

Senate

309

GOVERNMENT AFFAIRS COMMITTEE

March 5, 1975 - Minutes of Meeting

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

Also Present:

Roland D. Westergard, State Engineer
Terry Sullivan, Purchasing Division
C. W. Reggan, Nev. Records Assn. Douglas Cnty.
Urain Brown, Washoe County Recorder
M. Douglas Miller, Nev. Advisory Mining Board
Gene Leverty, Insurance Division
Erma Edwards, Insurance Division
Richard Bunker, County of Clark

The fifteenth meeting of the Government Affairs Committee was called to order at 2:50 p.m. by Chairman Gibson and the minutes reflect that a quorum was present.

AB-180 Abolishes hydrographic fund. (BDR 48-489)

Mr. Westergard, State Engineer, indicated that by eliminating the hydrographic fund you will be eliminating the availability of \$5,000. but providing for any assessment that would be made by a court any time during a trial.

Mr. Crossley, Audit Div., L.C.B., stated that the last time this fund was used was in 1960.

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

SB-268 Repeals 1971 amendment to act authorizing and directing sale or exchange of certain state owned land in Carson City. (BDR S-645)

Mr. J. N. Littlefield, Deputy Manager of State Public Works Board, testified in favor of SB-268. He indicated that in previous legislation certain lands outside Carson City were given to the Planning Board for their proper disposition. It prevented the board from selling a parcel of about 11 acres, right on the highway, but retained the authority of selling 52 acres on the hillside. This legislation revokes that authority of the Public Works Board.

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

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SB-241 Repeals provision requiring filing of duplicate copy of mining location notice. (BDR 46-978)

Mrs. Urain Brown, Washoe County Recorder, indicated to the committee and Mr. Douglas Miller, Chairman of the Advisory Mining Board, that this provision has nothing to do with the present laws and should be repealed to bring laws up to date.

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

SB-238 Eliminates the need of indicating time of receipt of federal tax lien on county recorder's alphabetical index. (BDR 9-975)

Mrs. Brown, Washoe County Recorder, felt that this was not necessary as they use their file for any information and the index is only used to give them an idea where to look for that file. In favor of SB-238

C. W. Reggan, Nevada Records Association from Douglas County, reiterated Mrs. Brown's statements regarding the time being noted on the index. In favor of SB-238.

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

SB-239 Increases certain fees charged by county recorders. (BDR 20-974)

Chairman Gibson stated that he had a letter from Mr. Swackhammer who is concerned about the .50¢ charge for each name. Feels that it is an impossible administrative duty and suggested changing the \$4.00 fee to a \$5.00 flat fee.

Mrs. Brown, Washoe County Recorder, indicated that the amount of work involved in checking each name is very time consuming and the fee doesn't reflect the time and work involved.

Mr. Reggan, Douglas County, felt that the fees should be somewhat equivalent to the amount of work involved. Mr. Reggan felt that all the fees should be uniform. He indicated the various functions they perform and the costs involved as opposed to the fees they collect for these functions.

Mr. Reggan called the committee's attention to Page 2, line 48 where it states that maps are filed in books and wanted the language to be changed to be filed in an accessible storage area.

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Further discussion indicated that the committee would prefer to hear more testimony before acting on this bill.

SB-240 Removes forfeiture provision imposed on county recorders who files a nonconforming plat. (BDR 10-976)

Mr. Reggan also testified in favor of this bill. Felt that the provision put the recorder in the position of being the final approving authority before the recorder can legally file a map. As the recorder isn't involved in the mechanics of the initial submission to the building department and therefore has no real way to tell if the map is in complete compliance with the requirements.

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

AB-316 Amends new charter of city of Caliente making substantive changes and additions. (BDR S-943)

Assmeblyman Polish, testified in behalf of AB-316. This bill changes the number of counsel members and some municipal laws regarding elections.

Mr. Bob Warren, Nevada League of Cities, indicated that this bill also provides that a person appointed shall only serve until the next election.

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

AB-171 Eliminates aggregate provision for local purchases in State Purchasing Act and makes using agencies responsible for current recordkeeping. (BDR 27-126)

Mr. Terry Sullivan, Purchasing Division, indicated that there are times when they authorize certain agencies to do their own purchasing. If they spend an aggregate amount of \$1,000. they must come back to the Purchasing Division to request a renewal. This bill will allow these particular agencies to spend \$500. for each item instead of an aggregate amount of \$1,000.

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

AB-77 Corrects technical defect in 1973 amendment of North Las Vegas City Charter (BDR S-89)

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Chairman Gibson informed the committee that this was a technical amendment to the Charter. Mr. Jack Mitchell, representing the City of North Las Vegas, was not on hand to give any testimony regarding the bill.

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

AB-260 Establishes procedure for destruction or disposition of obsolete records by local governments. (BDR 19-820)

Jim Lien, Tax Commission, indicated that there was no objection in their department to this bill. Mr. Lien informed the committee that there is a need for defining the rules on how long to keep records. Suggested an interim study on this chapter to determine how long records should be kept.

Mr. Bunker, representing Clark County, was in favor of AB-260 and felt that the possibilities of using microfilming could be one way to keep records.

