)	3/22/72 (1)	7/11/72 (1) 6/23/72 (1)	6
EUREKA	8/23/71 (1)	11/8/71	2/8/72	6/9/72 (1)	7
HUMBOLDT	11/2/71 (1)	7/27/72 (1)	7/27/72 (1)	7/27/72 (1)	8
LANDER	2/1/72 (1)	3/1/72 (1)	3/1/72 (1)	4/27/72	9
LINCOLN	8/9/71	10/22/71	4/7/72 (1)	4/7/72	10
LYON	9/15/71 (1)	11/4/71	2/2/72	4/12/72	11
MINERAL	8/12/71 (1)	11/11/71 (1)	11/11/71	4/12/72	12
NYE	8/13/71 (1)	11/8/71	2/7/72	6/8/72 (1)	13
PERSHING	8/9/71	1/18/72 (1)	3/21/72 (1)	6/7/72 (1)	14
STOREY	11/11/71 (1)	2/24/72 (1)	2/24/72 (1)	6/22/72 (1)	15
WASHOE	8/27/71 (1)	11/30/71 (1)	2/18/72 (1)	5/8/72	16
WHITE PINE	7/27/71	10/26/71	1/13/72	3/27/72	17
TOTAL					

122

(1) Late Payment  
(2) Not received as of June 1973

S.B. 146---FOOTE, GOJACK AND SHEERIN. FEB. 4. TO COMMITTEE ON GOVERNMENT AFFAIRS.

THIS BILL PERTAINS TO STATE EMPLOYMENT ELIGIBILITY LISTS AND IT PROVIDES THAT IN ESTABLISHING THE LISTS OF ELIGIBLE PERSONS, A PREFERENCE SHALL BE ALLOWED FOR PERSONS SUFFERING ANY HANDICAP WHICH MAKES THEM INELIGIBLE FOR SERVICE IN THE ARMED FORCES OF THE UNITED STATES AND WHICH SUBSTANTIALLY LIMITS THEIR OPPORTUNITIES FOR GAINFUL EMPLOYMENT. FOR SUCH PERSONS, 10 POINTS SHALL BE ADDED TO THE PASSING GRADE ACHIEVED ON THE EXAMINATION. THE EXISTENCE OF SUCH A HANDICAP SHALL BE DETERMINED BY CERTIFICATION TO THE PERSONNEL DIVISION OF THE STATE DEPARTMENT OF ADMINISTRATION BY THE BUREAU OF SERVICES TO THE BLIND, THE BUREAU OF VOCATIONAL REHABILITATION IN THE REHABILITATION DIVISION OF THE STATE DEPARTMENT OF HUMAN RESOURCES, OR THE INDUSTRIAL REHABILITATION DEPARTMENT OF THE NEVADA INDUSTRIAL COMMISSION. SUCH PREFERENCE SHALL BE ALLOWED IN ADDITION TO ANY PREFERENCES ALREADY PROVIDED BY LAW, EXCEPT THAT HANDICAPPED WIDOWS OF VETERANS OBTAINING THE PREFERENCE, SHALL NOT AT THE SAME TIME BE ALLOWED THE PREFERENCE ALREADY PROVIDED BY LAW. NO PERSON WHO BECAME ELIGIBLE FOR THE PREFERENCE ESTABLISHED ABOVE CONTINUES TO BE ELIGIBLE IF (1) THE STANDARDS WHICH MADE HIM INELIGIBLE FOR SERVICE IN THE ARMED FORCES ARE MODIFIED TO MAKE HIM ELIGIBLE FOR SUCH SERVICE; (2) THE PERSON'S HANDICAP, EITHER NATURALLY OR FROM TREATMENT OR THERAPY, IMPROVES SO THAT HE IS ELIGIBLE FOR SERVICE IN THE ARMED FORCES, OR HE IS NO LONGER LIMITED IN GAINFUL EMPLOYMENT OPPORTUNITIES; OR (3) THE PERSON REFUSES AVAILABLE TREATMENT OR THERAPY WHICH, IF SUCCESSFUL, WOULD MAKE HIM ELIGIBLE FOR SUCH PREFERENCE, ANY CERTIFICATE PREVIOUSLY ISSUED SHALL BE REVOKED BY THE ISSUING BUREAU OR DEPARTMENT.

