

Senate

GOVERNMENT AFFAIRS COMMITTEE

Minutes of Meeting - April 17, 1975

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

Also Present:
 Russ McDonald, Washoe County
 Ann Rollins, Interested party
 Bob Broadbent, County Commissioners
 Gene Phelps, Nevada Highway Dept.
 Jim Lien, Tax Commission
 Richard Bunker, Clark County
 Ann Earenburg, Las Vegas Review, Journal

The thirty third meeting of the Government Affairs Committee was called to order at 3:00 p.m. with a quorum present.

SB-472 Designates governing bodies of county fire prevention districts created by county commissioners as boards of fire commissioners; authorizes payment of district property tax in four equal installments; provides for collection of expenses for extinguishment of fires within districts. (BDR 42-1630)

Russ McDonald, Washoe County Manager, stated that this bill allows a split in the costs and is repealing section 477, dealing with contracts between the county and the districts. Gives authority to collect from someone who starts a fire.

Senator Dodge questioned what type of protection a person has who pays taxes and then is contributory in causing a fire.

Mr. McDonald indicated that this bill is primarily for the range and sage brush fires but felt that there could be some abuse with this bill.

Jim Lien, Tax Commission, is in favor of SB-472.

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

SB-474 Eliminates requirement of publication of amount of allowed county bills; requires posting, filing of lists of such bills. (BDR 31-1636)

Russ McDonald explained the reasons behind this bill and stated that last year alone they, Washoe County, spent \$7,500. in publications costs to comply with the law. Feels that printing an agenda that reflects the happenings of public interest would be just as efficient and keep the price down considerably.

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Senator Dodge felt that by adding the word "may" it would make the bill more optional for the people.

Jim Lien, stated that this should be open to the cities and feels that the bill should be more optional too.

Chairman Gibson suggested leaving the bill more optional and including the cities. Mr. McDonald was requested to prepare an amendment to SB-474 to include the cities and make it optional.

Motion to "Amend and Do Pass" By Senator Dodge, seconded by Senator Foote. Motion carried unanimously.

SB-475 Requires county registrar of voters to deposit receipts from cities for municipal election services in general fund of county. (BDR 24-1634)

Russ McDonald, indicated that there was some question as to whether or not the monies were ever collected and it is for this reason that the above bill was drafted.

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

SB-476 Requires amendment of certain subdivision plats, records of survey, reversionary maps by registered land surveyor, county surveyor. (BDR 22-1637)

Russ McDonald stated that this bill was drafted in order to keep the surveyor from having to go way back in his files to update records. It will make the law effective after July 1, 1973.

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

SB-477 Requires governing body of city annexing contiguous territory to give prior notice to board of county commissioners. (BDR 21-1624)

Russ McDonald feels that the county should be aware of annexing so they can take the necessary precautions that might apply to some types of annexation.

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

SB-478 Authorizes county commissioners to vote on contract, lease, franchise which extends beyond his term of office. (BDR 20-1642)

Russ McDonald, felt that a unanimous vote was impractical which this bill will help eliminate the problem.

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Senator Dodge suggested that the council have one published public meeting and one intervening meeting. This would provide the publication of intent to the public who are interested.

Russ McDonald favored that suggestion and would supply the proper amendment.

Motion to "Amend and Do Pass" by Senator Dodge, seconded by Senator Hilbrecht. Motion carried unanimously.

SB-479 Authorizes appointment of county comptrollers in counties under 100,000; provides for appointing authority in all counties. (BDR 20-1626)

Russ McDonald felt that this only brings the laws that are used in Clark and Washoe counties to the rest of the counties, also allows for appointment by the commissioner.

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

SB-480 Creates county commissioner districts based on population in Washoe County. (BDR 20-1631)

Assemblyman Weise informed the committee that he had received a letter from Perry Burnett of the Legislative Counsel Bureau indicating that SB-480 was unconstitutional.* Mr. Weise stated that AB-577 dealt with apportionment and was supported by the 10 assemblymen in Washoe County.

Russ McDonald felt that action on SB-480 should be held until the committee could see AB-577.

SB-481 Authorizes county commissioners to install, operate parking meters on publicly owned, leased property made available for public parking. (BDR 20-1633)

There was a question regarding the legality of the county commissioners to install parking meters on publicly owned or leased property and therefore the committee acted as followed:

Motion to "Indefinitely Postpone" by Senator Hilbrecht, seconded by Senator Gojack. Motion carried unanimously.

SB-482 Increases dollar limitation on advances from county general fund for purpose of making public improvements by special assessments without issuance of bonds. (BDR 20-1635)

Russ McDonald stated that this bill allows (without the issuance of bonds) the advance of funds for street improvements. He indicated that you have to combine this with some other type of project to get the necessary funding for street repairs.

* See attached.

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

Chairman Gibson asked the committee to look at AB-375 and see if they were in agreement to re-refer this bill to the committee on Commerce.

Motion to "Re-refer to Commerce Committee" by Senator Walker, seconded by Senator Schofield. Motion carried unanimously.

Senator Hilbrecht reported to the committee the suggested amendments from Mike Marfisi of Elko on SB-340.

- (1) Brings in the language in chapter 119 which would do away with the language that is presently being used.
- (2) Provide a simple procedure for a provision that gives a sure access for easements. They may file a map with the Land Sales Division or the Department of Commerce. Also when property is being transferred they file with the county assessor a notice which need not be recorded; showing the necessary information, i.e. name, address etc. (in section 3). Must file within 30 days.

Feels that this bill, in amended form, does two basic things. It eliminates the 40 acre exemption and provides information to the Assessors office of transactions within 30 days of the land sale.

Motion to "Amend and Do Pass" by Senator Walker, seconded by Senator Schofield. Motion carried unanimously.

The committee took into consideration the changes proposed by Mr. Gene Phelps, Highway Department on SB-100 (See the attached)

Gene Phelps, stated that they have put together a consolidation of amendments that includes what the school district has agreed upon. (See the attached) Mr. Phelps indicated that he and Mr. Gagnier could not come to an agreement and Mr. Gagnier has some proposed legislation in Section 2.