The committee felt that the record keeping situation should be studied further. Mr. Lien was requested to draft proper language.

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

SB-243 Exempts nonprofit corporation formed for cemetery purposes from provisions relating to endowment care cemeteries. (BDR 40-965)

Mr. Vernon Eugene Leverty, Chief Deputy Commission, and Mrs. Erma Edwards, Nevada Insurance Division from Carson City, testified against SB-243.

Under the present laws anyone starting a new cemetery must have an endowed cemetery. This means that they must be licensed by the state. Must establish a \$25,000. endowment care fund and that the money charged the people for endowment care go into a trust fund. The income from the trust is used to maintain the cemetery. If this bill allows a nonprofit corporation to have an unendowed cemetery there are three things Mrs. Edwards feels could cause problems:

1. What would prevent a cemetery from deteriorating.
2. The owners of the cemetery could charge their customers extra for a maintenance fund which would be under no regulation.
3. The present endowment care cemeteries with substantial endowment care funds could possibly change over to a nonprofit corporation and therefore these funds could be used for other purposes.

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Mr. Leverty indicated that their concern is for the overall picture for the safeguards against misuse. He cited several cases where the owners of some cemeteries have been charging for endowment care but providing none.

Action was not taken on this bill until further study could be done.

SJR-8 Extends support of the Nevada state legislature to proposed Nevada-California Exclusion Program. (BDR 979)

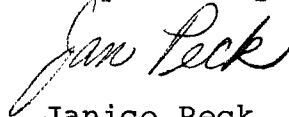
Motion of "Do Pass" by Senator Dodge, seconded by Senator Schofield. Motion carried unanimously. Senator Foote requested "not voting" be reflected in the minutes.

AJR-23* Proposes amendment of certain limitations on the operation of the initiative. (BDR C-1379)

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

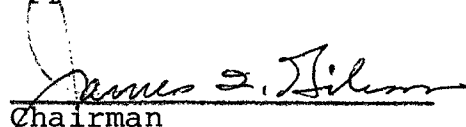
As there was no further business the meeting was adjourned at 4:40 p.m.

Respectfully submitted,



Janice Peck
Committee Secretary

Approved:



Chairman

* of the 57th Session

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel Requested*</u>
AB-180	Abolishes hydrographic fund. (BDR 48-489) Notify: Assemblyman Dini, Elmo D Ricco Roland Westerguard,	
AB-77	Corrects technical defect in 1973 amendment of North Las Vegas City Charter. (BDR S-89) Notify: Assemblyman Dini; Senator Echols; Assemblyman Paul May; Jack Mitchell	
AB-171	Eliminates aggregate provision for local purchases in State Purchasing Act and makes using agencies responsible for current recordkeeping. (BDR 27-126) Notify: Assemblyman Dini; Mr. Sullivan State Purchasing Director	
AB-260	Establishes procedure for destruction or disposition of obsolete records by local governments. (BDR 19-820) Notify: Assemblyman Dini, & Schofield Bob Warren, Mr. Bob Broadbent	
SB-238	Eliminates need of indicating time of receipt of federal tax lien on county recorder's alphabetical index (BDR 9-975). Notify: Senator Foote, County Recorder's organization. Bob Broadbent, Bob Warren Bill Adams	
SB-239	Increases certain fees charged by county recorders. (BDR 20-974) Notify: Same as SB-238	
SB-240	Removes forfeiture provision imposed on county recorder who files a nonconforming plat. (BDR 10-976) Notify: Same as SB-238	
SB-241	Repeals provision requiring filing of duplicate copy of mining location notice (BDR 46-978) Notify: Same as SB-238	
SB-243	Exempts nonprofit corporation formed for cemetary purposes from provisions relating to endowment care. cemeteries. (BDR 40-965) Notify: Senator Blakemore	

ADDED TO AGENDA (Eff. 3-3-75)

SJR-8 Extends support of the Nevada state legislature to proposed Nevada-Calif. Exclusion Program (BDR 979)

FOR COMMITTEE ACTION

AJR-23 Proposes amendment of certain limitations on
57th Session the operation of the initiative (BDR C-1379)

Notify: Assemblyman Getto

AB-316 Amends new charter of city of Caliente making substantive changes and additions. (BDR S-943)

Assemblyman Polish, Senator Blakemore

SB-268 Repeals 1971 amendment to act authorizing and directing sale or exchange of certain state-owned land in Carson City (BDR S-645)

Notify: Mr. Bill Hancock, State Capitol Improvement Board.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 180

 ASSEMBLY BILL NO. 180—COMMITTEE ON
GOVERNMENT AFFAIRS

JANUARY 30, 1975

Referred to Committee on Government Affairs

Summary—Abolishes hydrographic fund. Fiscal Note: No. (BDR 48-489)



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

AN ACT relating to hydrographic surveys; abolishing the hydrographic fund and providing for payment of costs of suit and survey related services and cost.