SUMMARY--Authorizes certain county commissioners to exempt land from subdivision law requirements if land owned by Nevada nonprofit corporation as immediate successor in title to railroad company. Fiscal Note: No. (BDR 22- ) 126

AN ACT to amend NRS 278.320, relating to subdivision of land, by authorizing certain boards of county commissioners to exempt parcels of land from the requirements of the statutes regulating the subdivision of land if such parcels are owned by a Nevada nonprofit corporation as immediate successor in title to a railroad company; and providing other matters properly relating thereto.

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

Section 1. NRS 278.320 is hereby amended to read as follows:

278.320 1. "Subdivision" means any land, vacant or improved, which is divided or proposed to be divided into two or more lots, parcels, sites, units, plots, separate interests or interests in common, for the purpose of any transfer, development or any proposed transfer or development; unless exempted under subparagraphs (a) or (b).

(a) The term "subdivision" does not apply to any division of land which creates lots, parcels, sites, units or plots of land, each of which comprise 40 or more acres of land, including roads and roadway easements.

(b) Unless a method of disposition is adopted for the purpose of evading this chapter, the term "subdivision" does not apply to any division of land:

(1) Which creates lots, parcels, sites, units, or plots of land such that the land area of each of the lots, parcels, sites, units, or plots, when divided by the number of interests in every such lot, parcel, site, unit or plot results in 36 or more acres, exclusive of roads and roadway easements, per interest;

(2) Which is created by order of any court in this state or by operation of law;

(3) Which is created by a lien, mortgage, deed of trust or any other security instrument;

(4) Which is created by a security or unit of interest in any investment trust regulated under the laws of this state or any other interest in an investment entity;

(5) Which creates cemetery lots;

(6) Which creates an interest or interests in oil, gas, minerals or building materials, which are now or hereafter severed from the surface ownership of real property;

(7) Which is created by the acquisition of an interest in land in the name of a husband and wife, or other persons who are related to each other within the first or second degree of consanguinity, or pursuant to adoption in accordance with law, which interest is established or created by a joint tenancy, community property, or as tenants in common. Any such interest shall be deemed for purposes of this subsection, as only one interest.

2. For subdivisions containing not more than four lots, parcels, sites, plots or interest, there shall be filed a parcel map pursuant to the provisions of NRS 278.500 to 278.560, inclusive.

3. In any county having a population of 100,000 or more but less than 200,000, as determined by the last preceding national census of the Bureau of the Census of the United States Department of Commerce, the board of county commissioners may exempt any parcel or parcels of land from the provisions of NRS 278.010 to 278.630, inclusive, if:

(a) Such land is owned by a railroad company [and] or by a nonprofit corporation organized and existing pursuant to the provisions of chapter 81 of NRS which is an immediate successor in title to a railroad company, and such land was in the past used in connection with any railroad operation; and

(b) Other persons now permanently reside on such land.

4. Nothing contained herein shall apply to the division of land for agricultural purposes, in parcels of more than 10 acres, not involving any street, road, or highway opening or widening or easements of any kind.

Sec. 2. This act shall become effective upon passage and approval.

S. B. 145

## SENATE BILL NO. 145—SENATOR FOOTE

FEBRUARY 4, 1975

Referred to Committee on Government Affairs

SUMMARY—Enables county clerk to issue marriage licenses at places in addition to county seat. Fiscal Note: No. (BDR 11-431)

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

AN ACT relating to marriage licenses; enabling a county clerk to issue marriage licenses at places within the county in addition to the county seat; 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 122.040 is hereby amended to read as follows:  
 2 122.040 1. [Previous to persons being] *Before persons may be*  
 3 *joined in marriage, a license shall be obtained for that purpose from the*  
 4 *county clerk of any county in the state. The county clerk shall issue mar-*  
 5 *riage licenses at the county seat and may issue marriage licenses at such*  
 6 *additional places as he designates within the county.*  
 7 2. The county clerk may inquire of the person applying for a mar-  
 8 riage license, upon oath or affirmation, relative to the legality of the con-  
 9 templated marriage, and if the clerk is satisfied that there is no legal  
 10 impediment thereto, then he shall grant the marriage license.  
 11 3. The county clerk, when issuing the license, shall require the person  
 12 applying therefor to answer under oath each of the questions contained  
 13 in the form of license, and, if the person applying therefor cannot answer  
 14 positively any questions with reference to the other person named in the  
 15 license, the clerk shall require both persons named in the license to  
 16 appear before him and to answer, under oath, the questions contained in  
 17 the form of license.  
 18 4. If any of the persons intending to marry is under age and has not  
 19 been previously married, the clerk shall issue the license if the consent of  
 20 the parent or guardian is:  
 21 (a) Personally given before the clerk; [or]  
 22 (b) Certified under the hand of the parent or guardian, attested by two  
 23 witnesses, one of whom shall appear before the clerk and make oath that  
 24 he saw the parent or guardian subscribe his name to the annexed certifi-  
 25 cate, or heard him or her acknowledge the same; or