Senator Hilbrecht felt there should be something in this bill to state that if they don't meet the necessary requirements that they will be terminated. Wants the word "may" eliminated and suggested using stronger language. Mr. Hilbrecht suggested an annual review in order to determine mental and physical fitness for continued service. This language should be added after "65 years of age or older qualified for employment-----, drop the rest and pick up with No. 1 under Section 3.

Chairman Gibson suggested taking the amendments given to the committee by Mr. Phelps and have Mr. Gagnier look at them in order to get a consensus of opinion.

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Chairman Gibson asked the committee if they were in favor of reconsideration to their action taken on AB-336 as there was no representation from the sponsors of the bill.

Motion to "Reconsider AB-336" by Senator Hilbrecht, seconded by Senator Schofield. Motion carried unanimously.

The committee read a letter from Mike Melner regarding the questions asked in a previous hearing on SB-354. (See attached)

Senator Hilbrecht had the following suggested amendments: (1) In Section 11, should be amended to include only Federally insured mortgages. Section 31 should be amended to have the 40 year mortgage instead of the 50 year mortgage.

Senator Dodge suggested that in Section 39 the wording that involves moral obligation by the state should be eliminated. Also in Section 22 the following should be added, making it subsection 2 of Section 22, "Such loans shall be made only after the determination by the administrator that the mortgage loans are not otherwise available from private lenders upon reasonably equivalent terms and conditions."

Motion on the above amendments, "Amend and Do Pass" by Senator Hilbrecht, seconded by Senator Walker, motion carried unanimously.

The committee considered the amendments on AB-29 submitted by Mr. Cassady of the Dairy Commission. (See the attached)

The committee discussed the ratio on the Consumer Board and whether or not to have them classified. The committee favored giving subpoena power to the Dairy Commission as well as eliminating the classification of "producer-distributor".

Senator Hilbrecht will work out the amendments to AB-29 and report back to the committee.

As there was no further business the meeting was adjourned at 5:15 p.m.

Respectfully submitted,

Janice M. Peck
Committee Secretary

Approved:


Chairman

S E N A T E

1001

AGENDA FOR COMMITTEE ON . . . GOVERNMENT AFFAIRS
 THURSDAY
 DATE April 17, 1975 TIME 2:45 P.M. ROOM . . . 345

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel Requested*</u>
SB-472	Designates governing bodies of county fire prevention districts created by county commissioners as boards of fire commissioners; authorizes payment of district property tax in four equal installments; provides for collection of expenses for extinguishment of fires within districts. (BDR 42-1630)	
SB-474	Eliminates requirement of publication of amount of allowed county bills; requires posting, filing of lists of such bills. (BDR 31-1636)	
SB-475	Requires county registrar of voters to deposit receipts from cities for municipal election services in general fund of county. (BDR 24-1634)	
SB-476	Requires amendment of certain subdivision plats, records of survey, reversionary maps by registered land surveyor, county surveyor (BDR 22-1637)	
SB-477	Requires governing body of city annexing contiguous territory to give prior notice to board of county commissioners. (BDR 21-1624)	
SB-478	Authorizes county commissioners to vote on contract, lease, franchise which extends beyond his term of office. (BDR 20-1642)	
SB-479	Authorizes appointment of county comptrollers in counties under 100,000; provides for appointing authority in all counties. (BDR 20-1626)	
SB-480	Creates county commissioner districts based on population in Washoe County. (BDR 20-1631)	
SB-481	Authorizes county commissioners to install, operate parking meters on publicly owned, leased property made available for public parking. (BDR 20-1633)	
SB-482	Increases dollar limitation on advances from county general fund for purpose of making public improvements by special assessments without issuance of bonds. (BDR 20-1635)	

Notify: Russ McDonald, Washoe County
 County Commission Association, Bob Broadbent

* Please do not ask for counsel unless necessary

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING
CARSON CITY, NEVADA 89701



LEGISLATIVE COMMISSION
LAWRENCE E. JACOBSEN, Assemblyman, *Chairman*
INTERIM FINANCE COMMITTEE
FLOYD R. LAMB, Senator, *Chairman*

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ARTHUR J. PALMER, *Director*

PERRY P. BURNETT, *Legislative Counsel*
EARL T. OLIVER, *Legislative Auditor*
ARTHUR J. PALMER, *Research Director*

April 16, 1975

LCO 9

Constitutionality of S.B.
480

Assemblyman Robert L. Weise
Assembly Chamber
Legislative Building
Carson City, Nevada 89701

Dear Mr. Weise:

You have requested the opinion of the Legislative Counsel concerning Senate Bill No. 480 of this 58th session, which creates districts in Washoe County for the election of the several county commissioners, one from each district. The territory of each district is specified in the bill, in terms of census enumeration districts.

Section 20 of article 4 of the Nevada constitution provides: "The legislature shall not pass local or special laws in any of the following enumerated cases * * * [one of which is] Regulating the election of county and township officers * * *."

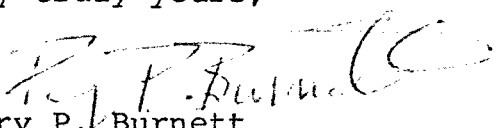
Senate Bill No. 480 clearly regulates the election of county officers, and is clearly local in nature, for the specified enumeration districts exist nowhere but in Washoe County and the bill refers specifically and solely to Washoe County. It is therefore the opinion of the Legislative Counsel that Senate Bill No. 480 would, if enacted, be unconstitutional.

It may be noted that existing NRS 244.017, enacted in 1971, which pertains in the same way to Clark County, is unconstitutional for the same reason. Prior statutes dividing Washoe and Clark counties respectively into specified districts for the election of county commissioners were held unconstitutional

Assemblyman Robert L. Weise
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in McDonald v. Beemer, 67 Nev. 419 (1950), and State ex rel.
Bible v. Malone, 68 Nev. 32 (1951).

