

Senate

283

GOVERNMENT AFFAIRS COMMITTEE

Minutes of Meeting - March 3, 1975

Present: Chairman Gibson
Sen. Walker
Sen. Dodge
Sen. Hilbrecht
Sen. Gojack
Sen. Foote
Sen. Schofield

Also Present:

See attached sheet for listing

Senator Gibson opened the fourteenth meeting of the Government Affairs committee by reflecting that a quorum was present. The meeting began at 3:00 P.M.

The first bill to be discussed was SB-223 and Senator Monroe introduced Mr. Mike Marfice and Mr. Dan Bilbao from Elko to discuss this bill with the committee.

SB-223 Increases number of games allowed and changes fees under gaming holiday or special event permit. (BDR 41-989)

Mr. Marfice, Stockmen's Hotel, was in favor of SB-223 and gave several examples where in their own area the increase of games allowed on holidays and special events would be beneficial.

Mr. Hannifan and Mr. Harland Elgers, representing the Gaming Control, spoke in favor of SB-223. Mr. Hannifan stated that after studying the bill carefully he felt that there would be no abuse to this bill. The annual fee will be eliminated under 463,380. Under the new bill it will be a fee of a flat \$14.00 per day, per game license fee plus the gross revenue collected. Feels the bill is self policing.

Mr. Kofoed, Gaming Industry, spoke in favor of SB-223. Mr. Kofoed feels the passage of SB-223 is good for the operator and good for the state. Mr. Kofoed indicated that it would be beneficial if the bill would become effective upon passage taking into consideration the Memorial Day weekend coming up.

Motion of "Do Pass" with the bill becoming effective upon passage was made by Senator Walker, seconded by Senator Foote. Motion carried unanimously. It was requested by Senator Gojack that the minutes reflect "not voting" on SB-223.

SB-225 Changes composition of certain county fair and recreation boards. (BDR 20-973)

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Senator Echols informed the committee that the bill in its present form proposes to revert to a totally elected board. Presently there are four members appointed to the board by the Chamber of Commerce, these come from the greater Las Vegas and strip areas. Senator Echols feels that this bill will correct the serious inequities in representation. Senator Echols also informed the committee on the possibilities of amending this bill to include 11 members instead of the present 9 members. This would allow one new member to represent North Las Vegas and one new member to represent downtown casinos.

Assemblyman Price indicated that he supported Senator Echols statements and is in favor of SB-225. He felt that North Las Vegas deserved full representation.

Further discussion on SB-225 was set aside for the present.

SB-28 Changes composition of State Dairy Commission. (BDR 51-438)

SB-178 Changes composition of State Dairy Commission. (BDR 51-400)

Senator Hilbrecht, co-sponsor of SB-178 & SB-28, informed the committee on the reasons for the drafting of these bills. The objectives of both bills are to bring a majority of consumers on the Dairy Commission Board. Senator Hilbrecht gave examples of the types of representatives that would be desirable: Business community (not associated with the dairy business; Non profit consumer organization; Senior Citizens Organization; Financial institutions; Public (general).

Senator Hilbrecht indicated that Senator Bryan felt that there should be no specific sector of the community that the people on the board should represent. Also that the community felt that the commission wasn't too responsive to the feelings of the community, that they could possibly make an amendment to have equal representation of the industry and consumers.

Phyllis Burkson, Consumer representative for the Dairy Commission, spoke in favor of SB-28 and SB-178. Feels that a majority of consumer representation is good, that the board should consist of an odd number of representatives. In SB-28 on line 8 - Feels that one member should be a producer. Producer/Distributor should be eliminated, in the past the Producer/Distributor has voted primarily for the distributor. Line 18 - questions the merit of representative being specified, creating many conflicts and would probably not be a consumer representative for very long. Had the same suggestions for SB-178 with the comment that on line 7 (SB-178) the consumer representation have no connection with any entities with the industry, hopefully including financial institutions.

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Mr. Herb Whitt, representing the Nevada Farm Bureau and the Dairy Producers, Carson Valley, read the same testimony that was prepared for the Assembly. (See attached). Mr. Whitt cited an example which every producer faces and the consumer is not aware of. This is the employee problem. For this and other reasons Mr. Whitt feels that the Dairy Commission should consist of equal representation of both sides. Without the commission there would soon be federal representation and Mr. Whitt would prefer the State handle their own dairy pricing.

Assemblyman Price wanted to clarify a few questions that the Assembly committee had. One being the controls of the producer at the producer level. Prior to the federal marketing order, the producers were unhappy with these prices. A federal marketing order was applied for and brought in. It set up a base price that for the first year was at a level equivalent to the Nevada Dairy Commission (Southern Nevada). In November, 1974 they applied for an increase for the Nevada Dairy Commission base. The Nevada Dairy Commission came across with an up-charge above this base. The base price can be above the Federal Marketing Order but never below it.

Another point of question would be in regards to the abolishing of the commission and milk coming in from other areas. Assemblyman Price indicated that a co-op can bring in milk from many different areas and the milk can be labeled a local milk. Northern Nevada has a qualification period where they can flood milk in and use it for cheese, etc. Felt that if they should consider having two producers, as indicated in SB-28, that one should be independent and one should be out of the co-op. In regards to abolishing the commission, Assemblyman Price also felt that this would lead to the Federal Marketing Order setting the base price.

Randy Cappuro, representing the Dairy Distributors, felt that the distributors want to maintain the representation in the Dairy Commission. They would prefer four representatives be from the industry and four to represent the general public. The Dairy Distributors wanted to go on record as being in favor of the maintenance and keeping of the Dairy Commission. Mr. Cappuro indicated that the following would be an outline of those to be considered as representatives on the Dairy Commission: (1) Two farm producers (2) One retail store representative (3) One owner (outside dairy products) (4) One financial representative (5) One distributor (6) Consumer (from Consumer representative group) (7) One representing the public at large.

Mr. Cappuro indicated that if the committee's intention was to increase the commission from a 4,4 representation to a 5,5 representation he would suggest adding a Producer/Distributor and a senior citizen consumer representative.

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Senator Bryan spoke in favor of both SB-28 and SB-178. Senator Bryan indicated that he definitely does not want to abolish the Dairy Commission but feels that the people should be better represented. Senator Bryan left with the committee a copy of the price schedule of the three different areas in Nevada; Western, Southern and Eastern. (See the attached schedule).

Mr. John Picetti, Dairyman from Fernley, spoke in favor of Mr. Herb Witt's testimony. Is in favor of SB-28 with equal representation.

Mr. Clarence Cassidy, representing the Dairy Commission, felt that commissions around the county have been faced with the same type of reorganization and has resulted in the addition to the number of members, mainly increasing the number of consumer representatives. Feels that with the problem of absenteeism that a larger number of representatives would help in that area.

Senator Dodge questioned the procedure in block voting and what problems the Dairy Commission has faced in this area.

Mr. Cassidy stated that there has been problems regarding this but that they were minimal. The appointing of a balanced commission might alleviate this problem.

Chairman Gibson indicated that further discussion and action would be held until the committee could get some feed back from the Assembly committee.

SB-235 Allows additional representatives of state treasurer to sign checks and warrants drawn upon travel revolving fund. (BDR 23-493)

Mrs. Nadine Reed, representing Mr. Mike Mirabelli the State Treasurer, spoke in favor of SB-235. Mrs. Reed indicated that they now have a travel revolving fund that is used to advance funds to state employees who travel on state business. The signatures are limited to the Treasurer or the deputy. Since these people can't always be there to sign these checks it has created problems and SB-235 would alleviate this situation greatly.

Motion of "Do Pass" by Senator Walker, seconded by Senator Foote. Motion carried unanimously.

AB-173 Makes changes in fee schedule of state land register (BDR 26-553)

AB-174 Changes certain duties of state land register (BDR 26-224)

AB-175 Makes executive head of division of state lands an administrator and corrects designation of state land registrar. (BDR 26-554)

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Mr. John Meder, Admin. of the Division of Lands, Mr. Elmo DeRicco Director of the Dept. of Conservation and Mr. Harold Province, Deputy Registrar for the Division of Lands testified in favor of AB-173, 174 and 175. See the attached memorandums on AB-173, 174 & 175.

Before giving testimony Chairman Gibson suggested that if AB-173 and AB-174 are acceptable the bill drafter can amend AB-175 to include the language in AB-173 which would avoid future conflicts. (NRS 321.065)

Mr. John Meder indicated that AB-173 amends NRS 321.065 to reflect current operating procedures of the division and the current operating costs. They were last set in 1967 and should be updated to agree with current procedures.

Mr. Meder also indicated that AB-174 amends NRS 321.050 to bring the divisions activities up to date with current practices also. Mr. Meder stated that the Land Activity Report, now due on November 1st should be changed to be due on August 1st.


Mr. Elmo DeRicco, in favor of AB-175, requested that the terminology used to define job classification be changed. The State Land Register should be properly changed to State Land Registrar.

Chairman Gibson stated that AB-173 and AB-174 touch on sections of AB-175. If the committee agrees to pass AB-173 then the drafter should be informed to add these provisions to AB-175 also.

Motion to "Amend and Do Pass" by Senator Foote, seconded by Senator Walker. Motion carried unanimously. (Clarification of "amend" is to include the provisions in AB-173 and AB-174.)

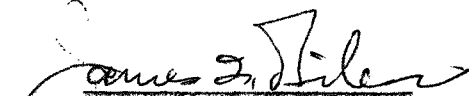
As there was no further business the meeting was adjourned at 4:45 p.m.

Respectfully submitted,



Janice M. Peck
Committee Secretary

Approved:



Chairman

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LIST OF THOSE PRESENT

John Picetti, President of Associated Nevada Dairymen
and the Dairymen
Clarence J. Cassidy, Dairy Commission
Barbara Picetti, Dairyman's Wife
Ray Jarman, Meadow Gold Dairies
Herb Whitt, Nevada Farm Bureau, Dairy Producers Council
John Olsen, Associated Nevada Dairymen
Joe Lawfer, Consumer Affairs Div.
Nadine Reed, State Treasurer's office
Mike Marfise, Stockmen's Hotel, Elko
Dan Bilbao, Stockmen's Hotel, Elko
Les Kofoed, Gaming, Industry Assn.
R. E. Cahill, Nev. Resort Association
J. H. Shatton, Gaming Control Board
C. Hannifan, Gaming Control Board
Roland Elgers, Gaming Control Board
John Meder, Division of State Lands
Elmo DeRitto, Department of Conservation
Harold Provence, Division of Lands
Robert Warren, Nev. League of Cities
Dutch Stenovich, City of Elko
Randy J. Webb, L.C.B.
Tom Bahan, Anderson Dairy
S. D. Mastroianni, State Div. of Health
Senator Echols
Phyllis Burkson, Dairy Commission, Consumer Representative
Senator Monroe
Randy Cappuro, Dairy Commission, Dairy Distributors

AGENDA FOR COMMITTEE ON .. GOVERNMENT AFFAIRS.....
 MONDAY
 DATE .. MARCH 3, 1975... TIME.. 2:45 PM..... ROOM.. 345.....

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel Requested*</u>
SB-223	Increases number of games allowed and changes fees under gaming holiday or special event permit. (BDR 41-989) Notify: Senator Monroe - Gaming Control Board, Mr. Hannifan - Mr. Kofed	
SB-225	Changes composition of certain county fair and recreation boards. (BDR 20-973) Notify: Senator Echols - Senator Neal Mr. Broadbent, Convention Authority	
SB-235	Allows additional representatives of state treasurer to sign checks and warrants drawn upon travel revolving fund. (BDR 23-493) Notify: Senator Foote - Mr. Mike Mirabelli, State Treasurer	
SB-28	Changes composition of state dairy commission (BDR 51-438) Notify: Assemblyman Hickey, Senator Hilbrecht Senator Gojack, Sen. Foote, Sen. Neal, Sen. Bryan - Dair Commission, Mr. Cassidy	
SB-178	Changes composition of state dairy commission (BDR 51-400) Notify: Same as in SB-28	
AB-173	Makes changes in fee schedule of state land register. (BDR 26-553) Notify: Assemblyman Dini, Elmo DiRicco John Meder	
AB-174	Changes certain duties of state land register. (BDR 26-224) Notify: Same as in AB-173	
AB-175	Makes executive head of division of state lands an administrator and corrects designation of state land registrar. (BDR 26-554) Notify: Same as in AB-173	

* Please do not ask for counsel unless necessary

Nevada Farm Bureau
Dairy Producers Council

Mr. Chairman and members of the Assembly Agriculture Committee:

My name is Herb Whitt, I am chairman of the Nevada Farm Bureau Dairy Producers Council. I am a dairy farmer producing hay and grain as feed for my dairy herd of 130 cows.

Dairy farmers of Nevada wish to take this opportunity to reaffirm their support for the continuance of the Nevada State Dairy Commission. The Dairy Commission performs a very vital service to dairy farmers by:

1. Keeping production and usage records of all classes of milk.
2. audits and determines payment for class usage
3. requires that buyers be bonded
4. convenes public hearings to determine and review raw milk production costs.