— 2 —

- 1 (c) In writing, subscribed to and duly acknowledged before an officer
- 2 authorized by law to administer oaths.
- 3 5. All records pertaining to such licenses are public records and open
- 4 to inspection pursuant to the provisions of NRS 239.010. Any county
- 5 clerk who refuses to permit such inspection is guilty of a misdemeanor.

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**S. B. 146****SENATE BILL NO. 146—SENATORS FOOTE, GOJACK,  
AND SHEERIN**

FEBRUARY 4, 1975

Referred to Committee on Government Affairs

SUMMARY—Establishes preference on state employment eligibility lists for certain  
handicapped persons. Fiscal Note: No. (BDR 23-430)EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is  
material to be omitted.AN ACT relating to state employment eligibility lists; providing preferential classi-  
fication for certain handicapped persons; 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 284 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:
- 3 1. *In establishing the lists of eligible persons, a preference shall be*  
4 *allowed for persons suffering any handicap which makes them ineligible*  
5 *for service in the Armed Forces of the United States and which substan-*  
6 *tially limits their opportunities for gainful employment if they are other-*  
7 *wise eligible as provided in NRS 284.215. For such persons, 10 points*  
8 *shall be added to the passing grade achieved on the examination. The*  
9 *existence of such a handicap shall be determined by certification to the*  
10 *personnel division of the department of administration by the bureau of*  
11 *services to the blind or the bureau of vocational rehabilitation in the*  
12 *rehabilitation division of the department of human resources. The pref-*  
13 *erence established under this subsection shall be allowed in addition to*  
14 *any preferences established by NRS 284.260 except that handicapped*  
15 *widows of veterans obtaining preference under this subsection shall not at*  
16 *the same time be allowed preference under NRS 284.260.*
- 17 2. *No person who became eligible for the preference established by*  
18 *subsection 1 continues to be eligible if:*
- 19 (a) *The standards which made him ineligible for service in the Armed*  
20 *Forces of the United States are modified to make him eligible for such*  
21 *service;*
- 22 (b) *The person's handicap, either naturally or from treatment or*  
23 *therapy, improves so that he is eligible for service in the Armed Forces of*



S. B. 147

SENATE BILL NO. 147—COMMITTEE ON  
LEGISLATIVE FUNCTIONS

FEBRUARY 4, 1975

Referred to Committee on Government Affairs

SUMMARY—Changes approving authority for salary augmentations and fund from which such augmentations are paid. Fiscal Note: No. (BDR 31-672)

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

AN ACT relating to state financial administration; changing the authority responsible for approving salary augmentations and the fund from which such augmentations are paid.

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

- 1 SECTION 1. NRS 353.262 is hereby amended to read as follows:  
2 353.262 When the state board of examiners finds, after diligent  
3 inquiry and examination, that:  
4 1. As a result of the payment of terminal leave pay or sick leave pay  
5 to any state officer or employee, sufficient appropriated money does not  
6 remain available to permit the payment of salaries when due to a person  
7 to be appointed or employed to replace the officer or employee who is on  
8 sick leave or whose employment has been terminated; and  
9 2. The appointment or employment of such replacement is necessary  
10 in the best interests of the state,  
11 the state board of examiners may, with the approval of the [legislative  
12 auditor,] *interim finance committee*, authorize the expenditure of sums  
13 not exceeding \$2,000 from the [reserve for statutory] contingency fund  
14 for payment of salaries when due to each person so appointed or  
15 employed as a replacement for the person to whom such terminal leave  
16 pay or sick leave pay was paid or is payable.  
17 SEC. 2. NRS 353.264 is hereby amended to read as follows:  
18 353.264 1. There is hereby created in the state treasury the reserve  
19 for statutory contingency fund.  
20 2. The reserve for statutory contingency fund shall be administered  
21 by the state board of examiners, and the moneys in such fund shall be  
22 expended only for:  
23 (a) The payment of claims which are obligations of the state under

1 NRS 41.037, 176.485, 179.310, 212.040, 212.050, 212.070, 214.040  
 2 [ 353.120 and 353.262; and ] and 353.120; and  
 3 (b) The payment of claims which are obligations of the state under  
 4 NRS 7.260, 176.215, 177.345, 179.225 and 213.153, but the use of  
 5 moneys from the reserve for statutory contingency fund shall be approved  
 6 for the respective purposes listed in this paragraph only when the moneys  
 7 otherwise appropriated for such purposes have been exhausted.