Very truly yours,



Perry P. Burnett
Legislative Counsel

PPB:jll



MIKE O'CALLAGHAN
GOVERNOR

MICHAEL L. MELNER
DIRECTOR

STATE OF NEVADA
DEPARTMENT OF COMMERCE

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201 SOUTH FALL STREET
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DIVISIONS OF
BANKING
CONSUMER AFFAIRS
FIRE MARSHAL
INSURANCE
REAL ESTATE
SAVINGS AND LOAN

April 17, 1975

Honorable James I. Gibson
Nevada State Senate
Legislative Building
Carson City, Nevada 89701

Dear Senator Gibson:

As a result of the hearing on S.B. 354, First Reprint, yesterday, a number of questions were received by the committee. This letter is an attempt to answer those questions and to provide support for passage of the bill in its current form.

Question 1: How is conventional insurance to be supervised so as to protect the bond reserve fund?

Answer: I discussed this matter in some detail with Dr. Richard L. Rottman, Commissioner of Insurance. Dr. Rottman assures me that mortgage insurance carriers are subject to the full supervision of the Insurance Division, particularly as to the adequacy of reserves in light of market conditions. The use of conventional insurance for loans is at the discretion of the administrator, and in addition, the private mortgage insurer must be qualified to issue insurance in the State of Nevada (Section 11).

The testimony indicated that until Nevada's Housing Division issues are seasoned, conventional insurance will not be used. This is a factor of the market place and would most certainly would be a condition imposed by the underwriter. I believe that adequate safeguards exist to supervise conventional insurance. To allow only government-insured mortgages would have the indirect effect of limiting the state-chartered savings and loan associations from participating in any programs of the division.

Question 2: Why is a 50-year maturity limit for bonds provided for in Section 31?

Answer: While it is certainly true that the average mortgage does not extend much over 30 years, HUD and Farmers Home Administration contemplate 40-year mortgages. In addition, I am advised that although the average life of a loan is ten years in Nevada, mortgages are now contemplated for 30-year terms with 40-year amortization by means of balloon payments which would be refinanced. Again, I think we are dealing with a

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factor of the market place in that issues probably would not be for 50-year maturity unless a new federal program would dictate such maturity. I can see no harm in leaving the 50-year maturity limit authority in the bill since as the market will not bear a 50-year maturity, the state would not issue one. I would imagine that the market would only bear a 50-year maturity if an appropriate federal program required a longer-term mortgage than the traditional 30-year maturity.

Question 3: What is the reason for the language in Section 39 requiring the Administrator to report the status of the bond reserve fund to the Governor, the President of the Senate, and the Speaker of the Assembly? What is the reason for including gubernatorial discretion in asking the Legislature to restore the bond reserve fund if that fund is deficient?

Answer: The bill in its present form states in very clear language in Section 41, Paragraph 2, that, "Obligations issued under the provisions of this chapter do not constitute a debt, liability or obligation of this state or of any political subdivision thereof, or a pledge of the faith and credit of this state or of any political subdivision thereof, but are payable solely from the revenues or assets of the division. Each obligation issued under this chapter shall contain on the face thereof a statement to the effect that the division is not obligated to pay the obligation or the interest thereon except from the revenues or assets pledged therefor and that neither the faith and credit nor the taxing power of this state or of any political subdivision thereof is pledged to the payment of the principal of or the interest on such obligation."

There is no requirement that any branch of government take formal action on the report of the Administrator required by Section 39. The Administrator reports to the Governor and to the Legislature both the good and the bad. The language contained in Section 39, while not requiring any action, at least makes other governmental units aware of the fiscal conditions of the Housing Finance Division. Mr. Nicholas Smith, who has acted a financial consultant to various state agencies, advises me that the inclusion of this language would insure the best possible rate at the sale of bonds. This is "moral obligation" language. It is typical language found in successful housing finance programs. For this kind of program to operate successfully, even a tenth of a point of interest in the sale price of a bond makes a difference. The "moral obligation" language assists in getting the best price.

For the information of the committee, I am attaching a copy of a memo prepared by me for Governor O'Callaghan regarding the

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the New York Urban Development Corp. I would note that the urban development corporation was not a housing finance agency, and that the New York Housing Finance Agency has been most successful. The failure of the urban development corporation can not be compared to housing finance agency concepts.

Question 4: Why was the language found in Paragraph 2 of Section 24 of the original bill removed?

Answer: Section 24 of the original bill provided for development concepts in that Paragraph 1 of the original Section 24 talked about the division's participation in construction and rehabilitation of certain forms of housing. In taking the development language out, the entire section was rewritten. Qualification language is now contained in the First Reprint in Section 9, Paragraph 4, in which the Administrator in determining eligibility determines whether the person or family can compete successfully in the normal private housing market. An individual coming directly to the division would be referred back to the private housing market to see whether he could successfully compete. It is the intention of the department that the division only make loans that have been refused by Nevada lending institutions. We would propose that this condition be made part of underwriting requirements.

A number of safeguards were written into the First Reprint. I would particularly note the supervisory authority of the State Board of Finance contained in Section 30 of the First Reprint, as well as the supervisory authority of the Department of Commerce found in Section 2. In addition, Section 17, Paragraph 4, requires a report which is to be submitted to the Governor, the State Treasurer, and the Legislature each biennium. Such report would include a complete operating and financial statement. The division must also cause an audit of its books and accounts to be made each fiscal year by the Legislative Auditor or a certified public accountant approved by the Legislative Auditor.

I sincerely appreciate your committee's patience with me in processing this bill. It is a complex one, and I have had to rely on the expertise of many other persons. I would hope that the answers contained in this letter are satisfactory and that the bill will be processed in its present form.

Sincerely,



Michael L. Melner
Director

MLM/jk

c: Each Member of Senate Government Affairs Committee

TO Governor Mike O'Neil

Memo 1032

FROM Mike Melner

DATE March 14, 1975

SUBJECT

The collapse of the New York Urban Development Corp. (a public agency which issued revenue bonds) may certainly affect the bond market, but it is unrelated to the Housing Finance Agency proposed for Nevada. The New York agency received funds for special projects such as multi-unit apartment housing, schools, and hospitals. New York was unable to pay off the bonds because the projects the funds were invested in did not produce revenues. This is quite different from the Housing Finance Agency, which as a matter of law could only invest in insured (VA, FHA, Conventional) mortgages. The Nevada agency could only invest in housing, and as a matter of policy would be limited to single-family, stick dwellings. The requirement of insurance is the key to the housing program. The New York Housing Finance Agency, in fact, has had no problems, only the Urban Development Corp. in New York is in trouble.