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

- 1 SECTION 1. NRS 533.240 is hereby amended to read as follows:
 2 533.240 1. In any suit [which may be] brought in [any] the dis-
 3 trict court [in the state] for the determination of a right or rights to the
 4 use of water of any stream, all persons who claim the right to use the
 5 waters of such stream and the stream system of which it is a part shall
 6 be made parties.
 7 2. When [any such] *the* suit has been filed, the court shall [, by its
 8 order duly entered,] direct the state engineer to furnish a complete
 9 hydrographic survey of [such] *the* stream system [, which survey shall
 10 be made] as provided in NRS 533.100 in order to obtain all physical
 11 data necessary to the determination of the rights involved.
 12 3. The cost of [such] *the* suit, including the costs on behalf of the
 13 state and of [such] *the* surveys, shall be charged against each of the
 14 private parties thereto [in proportion to the amount of water right allot-
 15 ted.] *based on a determination by the court of the relative merits of the*
 16 *claims made by each of the private parties. The court may assess and*
 17 *charge against any party at any time during the suit an equitable amount*
 18 *to pay the costs of the survey upon its approval of an itemized statement*
 19 *therefor submitted by the state engineer.*
 20 4. [In the case of any such suit now pending or hereafter com-
 21 menced, the same may, at any time after its inception, in the discretion
 22 of the court, be transferred] *The court may at any time transfer the suit*
 23 *to the state engineer for determination as provided in this chapter.*
-

- 1 SEC. 2. NRS 533.315 is hereby amended to read as follows:
2 533.315 The cost of the hydrographic survey of the stream system
3 and the preparation of the reports and maps by the state engineer neces-
4 sary to advise the court in the matter shall [, in the first instance,] be
5 paid by the [state engineer from the hydrographic fund provided for in
6 NRS 533.245, which section is hereby made applicable to the proceed-
7 ings provided in NRS 533.310. Such fund shall be reimbursed for such
8 expenditures by the] water users of the stream upon approval and order
9 of the district court of [the] an itemized statement therefor submitted
10 by the state engineer. [in accordance with NRS 533.245.]
11 SEC. 3. NRS 533.245 is hereby repealed.
12 SEC. 4. Any unexpended balance remaining in the hydrographic
13 fund on June 30, 1975, shall revert to the state general fund.

A. B. 77**ASSEMBLY BILL NO. 77—COMMITTEE ON
GOVERNMENT AFFAIRS**

JANUARY 28, 1975

Referred to Committee on Government Affairs

SUMMARY—Corrects technical defect in 1973 amendment of North
Las Vegas city charter. Fiscal Note: No. (BDR S-89)EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

AN ACT to amend section 4 of chapter 723, Statutes of Nevada 1973, to correct technical defect in amendment of North Las Vegas city charter; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Section 4 of chapter 723, Statutes of Nevada 1973, at
2 page 1438, is hereby amended to read as follows:
3 Section 4. Section 2.110 of Article II of the above-entitled act, being
4 chapter 573, Statutes of Nevada 1971, at page 1215, as amended by
5 chapter 669, Statutes of Nevada 1971, at page 2054, is hereby amended
6 to read as follows:
7 Section 2.110 Codification of ordinances; publication of code.
8 1. The city council may codify and publish a code of its municipal
9 ordinances in the form of a municipal code, which code may, at the
10 election of the city council, have incorporated therein a copy of this
11 charter and such additional data as the city council may prescribe. When
12 such code is published, two copies shall be filed with the librarian at the
13 supreme court law library [], and thereafter the code shall be received
14 in all courts of this state as an authorized compilation of the municipal
15 ordinances of the city. Two copies shall also be filed with the city clerk
16 and the librarian of the North Las Vegas municipal library.
17 2. The ordinances in the code shall be arranged in appropriate
18 chapters, articles and sections, excluding the titles, enacting clauses, sig-
19 nature of the mayor, attestations and other formal parts.
20 3. The codification shall be adopted by an ordinance and shall not
21 contain any substantive changes, modifications or alterations of existing
22 ordinances; and the only title necessary for the ordinance shall be, "An

— 2 —

- 1 ordinance for codifying and compiling the general ordinances of the City
2 of North Las Vegas.”
3 4. The codification may be amended or extended by ordinance.
4 SEC. 2. This act shall become effective upon passage and approval.

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(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 171

 ASSEMBLY BILL NO. 171—COMMITTEE ON
 GOVERNMENT AFFAIRS

 JANUARY 30, 1975

Referred to Committee on Government Affairs

SUMMARY—Eliminates aggregate provision for local purchases in State Purchasing Act and makes using agencies responsible for current recordkeeping. Fiscal Note: No. (BDR 27-126)