We submit that a state Dairy Commission best serves the interests of the industry and the consumers because of the vast distances between our markets and the scattered nature of dairy production areas. The dairy industry is now a very important segment of the Nevada agricultural economy ranking third with cattle and hay. Nevada possesses the necessary ingredients for an ever growing dairy industry and with the certainty of such growth, it is ever more necessary that a state agency guide and direct this development.

Few agricultural commodities offer consumers a voice in the pricing of a product. A state controlled agency makes it possible

for consumers to be heard frequently at the local level.

At a recent meeting of the Dairy Producers Council, producers moved to offer for this committee's consideration the following commission composition:

5 Industry members as follows:

- 2 producers
- 1 producer/distributor
- 1 distributor
- 1 retail store

5 Consumers as follows:

- 1 owner of a small business (exclusive of dairy industry)
- 1 representative of Consumers League
- 1 Consumer at large
- 1 representative from the financial institutions

With the expertise offered by members with this background, we feel that responsible consideration for the problems facing the dairy industry will be adequately guaranteed and that an adequate supply of milk at a fair and reasonable price will result.

Thank You



Herbert P. Witt
Chairman
Nevada Farm Bureau
Dairy Producers Council

2/24/75 Present to Assembly Ag. Comm.
3/3/75 Present to Senate Ag. Comm.

STATE OF NEVADA
DAIRY COMMISSION

WESTERN NEVADA MARKETING AREA

Attached is a schedule of the minimum prices in effect for producers, distributors and retailers from the beginning of the Commission through calendar 1974. The amounts shown are in cents per one-half gallon for whole milk in half gallon carton. The producer (farmer) price has been calculated by multiplying the minimum producer price for class one usage (which is promulgated in dollars and cents per hundredweight) by 4.3 lbs., the product weight of one-half gallon of whole milk.

	Initials	Date
Prepared By		
Approved By	262	

NEVADA STATE DAIRY COMMISSION
 ANALYSIS OF CHANGES IN PROMULGATED MINIMUM PRICES
Western NEVADA MARKETING AREA

	(1)	(2)	(3)	(4)			(5)	(6)
	Date of Public Hearing	Date of Pricing Order	Order No.	MINIMUM PRICE PER 1/2 GAL WHOLE MILK			(WHOLESALE) DISTRIBUTOR	(STORE) RETAIL
				(FARMER) PRODUCER				
1	8-27-57	9-26-57	1	# 0.23				
2	8-27-57	9-27-57	2			# 0.44	# 0.50	
3	4-21-60	5-1-60	12	0.242				
4	4-21-60	5-1-60	13			0.48	0.54	
5		5-5-60	14	(MINIMUM PRICES SUSPENDED)				
6	5-23-60	6-1-60	15	0.241				
7	5-23-60	6-1-60	16			0.47	0.54	
8	4-29-65	6-1-65	20	0.242				
9	8-2-66	10-1-66	29	0.258				
10	8-2-66	10-1-66	31			0.495	0.57	
11	12-15-69	3-1-70	37	0.269				
12	1-26-70	4-1-70	38	0.273				
13	1-26-70	4-1-70	39			0.525	0.61	
14	3-13-73	4-16-73	41	0.313				
15	3-13-73	4-16-73	42			0.565	0.65	
16	5-9-73	7-1-73	44			0.585	0.67	
17	SUPERSEDED - NOT USED	9-28-73	45	0.343				
18	SUPERSEDED - NOT USED	9-28-73	46			0.625	0.71	
19		9-28-73	47	0.366				
20		9-28-73	48			0.655	0.74	
21		9-28-73	49	0.391				
22		9-28-73	50			.685	0.77	
23		9-28-73	52	0.405				
24	SUPERSEDED - NOT USED	9-28-73	53			0.695	0.78	
25		9-28-73	54			0.705	0.79	
26		2-7-74	60	0.391		0.685	0.77	
27		7-11-74	61	0.401		0.705	0.79	
28	SUPERSEDED - NOT USED	8-28-74	62			0.715	0.80	
29		8-28-74	63	0.408				
30		8-28-74	64			0.7215	0.80	
31		8-28-74	65			7236	0.80	
32		11-20-74	66	0.410				

STATE OF NEVADA
DAIRY COMMISSION

SOUTHERN NEVADA MARKETING AREA

Attached is a schedule of the minimum prices in effect for producers, distributors and retailers from the beginning of the Commission through calendar 1974. The amounts shown are in cents per one-half gallon for whole milk in half gallon carton. The producer (farmer) price has been calculated by multiplying the minimum producer price for class one usage (which is promulgated in dollars and cents per hundredweight) by 4.3 lbs., the product weight of one-half gallon of whole milk.

Those producer prices which show the caption "Fed. Order Price" were minimum producer equivalent prices per one-half gallon as established by the United States Department of Agriculture, Agricultural Marketing Service, Lake Mead Federal Milk Marketing Order.

	Initials	Date
Prepared By		
Approved By		

NEVADA STATE DAIRY COMMISSION
 ANALYSIS OF CHANGES IN PROMULGATED MINIMUM PRICES
 SOUTHERN NEVADA MARKETING AREA

	(1)	(2)	(3)	(4)	(5)	(6)
	Date of Public Hearing	Date of Pricing Order	Order No.	MINIMUM PRICE PER 1/2 GAL (FARMER) PRODUCER	WHOLESALE (WHOLESALE) DISTRIBUTOR	WHOLE MILK (STORE) RETAIL
1	10-21-57	11-15-57	1	\$ 0.241		
2	10-21-57	11-16-57	2		\$ 0.44	\$ 0.50
3	4-7-60	5-1-60	15	0.248		
4	4-7-60	5-1-60	16		0.48	0.54
5		5-5-60	17	(MINIMUM PRICES SUSPENDED)		
6	6-6-60	6-16-60	18		0.47	0.54
7	6-6-60	6-16-60	19	0.248		
8	5-25-66	7-1-66	25	0.263		
9	5-25-66	7-1-66	26		0.50	0.58
10	SUPERSEDED BEFORE EFFECTIVE 1-22-70	4-1-70	34		0.525	0.60
11	2-27-70	4-1-70	35		0.525	0.61
12	2-22-70	4-1-70	33	0.279		
13	5-21-70	8-1-70	38		0.53	0.62
14	4-17-73	6-1-73	41	0.313		
15	4-17-73	6-1-73	42		0.575	0.67
16	4-17-73	7-1-73	43		0.58	0.68
17	FED. ORDER PRICE	8-1-73		0.315		
18	FED. ORDER PRICE	9-1-73		0.336		
19	4-17-73	9-7-73	44		0.61	0.71
20	FED. ORDER PRICE	10-1-73		0.343		
21	FED. ORDER PRICE	11-1-73		0.366		
22	4-17-73	11-1-73	45		0.63	0.73
23	FED. ORDER PRICE	12-1-73		0.391		
24	4-17-73	12-1-73	46		0.65	0.75
25	FED. ORDER PRICE	1-1-74		0.397		
26	12-13-73	1-1-74	47		0.66	0.76
27	12-13-73	1-20-74	48		0.68	0.78
28	FED. ORDER PRICE	2-1-74		0.410		
29	12-13-73	2-1-74	49		0.69	0.79
30	FED. ORDER PRICE	3-1-74		0.417		over

31		12-13-73	3-1-74	50		6.70	0.80
32	FED. ORDER PRICE	2-7-74	4-1-74		0.419		
33		2-7-74	4-1-74	51		0.71	0.81
34	FED ORDER PRICE		5-1-74		0.419		
35	FED ORDER PRICE		6-1-74		0.401		
36	FED ORDER PRICE	2-7-74	6-1-74	54		0.69	0.79
37			7-1-74		0.367		
38		2-7-74	7-1-74	55		0.65	0.75
39		7-17-74	8-1-74	56	0.367		
40		7-17-74	9-1-74	57	0.401		
41		7-17-74	9-1-74	58		0.6943	0.79
42		7-17-74	12-1-74	60		0.7025	0.79
43							

	Initials	Date
Prepared By		
Approved By		

NEVADA STATE DAIRY COMMISSION

ANALYSIS OF CHANGES IN PROMULGATED MINIMUM PRICES

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EASTERN NEVADA MARKETING AREA

	(1)	(2)	(3)	(4)	(5)	(6)
	Date of Public Hearing	Date of Pricing Order	Order No.	MINIMUM PRICE (FARMER) PRODUCER	PRICE PER 1/2 GAL (WHOLESALE) DISTRIBUTOR	WHOLE MILK (STORE) RETAIL
1	10-18-57	11-10-57	1	\$ 0.247		
2	10-18-57	11-10-57	2		# 0.44	\$ 0.50
3	6-14-58	8-1-58	3		0.46	0.52
4	4-19-60	5-1-60	11		0.50	0.56
5		5-5-60	12	(MINIMUM PRICES SUSPENDED)		
6	4-3-74	7-1-74	16		702	83
7	NOTE: PRODUCER PRICES ESTABLISHED BY U.S. DEPT. OF AGRICULTURE, AGRICULTURAL MARKETING SERVICE, GREAT BASIN FEDERAL MILK MARKETING ORDER SINCE 1961.					
8	MINIMUM RESALE PRICES FROM MAY-1960 THROUGH 7-1-74 WERE NOT ESTABLISHED BY THE COMMISSION.					
9	PROHIBITION AGAINST SALES BELOW COST, DISTRIBUTOR FILED PRICES GOVERNED RESALE PRICES DURING THIS PERIOD.					
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STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Division of State Lands

CARSON CITY, NEVADA 89701

February 21, 1975

M E M O R A N D U M

TO: Senate Government Affairs Committee
FROM: John L. Meder, Administrator
RE: AB 173 - Makes Changes in Fee Schedule for State Land Use Register

AB 173, amending NRS 321.065, was requested to change the fee schedule to reflect current costs and procedures. The current fee schedule was established in 1957 and includes items no longer available. For example, line 13, page 1, refers to tracings of township plats. With the use of modern copying equipment tracings are no longer being made or requested.

The proposed fee schedule indicates current practices including fees for microfilm copies of township plats by the roll or single frames. Since the microfilm records are now available, they should be made available to persons or businesses who desire them.

It has been estimated the total revenue produced by the revised fee schedule will be less than \$1000, which is placed in the Permanent School Fund.

I will be happy to answer any question you may have.

1
cc: Elmo J. DeRicco, Director
Department of Conservation and Natural Resources



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STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Division of State Lands

CARSON CITY, NEVADA 89701

February 24, 1975

MEMORANDUM

TO: Senate Government Affairs Committee
FROM: John L. Meder, Administrator
RE: AB 174 - Change Certain Duties of State Land Register

AB 174, amending NRS 321.050, was requested by the Division of State Lands to update the duties of the State Land Register to reflect current needs and practices and to change the filing date when land activity reports must be sent to County Assessors.

NRS 321.050.1, requires the State Land Register to provide the County Assessors copies of township plats of public (BLM) surveys. In practice the County Assessors have been obtaining the revised township maps directly from the Federal agencies. It was probably desirable to have the State Land Register send the township plats to the counties in 1889 when this section of the statutes was last amended. However, this provision is no longer necessary and should be removed from the statutes.

Changing the filing date when land activity reports are to be sent to the County Assessors from November 1, to August 1, reflects actual practices and Assessors needs. Most Assessors close their tax lists before November 1, so it is necessary for the State report to be sent before that date.

I will be happy to answer any question you may have.

1
cc: Elmo J. DeRicco, Director
Department of Conservation and Natural Resources



STATE OF NEVADA

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Department of Conservation and Natural Resources

OFFICE OF THE DIRECTOR
CARSON CITY, NEVADA 89701

February 25, 1975

MEMORANDUM

TO: The Honorable James I. Gibson, Chairman
Senate Government Affairs Committee

FROM: Elmo J. DeRicco, Director

RE: A.B. 175

After approval of the State Land Use Planning Program at the last session of the Legislature, a Division of Lands was created under the provisions of NRS 232.070.

The State Land Office and the State Land Planning Program were combined into a Division, with the Administrator of the Land Use Planning Program as its head. A.B. 175 provides for establishing this Division under law, as all other Divisions in my Department have been established.

This bill provides that the Administrator of the Division of Lands shall be the ex officio State Land Registrar instead of the Director of the Department of Conservation and Natural Resources, and corrects terminology from State Land Register to State Land Registrar.

I will be happy to answer any questions you may have.