The moral obligation of the State of Nevada, while technically involved as an issue in a Housing Finance Agency, is not an important factor because the collateral for all loans is an insured mortgage so that buyers have something to fall back on. There was neither insurance nor revenue in the New York Urban Development Corp. case.

I have talked with bond market analysts about the problem. It has not affected any political subdivision involved in a simple program of housing finance. It has affected those programs such as New York's where uninsured revenue projects were undertaken.

MLM/jk
Att.

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

1093

FROM: Clarence J. Cassady
Secretary-Administrator
Dairy Commission

Suggested amendments to AB 29 (Second Reprint)
(New material is underlined)

Transfer Price - Page 5, Line 38 through 44

For purposes of this section the "transfer price" for fluid milk and fluid cream products shall be the minimum wholesale prices established by the commission for such products, less any legal discounts allowed. The "transfer price" for butter and fresh dairy byproducts shall be determined pursuant to the factors contained in subsection 2. For purposes of this section the "retailer's cost of doing business" means all overhead costs incurred by the retailer in operating his retail business. A retailer's cost of doing business shall be presumed to be equal to 10 percent of the invoice price or transfer price paid by such retailer for his fluid milk, fluid cream, butter and fresh dairy byproducts unless he can substantiate a lower price.

Subpoena Power - Page 6, Line 14 through 18

(6) 7. The commission or any agent of the commission may examine the books and records of any (manufacturing distributor or) distributor who processes or manufactures fluid milk, fluid cream, butter or fresh dairy byproducts, and peddler-distributor or any retailer relating to cost and prices. Such books and records shall be subject to the subpoena provisions of NRS 584.470.

CONSOLIDATION OF AMENDMENTS

SB-100

Proposal: NRS 281.370 is hereby amended to read as follows:

1. All personnel actions taken by state, county, school district, district or municipal departments, agencies, boards or appointing officers thereof shall be based solely on merit and fitness.

2. Except as provided in NRS 284.3781 and 613.350(4) state, county, school district, district or municipal departments, agencies, boards or appointing officers thereof shall not:

(a) Refuse to hire a person because of such person's race, color, creed, national origin, sex or age, unless based upon a bona fide occupational classification.

(b) Discharge or bar any person from employment because of such person's race, creed, color, national origin, sex or age.

(c) Discriminate against any person in compensation or in other terms or conditions of employment because of such person's race, creed, color, national origin, sex or age (, except as provided in NRS 284.3781).

Dyer

→ 3. Counties, school districts, municipal governments, and agencies, boards or appointing officers thereof may hire, retain, or in the case of certificated personnel, in school districts, re-employ, any person who is 65 years of age or older and otherwise qualified for employment on a year-to-year basis. Employees 65 years of age or older shall be reviewed yearly in order to determine physical and mental fitness for service.

NRS 284.3781 is hereby amended to read as follows:

1. (Beginning on July 1, 1973,) Any employee in the classified service of the state personnel system who is 65 years of age or older (may be hired or continued in the classified service on a year-to-year basis) and has established eligibility for benefits under NRS 286.550 shall be separated from the service.

Consolidation of Amendments (S. B. 100), Continued

2. Any person who is 65 years of age or older and otherwise qualified for employment may be hired or rehired in the classified service of the state personnel system on a year-to-year basis or for some lesser term.

S. B. 472

SENATE BILL NO. 472—COMMITTEE ON GOVERNMENT AFFAIRS

APRIL 7, 1975

Referred to Committee on Government Affairs

SUMMARY—Designates governing bodies of county fire prevention districts created by county commissioners as boards of fire commissioners; authorizes payment of district property tax in four equal installments; provides for collection of expenses for extinguishment of fires within districts. Fiscal Note: No. (BDR 42-1630)



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

AN ACT relating to county fire protection districts created by boards of county commissioners; designating their governing bodies as boards of fire commissioners; providing that ad valorem taxes levied for district purposes may be paid in four equal installments; authorizing the collection of expenses for extinguishment of fires within such districts; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 474.460 is hereby amended to read as follows:
- 2 474.460 1. All territory in each county not included in any other fire
- 3 protection district, except incorporated areas, may be organized by ordi-
- 4 nance by the board of county commissioners of the county in which such
- 5 territory lies into as many fire protection districts as necessary to provide
- 6 for the prevention and extinguishment of fires in the county, until such
- 7 time as such territory may be included in another fire protection district
- 8 formed in accordance with the provisions of chapter 473 of NRS, or NRS
- 9 474.010 to 474.450, inclusive.
- 10 2. Each such district shall:
- 11 (a) Be a body corporate and politic;
- 12 (b) Be a political subdivision of the state; and
- 13 (c) Have perpetual existence unless dissolved as provided in this chap-
- 14 ter.
- 15 3. Each such district may:
- 16 (a) Have and use a corporate seal;
- 17 (b) Sue and be sued, and be a party to suits, actions and proceedings;
- 18 [and]
- 19 (c) Arbitrate claims [.] ; and

1 (d) *Contract and be contracted with.*

2 4. The board of county commissioners of the county organizing each
3 such district shall ex officio be the governing body of each such district.
4 *The governing body shall be known as the board of fire commissioners.*

5 5. The chairman of the board of county commissioners shall ex officio
6 be chairman of each such district.

7 6. The county clerk shall ex officio be clerk of each such district.

8 7. The county treasurer shall ex officio be treasurer of each such dis-
9 trict.

10 SEC. 2. NRS 474.470 is hereby amended to read as follows:

11 474.470 The board of [county] fire commissioners shall:

12 1. Manage and conduct the business and affairs of districts organized
13 pursuant to the provisions of NRS 474.460.

14 2. Promulgate and enforce all regulations necessary for the adminis-
15 tration and government of the districts and for the furnishing of fire pro-
16 tection.