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

AN ACT to amend NRS 333.390, relating to State Purchasing Act; eliminating aggregate provision of local purchase authorization; directing using agencies to keep records of accounts and expenditures; 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 333.390 is hereby amended to read as follows:
 2 333.390 1. The chief may authorize local purchasing by using agen-
 3 cies, in accordance with the rules and specifications, of individual orders
 4 for items not scheduled for quantity purchasing, not to exceed \$500 for
 5 each order, except for repair and replacement parts for heavy equipment
 6 not to exceed \$1,500 for each order, at no higher prices than he may spec-
 7 ify in the orders authorizing such local purchasing. Such local purchasing
 8 may be so authorized as in the cases of perishable articles and to meet
 9 other emergency requirements.
 10 2. The prices on such local purchases shall be based on considera-
 11 tions of equal service and economy as compared with those in furnishing
 12 the same items of equal quality through the regular purchasing procedure.
 13 3. Each such authorization shall:
 14 (a) Be revocable.
 15 (b) [Be issued for an aggregate amount not in excess of \$1,000] *Spec-*
 16 *ify the limit of spending for individual orders not to exceed \$500* except
 17 for repair and replacement parts referred to in subsection 1.
 18 (c) Specify the articles to be purchased.
 19 (d) Be operative for a period not exceeding 1 year from the date of
 20 issue.
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— 2 —

1 4. Using agencies receiving such orders shall [report each month in
2 writing to the chief their accounts and expenditures under such authoriza-
3 tion,] *keep a record of their accounts and expenditures under such*
4 *authority*, accompanied with proper evidence that competition has been
5 secured to the extent practicable.

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A. B. 260

ASSEMBLY BILL NO. 260—ASSEMBLYMAN SCHOFIELD
FEBRUARY 13, 1975

Referred to Committee on Government Affairs

SUMMARY—Establishes procedure for destruction or disposition of obsolete records by local governments. Fiscal Note: No. (BDR 19-820)

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

AN ACT relating to public records; establishing a procedure for the destruction or disposition of obsolete records by local governments; 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 239.121 is hereby amended to read as follows:
 2 239.121 The terms defined in this section, wherever used or referred
 3 to in NRS 239.121 to 239.125, inclusive, have the following meanings
 4 unless a different meaning clearly appears in the context:
 5 1. "Custodian of records" means any person authorized to have the
 6 care, custody and control of any documents, instruments, papers, books,
 7 pamphlets or any other records or writings of a local governmental entity.
 8 2. "Governing body" means the governing body of a local govern-
 9 mental entity.
 10 3. "Local governmental entity" means a county, an incorporated
 11 city, an unincorporated town, *a township*, a school district or any other
 12 public district or agency designed to perform local governmental func-
 13 tions.
 14 4. "Old records" means documents, instruments, papers, books,
 15 pamphlets or any other records or writings of a local governmental entity
 16 which are at least [5] 2 years old and have been retained for any pur-
 17 pose by the local governmental entity.
- 18 **SEC. 2.** NRS 239.122 is hereby amended to read as follows:
 19 239.122 1. Whenever the custodian of records determines that old
 20 records are no longer necessary for the business of the local governmental
 21 entity and no longer of value to the general public, he shall prepare a
 22 schedule of old records to be destroyed and appear before the governing
 23 body and request permission to destroy the old records listed in such
 24 schedule.
 25 2. [If the governing body at a regular or special meeting finds that

1 all or any part of the old records listed in the custodian's schedule are
2 no longer necessary for the business of the local governmental entity and
3 no longer of value to the general public, it may order such records
4 destroyed upon completion of the audit provided by subsection 3.

5 3. All old records ordered destroyed pursuant to this section, prior to
6 destruction, shall be audited by a public accountant or certified public
7 accountant, which audit may be conducted concurrently with the audit
8 required by NRS 354.624. **]** *The governing body may adopt a resolution*
9 *authorizing the custodian to destroy any or all records listed in the sched-*
10 *ule and such resolution may impose conditions in addition to those spec-*
11 *ified in this section.*

12 3. *The custodian of records shall maintain a photographic or micro-*
13 *photographic film, electronic recorded video production or some other*
14 *duplicate of any record, document, instrument, book or paper scheduled*
15 *for destruction. A reproduction made pursuant to this subsection shall be*
16 *deemed to be the original.*

17 4. *Subsection 3 applies only to records received or prepared pursuant*
18 *to state law and those expressly required by law to be filed and preserved.*

19 **[4.]** 5. The custodian of records shall maintain an accounting of all
20 old records destroyed, indicating the nature or identity of such records as
21 well as the date of destruction.

S. B. 238SENATE BILL NO. 238—COMMITTEE ON
GOVERNMENT AFFAIRS

FEBRUARY 21, 1975

Referred to Committee on Government Affairs

SUMMARY—Eliminates need of indicating time of receipt of federal tax lien on county recorder's alphabetical index. Fiscal Note: No. (BDR 9-975)