EJD:1

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 223

SENATE BILL NO. 223—SENATOR MONROE

FEBRUARY 19, 1975

Referred to Committee on Government Affairs

SUMMARY—Increases number of games allowed and changes fees under gaming holiday or special event permit. Fiscal Note: No. (BDR 41-989)

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

AN ACT relating to gaming licensing and control; increasing maximum number of games allowed under a holiday or special event permit; changing the fees to be charged and collected under the holiday or special event permit; 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 463.408 is hereby amended to read as follows:
 2 463.408 1. As used in this section, "holidays or special events" refers
 3 to periods during which the influx of tourist activity in this state or any
 4 area thereof may require additional industry accommodation as deter-
 5 mined by the commission.
 6 2. Any licensee holding a valid license under this chapter may apply
 7 to the commission, on application forms prescribed by the commission,
 8 for a holiday or special event permit for the purpose of increasing the
 9 licensee's game operations during holidays or special events.
 10 3. Such application shall be filed with the commission at least 3 days
 11 prior to the date when games are to be added.
 12 4. If the commission approves the application, it shall issue to the
 13 licensee a permit to operate additional games, not to exceed [25] 50
 14 percent of the number of games operated by the licensee at the time the
 15 application is filed. The permit shall state the period for which it is issued
 16 and the number of additional games allowed. For purposes of computa-
 17 tion, any fractional game shall be counted as one full game. The licensee
 18 shall present any such permit on the demand of any inspecting agent of
 19 the board or commission.
 20 5. Before issuing any permit, the commission shall charge and collect
 21 from the licensee a fee of \$14 per game per day for each day the permit
 22 is effective. Such fees shall be in lieu of the fees required under NRS
 23 [463.383.] 463.380, 463.383 and 463.390.
 24 6. A permit may not be issued to any licensee for more than 40

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1 cumulative days during any calendar year, nor for a period longer than
2 10 days during any calendar quarter year. Such 10-day period during a
3 calendar quarter year may be consecutive or divided into two lesser
4 periods. For purposes of computation, 1 day is equal to a 24-hour period.

5 7. The additional games allowed under a permit shall not be counted
6 in computing the casino entertainment tax under NRS 463.401.

7 8. If any such additional games are not removed at the time the
8 permit expires, the licensee shall immediately be subject to the fees pro-
9 vided for in [NRS 463.383 and all other applicable provisions of] this
10 chapter.

11 SEC. 2. This act shall become effective upon passage and approval.

S. B. 225

SENATE BILL NO. 225—SENATORS ECHOLS,
NEAL AND WALKER

FEBRUARY 20, 1975

Referred to Committee on Government Affairs

SUMMARY—Changes composition of certain county fair and recreation boards. Fiscal Note: No. (BDR 20-973)

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

AN ACT to amend NRS 244.647, relating to the county fair and recreation board in any county having a population of 200,000 or more, by changing the composition of the board; 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 244.647 is hereby amended to read as follows:
- 2 244.647 1. In any county having a population of 200,000 or more,
- 3 as determined by the last preceding national census of the Bureau of the
- 4 Census of the United States Department of Commerce, the county fair
- 5 and recreation board shall consist of [nine] *seven* members selected as
- 6 follows:
- 7 (a) [Two] *Three* members by the board of county commissioners
- 8 from their own number.
- 9 (b) Two members by the governing body of the largest incorporated
- 10 city in the county from their own number.
- 11 (c) *One member by the governing body of the second largest incor-*
- 12 *porated city in the county from their own number.*
- 13 (d) One member by the governing body of one of the other incor-
- 14 porated cities in the county from their own number.
- 15 [(d) Four members to be appointed by the members selected pur-
- 16 suant to paragraphs (a), (b) and (c). Such members shall be selected
- 17 from a list of three nominees for each position submitted by the chamber
- 18 of commerce of the largest incorporated city in the county. Such lists
- 19 shall be composed of nominees respectively who are actively engaged in:
- 20 (1) The resort hotel industry.
- 21 (2) The motel industry.
- 22 (3) The finance industry.
- 23 (4) General business or commerce.
- 24 2. In order to determine which of the incorporated cities in the county
- 25 is entitled to the representative provided in paragraph (c) of subsection

1 1, the board of county commissioners shall at its first meeting after May
2 1, 1967, draw lots to determine which city shall be first represented,
3 which next, and so on. The city first drawn is entitled to representation
4 until July 1, 1968, and each city is entitled thereafter to representa-
5 tion for 1 year, in its proper turn as determined by the original drawing.]

6 2. *Each city entitled to the representative provided in paragraph (d)*
7 *of subsection 1 is entitled to representation for 1 year in its proper turn*
8 *in accordance with the order of representation determined by the original*
9 *drawing of lots by the board of county commissioners.*

10 3. Any vacancy occurring on a county fair and recreation board shall
11 be filled by the [authority entitled to appoint] governing body entitled
12 to select the member whose position is vacant.

13 4. [Upon the expiration of the terms of those members appointed
14 pursuant to paragraph (d) of subsection 1, on January 1, 1974, four new
15 members shall be appointed as provided in that paragraph as follows:

16 (a) Two members shall be appointed for 2-year terms.

17 (b) Two members shall be appointed for 1-year terms.

18 Thereafter all members shall be appointed for 2-year terms. If any
19 such member ceases to be engaged in the business sector which he was
20 appointed to represent, he ceases to be a member, and another person
21 engaged in that business shall be appointed to fill the unexpired term.
22 Any such member may succeed himself.

23 5.] The terms of members appointed pursuant to [paragraphs (a)
24 and (b)] subsection 1 shall be coterminous with their terms of office [.]
25 as members of their respective governing bodies. Any such member may
26 succeed himself.

S. B. 235

SENATE BILL NO. 235—SENATOR FOOTE

FEBRUARY 20, 1975

Referred to Committee on Government Affairs

SUMMARY—Allows additional representatives of state treasurer to sign checks and warrants drawn upon travel revolving fund. Fiscal Note: No. (BDR 23-493)

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

AN ACT relating to the travel revolving fund; allowing the state treasurer to designate additional representatives to sign checks and warrants drawn upon the fund; 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 281.171 is hereby amended to read as follows:
 2 281.171 1. There is hereby created the travel revolving fund which
 3 shall be used by the state treasurer [or his deputy] for the purpose of
 4 providing advance funds to state officers and employees for travel
 5 expenses and subsistence allowances.
 6 2. The state treasurer shall deposit the moneys in the travel revolving
 7 fund in a bank qualified to receive deposits of public funds under the
 8 provisions of chapter 356 of NRS, and the deposit shall be secured by a
 9 depository bond satisfactory to the state board of examiners.
 10 3. [Notwithstanding any other law, the] *The* state treasurer or [his
 11 deputy shall] *any of his officers or employees whom he has designated*
 12 *for the purpose may sign all checks and warrants drawn upon the travel*
 13 *revolving fund.*
 14 SEC. 2. NRS 281.172 is hereby amended to read as follows:
 15 281.172 1. Any state officer or employee may apply for advance
 16 funds for authorized travel expenses and subsistence allowances arising
 17 out of his official duties or employment, in the amounts as provided for
 18 in NRS 281.160, by filing a request with the administrative head of the
 19 state office, department or agency by which he is employed.
 20 2. If [such] *the administrative head or his designee* approves the
 21 request he shall forward a copy of [such] *the request and approval to*
 22 *the state treasurer.*
 23 3. Upon receiving a copy of [such] *the request and approval from*
 24 [such] *the administrative head [.] or his designee, the state treasurer*

— 2 —

1 or [his deputy] *one of his officers or employees whom he has desig-*
2 *nated for the purpose* may issue a check or warrant drawn upon the
3 travel revolving fund for the amount of the advance requested.
4 SEC. 3. This act shall become effective upon passage and approval.

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S. B. 28

SENATE BILL NO. 28—SENATORS HILBRECHT,
NEAL, GOJACK, FOOTE AND BRYAN

JANUARY 27, 1975

Referred to Committee on Government Affairs

SUMMARY—Changes composition of state dairy commission.
Fiscal Note: No. (BDR 51-438)



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

AN ACT relating to the state dairy commission of the State of Nevada; reconstituting the membership 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. NRS 584.430 is hereby amended to read as follows:
2 584.430 [Two members of the commission shall be producers, one
3 member shall be a distributor, and one member shall be a producer-
4 distributor, two members shall be operators of retail stores and three
5 members shall be persons representing the consuming public who have
6 no connection with producers, distributors, producer-distributors, or the
7 retail stores.] *The composition of the commission shall be as follows:*
8 1. *Two members shall be producers;*
9 2. *One member shall be a distributor or a producer-distributor;*
10 3. *One member shall be an operator of a retail store; and*
11 4. *Five members shall be persons representing the consuming public*
12 *who have no connection with producers, distributors, producer-distribu-*
13 *tors or the retail stores, as follows:*
14 (a) *One representative from a business employing no more than 10 per-*
15 *sons;*
16 (b) *One representative from a nonprofit consumer organization;*
17 (c) *One representative from a senior citizens' organization;*
18 (d) *One representative from a financial institution; and*
19 (e) *One representative from the public at large.*
20 SEC. 2. The governor shall, no later than August 1, 1975, remove one
21 member of the state dairy commission of the State of Nevada who is a
22 producer, one member who is an operator of a retail store and three mem-
23 bers who are representatives of the consuming public and appoint five
24 representatives of the consuming public, as specified in section 1 of this
25 act, to replace them.

S. B. 178
**SENATE BILL NO. 178—SENATORS
BRYAN AND HILBRECHT**
FEBRUARY 11, 1975

Referred to Committee on Government Affairs
**SUMMARY—Changes composition of state dairy commission.
Fiscal Note: No. (BDR 51-400)**

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

AN ACT relating to the state dairy commission of the State of Nevada; reconstituting the membership 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. NRS 584.430 is hereby amended to read as follows:
 2 584.430 ~~Two members~~ *One member* of the commission shall be
 3 ~~producers,~~ *a producer*, one member shall be a distributor, ~~and~~ one
 4 member shall be a producer-distributor, ~~two members~~ *one member*
 5 shall be ~~operators of retail stores and three~~ *an operator of a retail*
 6 *store and five* members shall be persons representing the consuming
 7 public who have no connection with producers, distributors, producer-
 8 distributors, or the retail stores.
 9 SEC. 2. The governor shall, no later than August 1, 1975, remove
 10 one member of the state dairy commission of the State of Nevada who
 11 is a producer and one member who is an operator of a retail store and
 12 appoint two representatives of the consuming public to replace them.

A. B. 173

ASSEMBLY BILL NO. 173—COMMITTEE ON
GOVERNMENT AFFAIRS

JANUARY 30, 1975

Referred to Committee on Government Affairs

SUMMARY—Makes changes in fee schedule of state land register.
Fiscal Note: No. (BDR 26-553)

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

AN ACT relating to the state land register; revising the fee schedule for documents and copies of documents obtainable from his office.

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

1	SECTION 1. NRS 321.065 is hereby amended to read as follows:	
2	321.065 1. The state land register shall charge the following fees:	
3	For making a certified copy of a contract to purchase state	
4	lands and for the renewal of a contract, each....	[\$1.00] \$5.50
5	For township diagrams showing forfeited lands for sale	
6	and price of same, when the number exceeds five in	
7	an order, each.....	.20
8	For a township diagram showing state entries only, each.....	.50
9	For a township plat showing entries, names of entrymen	
10	and agents, kinds of entries, also forfeited lands for	
11	sale, each.....	2.00
12	Plus 10 cents per name for each entryman.	
13	For a complete tracing of a township plat showing entries,	
14	forfeited lands for sale, names of entrymen and	
15	agents, with number and date of entry, kinds of	
16	entries, topography, per township plat.....	5.00
17	Plus 10 cents per name for each entryman.	
18	For making a certified copy of any record or instrument	
19	not included in the above, for the original, per folio....	.20
20	For each carbon copy, per folio.....	.05
21	For a township diagram showing state entries only, each.....	2.00
22	For a copy of a township plat showing entries, each sheet....	2.00
23	For a list of entrymen and agents, showing the kind of	
24	entries, each entryman.....	.50

1	<i>For copies of all other public records within custody of</i>	
2	<i>state land office, including contracts, applications and</i>	
3	<i>treasurer's receipts:</i>	
4	<i>First sheet of each file.....</i>	<i>\$1.00</i>
5	<i>Each additional sheet.....</i>	<i>.50</i>
6	<i>For copies of topography maps or portions thereof:</i>	
7	<i>First sheet per map.....</i>	<i>1.00</i>
8	<i>Each additional sheet.....</i>	<i>.50</i>
9	<i>For copies of microfilm records:</i>	
10	<i>Each roll (16 or 32mm).....</i>	<i>10.00</i>
11	<i>Each single frame "blowback".....</i>	<i>.50</i>
12	<i>For duplication of microfilm jackets, each.....</i>	<i>.25</i>
13	2. All fees charged and collected under this section shall be accounted	
14	for by the state land register and paid into the state treasury for the state	
15	permanent school fund.	

A. B. 174

**ASSEMBLY BILL NO. 174—COMMITTEE ON
GOVERNMENT AFFAIRS**

JANUARY 30, 1975

Referred to Committee on Government Affairs

SUMMARY—Changes certain duties of state land register.
Fiscal Note: No. (BDR 26-224)



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

AN ACT relating to the control and sale of state lands; eliminating the requirement that the state land register furnish township plats of public surveys to the county assessor; and changing the annual date by which a statement of lands applied for and land forfeitures must be furnished to each county assessor.