17 3. Organize, regulate, establish and disband fire companies, depart-
18 ments or volunteer fire departments for the districts.

19 4. Provide for the payment of salaries to the personnel of such fire
20 companies or fire departments.

21 5. Provide for payment from the proper fund of all the debts and
22 just claims against the districts.

23 6. Employ agents and employees for the [district] districts sufficient
24 to maintain and operate the property acquired for the purposes of the
25 [district.] districts.

26 7. Acquire real or personal property necessary for the purposes of
27 the districts and dispose of the same when no longer needed.

28 8. Construct any necessary structures.

29 9. Acquire, hold and possess, either by donation or purchase, [in the
30 name of the county in behalf of the districts,] any land or other property
31 necessary for the purpose of the districts.

32 10. Eliminate and remove fire hazards from the districts wherever
33 practicable and possible, whether on private or public premises, and to
34 that end the board of fire commissioners may clear the public highways,
35 and, where permitted, private lands, of dry grass, stubble, brush, rubbish
36 or other inflammable material in its judgment constituting a fire hazard.

37 11. Perform all other acts necessary, proper and convenient to accom-
38 plish the purposes of NRS 474.460 to 474.540, inclusive.

39 SEC. 3. NRS 474.480 is hereby amended to read as follows:

40 474.480 1. The board of [county] fire commissioners [of each
41 county] shall plan for the prevention and extinguishment of fires in the
42 territory of the county described by NRS 474.460, in cooperation with the
43 state forester firewarden and the state board of forestry and fire control
44 to coordinate the fire protection activities of the [county] districts with
45 the fire protection provided by the state board of forestry and fire control
46 and by federal agencies, in order that the state forester firewarden and the
47 state board of forestry and fire control may establish a statewide plan for
48 the prevention and control of large fires, mutual aid among the [count-
49 ties,] districts, training of personnel, supply, finance and other purposes
50 to promote fire protection on a statewide basis.

1 2. Through inspection and recommendation, the state forester fire-
2 warden shall standardize the fire protection equipment and facilities of the
3 **[counties]** *districts* to facilitate mutual aid among the **[counties.]** *dis-*
4 *tricts.*

5 SEC. 4. NRS 474.490 is hereby amended to read as follows:

6 474.490 The board of **[county]** *fire* commissioners shall cooperate
7 with other agencies **[and counties]** as provided in NRS 472.040 to 472.-
8 090, inclusive, to prevent and suppress fires in wild lands, and may con-
9 tribute suitable amounts of money from the sums raised as provided in
10 NRS 474.510 for such purpose to cooperating agencies, or may receive
11 contributions from other agencies to be spent for such purpose.

12 SEC. 5. NRS 474.500 is hereby amended to read as follows:

13 474.500 1. The board of **[county]** *fire* commissioners may appoint a
14 **[county]** *district* fire chief who shall have adequate training and experi-
15 ence in fire control and who shall hire such employees as are authorized
16 by the board. The **[county]** *district* fire chief shall administer all fire con-
17 trol laws in the territory of the county described by NRS 474.460 and per-
18 form such other duties as may be designated by the board of **[county]** *fire*
19 commissioners and the state forester firewarden. The **[county]** *district* fire
20 chief shall coordinate fire protection activities in the **[county]** *district* and
21 shall cooperate with all other existing fire protection agencies and with the
22 state forester firewarden for the standardization of equipment and facili-
23 ties.

24 2. In lieu of or in addition to the provisions of subsection 1, the board
25 of **[county]** *fire* commissioners may:

26 (a) Provide the fire protection required by NRS 474.460 to 474.540,
27 inclusive, to the **[county]** *districts* by entering into agreements with other
28 agencies as provided by NRS 472.060 to 472.090, inclusive, and 277.180,
29 for the furnishing of such protection to the **[county;]** *districts;* or

30 (b) Support volunteer fire departments within districts organized under
31 the provisions of NRS 474.460 to 474.540, inclusive, for the furnishing of
32 such protection to the **[county.]** *districts.*

33 SEC. 6. NRS 474.510 is hereby amended to read as follows:

34 474.510 1. The board of **[county]** *fire* commissioners shall prepare
35 a budget for each district organized in accordance with NRS 474.460,
36 estimating the amount of money which will be needed to defray the
37 expenses of the district, and to meet unforeseen fire emergencies and
38 determine the amount of a fire protection tax sufficient to raise such sums.

39 2. At the time of making the levy of county taxes for the year, the
40 board of county commissioners shall levy the tax provided by subsection
41 1, upon all property, both real and personal, subject to taxation within
42 the boundaries of the district, including the net proceeds of mines. Any
43 tax levied on interstate or intercounty telephone lines, powerlines and
44 other public utility lines as authorized in this section shall be based upon
45 valuations established by the Nevada tax commission pursuant to the
46 provisions of NRS 361.315 to 361.330, inclusive.

47 3. The amount of tax to be collected for the purposes of this section
48 shall not exceed, in any 1 year, 1 percent of the value of the property
49 described in subsection 2.

50 4. If levied, the tax shall be entered upon the assessment roll and

1 collected in the same manner as state and county taxes. *Taxes may be*
2 *paid in four equal installments at the times specified in NRS 361.483*
3 *and the same penalties as specified in NRS 361.483 shall be added for*
4 *failure to pay such taxes.*

5 5. For the purposes of NRS 474.460 to 474.540, inclusive, the
6 county treasurer shall keep two separate funds for each such district, one
7 to be known as the district fire protection operating fund and one to be
8 known as the district fire emergency fund. The sums collected to defray
9 the expenses of any district organized pursuant to NRS 474.460 shall be
10 deposited in the district fire protection operating fund, and the sums
11 collected to meet unforeseen emergencies shall be deposited in the district
12 fire emergency fund. The district fire emergency fund shall be used solely
13 for emergencies and shall not be used for regular operating expenses and
14 shall not exceed the sum of \$50,000.