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

AN ACT relating to federal tax liens; eliminating the need of indicating the time of receipt on county recorder's alphabetical index; 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 108.831 is hereby amended to read as follows:
 2 108.831 1. If a notice of federal tax lien, a refiling of a notice of tax
 3 lien, or a notice of revocation of any certificate described in subsection 2
 4 is presented to the filing officer and:
 5 (a) He is the secretary of state, he shall cause the notice to be marked,
 6 held and indexed in accordance with the provisions of subsection 4 of
 7 NRS 104.9403 as if the notice were a financing statement within the
 8 meaning of the Uniform Commercial Code;
 9 (b) He is any other officer described in NRS 108.827, he shall endorse
 10 thereon his identification and the date and time of receipt and forthwith
 11 file it alphabetically or enter it in an alphabetical index showing the name
 12 and address of the person named in the notice, the date [and time] of
 13 receipt, the serial number of the District Director of Internal Revenue and
 14 the total unpaid balance of the assessment appearing on the notice of
 15 lien.
 16 2. If a certificate of release, nonattachment, discharge or subordina-
 17 tion of any tax lien is presented to the secretary of state for filing he shall:
 18 (a) Cause a certificate of release or nonattachment to be marked, held
 19 and indexed as if the certificate were a termination statement within the
 20 meaning of the Uniform Commercial Code, except that the notice of lien
 21 to which the certificate relates shall not be removed from the files; and
 22 (b) Cause a certificate of discharge or subordination to be held,
 23 marked and indexed as if the certificate were a release of collateral within
 24 the meaning of the Uniform Commercial Code.

1 3. If a refiled notice of federal tax lien referred to in subsection 1 or
2 any of the certificates or notices referred to in subsection 2 is presented
3 for filing with any other filing officer specified in NRS 108.827, he shall
4 permanently attach the refiled notice or the certificate to the original
5 notice of lien and shall enter the refiled notice or the certificate with the
6 date of filing in any alphabetical federal tax lien index on the line where
7 the original notice of lien is entered.

8 4. Upon request of any person, the filing officer shall issue his certifi-
9 cate showing whether there is on file, on the date and hour stated therein,
10 any notice of federal tax lien or certificate or notice affecting the lien, filed
11 on or after March 24, 1967, naming a particular person, and if a notice
12 or certificate is on file, giving the date and hour of filing of each notice
13 or certificate. The fee for a certificate is \$3. Upon request the filing officer
14 shall furnish a copy of any notice of federal tax lien or notice or certificate
15 affecting a federal tax lien for a fee of \$1 for the first page and 50 cents
16 for each page thereafter.

S. B. 239

SENATE BILL NO. 239—COMMITTEE ON
GOVERNMENT AFFAIRS

FEBRUARY 21, 1975

Referred to Committee on Government Affairs

SUMMARY—Increases certain fees charged by county recorders.
Fiscal Note: No. (BDR 20-974)EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.AN ACT relating to fees charged by county recorders; increasing certain fees;
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 104.9407 is hereby amended to read as follows:
2 104.9407 1. If the person filing any financing statement, termination
3 statement, statement of assignment, or statement of release, furnishes the
4 filing officer a copy thereof, the filing officer shall upon request note upon
5 the copy the file number and date and hour of the filing of the original
6 and deliver or send the copy to such person.
- 7 2. Upon request of any person, the filing officer shall issue his certifi-
8 cate showing whether there is on file on the date and hour stated therein,
9 any presently effective financing statement naming a particular debtor and
10 any statement of assignment thereof and if there is, giving the date and
11 hour of filing of each such statement and the names and addresses of
12 each secured party therein. The uniform fee for such a certificate shall be
13 ~~[\$3.]~~ \$4 and an additional 50 cents for each name of a secured party.
14 Upon request the filing officer shall furnish a copy of any filed financing
15 statement or statement of assignment for a uniform fee of \$1 for the first
16 page and 50 cents for each page thereafter.
- 17 SEC. 2. NRS 117.025 is hereby amended to read as follows:
18 117.025 1. All condominium maps or plans filed under the provi-
19 sions of this chapter shall be made upon vellum, tracing cloth or any other
20 material of a permanent nature generally used for such purpose in the
21 engineering profession, and shall be of uniform size, 24 by 32 inches, with
22 a borderline 2 inches from the left edge in order to leave room for bind-
23 ing. No map or plan shall be accepted for filing made upon ordinary paper
24 or blueprint.

1 2. For filing each condominium map or plan the county recorder shall
 2 collect a fee of [25 cents for each unit mapped, and 50 cents for indexing
 3 the map or plat.] \$50 or \$25 plus an additional 25 cents for each unit
 4 mapped, whichever is greater.

5 SEC. 3. NRS 122.060 is hereby amended to read as follows:

6 122.060 1. The clerk shall be entitled to receive as his fee for issuing
 7 the license the sum of \$1, but if licenses are issued after regular office
 8 hours, the board of county commissioners may set an additional fee by
 9 county ordinance, a part of which, in counties having a population of less
 10 than 20,000, the board may allow the clerk to retain as his fee for extra
 11 services, and the balance of which shall be deposited in the county general
 12 fund.

13 2. The clerk shall also at the time of issuing the license collect the
 14 sum of [\$1] \$2 and pay the same over to the county recorder as his fee
 15 for recording the certificate named in NRS 122.130.

16 3. The clerk shall also at the time of issuing the license collect the
 17 additional sum of \$4 for the State of Nevada. The fees collected for the
 18 state shall be paid over to the county treasurer by the county clerk on or
 19 before the 5th day of each month for the preceding calendar month, and
 20 shall be placed to the credit of the state fund. The county treasurer shall
 21 remit quarterly all such fees deposited by the clerk to the state treasurer,
 22 to be placed by the state treasurer in the general fund of the state.