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

- 1 SECTION 1. NRS 321.050 is hereby amended to read as follows:
2 321.050 1. [The state land register shall furnish copies of township
3 plats of public surveys hereafter approved within each county to the
4 county assessor of such county, to be used by the county assessor in per-
5 forming the duties of his office.
6 2. Township plats heretofore or hereafter furnished to county asses-
7 sors by the state land register shall be subject to inspection by all inter-
8 ested persons.
9 3.] Annually, on or before [November 1,] *August 1*, the state land
10 register shall furnish each county assessor a statement showing:
11 (a) All lands which have been applied for in the respective counties
12 and which have not theretofore been shown by a statement, together with
13 the name and address of the applicant or assignee so far as the same may
14 be known.
15 (b) All forfeitures which have occurred since the last annual statement.
16 [4.] 2. Upon receipt of the information provided for in subsection
17 [3,] 1, each county assessor shall immediately mark the same upon the
18 township plats in his office.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 175

ASSEMBLY BILL NO. 175—COMMITTEE ON
GOVERNMENT AFFAIRS

JANUARY 30, 1975

Referred to Committee on Government Affairs

SUMMARY—Makes executive head of division of state lands an administrator and corrects designation of state land registrar. Fiscal Note: No. (BDR 26-554)

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

AN ACT relating to public lands; changing the executive head of the division of state lands to an administrator; making him the ex officio state land registrar; correcting the designation of state land registrar from state land register; changing certain of his duties; revising fee schedules; 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 232.110 is hereby amended to read as follows:
 2 232.110 [The division of state lands shall be administered by the
 3 director, who shall be ex officio state land registrar.]
 4 1. *The executive head of the division of state lands shall be the*
 5 *administrator, who shall be the ex officio state land registrar.*
 6 2. *The administrator shall be appointed by and be responsible to the*
 7 *director.*
 8 3. *The administrator, with the consent of the director, may appoint*
 9 *deputies, assistants and employees and assign duties as required to carry*
 10 *out the functions of the division of state lands.*
 11 SEC. 2. NRS 232.115 is hereby amended to read as follows:
 12 232.115 1. Before a legal description of land is submitted to the
 13 legislature or the legislative counsel bureau by any state agency or depart-
 14 ment in connection with a proposed legislative measure for the acquisition
 15 or disposition of state lands, the [director, as administrative] *administra-*
 16 *tor as executive head of the division of state lands and ex officio state land*
 17 *[register,] registrar* shall attach a certificate verifying the completeness
 18 and accuracy of the description.
 19 2. The certificate shall include the statement, "The attached or fore-
 20 going description has been verified as being a complete and accurate
 21 legal description of the land involved in the proposed transaction." The

- 1 certificate shall be signed by the person who actually examined and veri-
 2 fied the description as well as by the [director.] *administrator*.
- 3 SEC. 3. NRS 232.158 is hereby amended to read as follows:
 4 232.158 1. The assistant director appointed pursuant to the provi-
 5 sions of NRS 232.157 shall, under the direction of the director, make a
 6 study of and prepare a report on state land problems. The required study
 7 shall include, but is not limited to:
 8 (a) An evaluation of state lands, which will determine insofar as possi-
 9 ble the existing and future needs for such lands by state agencies and
 10 institutions.
 11 (b) The preparation of a plan for the disposition, transfer or retention
 12 of such lands.
 13 (c) The results of investigations concerning the possibilities of exchang-
 14 ing state lands with the Federal Government or the acquisition of addi-
 15 tional lands under existing federal statutes.
- 16 2. The director shall transmit the report to the 1967 session of the
 17 legislature. The report shall:
 18 (a) Suggest legislative action to be taken concerning state lands in
 19 accordance with the plan.
 20 (b) Recommend to the legislature any changes in state land laws which
 21 may be necessary to insure the most equitable solution to the state's land
 22 problems.
 23 (c) Evaluate existing problems concerning lands held in the names of
 24 state agencies and institutions and make recommendations for correction.
 25 (d) Relate what revisions in procedure have been made or which will
 26 be made in the office of the state land [register] *registrar* to effect the
 27 greatest efficiency in implementing the plan.
- 28 3. Except as otherwise provided in this subsection, and notwith-
 29 standing the provisions of chapters 321, 322 and 323 of NRS, the state
 30 land [register] *registrar* shall not sell, lease or exchange any state lands
 31 until the report required by subsection 2 is transmitted to the legislature
 32 and the legislature, by concurrent resolution thereafter adopted, author-
 33 izes the resumption of sales, leases or exchanges. The limitations of this
 34 subsection shall not apply to prohibit the effectiveness of any special acts
 35 of the 1965 legislature authorizing the state land [register] *registrar* to
 36 convey specifically described lands owned by the state to school districts
 37 or corporations sole.
- 38 SEC. 4. NRS 321.010 is hereby amended to read as follows:
 39 321.010 1. For the purpose of selecting and disposing of the lands
 40 that have been or may hereafter be granted by the United States to the
 41 State of Nevada, including the 16th and 36th sections, and those selected
 42 in lieu thereof, in accordance with the terms and conditions of the sev-
 43 eral grants of land by the United States to the State of Nevada, a state
 44 land office is hereby created.
 45 2. [The director of the state department of conservation and natural
 46 resources is hereby made ex officio state land register.] *The administra-*
 47 *tor as executive head of the division of state lands is the ex officio state*
 48 *land registrar.*
 49 3. The state land [register] *registrar* may, pursuant to chapter 284
 50 of NRS, appoint one deputy state land [register] *registrar* and such

1 technical, clerical and operational staff as the execution of his duties
2 and the operation of the state land office may require.

3 SEC. 5. NRS 321.020 is hereby amended to read as follows:

4 321.020 [The director of the state department of conservation and
5 natural resources, as state land register,] *The state land registrar* shall
6 be required to give a bond in the sum of \$5,000 for the faithful per-
7 formance of his duties. The bond shall be approved by the governor and
8 filed in the office of the secretary of state.

9 SEC. 6. NRS 321.030 is hereby amended to read as follows:

10 321.030 The state land [register] *registrar* shall keep his office at
11 the seat of government, which office shall be open for the transaction of
12 business during the days and hours specified in NRS 281.110.

13 SEC. 7. NRS 321.040 is hereby amended to read as follows:

14 321.040 1. The state land [register] *registrar* shall keep a record of
15 all applications and contracts and of lands which have been or may
16 hereafter be approved to the state, and of all lands which have been sold
17 by the state. These records, together with all plats, papers and docu-
18 ments relating to the business of the state land office, shall be open to
19 public inspection during office hours without fee therefor.

20 2. The state land [register] *registrar* shall procure from the Bureau
21 of Land Management one copy of each township plat of the public sur-
22 veys now approved or which may hereafter be approved by the proper
23 United States authorities, unless the same shall have been previously
24 obtained. Copies of such township plats shall be made upon material of
25 such quality as the state land [register] *registrar* may prescribe, but the
26 cost shall not exceed \$6 for each such plat.

27 SEC. 8. NRS 321.045 is hereby amended to read as follows:

28 321.045 1. In addition to the records required to be kept pursuant
29 to NRS 321.040, the state land [register] *registrar* shall maintain an
30 index or record of deeds or other evidence of title or interest in and to
31 all lands or interests in lands owned or acquired by the state or any
32 department, agency or institution thereof, whether the same was acquired
33 by purchase, gift, grant or selection, condemnation, escheat, forfeiture
34 of contract of sale, or otherwise, excepting all lands or interests therein
35 acquired by the department of highways.

36 2. With respect to lands or interests therein acquired after April 1,
37 1957, such index shall state the area of each parcel and the cost to the
38 state of each parcel.

39 3. Every department or agency of the state, except the department of
40 highways, shall, upon acquiring any land or interest therein, transmit to
41 the state land [register] *registrar* the information necessary to make such
42 entries in the index.

43 4. For the purposes of this chapter, the state highway engineer is
44 hereby designated as the agent of the state land [register] *registrar* to
45 maintain an index or record of deeds or other references of title or
46 interests in and to all lands or interests in land owned or acquired by
47 the department of highways.

48 SEC. 9. NRS 321.050 is hereby amended to read as follows:

49 321.050 1. [The state land register shall furnish copies of township
50 plats of public surveys hereafter approved within each county to the

1 county assessor of such county, to be used by the county assessor in per-
2 forming the duties of his office.

3 2. Township plats heretofore or hereafter furnished to county asses-
4 sors by the state land register shall be subject to inspection by all inter-
5 ested persons.

6 3.] Annually, on or before [November 1,] *August 1*, the state land
7 [register] registrar shall furnish each county assessor a statement show-
8 ing:

9 (a) All lands which have been applied for in the respective counties
10 and which have not theretofore been shown by a statement, together with
11 the name and address of the applicant or assignee so far as the same
12 may be known.

13 (b) All forfeitures which have occurred since the last annual state-
14 ment.

15 [4.] 2. Upon receipt of the information provided for in subsection
16 [3.] 1, each county assessor shall immediately mark the same upon the
17 township plats in his office.

18 SEC. 10. NRS 321.055 is hereby amended to read as follows:

19 321.055 1. Upon the sale of any land for cash or upon execution
20 of any contract for the purchase of land from the state, the state land
21 [register] registrar shall forthwith transmit to the county assessor of the
22 county in which such land is located a report setting forth a description
23 of the land, the name of purchaser, the amount of the purchase price and
24 a description of any improvements on such land.

25 2. Upon the occurrence of any tax delinquency on state land sale
26 contract lands, the county assessor of the county wherein the land is
27 situated shall immediately notify the state land [register] registrar of
28 such delinquency. The notice shall contain a description of the land,
29 the name of the purchaser and the date and amount of delinquency.

30 SEC. 11. NRS 321.060 is hereby amended to read as follows:

31 321.060 1. The state land [register] registrar is authorized to pro-
32 vide and use a seal for the state land office.

33 2. The impression of the seal of the state land office upon the orig-
34 inal or copy of any paper, plat, map or document emanating from the
35 state land office shall impart verity to the document so impressed.

36 SEC. 12. NRS 321.065 is hereby amended to read as follows:

37 321.065 1. The state land [register] registrar shall charge the fol-
38 lowing fees:

39	For making a certified copy of a contract to purchase state	
40	lands and for the renewal of a contract, each....	[\$1.00] \$5.50
41	[For township diagrams showing forfeited lands for sale	
42	and price of same, when the number exceeds five in	
43	an order, each.....	.20
44	For a township diagram showing state entries only, each.....	.50
45	For a township plat showing entries, names of entrymen	
46	and agents, kinds of entries, also forfeited lands for	
47	sale, each.....	2.00
48	Plus 10 cents per name for each entryman.	

1	For a complete tracing of a township plat showing entries,	
2	forfeited lands for sale, names of entrymen and	
3	agents, with number and date of entry, kinds of	
4	entries, topography, per township plat.....	\$5.00
5	Plus 10 cents per name for each entryman.	
6	For making a certified copy of any record or instrument	
7	not included in the above, for the original, per folio.....	.20
8	For each carbon copy, per folio.....	.05
9	For a township diagram showing state entries only, each.....	2.00
10	For a copy of a township plat showing entries, each sheet.....	2.00
11	For a list of entrymen and agents, showing the kind of	
12	entries, each entryman.....	.50
13	For copies of all other public records within custody of	
14	state land office, including contracts, applications and	
15	treasurer's receipts:	
16	First sheet of each file.....	1.00
17	Each additional sheet.....	.50
18	For copies of topography maps or portions thereof:	
19	First sheet per map.....	1.00
20	Each additional sheet.....	.50
21	For copies of microfilm records:	
22	Each roll (16 or 32mm).....	10.00
23	Each single frame "blowback".....	.50
24	For duplication of microfilm jackets, each.....	.25
25	2. All fees charged and collected under this section shall be	
26	accounted for by the state land [register] registrar and paid into the	
27	state treasury for the state permanent school fund.	
28	SEC. 13. NRS 321.070 is hereby amended to read as follows:	
29	321.070 Funds to carry out the provisions of this chapter shall be	
30	provided by legislative appropriation from the general fund, and shall be	
31	paid out on claims as other claims against the state are paid. All claims	
32	shall be approved by the state land [register] registrar before they are	
33	paid.	
34	SEC. 14. NRS 321.090 is hereby amended to read as follows:	
35	321.090 1. The state land [register] registrar shall select as por-	
36	tions of the several grants of land to this state all lands for which money	
37	has been deposited under the provisions of this chapter.	
38	2. The state land [register] registrar may also select any lands for	
39	the State of Nevada when such lands are requested by the state or any	
40	state department, agency or institution, or when it is determined by the	
41	state land [register] registrar that the selection of such lands will be	
42	beneficial to the state.	
43	SEC. 15. NRS 321.100 is hereby amended to read as follows:	
44	321.100 1. The state land [register] registrar is authorized to with-	
45	draw from the Bureau of Land Management offices all selections of	
46	lands that have been or may be erroneously made, at any time before	
47	such lands have been listed and approved to the state by the Depart-	
48	ment of the Interior.	
49	2. The governor is authorized to reconvey, by deeds of relinquish-	
50	ment, all lands that have been or may hereafter be erroneously listed as	

1 approved to the state, in such form as the Secretary of the Interior may
2 prescribe. Such deeds of relinquishment shall be duly attested by the
3 secretary of state under the seal of his office, and shall be countersigned
4 by the state land [register.] registrar.