15 SEC. 7. NRS 474.511 is hereby amended to read as follows:

16 474.511 Any district organized pursuant to NRS 474.460, acting by
17 and through the board of [county] fire commissioners, by resolution may
18 at any time or from time to time acquire:

- 19 1. A system of waterworks, hydrants and supplies of water.
- 20 2. Telegraphic fire signals, telephone, telegraph, radio and television
21 service.
- 22 3. Fire engines and other vehicles.
- 23 4. Hooks, ladders, chutes, buckets, gauges, meters, hoses, pumps,
24 fire extinguishers, fans and artificial lights.
- 25 5. Respirators, rescue equipment, other fire protection and firefighting
26 apparatus and other appurtenances.
- 27 6. Fixtures, structures, stations, other buildings and sites therefor.
- 28 7. Land, interests in land, and improvements thereon for firebreaks
29 and other fire protection.
- 30 8. Appurtenances and incidentals necessary, useful or desirable for
31 any such facilities, including without limitation all types of property
32 therefor.
- 33 9. Any combination of the properties provided in this section.

34 SEC. 8. NRS 474.512 is hereby amended to read as follows:

35 474.512 For the purpose of defraying the cost of the acquisition of
36 any properties authorized by NRS 474.511, the board of [county] fire
37 commissioners, on the behalf and in the name of any district organized
38 pursuant to NRS 474.460, may, by resolution, at any time or from time
39 to time, borrow money, otherwise become obligated, and evidence or
40 reevidence such obligations by the issuance of bonds and other municipal
41 securities payable from general (ad valorem) taxes and constituting gen-
42 eral obligations of the district, as provided in the Local Government Secu-
43 rities Law, as from time to time amended, subject to the limitations therein
44 and in NRS 474.513 and 474.514.

45 SEC. 9. NRS 474.540 is hereby amended to read as follows:

46 474.540 [1. The county activities set forth under NRS 474.460 to
47 474.540, inclusive, shall be separate and apart from other county func-
48 tions except for equipment maintenance and repair.

49 2.] The activities of each district organized in accordance with NRS

1 474.460 shall be separate and apart from county activities and any other
2 political subdivision in this state.

3 SEC. 10. Chapter 474 of NRS is hereby amended by adding thereto a
4 new section which shall read as follows:

5 1. *Within the boundaries of any fire protection district organized*
6 *under NRS 474.460, any person, firm, association or agency responsible*
7 *for causing a fire or fires may be charged with the expenses incurred in*
8 *extinguishing such fire or fires, together with the cost of necessary patrol.*
9 *Such a charge shall constitute a debt of such person, firm, association or*
10 *agency charged and shall be collectible by the federal, state, county or dis-*
11 *trict agency incurring such expenses in the same manner as in the case of*
12 *an obligation under a contract, express or implied.*

13 2. *This section does not apply to or affect any existing rights, duties*
14 *or causes of action, nor shall it apply to or affect any rights, duties or*
15 *causes of action accruing prior to the effective date of this act.*

16 SEC. 11. NRS 474.475 is hereby repealed.

17 SEC. 12. This act shall become effective upon passage and approval.

S. B. 474

SENATE BILL NO. 474—COMMITTEE ON
GOVERNMENT AFFAIRS

APRIL 7, 1975

Referred to Committee on Government Affairs

SUMMARY—Eliminates requirement of publication of amount of allowed county bills; requires posting, filing of lists of such bills. Fiscal Note: No. (BDR 31-1636)



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

AN ACT to amend NRS 354.210, relating to the publication and posting of lists of county bills allowed by boards of county commissioners, by eliminating the requirement of publication; providing for the posting and filing of such lists; 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 354.210 is hereby amended to read as follows:
 2 354.210 1. [Except as provided in subsection 3, the] *The* board
 3 of county commissioners shall cause the amount of all bills allowed by
 4 it, together with the names of the persons to whom such allowances are
 5 made and for what such allowances are made, to be [published in some
 6 newspaper published in the county.
 7 2. The amount paid for such publication shall not exceed the statu-
 8 tory rate for publication of legal notices, and the publication shall not
 9 extend beyond a single insertion.
 10 3. Where no newspaper is published in a county, the board of county
 11 commissioners may cause to be published, in some newspaper having a
 12 general circulation within the county, the allowances provided for in sub-
 13 section 1, or shall cause the clerk of the board to post such allowances at
 14 the door of the courthouse.] :
 15 (a) *Posted by the clerk of the board at the door of the courthouse; and*
 16 (b) *Filed by the clerk of the board for public inspection in a book kept*
 17 *for that purpose.*
 18 2. *Notwithstanding the provisions of any other law, the clerk of the*
 19 *board may cause to be destroyed at the end of each fiscal year without*
 20 *order of the board of county commissioners all allowances filed by him*
 21 *pursuant to paragraph (b) of subsection 1.*
 22 SEC. 2. This act shall become effective upon passage and approval.

S. B. 475

SENATE BILL NO. 475—COMMITTEE ON
GOVERNMENT AFFAIRS

APRIL 7, 1975

Referred to Committee on Government Affairs

SUMMARY—Requires county registrar of voters to deposit receipts from cities for municipal election services in general fund of county. Fiscal Note: No. (BDR 24-1634)



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

AN ACT relating to the registration of electors in incorporated cities; requiring county registrars of voters to deposit receipts from cities for services rendered in the general fund of the county; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 293.583 is hereby amended to read as follows:
 2 293.583 1. As full compensation for all services rendered under the
 3 provisions of NRS 293.570 to 293.580, inclusive, the county registrar
 4 shall be entitled to receive *on behalf of the county* the sum of 15 cents for
 5 each name of an elector copied by him, regardless of the number of times
 6 each name is copied.
 7 2. His account shall be:
 8 (a) A valid claim against the city.
 9 (b) Made out so as to show clearly the number of names copied by
 10 him.
 11 (c) Sworn to and filed with the city council or other governing body of
 12 the city.
 13 3. His claim, together with all other just and reasonable demands of
 14 other persons for books, advertising and supplies necessarily incurred in
 15 carrying out the requirements of NRS 293.570 to 293.580, inclusive, shall
 16 be audited and paid out of the general fund of the city.
 17 4. *All moneys received by the county registrar pursuant to this section*
 18 *shall be deposited by him to the credit of the general fund of the county.*
 19 SEC. 2. This act shall become effective upon passage and approval.