*[The following text is extremely faint and largely illegible due to heavy noise and low contrast. It appears to be a continuation of a document, possibly a bill or a report, containing various sections and paragraphs.]*

**S. B. 148****SENATE BILL NO. 148—COMMITTEE ON  
LEGISLATIVE FUNCTIONS**

FEBRUARY 4, 1975

Referred to Committee on Government Affairs.

**SUMMARY**—Makes certain technical changes in state financial administration provisions. Fiscal Note: No. (BDR 31-671)**EXPLANATION**—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to state financial administration; making technical revisions to correct certain inappropriate and inaccurate language.

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

- 1 SECTION 1. NRS 353.075 is hereby amended to read as follows:  
 2 353.075 1. When the count of state moneys, funds and securities  
 3 is completed, the legislative auditor shall make [an affidavit] *a report*  
 4 and file the same in the office of the secretary of state. When filed with  
 5 the secretary of state, the [affidavit shall be] *report is a public record.*  
 6 2. The [affidavit] *report* shall show separately:  
 7 (a) The actual amount of money in the state treasury in the custody  
 8 of the state treasurer.  
 9 (b) The amounts on deposit in banks, listing each depository bank  
 10 and the amounts on deposit.  
 11 (c) Lists of all state-owned securities in the state treasury which are  
 12 in the custody of the state treasurer or in depository banks.  
 13 (d) A statement of securities deposited with the state treasurer for  
 14 safekeeping showing the total value of such securities, the department or  
 15 commission for whom the state treasurer holds such securities, and the  
 16 purpose for which the securities were obtained.  
 17 SEC. 2. NRS 353.266 is hereby amended to read as follows:  
 18 353.266 1. There is hereby created [in the general fund] in the  
 19 state treasury a fund to be known as the contingency fund. Moneys for  
 20 such fund shall be provided by direct legislative appropriation.  
 21 2. Moneys in the contingency fund may be allocated and expended  
 22 within the limitations and in the manner provided in NRS 353.268 and  
 23 353.269:  
 24 (a) For emergency use to supplement regular legislative appropriations  
 25 which fail to cover unforeseen expenses.

1 (b) To meet expenses under requirements of law.  
 2 SEC. 3. NRS 353.269 is hereby amended to read as follows:  
 3 353.269. 1. The recommendation of the state board of examiners for  
 4 an allocation from the contingency fund shall be transmitted to the direc-  
 5 tor of the legislative counsel bureau, who shall notify the chairman of the  
 6 interim finance committee. The chairman shall call a meeting of the com-  
 7 mittee to consider the recommendation.  
 8 2. No allocation from the contingency fund may be made by the  
 9 interim finance committee:  
 10 (a) To effect salary increases for state officers and employees; or  
 11 (b) Subject to the provisions of subsection 4, to provide supplementary  
 12 funds for the support of a state agency or officer, or for any program,  
 13 when during the preceding session of the legislature the assembly stand-  
 14 ing committee on ways and means or the senate standing committee on  
 15 finance, or both such committees, by deliberate consideration and action  
 16 approved the program, rejected the proposed program or reduced the  
 17 requested amount of money for any existing or proposed program. How-  
 18 ever, if it is demonstrated to the interim finance committee that the pre-  
 19 ceding legislature made no appropriation for an agency or a program or  
 20 reduced the amount of the requested appropriation or a new program  
 21 requiring state financial participation and an Act of Congress, a regula-  
 22 tion promulgated by the President or by an executive department of the  
 23 Federal Government, or a decision of a court of the United States or of  
 24 this state, enacted, promulgated or made after adjournment sine die of the  
 25 preceding legislature requires an expenditure of money for which legis-  
 26 lative authority is lacking, either absolutely or in the alternative of forfeit-  
 27 ing a grant or grants of money or other thing of value, the interim  
 28 finance committee may proceed to make an allocation therefor in the  
 29 manner prescribed in subsection 3.  
 30 3. If the interim finance committee, after independent determination,  
 31 finds that an allocation recommended by the state board of examiners  
 32 should and may lawfully be made, the committee shall by resolution  
 33 establish the amount and purpose of the allocation, and direct the state  
 34 controller to transfer such amount to the appropriate fund [or fund]  
 35 and account. The state controller shall thereupon make such transfer.  
 36 4. The provisions of paragraph (b) of subsection 2 shall not be  
 37 effective between July 1, 1973, and June 30, 1975, inclusive.