5 3. In no case shall any selections of land be withdrawn or a deed of
6 relinquishment executed so long as there shall be any existing contract or
7 patent for the same, or any pending litigation respecting the right of title
8 of the state to such lands; and in no case shall such lands be conveyed
9 or relinquished when the same were subject to selection, or where the
10 state's title to such land is valid.

11 4. When such deeds shall have been executed they shall be forwarded
12 to the Director of the Bureau of Land Management at Washington, D.C.

13 5. Immediately after forwarding the deeds to the Bureau of Land
14 Management, the state land [register.] registrar shall deduct the number
15 of acres thus reconveyed from the amount of lands charged to the state
16 under the grants from the United States.

17 SEC. 16. NRS 321.170 is hereby amended to read as follows:

18 321.170 Every application to purchase lands shall:

- 19 1. Be made in writing to the state land [register.] registrar.
- 20 2. Be signed by the applicant or his agent.
- 21 3. State the residence and post office addresses of the applicant.
- 22 4. State the section of this chapter under which the applicant makes
23 application for purchase.

24 5. Designate, in conformity with the United States survey, the tracts
25 of land applied for to purchase and the number of acres.

26 6. Designate the county in which such land is located.

27 7. Be accompanied by the amount necessary to purchase such land.

28 SEC. 17. NRS 321.180 is hereby amended to read as follows:

29 321.180 1. Upon application of any citizen of the United States or
30 any person who has legally declared his intention to become a citizen of
31 the United States, over the age of 21 years, including females, to purchase
32 lands not previously selected by the state, the applicant shall deposit with
33 the state land [register.] registrar the amount necessary to purchase the
34 lands, together with an affidavit in due form, by the applicant or some
35 other competent person, made before an officer having an official seal
36 and legally authorized to administer oaths, that the lands described in the
37 application are nonmineral in character. The affidavit shall not refer to
38 any lands not included in the application.

39 2. The state land [register.] registrar shall endorse upon each appli-
40 cation the exact time of its receipt in his office, and shall certify to the
41 state controller that the applicant is entitled to apply for the lands,
42 describing the same as they are described in the application. The certifi-
43 cate shall state the grant of lands under which the application is made
44 and the amount necessary to purchase the same. The state controller shall
45 thereupon issue his order directing the state treasurer to receive such
46 amount, placing the same in the proper fund. The state land [register.]
47 registrar shall at the same time certify to the state treasurer the payment,
48 which certificate shall be accompanied by the application and the amount
49 necessary to purchase; and, upon receipt of the order from the state con-
50 troller, the state treasurer shall issue his receipt in duplicate, describing

1 the lands applied for, and he shall, at the same time, enter in his abstract
2 of applications the name of the person so applying, a description of the
3 land, the number and date of receipt, and the amount paid thereon.

4 3. Upon return of the application with the state treasurer's receipt to
5 the state land office, the state land [register] registrar shall file the same,
6 and take prompt measures at the proper office of the Bureau of Land
7 Management to select for the state the lands described in the application.
8 If, during a period of 60 days after the filing of any application, the state
9 land [register] registrar shall remain unable to select any of the lands
10 therein described, on account of conflicting entries or reservations in the
11 office of the Bureau of Land Management, he shall cancel the application,
12 so far as it concerns the unselectable lands therein described, and at
13 once certify to the state controller and state treasurer that the applicant
14 is entitled to the amount paid by him on such unselectable lands. The
15 state controller shall draw his warrant upon the proper fund for the
16 amount due the applicant, and the same shall be paid by the state treas-
17 urer. The state land [register] registrar shall, at the same time, notify the
18 applicant of the cancellation and that the amount deposited thereon is
19 subject to withdrawal as provided by law, and no subsequent application
20 for lands embraced in such canceled application shall be certified by the
21 state land [register] registrar until due official notice shall have been
22 received from the intending applicant that the lands in question are sub-
23 ject to selection.

24 4. Whenever purchase can be completed, in whole or in part, upon
25 lands applied for, as provided in this section, the state land [register]
26 registrar shall certify the same to the state controller and the state treas-
27 urer, and shall at once proceed to complete the sale. Should the state con-
28 troller, upon receipt of the certificate, find that any payment has been
29 wrongfully apportioned, he shall issue his order directing the state
30 treasurer to transfer such amount to its proper fund. If, by reason of the
31 nonapproval of the lands to the state, or other cause, the contemplated
32 sale cannot be completed, in whole or in part, then, upon the demand of
33 the applicant or his legal agent or assignee, the state land [register] regis-
34 trar shall certify to the state controller and the state treasurer that the
35 applicant is entitled to the amount paid by him, and the state controller
36 shall draw his warrant upon the proper fund for the amount due the
37 applicant, and the same shall be paid by the state treasurer.

38 SEC. 18. NRS 321.190 is hereby amended to read as follows:

39 321.190 Upon the application of any person, as defined in NRS
40 321.180, for the purchase of land after the state has obtained title thereto,
41 should such person be entitled to purchase, the state land [register,]
42 registrar, state controller and state treasurer shall proceed as provided in
43 NRS 321.180.

44 SEC. 19. NRS 321.200 is hereby amended to read as follows:

45 321.200 1. All applicants for the purchase of land not approved to
46 the state at the time of making application shall deposit with the state
47 land [register,] registrar, in addition to the amount of fees required for
48 selecting the same in the office of the Bureau of Land Management, the
49 amount of fees required for advertising such selection, if the land so

1 selected, or any part thereof, be situated within a township containing any
2 mineral entry, claim or location.

3 2. When a daily newspaper is designated as the medium of publica-
4 tion, the advertising fees or charges shall not exceed \$7 for each 10 lines
5 of space for 61 consecutive days' publication. Where a weekly newspaper
6 is designated as the medium of publication, the advertising fees or charges
7 shall not exceed \$5 for the same space of 10 lines for 10 consecutive
8 publications.

9 3. In every instance, the applicant shall also bear the actual expense
10 of all nonmineral affidavits required by law or by the regulations of the
11 Bureau of Land Management.

12 SEC. 20. NRS 321.210 is hereby amended to read as follows:

13 321.210 1. An occupant or person in possession shall have a pre-
14 ferred right to purchase all the lands he may be entitled to purchase
15 under the provisions of this chapter, for the period of 6 months after the
16 date of filing in the state land office of the official plat or plats covering
17 the survey by the United States Government of the land occupied or pos-
18 sessed by him.

19 2. After the filing in the state land office of a formal application for
20 lands not previously approved to the state, should one or more persons,
21 each claiming a preferred right by reason of occupancy or possession,
22 severally apply to purchase the same lands, the state land [register]
23 registrar shall require each of the claimants to make and deposit with his
24 application an affidavit affirming occupancy or possession thereof dating
25 prior to the filing of the first existing application for the lands so claimed.

26 3. An occupant or person in possession as named in this section shall
27 include any person, as defined in NRS 321.180, who, after March 12,
28 1885, and before July 1, 1957, commenced and prosecuted with due
29 diligence the sinking of an artesian well upon any unoccupied public
30 lands, subject to selection by the State of Nevada, according to the provi-
31 sions of chapter 127, Statutes of Nevada 1887, as amended by chapter
32 87, Statutes of Nevada 1889, providing bounties for the sinking of
33 artesian wells. Every such person shall be entitled to all the rights and
34 privileges of an occupant or person in possession, as to a preferred right
35 to purchase, when he shall have complied with the provisions of chapter
36 127, Statutes of Nevada 1887, as amended by chapter 87, Statutes of
37 Nevada 1889, concerning such well and the requirements of this section
38 as to diligence in the prosecution of the work. Upon proof being made
39 before the proper court, as provided in NRS 321.230, that such person
40 has complied therewith, his preferred right shall date from the commence-
41 ment of the sinking of the well.

42 SEC. 21. NRS 321.220 is hereby amended to read as follows:

43 321.220 1. When two or more persons severally apply to purchase
44 the same lands, the first applicant, although not claiming a preferred right
45 to purchase, shall be entitled to appear and contest the right of an appli-
46 cant to purchase under the claim of a preferred right.

47 2. When two or more persons severally apply to purchase the same
48 lands, neither claiming a preferred right, the first applicant shall be
49 allowed to purchase. The state land [register] registrar shall notify the
50 first existing applicant, or his attorney or other legal representative,

1 immediately upon the filing of a subsequent application for any portion
2 of the lands embraced in his application. The notice shall be given by
3 registered or certified letter through the United States mails.

4 3. When two or more persons simultaneously apply to purchase the
5 same lands, neither claiming a preferred right, the determination of the
6 right to purchase shall be made by the state land [register.] registrar.
7 The state land [register.] registrar shall:

8 (a) Designate a time to receive bids from the several applicants who
9 have simultaneously applied to purchase the lands in question.

10 (b) Proceed to determine and award the right to purchase to the
11 highest bidder.

12 (c) Proceed to complete the application of the highest bidder.

13 The money derived from such bids shall be added to the original
14 deposit on each successful application.

15 SEC. 22. NRS 321.230 is hereby amended to read as follows:

16 321.230 1. All cases of contest arising under the provisions of this
17 chapter from causes other than simultaneous applications shall be certi-
18 fied, together with all the facts in his possession relating thereto, by the
19 state land [register.] registrar to the district court in and for the county
20 in which the lands in dispute are situated. The state land [register.]
21 registrar shall, at the same time, notify the contestants by registered or
22 certified mail of the certification of their cause to the proper court.

23 2. When a cause shall have been certified by the state land [register.]
24 registrar to the district court for trial, the clerk of the court in which the
25 action is pending shall forthwith notify the respective parties, and within
26 40 days after proof of service of notice of such certification, the party
27 making the contest shall file and serve upon the adverse party a com-
28 plaint setting forth the facts upon which he claims to be entitled to
29 purchase the lands.

30 3. The adverse party shall, within 20 days after the service of the
31 complaint, file an answer setting forth the facts relied upon.

32 4. In case of default, the court shall proceed to hear and determine
33 the controversy as upon default in other cases.

34 5. The notice, complaint and answer shall be served in the manner
35 provided in the Nevada Rules of Civil Procedure for service of process
36 in other cases.

37 6. If the party making the contest should neglect to file a complaint
38 as provided in this section, the first applicant shall be entitled to a judg-
39 ment of the court, upon the papers certified by the state land [register.]
40 registrar, decreeing him to be entitled to purchase the lands.

41 7. In case of the rendition of judgment under the provisions of this
42 section, the clerk of the court shall immediately transmit to the state
43 land [register.] registrar a certified copy of the judgment, together with
44 a certified statement of all the accrued costs of the contest in the court.
45 All costs in contested cases shall be paid by the parties litigant, as the
46 court or judge may determine.

47 8. Upon receiving the certificate of the clerk of the court, or order
48 of the board of award as provided in NRS 321.220, the state land

1 [register] registrar shall proceed with the successful applicant as if he
2 alone had applied, and immediately cancel all other applications for the
3 lands in question. The state land [register] registrar shall notify each
4 unsuccessful applicant that his application has been canceled, and that
5 the amount deposited thereon may be withdrawn from the state treasury
6 as provided in NRS 321.180; but:

7 (a) The state land [register] registrar may withhold from the amount
8 so deposited by the unsuccessful applicant a sum sufficient to pay and
9 satisfy the costs of the contest in the district court as provided in this
10 section, and the state land [register] registrar is directed to transmit to
11 the clerk of the court, taking his receipt therefor, the amount so with-
12 held, and he shall direct the clerk to apply the same in satisfaction of
13 the costs adjudged against the unsuccessful applicant; and

14 (b) If the unsuccessful applicant shall fail, for a period of 30 days
15 after rendition of the judgment by the district court, to make application
16 for the withdrawal of the amount so deposited by him under the pro-
17 visions of this chapter, the state land [register] registrar shall make
18 application for withdrawal of the same, and out of the sum so withdrawn
19 shall pay the costs as provided in this section and remit any balance to
20 the unsuccessful applicant.

21 SEC. 23. NRS 321.240 is hereby amended to read as follows:

22 321.240 1. In addition to the powers elsewhere conferred upon him
23 in this chapter concerning the sale of state lands, the state land [register]
24 registrar is further empowered, after ascertaining that the land applied
25 for is subject to entry under the provisions of this chapter, to sell and dis-
26 pose of any agricultural or grazing lands to any person making application
27 as required in NRS 321.180 by entering into a contract of sale.