S. B. 476

SENATE BILL NO. 476—COMMITTEE ON
GOVERNMENT AFFAIRS

APRIL 7, 1975

Referred to Committee on Government Affairs

SUMMARY—Requires amendment of certain subdivision plats, records of survey, reversionary maps by registered land surveyor, county surveyor. Fiscal Note: No. (BDR 22-1637)



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

AN ACT requiring the preparation and recordation of amended plats, surveys or maps correcting errors or omissions detected after a certain date; imposing duties on registered land surveyors and county surveyors; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 278.491 is hereby amended to read as follows:
 2 278.491 1. If an error or omission in any [recorded] subdivision
 3 plat, record of survey or reversionary map *recorded after July 1, 1973*, is
 4 discovered by a county surveyor or is accurately reported to him, an
 5 amended plat, survey or map, correcting such error or supplying such
 6 omission, shall be prepared and recorded within 90 days of such discovery
 7 or report. The registered land surveyor who made the survey shall prepare
 8 and record the amended plat, survey or map. If such surveyor is no longer
 9 professionally active in the county, the preparation and recording shall be
 10 handled by the county surveyor.
 11 2. The county surveyor shall send written notice to all persons having
 12 any record title interest in the property affected by such amendments.
 13 Mailing shall be to the last-known address of such persons, which shall be
 14 supplied by the registered land surveyor or obtained from him.
 15 SEC. 2. This act shall become effective upon passage and approval.

S. B. 477

SENATE BILL NO. 477—COMMITTEE ON
GOVERNMENT AFFAIRS

APRIL 7, 1975

Referred to Committee on Government Affairs

SUMMARY—Requires governing body of city annexing contiguous territory to give prior notice to board of county commissioners. Fiscal Note: No. (BDR 21-1624)



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

AN ACT to amend NRS 268.670, relating to annexation of contiguous territory by a city, by requiring prior notice to the board of county commissioners of the county in which the city lies.

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

- 1 SECTION 1. NRS 268.670 is hereby amended to read as follows:
- 2 268.670 1. Notwithstanding the provisions of NRS 268.610 to 268.-
- 3 668, inclusive, the governing body of a city may, *after notifying the board*
- 4 *of county commissioners of the county in which the city lies of its inten-*
- 5 *tion*, annex:
- 6 (a) Contiguous territory owned in fee by the city.
- 7 (b) Other contiguous territory if 100 percent of the owners of record
- 8 of individual lots or parcels of land within such area sign a petition
- 9 requesting the governing body to annex such area to the city. If such
- 10 petition is received and accepted by the governing body, the governing
- 11 body may proceed to adopt an ordinance annexing such area and to take
- 12 such other action as is necessary and appropriate to accomplish such
- 13 annexation.
- 14 2. For the purposes of this section, "contiguous" means either abut-
- 15 ting directly on the boundary of the annexing municipality or separated
- 16 from the boundary thereof by a street, alley, public right-of-way, creek,
- 17 river or the right-of-way of a railroad or other public service corporation,
- 18 or by lands owned by the annexing municipality, by some other political
- 19 subdivision of the state or by the State of Nevada.

S. B. 478

SENATE BILL NO. 478—COMMITTEE ON
GOVERNMENT AFFAIRS

APRIL 7, 1975

Referred to Committee on Government Affairs

SUMMARY—Authorizes county commissioners to vote on contract, lease, franchise
which extends beyond his term of office. Fiscal Note: No. (BDR 20-1642)EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.AN ACT authorizing county commissioners to vote on contracts, leases, franchises
and transactions the provisions of which extend beyond their terms of office;
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 244.320 is hereby amended to read as follows:
2 244.320 [1. Except as otherwise authorized by law, no member of
3 any board of county commissioners shall be allowed to vote on any con-
4 tract which extends beyond his term of office.
5 2. Any county commissioner violating the provisions of subsection 1
6 shall be deemed guilty of a misdemeanor.] *A member of a board of*
7 *county commissioners is allowed to vote on any contract, lease, franchise,*
8 *exchange or other transaction the provisions of which extend beyond his*
9 *term of office.*
- 10 SEC. 2. NRS 244.185 is hereby amended to read as follows:
11 244.185 1. Except as provided in NRS 318.1194, the boards of
12 county commissioners shall have power and jurisdiction in their respective
13 counties to grant to any person, company or association a franchise to
14 construct, maintain and operate a television installation system which
15 requires the use of county property or that portion of the county dedicated
16 to public use for the maintenance of cables or wires, underground, on the
17 surface or on poles, for the transmission of the television picture.
18 2. The provisions of chapter 709 of NRS shall not be applicable to
19 any franchise granted under the provisions of this section. [, and a mem-
20 ber of any board of county commissioners shall be allowed to vote on any
21 such franchise which extends beyond his term of office, irrespective of the
22 provisions of NRS 244.320.]
- 23 SEC. 3. NRS 244.187 is hereby amended to read as follows:
24 244.187 1. Any board of county commissioners may grant exclusive

1 franchises to operate any of the following services outside the limits of
2 incorporated cities within the county:

3 (a) Garbage and disposal.

4 (b) Fire protection and suppression.

5 (c) Ambulance service to pick up patients outside the limits of such
6 incorporated cities.

7 2. Nothing in paragraph (c) of subsection 1 shall prevent any ambu-
8 lance service from transporting patients from any county in which it is
9 franchised to another county.

10 3. The board of county commissioners may, by ordinance, regulate
11 such services and fix fees or rates to be charged by the franchise-holder.

12 4. A notice of the intention to grant any franchise shall be published
13 once in a newspaper of general circulation in the county, and the fran-
14 chise may not be granted until 30 days after such publication. The
15 board of county commissioners shall give full consideration to any appli-
16 cation or bid to supply such services, if received prior to the expiration
17 of such 30-day period, and shall grant the franchise on terms most advan-
18 tageous to the county and the persons to be served.

19 5. The provisions of chapter 709 of NRS shall not apply to any
20 franchise granted under the provisions of this section. [, and a member
21 of any board of county commissioners may vote on any such franchise
22 notwithstanding the provisions of NRS 244.320.]