*[Faint, mostly illegible text, likely bleed-through from the reverse side of the page.]*

**S. B. 149****SENATE BILL NO. 149—COMMITTEE ON  
LEGISLATIVE FUNCTIONS**

FEBRUARY 4, 1975

Referred to Committee on Government Affairs

SUMMARY—Expands list of boards required to engage independent accountant for audit of fiscal records. Fiscal Note: No. (BDR 17-668)

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

AN ACT relating to audits of boards and commissions; expands list of boards required to engage independent accountant for audit of fiscal records; 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 218.825 is hereby amended to read as follows:  
 2 218.825 1. Each of the boards and commissions created by the pro-  
 3 visions of chapters 623 to 625, inclusive, chapters 628 to 644, inclusive,  
 4 and [chapter 653] *chapters 653 and 656* of NRS shall engage the serv-  
 5 ices of an independent certified public accountant or public accountant, or  
 6 firm of either of such accountants, to audit all of its fiscal records once  
 7 each year between June 30 and December 1 for the preceding fiscal year.  
 8 The cost of the audit shall be paid by the board or commission audited.  
 9 2. A report of each such audit shall be filed with the legislative audi-  
 10 tor and the director of the budget on or before December 1 of each year.  
 11 The legislative auditor shall prescribe the shape, size and general style or  
 12 makeup of the report.  
 13 3. The legislative auditor may audit the fiscal records of any such  
 14 board or commission only if the legislative commission is dissatisfied with  
 15 the independent audit and directs the legislative auditor to perform an  
 16 audit. The cost of any such audit shall be paid by the legislative counsel  
 17 bureau.  
 18 SEC. 2. The provisions of NRS 218.825 apply to the state board of  
 19 Chinese medicine, the state board of hearing aid specialists and the board  
 20 of marriage and family counselor examiners.

S. B. 149

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SENATE BILL NO. 149—COMMITTEE ON  
LEGISLATIVE FUNCTIONS

FEBRUARY 4, 1975

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Referred to Committee on Government Affairs

SUMMARY—Expands list of boards required to engage independent accountant for audit of fiscal records. Fiscal Note: No. (BDR 17-668)

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

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AN ACT relating to audits of boards and commissions; expands list of boards required to engage independent accountant for audit of fiscal records; and providing other matters properly relating thereto.

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 3 visions of chapters 623 to 625, inclusive, chapters 628 to 644, inclusive,  
 4 and [chapter 653] *chapters 653 and 656* of NRS shall engage the serv-  
 5 ices of an independent certified public accountant or public accountant, or  
 6 firm of either of such accountants, to audit all of its fiscal records once  
 7 each year between June 30 and December 1 for the preceding fiscal year.  
 8 The cost of the audit shall be paid by the board or commission audited.  
 9 2. A report of each such audit shall be filed with the legislative audi-  
 10 tor and the director of the budget on or before December 1 of each year.  
 11 The legislative auditor shall prescribe the shape, size and general style or  
 12 makeup of the report.  
 13 3. The legislative auditor may audit the fiscal records of any such  
 14 board or commission only if the legislative commission is dissatisfied with  
 15 the independent audit and directs the legislative auditor to perform an  
 16 audit. The cost of any such audit shall be paid by the legislative counsel  
 17 bureau.  
 18 SEC. 2. The provisions of NRS 218.825 apply to the state board of  
 19 Chinese medicine, the state board of hearing aid specialists and the board  
 20 of marriage and family counselor examiners.



**S. B. 150****SENATE BILL NO. 150—COMMITTEE ON  
LEGISLATIVE FUNCTIONS**

FEBRUARY 4, 1975

Referred to Committee on Government Affairs

**SUMMARY**—Imposes penalty on counties which fail promptly to pay moneys due state for assistance to indigent persons. Fiscal Note: No. (BDR 38-676)**EXPLANATION**—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to indigent persons; imposing a penalty on counties which fail promptly to pay moneys due the state for assistance to indigent persons.