28 2. Each contract shall require that one-fifth of the purchase price is
29 to be paid upon application, the remainder of the purchase price to be
30 paid in 50 years from the date of the contract, with interest at the rate of
31 6 percent per annum, interest payable annually; but the applicant or his
32 heirs or assigns may, at any time prior to the maturity of such contract,
33 make full payment of the principal and interest due under the terms of
34 the contract and receive a patent in the name of the applicant.

35 3. All such contracts shall be entered into in writing with the person
36 so purchasing, in which the conditions shall be distinctly expressed, that
37 upon the failure to pay the annual interest or principal when due, as stip-
38 ulated, the land shall immediately thereafter be subject to sale in the same
39 manner and under the same conditions as though no such prior contract
40 of sale had been made. The state land [register] registrar is authorized
41 to accept an overdue interest payment on any contract now in force or
42 hereafter issued during the period of 2 years from the date required for
43 such interest payment; but when application is made for any portion of
44 the land described in any contract on which the annual interest payment
45 is overdue, the state land [register] registrar shall immediately declare
46 such contract forfeited, and shall accept and certify such application, and
47 the remainder of the land embraced in such forfeited contracts shall revert
48 unconditionally to the state. No application shall be received for any part
49 of the lands embraced in such contract within 6 months from the date

1 when the interest payment becomes overdue unless an abandonment of
2 the contract be filed by the contractor, assignee or agent.

3 4. All payments of interest and for sales of lands shall be paid to the
4 state land [register,] registrar, who shall certify the same and the terms
5 thereof to the state controller and state treasurer. The state controller,
6 upon receipt of the certificate, shall issue his order to the state treasurer,
7 apportioning the interest to the fund to which it may belong, as pro-
8 vided in NRS 321.180, and upon payment being made by the state land
9 [register] registrar of the amount specified in the order, the state treas-
10 urer shall issue his receipts in duplicate for each payment and deliver
11 the same to the state land [register,] registrar, who shall file the original
12 and deliver the duplicate to the payee by mail or otherwise.

13 5. When full payment shall have been made, a patent shall issue to
14 the purchaser as provided in NRS 321.310.

15 6. No timberland shall be sold unless the whole purchase price shall
16 be paid at the time of application.

17 SEC. 24. NRS 321.250 is hereby amended to read as follows:

18 321.250 1. Every contract in existence on March 12, 1885, may at
19 the option of the holder thereof, remain under the same conditions as
20 stipulated in the contract, or the unpaid principal may be made the sub-
21 ject of a new contract under the provisions of NRS 321.240, to be paid
22 within 50 years from the date of the new contract, with interest at the
23 rate of 6 percent per annum.

24 2. A new contract shall be made only on the day when the annual
25 interest becomes due.

26 3. The applicant shall pay to the state land [register] registrar a fee
27 of \$1 for each new contract issued, which fee shall be paid to the state
28 treasurer for the state permanent school fund.

29 4. The state land [register] registrar is authorized to make such
30 rules and regulations as will carry out the provisions of this section.

31 SEC. 25. NRS 321.260 is hereby amended to read as follows:

32 321.260 1. The state land [register] registrar shall, with reasonable
33 dispatch, cause proper notices to be prepared, requiring the applicant or
34 his agent or attorney to make full payment, or enter into a contract, in
35 the applicant's name, with the state land [register,] registrar, as pro-
36 vided in NRS 321.240, for the purchase of the land applied for by the
37 applicant, and shall enclose with the notice duly prepared contracts, in
38 duplicate, for the applicant to sign. The state land [register] registrar
39 shall address the same to the applicant or to his agent or attorney and
40 send them by registered or certified mail, filing the post office receipts
41 in his office.

42 2. If, at the expiration of 90 days from the date of mailing of such
43 notices and contracts in duplicate, the person so notified, or his legal
44 representative, shall fail to make the required full payment, or to sign
45 and return to the state land [register] registrar such contracts, he shall
46 forfeit his right to complete the purchase of such land, and the title of
47 the state to such land shall rest as fully in the state as though it had
48 never been applied for, and shall be subject to sale to any person, includ-
49 ing the person so forfeiting the land on previous application.

50 3. Any and all sums of money deposited as partial payments on

1 lands so forfeited shall immediately and unconditionally become the
2 property of the state.

3 SEC. 26. NRS 321.270 is hereby amended to read as follows:

4 321.270 1. Whenever a state land contract becomes forfeited in
5 accordance with the provisions of NRS 321.240, all deeds, assignments
6 and other instruments issued thereon for the possessory claim to the land
7 described therein become null and void and the state land [register]
8 registrar shall certify to the county recorder of the county wherein the
9 land is situated that such contract has become forfeited by supplying:

10 (a) The name of the contractor.

11 (b) The date of issuance.

12 (c) The date of forfeiture.

13 (d) The description of the land contained therein.

14 2. On receipt of the certificate, the county recorder shall search the
15 records of his office and if a record is found of any deeds, assignments
16 or other instruments issued on and by virtue of the contract and involv-
17 ing the land described therein, he shall write over his signature on such
18 record the following words: "This instrument became null and void
19 because the state land contract describing the land specified therein
20 became unconditionally forfeited on(date).....,
21 as witnessed by the state land [register's] registrar's certificate filed in
22 this office on(date)....." Such words written
23 on the record shall be prima facie evidence that the instrument is null
24 and void and no longer affects the title to the land described therein, and
25 thereafter the county recorder shall refuse to record any instruments
26 involving the land that have issued on and by virtue of the contract
27 specified and designated in the state land [register's] registrar's certi-
28 cate.

29 SEC. 27. NRS 321.290 is hereby amended to read as follows:

30 321.290 1. Any person or persons having a contract for the purchase
31 of any state land in this state may transfer such person's or persons' inter-
32 est in and to all or part of the state contract by making application to
33 the state land [register] registrar upon such form as the state land
34 [register] registrar may require, acknowledged in the same manner as
35 is required in the transfer of real property. The application shall be
36 accompanied by the contractor's duplicate copy of the original contract
37 or by a certified copy of the original contract. Upon receipt of the appli-
38 cation accompanied by the duplicate copy or by a certified copy of the
39 original contract, the state land [register] registrar shall cancel the
40 original contract made for the purchase of the land specified in such
41 application, and shall issue to the applicant, or to his assignee, one or
42 more contracts for the land or lands as designated in the application.

43 2. No contract or transfer thereof shall be issued for an area less
44 than the smallest legal subdivision, or 40 acres.

45 3. Any contract or contracts issued under the provisions of this sec-
46 tion shall run for the remainder of the term of the original contract, and
47 no new contract or transfer thereof shall be issued unless and until all
48 interest charges on the original contract shall have been paid up to and
49 including the end of the year upon which the next interest payment had
50 become due on the original contract.

1 [register] registrar in accordance with the terms of sale specified in the
2 notice of sale, the state land [register] registrar shall cause a patent to
3 be issued as provided in NRS 321.310 to 321.330, inclusive, or enter into
4 a contract of sale as provided in NRS 321.240 to 321.300, inclusive, as
5 appropriate; but every such contract shall require that the remainder of
6 the purchase price be paid within 25 years from the date of the contract
7 and that such contract shall immediately be declared forfeited if any
8 installment of principal or interest remains unpaid for a period of 6
9 months after the same was due and payable pursuant to the contract.

10 8. Nothing in this section shall apply to or affect any pending con-
11 tract or application for the purchase of land from the State of Nevada,
12 whether title thereto is in the state or the state is in the process of
13 acquiring title thereto under any method of exchange or selection between
14 the state and the United States or any department or agency thereof.

15 9. A revolving fund in the sum of \$1,000, to be known as the state
16 land [register] registrar appraisal and publication revolving fund, is
17 hereby created to be used by the state land [register] registrar in paying,
18 in the manner provided by law, the necessary expenses incurred in carry-
19 ing out the provisions of subsection 2. Any person requesting that state
20 land be sold under provisions of this section shall deposit an amount of
21 money sufficient to pay the costs of the state land [register] registrar in
22 processing the application, including publication costs and appraisal
23 expenses. This deposit shall be refunded whenever the person making the
24 deposit is not the successful bidder and the costs of processing the appli-
25 cation, including publication and appraisal expenses, shall be borne by
26 the successful bidder.

27 SEC. 33. NRS 321.339 is hereby amended to read as follows:

28 321.339 Notwithstanding any other provision of law, the state land
29 [register] registrar may withhold from sale any land to which the state
30 has acquired title by any means whatsoever or decline to select any lands
31 upon application therefor when such lands are required for the use of
32 any state department, agency or institution or are specifically reserved
33 by the state for future use or sale or whenever he deems that the public
34 interest so requires.

35 SEC. 34. NRS 321.350 is hereby amended to read as follows:

36 321.350 1. All state lands that may hereafter be sold or contracted
37 for sale by the state land [register,] registrar, and over and across which
38 there shall have been surveyed a definitely designated or a proposed state
39 highway, shall be sold or contracted for sale with a right-of-way of 400
40 feet in width thereover reserved in fee simple with all access and abutter's
41 rights in the name of the State of Nevada and its department of highways
42 for such state highway.

43 2. After such land or lands shall be sold, if any such highway shall
44 not be constructed and the plan for construction thereof is abandoned, or
45 if such highway, after construction, shall be abandoned by proper author-
46 ity according to law, all the right, title and interest of the State of Nevada
47 and its department of highways in and to such right-of-way shall revert
48 to and become the property of the purchaser of such land or lands, his
49 assigns or successors in interest.

1 SEC. 35. NRS 321.370 is hereby amended to read as follows:

2 321.370 1. The state land [register] registrar is empowered to with-
3 draw from entry and sale state land of not to exceed 40 acres in any one
4 tract which contains gravel deposits or other roadbuilding material neces-
5 sary to be used by the department of highways in the construction and
6 repair of public highways in this state.

7 2. The withdrawal from entry or sale of such tract or tracts of land
8 shall be made only upon the filing with the state land [register] registrar
9 by the state highway engineer of an accurate map of the tract of land
10 desired, together with an accurate description thereof according to legal
11 subdivisions, or by metes and bounds, and a statement in writing signed
12 by the state highway engineer that such tract of land contains gravel
13 deposits or other roadbuilding material, and that the same is necessary for
14 the construction or repair of public highways of the state.

15 3. Upon receipt of such map and statement and ascertaining that the
16 description of the land therein is correct and that such land is then subject
17 to entry and sale, the state land [register] registrar may withdraw the
18 same from entry and sale, making appropriate entries thereof in his rec-
19 ords.

20 4. Such withdrawal or withdrawals shall continue only and be in
21 effect during such time as such tract or tracts of land shall be needed by
22 the department of highways for the purpose of extracting gravel or other
23 roadbuilding material therefrom.

24 SEC. 36. NRS 321.380 is hereby amended to read as follows:

25 321.380 1. The state land [register] registrar is empowered and
26 directed to withdraw from entry and sale the W½ of the W½ of the
27 NW¼ of sec. 10, T. 36 N., R. 38 E., M.D.B. & M., situated in Hum-
28 boldt County, and to make appropriate entries thereof in his records.

29 2. The State of Nevada hereby gives and grants to Humboldt County
30 for its use and benefit all of the W½ of the W½ of the NW¼ of sec. 10,
31 T. 36 N., R. 38 E., M.D.B. & M.

32 SEC. 37. NRS 321.600 is hereby amended to read as follows:

33 321.600 The intent of the legislature in the enactment of NRS 321.-
34 600 to 321.630, inclusive, is to provide an orderly procedure for the
35 processing of applications by the state, its agencies and political subdivi-
36 sions for lease or purchase of public lands pursuant to the provisions of
37 the Public and Recreational Purposes Act of 1926, 44 Stat. 741, as
38 amended, and to aid both the applicant and the Bureau of Land Manage-
39 ment by requiring the state land [register] registrar to examine into the
40 propriety and correctness of such applications prior to their being filed
41 with the Bureau of Land Management.

42 SEC. 38. NRS 321.610 is hereby amended to read as follows:

43 321.610 All applications to the Bureau of Land Management by the
44 state, its agencies and political subdivisions to lease or purchase lands pur-
45 suant to the provisions of the Public and Recreational Purposes Act of
46 1926, as amended, shall be filed with the state land [register] registrar,
47 who shall:

48 1. Examine such applications and determine whether they are in
49 proper form, contain the required information and are accompanied by
50 the required fees; and

1 2. Determine from the records of the Bureau of Land Management
2 whether the lands to be leased or purchased are subject to disposition
3 under such act.

4 SEC. 39. NRS 321.620 is hereby amended to read as follows:

5 321.620 The state land [register] registrar shall keep an inventory
6 of all such applications filed and a current record of the status of such
7 applications with the Bureau of Land Management, which inventory and
8 record shall include all such applications filed prior to March 8, 1960.