23 SEC. 4. NRS 247.310 is hereby amended to read as follows:

24 247.310 1. Except as otherwise provided by law, county recorders
 25 shall charge: [the following fees for recording certificates of proof of
 26 labor on mining claims:

27 For recording any such certificates that embrace therein	
28 one claim.....	\$0.50
29 For each additional mining claim embraced in	
30 the certificate.....	.25

31 2. If any certificate shall contain more than 100 words, an additional
 32 fee of 30 cents shall be charged for each 100 words or fractional part
 33 thereof in excess of the first 100 words.]

34 (a) A fee of \$3 for the first page and \$1 for each additional page for
 35 recording certificates of proof of labor on mining claims.

36 (b) A fee of \$3 for recording each notice of location and certificate of
 37 location.

38 (c) A fee of 25 cents for each claim indexed.

39 2. A group of claims shall be considered as only one claim when they
 40 are consecutively numbered or lettered alphabetically. If there are breaks
 41 in the consecutive numbers or letters, each consecutive group following a
 42 break shall be indexed and considered as a separate claim.

43 3. Except as otherwise provided by an ordinance adopted pursuant to
 44 the provisions of NRS 244.207, county recorders shall, on or before the
 45 5th day of each month, account for and pay to the county treasurer all
 46 such fees collected during the preceding month.

47 SEC. 5. NRS 278.550 is hereby amended to read as follows:

48 278.550 1. The parcel map filed with the county recorder of any
 49 county shall be securely fastened by him into a suitable book provided

1 for that purpose. He shall keep proper indexes of parcel maps by the
 2 name of grant, tract, subdivision or United States subdivision.

3 2. The charge for filing any parcel map and for indexing the [same
 4 shall be \$2.50.] map is \$5.

5 SEC. 6. NRS 625.370 is hereby amended to read as follows:

6 625.370 1. The charge for filing any record of survey and for index-
 7 ing the [same shall be \$2.50.] record is \$5.

8 2. The record of survey shall be suitably filed by the county recorder
 9 and he shall keep proper indexes of such survey records by name of tract,
 10 subdivision or United States land subdivision.

S. B. 240

SENATE BILL NO. 240—COMMITTEE ON
GOVERNMENT AFFAIRS

FEBRUARY 21, 1975

Referred to Committee on Government Affairs

SUMMARY—Removes forfeiture provision imposed on county recorder who files a nonconforming plat. Fiscal Note: No. (BDR 10-976)

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

AN ACT relating to plats and subdivisions; removing the provision for forfeiture imposed on a county recorder who files a map or plat not conforming to statutory requirements; 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 116.150 is hereby amended to read as follows:
 2 116.150 [1. It shall be] *It is* unlawful for any county recorder to
 3 accept for filing any map, plat or subdivision of land that does not con-
 4 form to the requirements of NRS 116.020 and 116.040 and until the
 5 map, plat or subdivision has been duly and lawfully approved as therein
 6 provided, [except] *unless* the map, plat or subdivision [be] *is* attached
 7 to or [form] *forms* a part of a conveyance and [relate] *relates* to the
 8 property or some part thereof embraced in the conveyance.
 9 [2. For each violation of this section by any county recorder; his
 10 deputy or employee, such county recorder shall forfeit and pay to the
 11 county the sum of \$200, to be recovered in any court of competent juris-
 12 diction.]

S. B. 241

**SENATE BILL NO. 241—COMMITTEE ON
GOVERNMENT AFFAIRS**FEBRUARY 21, 1975

Referred to Committee on Government Affairs

SUMMARY—Repeals provision requiring filing of duplicate copy of mining location notice. Fiscal Note: No. (BDR 46-978)**EXPLANATION**—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to mining claims; repealing provision requiring the filing of a duplicate copy of a mining location notice.*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1** SECTION 1. NRS 517.330 is hereby repealed.

S. B. 243

SENATE BILL NO. 243—SENATOR BLAKEMORE

FEBRUARY 21, 1975

Referred to Committee on Government Affairs

SUMMARY—Exempts nonprofit corporation formed for cemetery purposes from provisions relating to endowment care cemeteries. Fiscal Note: No. (BDR 40-965)

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

AN ACT relating to cemeteries; exempting nonprofit corporations formed for cemetery purposes from provisions relating to endowment care cemeteries.

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

- 1 **SECTION 1.** NRS 452.050 is hereby amended to read as follows:
2 452.050 1. Every cemetery authority operating a cemetery which is
3 not exempt pursuant to subsection 2 shall place its cemetery under endow-
4 ment care and establish, maintain and operate an endowment care fund
5 after having first applied for and received a permit from the administrator.
6 2. A cemetery is exempt from the provisions of subsection 1 if:
7 (a) It was maintained as a cemetery on July 1, 1971; or
8 (b) It is owned and operated by a governmental agency, church, [or]
9 benevolent or fraternal organization not operated for profit [.] , or a
10 *nonprofit corporation formed for cemetery purposes.*
11 Nothing contained in this subsection shall prohibit any cemetery authority
12 from electing to come under the provisions of subsection 1.
13 3. Endowment care and special care funds may be commingled for
14 investment and the income therefrom shall be divided between the endow-
15 ment care and special care funds in the proportion that each fund contrib-
16 uted to the principal sum invested. The funds shall be held in the name
17 of the cemetery authority.
18 **SEC. 2.** This act shall become effective upon passage and approval.