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

- 1     **SECTION 1.** NRS 428.370 is hereby amended to read as follows:  
2     428.370 1. During each fiscal year, commencing July 1, 1969, each  
3 county shall pay to the state a sum of money equal to the amount pro-  
4 duced by the county's annual levy of 11 cents ad valorem tax on each  
5 \$100 of assessed valuation of taxable property in the county.  
6     2. The remittance required by subsection 1 shall be made at least  
7 quarterly to the state treasurer, who shall deposit the same in the Title  
8 XIX fund.  
9     3. *If any remittance due pursuant to subsection 1 is not paid within 5*  
10 *days following the end of any quarter, a penalty of 5 percent per annum,*  
11 *prorated for the delinquent period on the unpaid balance due, shall be*  
12 *added to the amount to be paid.*

## S. B. 159

SENATE BILL NO. 159—COMMITTEE ON GOVERNMENT  
AFFAIRS

FEBRUARY 6, 1975

Referred to Committee on Government Affairs

**SUMMARY**—Authorizes certain county commissioners to exempt land from subdivision law requirements if land owned by Nevada nonprofit corporation as immediate successor in title to railroad company. Fiscal Note: No. (BDR 22-870)

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

AN ACT to amend NRS 278.320, relating to subdivision of land, by authorizing certain boards of county commissioners to exempt parcels of land from the requirements of the statutes regulating the subdivision of land if such parcels are owned by a Nevada nonprofit corporation as immediate successor in title to a railroad company; 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 278.320 is hereby amended to read as follows:  
2 278.320 1. "Subdivision" means any land, vacant or improved,  
3 which is divided or proposed to be divided into two or more lots, parcels,  
4 sites, units, plots, separate interests or interests in common, for the pur-  
5 pose of any transfer, development or any proposed transfer or develop-  
6 ment; unless exempted under subparagraphs (a) or (b).  
7 (a) The term "subdivision" does not apply to any division of land  
8 which creates lots, parcels, sites, units or plots of land, each of which  
9 comprise 40 or more acres of land, including roads and roadway ease-  
10 ments.  
11 (b) Unless a method of disposition is adopted for the purpose of evad-  
12 ing this chapter, the term "subdivision" does not apply to any division of  
13 land:  
14 (1) Which creates lots, parcels, sites, units, or plots of land such that  
15 the land area of each of the lots, parcels, sites, units, or plots, when  
16 divided by the number of interests in every such lot, parcel, site, unit or  
17 plot results in 36 or more acres, exclusive of roads and roadway ease-  
18 ments, per interest;  
19 (2) Which is created by order of any court in this state or by oper-  
20 ation of law;

- 1 (3) Which is created by a lien, mortgage, deed of trust or any other
- 2 security instrument;
- 3 (4) Which is created by a security or unit of interest in any invest-
- 4 ment trust regulated under the laws of this state or any other interest in
- 5 an investment entity;
- 6 (5) Which creates cemetery lots;
- 7 (6) Which creates an interest or interests in oil, gas, minerals or
- 8 building materials, which are now or hereafter severed from the surface
- 9 ownership of real property;
- 10 (7) Which is created by the acquisition of an interest in land in the
- 11 name of a husband and wife, or other persons who are related to each
- 12 other within the first or second degree of consanguinity, or pursuant to
- 13 adoption in accordance with law, which interest is established or created
- 14 by a joint tenancy, community property, or as tenants in common. Any
- 15 such interest shall be deemed for purposes of this subsection, as only one
- 16 interest.
- 17 2. For subdivisions containing not more than four lots, parcels, sites,
- 18 plots or interests, there shall be filed a parcel map pursuant to the provi-
- 19 sions of NRS 278.500 to 278.560, inclusive.
- 20 3. In any county having a population of 100,000 or more but less
- 21 than 200,000, as determined by the last preceding national census of the
- 22 Bureau of the Census of the United States Department of Commerce, the
- 23 board of county commissioners may exempt any parcel or parcels of land
- 24 from the provisions of NRS 278.010 to 278.630, inclusive, if:
- 25 (a) Such land is owned by a railroad company [and] or by a non-
- 26 profit corporation organized and existing pursuant to the provisions of
- 27 chapter 81 of NRS which is an immediate successor in title to a railroad
- 28 company, and such land was in the past used in connection with any
- 29 railroad operation; and
- 30 (b) Other persons now permanently reside on such land.
- 31 4. Nothing contained herein shall apply to the division of land for
- 32 agricultural purposes, in parcels of more than 10 acres, not involving any
- 33 street, road, or highway opening or widening or easements of any kind.
- 34 SEC. 2. This act shall become effective upon passage and approval.