9 SEC. 40. NRS 321.630 is hereby amended to read as follows:

10 321.630 The state land [register] registrar shall adopt regulations
11 to effectuate the purposes of NRS 321.600 to 321.630, inclusive.

12 SEC. 41. Chapter 321 of NRS is hereby amended by adding thereto
13 a new section which shall read as follows:

14 "*Administrator*" means the executive head of the division of state lands
15 of the department of conservation and natural resources.

16 SEC. 42. NRS 321.650 is hereby amended to read as follows:

17 321.650 As used in NRS 321.640 to 321.810, inclusive, and section
18 41 of this act, the words and terms defined in NRS 321.660 to 321.690,
19 inclusive, and section 41 of this act, have the meanings ascribed to them
20 in such sections unless the context otherwise requires.

21 SEC. 43. NRS 321.700 is hereby amended to read as follows:

22 321.700 In addition to any other functions assigned to it by law,
23 the division of state lands of the state department of conservation and
24 natural resources is hereby designated as the state land use planning
25 agency for the purpose of carrying out the provisions of NRS 321.640
26 to 321.810, inclusive, and section 41 of this act, and fulfilling any land
27 use planning requirements arising under federal law.

28 SEC. 44. NRS 321.710 is hereby amended to read as follows:

29 321.710 1. The [director] administrator shall administer the activ-
30 ities of the state land use planning agency. He shall have the primary
31 authority and responsibility in the state for the development and opera-
32 tion of a state land use program.

33 2. In addition to the assistant provided by subsection 3 of NRS
34 321.010 he may appoint, subject to the availability of funds, such pro-
35 fessional technical, administrative, clerical and other persons as he may
36 require for assistance in performing his land use planning duties.

37 SEC. 45. NRS 321.720 is hereby amended to read as follows:

38 321.720 The [director, acting through the state land use planning
39 agency,] administrator shall develop and carry on a statewide land use
40 planning process, which process shall include but shall not be limited to
41 the following:

42 1. The preparation and continuing revision of a statewide inventory
43 of the land and natural resources of the state;

44 2. The compilation and continuing revision of data, on a statewide
45 basis, related to population densities and trends, economic characteristics
46 and projections, environmental conditions and trends, and directions and
47 extent of urban and rural growth;

48 3. The identification of areas which may be areas of critical environ-
49 mental concern;

- 1 4. Projections of the nature and quantity of land needed and suitable
2 for:
 - 3 (a) Recreation and esthetic appreciation;
 - 4 (b) Conservation and preservation of natural resources, agriculture,
5 mineral development, and forestry;
 - 6 (c) Industry and commerce, including the development, generation
7 and transmission of energy;
 - 8 (d) Transportation;
 - 9 (e) Urban development, including the revitalization of existing com-
10 munities, the development of new towns, and the economic diversification
11 of existing communities which possess a narrow economic base;
 - 12 (f) Rural development, taking into consideration future demands for
13 and limitations upon products of the land; and
 - 14 (g) Health, educational, and other state and local governmental serv-
15 ices;
- 16 5. The preparation and continuing revision of an inventory of envir-
17 onmental, geological and physical conditions (including soil types) which
18 influence the desirability of various uses of land;
- 19 6. The preparation and continuing revision of an inventory of state,
20 local government and private needs and priorities concerning the use of
21 federal lands within the state;
- 22 7. The preparation and continuing revision of an inventory of public
23 and private institutional and financial resources available for land use
24 planning and management within the state and of state and local pro-
25 grams and activities which have a land use impact of more than local
26 concern;
- 27 8. The establishment of a method for identifying large-scale develop-
28 ment and development and land use of regional benefit;
- 29 9. The establishment of a method for inventorying and designating
30 areas of critical environmental concern and areas which are, or may be,
31 impacted by key facilities;
- 32 10. The provision, where appropriate, of technical assistance and
33 training programs for state and local agency personnel concerned with
34 the development and implementation of state and local land use pro-
35 grams;
- 36 11. The establishment of arrangements for the exchange of land use
37 planning information and data among state agencies and local govern-
38 ments, with the Federal Government, among the several states and inter-
39 state agencies, and with members of the public;
- 40 12. The establishment of a method for coordinating all state and local
41 agency programs and services which significantly affect land use;
- 42 13. The conducting of public hearings, preparation of reports, and
43 soliciting of comments on reports concerning the statewide land use plan-
44 ning process or aspects thereof;
- 45 14. The provision of opportunities for participation by the public
46 and the appropriate officials or representatives of local governments in
47 the statewide planning process and in the formulation of guidelines, rules
48 and regulations for the administration of the statewide planning process;
49 and

1 15. The consideration of, and consultation with, the relevant states
2 on the interstate aspects of land use issues of more than local concern.

3 SEC. 46. NRS 321.730 is hereby amended to read as follows:

4 321.730 In the development of the statewide land use planning
5 process:

6 1. The [director] administrator shall:

7 (a) Give priority to the development of an adequate data base for a
8 statewide land use planning process using data available from existing
9 sources wherever feasible.

10 (b) Coordinate the activities of the state land use planning agency
11 with:

12 (1) The planning activities of all state agencies undertaking fed-
13 erally financed or assisted planning programs insofar as such programs
14 relate to land use;

15 (2) The regulatory activities of all state agencies enforcing air,
16 water, noise or other pollution standards;

17 (3) All other relevant planning activities of state agencies;

18 (4) Flood plain zoning plans approved by the Secretary of the Army
19 pursuant to the Flood Control Act of 1960 (33 U.S.C. §§ 642 et seq.),
20 as amended;

21 (5) The planning activities of areawide agencies designated pursuant
22 to regulations established under section 204 of the Demonstration Cities
23 and Metropolitan Development Act of 1966 (42 U.S.C. §§ 3301 et seq.),
24 as amended;

25 (6) The planning activities of local governments and regional plan-
26 ning commissions; and

27 (7) The planning activities of federal agencies.

28 2. The [director] administrator shall:

29 (a) Invite participation by and consider information from cities, coun-
30 ties and regional planning commissions or agencies.

31 (b) Conduct public hearings, with adequate public notice, allowing
32 full public participation in the development of the state land use program.

33 (c) Make available to the public, promptly upon request, land use data
34 and information, studies, reports and records of hearings.

35 SEC. 47. NRS 321.750 is hereby amended to read as follows:

36 321.750 The state land use planning advisory council shall:

37 1. Advise the [director] administrator on the development of the
38 statewide land use planning process.

39 2. Comment on all state guidelines, rules and regulations to be pro-
40 mulgated pursuant to NRS 321.640 to 321.810, inclusive [.] , and sec-
41 tion 41 of this act.

42 3. Participate in the development of the statewide land use planning
43 process and state land use program.

44 SEC. 48. NRS 321.770 is hereby amended to read as follows:

45 321.770 1. The [director, acting through the state land use plan-
46 ning agency,] administrator shall:

47 (a) With the concurrence of the governor, designate areas of critical
48 environmental concern within the State of Nevada.

49 (b) Promulgate minimum standards and criteria for the conservation
50 and use of land and other natural resources therein.

1 (c) Adopt a land use plan for the integrated arrangement and general
2 location and extent of, and the criteria and standards for, the uses of
3 land, water, air space and other natural resources within the area, includ-
4 ing but not limited to, an allocation of maximum population densities.

5 2. The [director] administrator shall promulgate procedures for
6 carrying out the provisions of paragraphs (b) and (c) of subsection 1
7 which shall include:

8 (a) A request for information and recommendations from private
9 interests affected and from cities and counties affected and their regional
10 planning commissions if any.

11 (b) Advice and recommendations from the state land use planning
12 advisory council.

13 (c) A public hearing upon notice given by at least one publication at
14 least 20 days prior to the hearing in a newspaper or combination of news-
15 papers of general circulation throughout the area affected and each city
16 and county any portion of whose territory lies within such area. The
17 notice shall state with particularity the subject of the hearing.

18 3. An area of critical environmental concern shall not be designated
19 without:

20 (a) The promulgation of the standards required by paragraph (b) of
21 subsection 1;

22 (b) The adoption of the plan required by paragraph (c) of subsection
23 1; and

24 (c) A finding by the [director] administrator that the potential degra-
25 dation of or within the area is so imminent as to require immediate
26 action.

27 SEC. 49. NRS 321.790 is hereby amended to read as follows:

28 321.790 In administering the provisions of NRS 321.640 to 321.810,
29 inclusive, and section 41 of this act, the [director] administrator and
30 state land use planning agency may proceed only within limits determined
31 by available federal, state or other funds.

32 SEC. 50. NRS 321.800 is hereby amended to read as follows:

33 321.800 1. The [director, acting through the state land use planning
34 agency,] administrator shall cooperate with federal authorities in the field
35 of land use planning and insure that the state land use planning process
36 and land use program meet any federal criteria and comply with any fed-
37 eral conditions imposed for eligibility to federal grants.

38 2. The [director] administrator may apply for and accept, on behalf
39 of the state, any federal funds granted for the purpose of land use plan-
40 ning and may expend such funds [.] as authorized by law.

41 SEC. 51. NRS 321.810 is hereby amended to read as follows:

42 321.810 1. All provisions of NRS 321.640 to 321.810, inclusive,
43 and section 41 of this act shall be enforced by the [director] administrator
44 and by the respective political subdivisions of the state.

45 2. If it is found that the provisions of NRS 321.640 to 321.810, inclu-
46 sive, and section 41 of this act, or the rules and regulations promulgated
47 thereunder are not being complied with, the [director] administrator may
48 bring action in a court of competent jurisdiction to insure compliance or
49 to obtain injunctive relief from noncompliance.

1 SEC. 52. NRS 322.010 is hereby amended to read as follows:

2 322.010 The [director] *administrator of the division of state lands*
3 of the state department of conservation and natural resources, *as ex*
4 *officio state land registrar*, is authorized to lease any land now or here-
5 after owned by the State of Nevada, or which may hereafter be granted
6 it by the United States of America, except contract lands, upon terms as
7 provided in NRS 322.020 to 322.040, inclusive.

8 SEC. 53. NRS 322.050 is hereby amended to read as follows:

9 322.050 The [director] *administrator of the division of state lands*
10 of the state department of conservation and natural resources, *as ex*
11 *officio state land registrar*, with the concurrence of the governor, is
12 authorized, in addition to the authority to lease provided in NRS 322.-
13 010 to 322.030, inclusive, to lease or grant easements over or upon any
14 land now or hereafter owned by the State of Nevada, or which may
15 hereafter be granted it by the United States of America, upon terms as
16 provided in NRS 322.060. Leases or grants of easements over or upon
17 contract lands may be made only with the consent of the contractee, who
18 shall be paid all moneys received from any such lease or grant. Easements
19 over or upon any lands which are used by any office, department, board,
20 commission, bureau, institution or other agency of the State of Nevada
21 may be granted only with the concurrence of such agency.

22 SEC. 54. NRS 322.060 is hereby amended to read as follows:

23 322.060 Leases or easements authorized pursuant to the provisions of
24 NRS 322.050, and not made for the purpose of extracting oil, coal or gas
25 from the lands leased, shall be:

26 1. For such areas as may be required to accomplish the purpose for
27 which such land is leased or such easement granted.

28 2. For such term and consideration as the [director] *adm.inistrator*
29 *of the division of state lands* of the department of conservation and
30 natural resources, *as ex officio state land registrar*, may determine rea-
31 sonable.

32 3. Executed upon a form to be prepared by the attorney general,
33 which form shall contain all of the covenants and agreements usual or
34 necessary to such leases or easements.

35 SEC. 55. NRS 323.020 is hereby amended to read as follows:

36 323.020 1. The state land [register] *registrar* is authorized to nego-
37 tiate with the Secretary of the Interior of the United States concerning the
38 exchange of state lands for lands belonging to the United States within
39 or without the boundaries of stock grazing districts created within this
40 state by the Taylor Grazing Act.

41 2. The state land [register] *registrar* may:

42 (a) Exchange and cause to be exchanged, pursuant to such negotia-
43 tions, lands belonging to the state and then and there subject to sale by
44 the state for lands belonging to the United States and subject to exchange
45 for state lands pursuant to section 8 of the Taylor Grazing Act; and

46 (b) Deliver to the United States proper conveyances of title to the
47 state lands so exchanged; and

48 (c) Require of the proper officer or department of the United States
49 Government similar conveyances of title to the state of the lands received
50 from the United States in such exchange.

1 SEC. 56. NRS 323.030 is hereby amended to read as follows:

2 323.030 1. The state lands exchanged for lands of the United States
3 under the provisions of this chapter shall be exchanged either upon an
4 equal value basis or upon an equal acreage basis, but upon no other basis.

5 2. The mineral rights in the state lands exchanged on an equal acreage
6 basis shall be reserved to the state. If such lands are exchanged upon an
7 equal value basis, the mineral rights of the state, if such lands contain
8 minerals, shall be considered in arriving at the valuation for exchange pur-
9 poses.