S. J. R. 8

**SENATE JOINT RESOLUTION NO. 8—SENATORS GIBSON,
MONROE AND BLAKEMORE**

FEBRUARY 18, 1975

Referred to Committee on Government Affairs

SUMMARY—Extends support of the Nevada state legislature to proposed Nevada-California Regional Exclusion Program. (BDR 979)



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

SENATE JOINT RESOLUTION—Extending the support of the Nevada state legislature to the proposed Nevada-California Regional Exclusion Program.

- 1 WHEREAS, The people of the State of Nevada depend upon the State
2 of California for most of their fresh fruits, vegetables and nursery stock;
3 and
4 WHEREAS, It is of mutual economic benefit to the people of the states
5 of Nevada and California to protect the sources of fresh fruits, vegetables
6 and nursery stock from losses because of the ravages of alien plant and
7 animal pests; and
8 WHEREAS, The states of Arizona and California are cooperating in an
9 effort to regionalize plant pest exclusion activities; and
10 WHEREAS, The State of California proposes to build, maintain and
11 staff agricultural inspection stations in Nevada at Winnemucca, Wells,
12 McGill and Mesquite at California's sole expense; and
13 WHEREAS, The staffing of the proposed agricultural inspection stations
14 will provide an annual payroll of approximately \$500,000 to the com-
15 munities involved; and
16 WHEREAS, The state department of agriculture of the State of Nevada
17 and the California Department of Food and Agriculture mutually agree
18 upon the value and importance of the regional pest exclusion concept;
19 and
20 WHEREAS, Representatives of the two departments have met with rep-
21 resentatives of the Nevada communities near the proposed station sites,
22 as suggested by Honorable Mike O'Callaghan, governor of the State of
23 Nevada, to discuss the proposed regional pest exclusion program; and
24 WHEREAS, Many Nevada community leaders endorse the proposal for
25 the building, staffing and maintaining of agricultural inspection stations
26 in the State of Nevada by the State of California; and
-

— 2 —

1 WHEREAS, The building, staffing and maintaining of agricultural inspec-
2 tion stations at locations within the State of Nevada can be accomplished
3 under the State of Nevada's Interlocal Cooperation Act and the State of
4 California's Joint Exercise of Powers Act; now, therefore, be it

5 *Resolved by the Senate and Assembly of the State of Nevada, jointly,*
6 That the Nevada-California Regional Exclusion Program be approved in
7 principle, and that the State of California be permitted to build, staff
8 and maintain agricultural inspection stations at various locations within
9 Nevada; and be it further

10 *Resolved,* That copies of this resolution be prepared and transmitted
11 by the legislative counsel to the governor of the State of California, to
12 the state department of agriculture of the State of Nevada, and to the
13 California Department of Food and Agriculture; and be it further

14 *Resolved,* That this resolution shall become effective upon passage and
15 approval.

A. J. R. 23 of the 57th Session

ASSEMBLY JOINT RESOLUTION NO. 23—MR. GETTO,
MRS. FORD AND MR. DINI

MARCH 19, 1973

Referred to Committee on Government Affairs

SUMMARY—Proposes amendment of certain limitations on the
operation of the initiative. (BDR C-1379)



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

ASSEMBLY JOINT RESOLUTION—Proposing to amend section 6 of article 19
of the Nevada constitution, relating to limitations on the operation of the
initiative.

- 1 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*
2 That section 6 of article 19 of the constitution of the State of Nevada, be
3 amended to read as follows:
4 Sec. 6. This article does not permit the proposal of any statute or
5 statutory amendment which makes an appropriation or [otherwise
6 requires] *which has as its primary purpose* the expenditure of money,
7 unless such statute or amendment also imposes a sufficient tax, not pro-
8 hibited by the constitution, or otherwise constitutionally provides for
9 raising the necessary revenue. *If the proposal authorizes or requires a*
10 *capital expenditure, it may authorize raising the necessary moneys by a*
11 *borrowing within the constitutional limit, to be repaid within the estimated*
12 *useful life of the capital improvement. If the proposal is made by the*
13 *registered voters of a county or municipality, it shall not authorize a bor-*
14 *rowing in excess of any applicable charter or statutory limitation.*

A. B. 316

ASSEMBLY BILL NO. 316—ASSEMBLYMAN POLISH
FEBRUARY 21, 1975

Referred to Committee on Government Affairs

SUMMARY—Amends new charter of City of Caliente, making substantive changes and additions. Fiscal Note: No. (BDR S-943)

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

AN ACT to amend an act entitled "An Act incorporating the City of Caliente, in Lincoln County, Nevada and defining the boundaries thereof, under a new charter; and providing other matters properly relating thereto," approved March 9, 1971, as amended.