10 3. The state land [register] *registrar* shall make such reservations of
11 easements, rights of use, and rights of ingress and egress with respect to
12 any state land offered for exchange as will protect the citizens and inhabit-
13 ants of this state and other states in their rights on and concerning public
14 lands as is provided by law and also as contained in section 8 of the Tay-
15 lor Grazing Act.

16 SEC. 57. NRS 323.040 is hereby amended to read as follows:

17 323.040 The state land [register] *registrar* is empowered to exchange
18 and cause to be exchanged state lands for lands of the United States pur-
19 suant to section 8 of the Taylor Grazing Act and the rules and regulations
20 of the Secretary of the Interior relating thereto, but the state land [regis-
21 ter] *registrar* shall enter into no agreement concerning the exchange of
22 lands that will surrender or cause to be surrendered any jurisdiction of
23 this state over the lands and people and property thereon situate that the
24 state possesses over the public domain belonging to the United States
25 within this state.

26 SEC. 58. NRS 324.030 is hereby amended to read as follows:

27 324.030 1. The selection, management and disposal of such land
28 shall be vested in the state commission of industry, agriculture and irriga-
29 tion, which is hereby created, consisting of the state engineer, the [direc-
30 tor] *administrator of the division of state lands* of the state department of
31 conservation and natural resources and the dean of the college of agricul-
32 ture of the University of Nevada System.

33 2. The commission may sue and be sued in any action at law brought
34 under the provisions of this chapter in the name of "The State Commis-
35 sion of Industry, Agriculture and Irrigation."

36 SEC. 59. NRS 324.040 is hereby amended to read as follows:

37 324.040 1. The [director] *administrator of the division of state*
38 *lands* of the state department of conservation and natural resources is
39 hereby designated as state [register] *registrar* of lands under the Carey
40 Act.

41 2. The state [register] *registrar* of lands under the Carey Act, subject
42 to the general supervision and control of the commission, shall:

43 (a) Be the custodian of all papers, documents, maps and plats relating
44 to Carey Act lands.

45 (b) Receive and receipt for all fees and payments required to be paid
46 under the provisions of this chapter or under any rule or regulation of the
47 commission.

48 (c) Deposit all fees and payments received by him with the state treas-
49 urer to the credit of the Carey Act trust fund.

- 1 (d) Conduct all correspondence relating to Carey Act lands.
2 (e) Perform such other duties as the commission may prescribe.
- 3 3. The state [register] *registrar* of lands under the Carey Act is
4 hereby named as the authorized agent of the state to enter into and to
5 execute, for and in behalf of the state, the agreement prescribed by the
6 Secretary of the Interior binding the state in respect to the disposal of
7 lands under the Carey Act.
- 8 4. For services performed under the provisions of this chapter the
9 [director] *administrator of the division of state lands* of the state department
10 of conservation and natural resources shall receive no compensation.
- 11 SEC. 60. NRS 324.050 is hereby amended to read as follows:
12 324.050 1. Before September 1 of each even-numbered year, for the
13 biennium ending June 30 of such year, the state [register] *registrar* of
14 lands under the Carey Act shall submit to the commission a detailed report
15 of the transactions concerning Carey Act lands. After approval of the
16 commission, such number of copies of the report shall be printed for free
17 distribution as the commission may direct.
- 18 2. All pending proceedings before the commission and the state engi-
19 neer, except applications for permits for water rights, shall not be made
20 public or be open to public inspection until the application for temporary
21 withdrawal or a segregation is filed in the Bureau of Land Management.
- 22 SEC. 61. NRS 324.100 is hereby amended to read as follows:
23 324.100 1. Subject to the provisions of the Carey Act, the proceeds
24 derived by the state from fees and the sale of Carey Act lands, and by this
25 chapter required to be deposited in the Carey Act trust fund, shall be sub-
26 ject to control and disposition by the commission and may be used and
27 drawn upon by the commission from time to time for the following pur-
28 poses, and for none other:
- 29 (a) For the payment of all necessary expenses incurred by the commis-
30 sion and the state [register] *registrar* of lands under the Carey Act for
31 the administration of Carey Act lands.
- 32 (b) For the reclamation, under the control and direction of the com-
33 mission, of desert lands in the state, other than those included in any seg-
34regation or application for a temporary withdrawal by any applicant
35 except the state.
- 36 (c) For such experimentation in agriculture, horticulture and forestry
37 as shall aid the reclamation of the desert lands of the state.
- 38 (d) For such advertisement and publicity of the desert lands of the
39 state as may advance their settlement and reclamation.
- 40 2. Until the Carey Act trust fund shall have received deposits from
41 fees and sales of land under the provisions of this chapter sufficient to
42 meet the necessary disbursements arising under paragraph (a) of sub-
43 section 1, the state controller and the state treasurer are authorized and
44 directed to transfer from the general fund to the Carey Act trust fund,
45 from time to time, sufficient moneys to meet the same, not exceeding
46 \$5,000, and such sum is hereby appropriated for that purpose. As soon
47 thereafter as deposits to the credit of the Carey Act trust fund, derived
48 from fees and sales of lands, shall be sufficient therefor, all sums so trans-
49ferred shall be restored to the general fund.
- 50 3. All disbursements from the Carey Act trust fund shall be on claims

1 of the chairman of the commission, approved by the state board of exam-
2 iners.

3 SEC. 62. NRS 324.130 is hereby amended to read as follows:

4 324.130 1. All such applications, prepared and submitted in accord-
5 ance with the rules and regulations of the commission and of the Depart-
6 ment of the Interior, shall be referred to the state engineer. The state
7 engineer shall submit a written report thereon, which shall cover such
8 information regarding the water supply, the feasibility of the project, the
9 status of the water right, and other data necessary to enable the state
10 ~~register~~ registrar of lands under the Carey Act to make the proper
11 application and certification required by the Bureau of Land Manage-
12 ment in such cases.

13 2. No application on which the state engineer has reported adversely
14 shall be approved by the commission. If the state engineer reports favor-
15 ably thereon, the commission shall, at its earliest convenience, consider
16 the same, and if a majority of the members approve the application (or
17 approve a modification of the application, in which case, on the accept-
18 ance by the applicant of such modification), the commission shall direct
19 the state ~~register~~ registrar of lands under the Carey Act to file in the
20 proper office of the Bureau of Land Management a request for the tem-
21 porary withdrawal of the lands described.

22 SEC. 63. NRS 324.150 is hereby amended to read as follows:

23 324.150 1. An applicant who submits his application for a segregation
24 in a form complying with the requirements of the commission and
25 the Secretary of the Interior in respect to surveys, determinations, maps,
26 plats and water rights, which shall be approved by the state engineer
27 and by the commission, and on payment to the commission of a fee of
28 1 cent per acre and any fee required by the state engineer for any verifi-
29 cation thereof, may waive a request for a temporary withdrawal.

30 2. If an applicant who has completed the requirements of a temporary
31 withdrawal in respect to fees, surveys, determinations, maps, plats and
32 water rights pays the segregation fee required by the Bureau of Land
33 Management, the state ~~register~~ registrar of lands under the Carey Act,
34 by direction of the commission, shall file a request on the part of the
35 state for a segregation of the lands embraced in the approved application.

36 SEC. 64. NRS 324.190 is hereby amended to read as follows:

37 324.190 1. No assignment by any applicant for a temporary with-
38 drawal or segregation of any right, interest, claim or equity therein, before
39 or after its approval, and before a contract shall actually have been
40 entered into with the state, shall be recognized by the commission unless
41 the assignment is accompanied with a certificate signed by the assignee
42 that he has had in his possession, and examined for his own information,
43 a statement of the status of such application or approved segregation,
44 prepared and subscribed by the state ~~register~~ registrar of lands under
45 the Carey Act of a date not older than 30 days preceding the date of
46 the execution of the assignment. Any assignment without such statement
47 in the actual possession of the assignee prior to the execution thereof, if
48 for a valuable consideration, shall render the assignor liable to prosecu-
49 tion for fraud.

50 2. No assignment shall be valid until it receives the approval of the

1 commission, when the same or a certified copy thereof shall be filed with
2 the commission by the assignee.

3 SEC. 65. NRS 324.210 is hereby amended to read as follows:

4 324.210 1. Upon the failure of any parties having contracts with the
5 state for the construction of irrigation works to begin the same within
6 the time specified by the contract, or to complete the same within the
7 time or in accordance with the specifications of the contract with the state,
8 to the satisfaction of the state engineer, the commission shall give such
9 parties written notice of such failure. The notice shall be signed by the
10 chairman of the commission and the state [register] registrar of lands
11 under the Carey Act. If after a period of 60 days after the sending of
12 such notice they shall have failed to proceed with the work or to con-
13 form to the specifications of their contract with the state, the bond and
14 contract of such parties, and all works constructed thereunder, shall be
15 at once and thereby forfeited to the state. The commission shall at once
16 so declare and give notice once a week for a period of 4 weeks in some
17 newspaper of general circulation in the county or counties in which the
18 work is situated, and in one newspaper at the state capital in like manner
19 and for a like period, of:

20 (a) The forfeiture of the contract; and

21 (b) That upon a fixed day proposals will be received at the office of
22 the commission at Carson City, Nevada, for the purchase of the uncom-
23 pleted works and for the completion of the contract.

24 2. The commission shall give notice in its advertisement for proposals
25 for the purchase of such uncompleted works that the successful bidder
26 therefor shall be required, before the transfer of ownership, to furnish
27 a satisfactory bond in a prescribed sum conditioned for the faithful ful-
28 fillment of the uncompleted provisions of the contract with the state.

29 3. The time of receiving bids shall be at least 60 days subsequent to
30 the issuing of the last notice of forfeiture.

31 4. The money received by the commission from the sale of partially
32 completed works under the provisions of this section shall first be applied
33 to the expenses incurred by the state in their forfeiture and disposal and
34 to satisfy the bond. The surplus, if any exists, shall be paid to the original
35 contractors with the state.

36 SEC. 66. NRS 324.230 is hereby amended to read as follows:

37 324.230 1. Within 1 year after a water right is available for the
38 irrigation of the land described in a certificate of location, the settler
39 shall cultivate and reclaim not less than one-sixteenth part of the land
40 filed on, and within 2 years thereafter, shall have actually irrigated and
41 cultivated not less than one-eighth thereof. Within 3 years thereafter, the
42 settler shall appear before the state [register] registrar of lands under
43 the Carey Act, or the judge or clerk of any court of record within the
44 state, or any agent designated by the commission, and make final proof
45 of reclamation, settlement and occupation, in such form and according
46 to such requirements as may be prescribed by the commission or the
47 Department of the Interior. The officer taking this proof shall be entitled
48 to receive a fee of \$2, which fee shall be paid by the settler and shall be
49 in addition to the price paid to the state for the land. When the state

1 **[register]** registrar of lands under the Carey Act takes final proof, all
2 fees received by him shall be deposited in the Carey Act trust fund.

3 2. The state **[register]** registrar of lands under the Carey Act and the
4 agents appointed by the commission are authorized to administer oaths
5 required under this chapter.

6 3. All proofs so received shall be accompanied with the final pay-
7 ment for such land, and upon approval by the commission the settler shall
8 be entitled to a patent.

9 4. If the land is not embraced in any patent theretofore issued to the
10 state by the United States, the proofs shall be forwarded to the Secretary
11 of the Interior with the request that a patent to the lands be issued to the
12 state. When the works designed for the irrigation of lands under the provi-
13 sions of this chapter shall be so far completed as actually to furnish in a
14 substantial ditch or canal, or by artesian wells or reservoirs, water to
15 reclaim any particular tract or tracts of such land, the State of Nevada
16 may, by and in the discretion of the commission, make proof of such fact,
17 and apply for a patent to such lands in the manner provided by 43 U.S.C.
18 § 642.

19 SEC. 67. NRS 324.240 is hereby amended to read as follows:

20 324.240 1. Upon the issuance of a patent to any lands by the United
21 States, notice shall be forwarded to the settler upon such land. All patents
22 issued by the state to the settler shall be:

23 (a) Signed by the governor.

24 (b) Attested by the state **[register]** registrar of lands under the Carey
25 Act.

26 (c) Under such seal as the commission may adopt for such purpose.

27 (d) Recorded in the office of the state **[register]** registrar of lands
28 under the Carey Act in a book kept for that purpose.

29 2. No patent shall issue on an assignment of a certificate of location,
30 or by reason of a process of foreclosure, unless the assignee or purchaser
31 under foreclosure possesses all the qualifications of an original applicant.

32 SEC. 68. NRS 321.670 is hereby repealed.

33 SEC. 69. The legislative counsel shall, in preparing the supplement to
34 Nevada Revised Statutes with respect to any section which is not amended
35 by this act or is added or further amended by another act:

36 1. If reference is made to state land registrar by its former name as
37 the state land register, substitute the new name.

38 2. If reference is made to the administrator of the division of state
39 lands of the state department of conservation and natural resources as
40 the director of the state department of conservation and natural resources,
41 substitute the new name.