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

- 1 SECTION 1. Section 1.050 of Article I of the above-entitled act, being
 2 chapter 31, Statutes of Nevada 1971, at page 56, is hereby amended to
 3 read as follows:
 4 Section 1.050 Elective offices.
 5 1. The elective officers of the city consist of:
 6 (a) A mayor.
 7 (b) [~~Three~~] *Four* councilmen.
 8 2. Such officers shall be elected as provided by this charter.
 9 SEC. 2. Section 1.060 of Article I of the above-entitled act, being
 10 chapter 31, Statutes of Nevada 1971, at page 56, is hereby amended to
 11 read as follows:
 12 Section 1.060 Elective offices: Vacancies.
 13 1. A vacancy in the city council or in the office of mayor shall be
 14 filled by a majority vote of the members of the city council, or the
 15 remaining members, in the case of a vacancy in the city council, within
 16 30 days after the occurrence of such vacancy. The appointee shall have
 17 the same qualifications as are required of the elected official.
 18 2. The appointee shall serve [~~the balance of the term of office to~~
 19 ~~which he is appointed and until~~] *until the next municipal election and his*
 20 *successor is duly elected and qualified. At the time of such election if a*
 21 *balance remains in the term of office to which the appointee was*
 22 *appointed, the successor shall be elected only for the balance of that term.*
 23 SEC. 3. Section 2.010 of Article II of the above-entitled act, being
 24 chapter 31, Statutes of Nevada 1971, at page 57, is hereby amended to
 25 read as follows:
-

1 Section 2.010 City council: Qualifications; election; term of office;
2 salary.

3 1. The legislative power of the city is vested in a city council con-
4 sisting of ~~four~~ five councilmen, including the mayor.

5 2. The mayor and each councilman shall be:

6 (a) Bona fide residents of the city for at least 2 years immediately
7 prior to their election.

8 (b) Registered voters within the city and taxpayers on real property
9 located within the city.

10 3. All councilmen, including the mayor, shall be voted upon by the
11 registered voters of the city at large and shall serve for terms of 4 years
12 ~~except as provided in subsection 3 of section 5.010.~~

13 4. The mayor and councilmen shall receive a salary in an amount
14 fixed by the city council. Such salary shall not be increased or dimin-
15 ished during the term of the recipient.

16 SEC. 4. Section 5.010 of Article V of the above-entitled act, being
17 chapter 31, Statutes of Nevada 1971, at page 66, is hereby amended to
18 read as follows:

19 Section 5.010 Municipal elections.

20 1. On the 1st Tuesday after the 1st Monday in June 1973, ~~and at~~
21 ~~each successive interval of 4 years,~~ there shall be elected by the qualified
22 voters of the city, at a general election to be held for that purpose, a
23 mayor and one councilman, who shall hold office for a period of 4 years
24 and until their successors have been elected and qualified.

25 2. On the 1st Tuesday after the 1st Monday in June ~~1971,~~
26 1975, and at each successive interval of 4 years thereafter, there shall be
27 elected by the qualified voters of the city at a general election to be held
28 for that purpose two councilmen, who shall hold office for a period of 4
29 years and until their successors have been elected and qualified.

30 3. *On the 1st Tuesday after the 1st Monday in June 1975, there shall*
31 *be elected by the qualified voters of the city at a general election to be*
32 *held for that purpose one councilman, who shall hold office for a period*
33 *of 2 years and until his successor has been elected and qualified.*

34 4. *On the 1st Tuesday after the 1st Monday in June 1977, and at*
35 *each successive interval of 4 years, there shall be elected by the qualified*
36 *voters of the city, at a general election to be held for that purpose, a*
37 *mayor and two councilmen, who shall hold office for a period of 4 years*
38 *and until their successors have been elected and qualified.*

39 SEC. 5. Sections 1 and 4 of this act shall become effective on passage
40 and approval for the purpose of the 1975 municipal elections and for all
41 other purposes on July 1, 1975.

S. B. 268

SENATE BILL NO. 268—COMMITTEE ON
GOVERNMENT AFFAIRS

FEBRUARY 27, 1975

Referred to Committee on Government Affairs

SUMMARY—Repeals 1971 amendment to act authorizing and directing sale or exchange of certain state-owned land in Carson City. Fiscal Note: No. (BDR S-645)

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

AN ACT to repeal chapter 355, Statutes of Nevada 1971, at page 637, entitled "An Act to amend an act entitled 'An Act authorizing and directing the state planning board to sell or exchange certain parcels of real property in Ormsby County, Nevada, belonging to the State of Nevada; defining the powers and duties of the state planning board, the chairman thereof, and the attorney general in connection therewith; and providing other matters properly relating thereto,' approved March 17, 1960, as amended," approved April 17, 1971.

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

- 1 SECTION 1. Chapter 355, Statutes of Nevada 1971, at page 637,
2 entitled "An Act to amend an act entitled 'An Act authorizing and direct-
3 ing the state planning board to sell or exchange certain parcels of real
4 property in Ormsby County, Nevada, belonging to the State of Nevada;
5 defining the powers and duties of the state planning board, the chairman
6 thereof, and the attorney general in connection therewith; and providing
7 other matters properly relating thereto,' approved March 17, 1960, as
8 amended," approved April 17, 1971, is hereby repealed.
9 SEC. 2. This act shall become effective upon passage and approval.