23 6. Nothing in this section shall be construed to prevent any individ-
24 ual, partnership, corporation or association from hauling his or its own
25 garbage subject to the regulations of the board of county commissioners
26 promulgated under the provisions of this section.

27 SEC. 4. NRS 244.194 is hereby amended to read as follows:

28 244.194 [1.] Boards of county commissioners may rent, lease or
29 otherwise acquire voting machines in whatever manner will best serve
30 local interests.

31 [2. The provisions of NRS 244.320 shall not apply to this section.]

32 SEC. 5. NRS 244.275 is hereby amended to read as follows:

33 244.275 1. The boards of county commissioners shall have power
34 and jurisdiction in their respective counties:

35 (a) To purchase any real or personal property necessary for the use of
36 the county.

37 (b) To lease any real or personal property necessary for the use of the
38 county. [The provisions of NRS 244.320 shall not apply concerning
39 leases of real property, and members of the board shall be allowed to
40 vote on any contract or lease which extends beyond their terms of office.]

41 2. No purchase of real property shall be made unless the value of the
42 same has been previously appraised and fixed by one or more competent
43 real estate appraisers to be appointed for that purpose by the county com-
44 missioners. The person or persons so appointed shall be sworn to make a
45 true appraisal thereof according to the best of their knowledge and
46 ability. Purchases of real property from other federal, state or local gov-
47 ernments are exempt from such requirement of appraisal.

48 SEC. 6. NRS 244.283 is hereby amended to read as follows:

49 244.283 1. When the board of county commissioners determines that

1 the lease of real property belonging to the county for industrial or recrea-
2 tional purposes is necessary, the board shall have the power to lease such
3 real property, whether acquired by purchase, dedication or otherwise. The
4 provisions of this subsection shall not be construed to permit the lease of
5 any real property in contravention of any condition in a gift or devise of
6 real property to the county.

7 2. Before ordering the lease of any property the board shall, in open
8 meeting by a majority vote of the members, adopt a resolution declaring
9 its intention to lease the property. The resolution shall:

10 (a) Describe the property proposed to be leased in such manner as to
11 identify it.

12 (b) Specify the minimum rental, and the terms upon which it will be
13 leased.

14 (c) Fix a time, not less than 3 weeks thereafter, for a public meeting of
15 the board to be held at its regular place of meeting, at which sealed pro-
16 posals to lease will be received and considered.

17 3. Notice of the adoption of the resolution and of the time and place
18 of holding the meeting shall be given by:

19 (a) Posting copies of the resolution in three public places in the county
20 not less than 15 days before the date of the meeting; and

21 (b) Publishing the resolution not less than once a week for 2 succes-
22 sive weeks before the meeting in a newspaper of general circulation pub-
23 lished in the county, if any such newspaper is published therein.

24 4. At the time and place fixed in the resolution for the meeting of the
25 board, all sealed proposals which have been received shall, in public
26 session, be opened, examined and declared by the board. Of the proposals
27 submitted which conform to all terms and conditions specified in the
28 resolution of intention to lease and which are made by responsible bid-
29 ders, the proposal which is the highest shall be finally accepted, unless a
30 higher oral bid is accepted or the board rejects all bids.

31 5. Before accepting any written proposal, the board shall call for
32 oral bids. If, upon the call for oral bidding, any responsible person offers
33 to lease the property upon the terms and conditions specified in the
34 resolution, for a rental exceeding by at least 5 percent the highest written
35 proposal, then the highest oral bid which is made by a responsible person
36 shall be finally accepted.

37 6. The final acceptance by the board may be made either at the same
38 session or at any adjourned session of the same meeting held within the
39 10 days next following.

40 7. The board may, either at the same session or at any adjourned ses-
41 sion of the same meeting held within the 10 days next following, if it
42 deems such action to be for the best public interest, reject any and all bids,
43 either written or oral, and withdraw the property from lease.

44 8. Any resolution of acceptance of any bid made by the board shall
45 authorize and direct the chairman to execute a lease and to deliver it upon
46 performance and compliance by the lessee with all the terms or conditions
47 of his contract which are to be performed concurrently therewith. [The
48 provisions of NRS 244.320 shall not apply concerning the resolution of
49 acceptance and the execution of a lease under the provisions of this sec-
50 tion.]

1 9. All moneys received from rentals of real property shall be depos-
2 ited forthwith with the county treasurer to be credited to the county gen-
3 eral fund.

4 SEC. 7. NRS 244.284 is hereby amended to read as follows:

5 244.284 1. In addition to the powers conferred by NRS 450.500,
6 the board of county commissioners may lease any of the real property of
7 the county for a term not exceeding 30 years, if such real property is not
8 needed for the public purposes of the county and is let to or for any
9 nonprofit charitable or civic organization, and the property is actually
10 used for charitable or civic purposes.

11 2. A lease pursuant to this section may be made on such terms and
12 conditions as seem proper to the board of county commissioners.

13 [3. The provisions of NRS 244.320 shall not apply to any proceed-
14 ing concerning a lease entered into pursuant to this section.]

15 SEC. 8. NRS 269.125 is hereby amended to read as follows:

16 269.125 1. In addition to the powers and jurisdiction conferred by
17 other laws, the town board or board of county commissioners shall have
18 the power and duty to hold, manage, use and dispose of the real and
19 personal property of any unincorporated town or city and the board of
20 county commissioners shall collect all dues and demands belonging to
21 or coming to the same. No sale of any such property shall be made until
22 after it be appraised by three appraisers, taxpayers of the town or city,
23 appointed by a district judge of the county, at the actual market value,
24 nor shall it be sold for less than three-fourths of such appraised value.

25 2. Except as provided in NRS 318.1194, the boards of county com-
26 missioners shall have power and jurisdiction in their respective counties
27 to grant to any person, company or association, with the approval of
28 the town board involved, a franchise to construct, maintain and operate
29 a television installation system which requires the use of the property of
30 any unincorporated town in the county or that portion of the unincor-
31 porated town dedicated to public use for the maintenance of cables or
32 wires underground, on the surface or on poles for the transmission of
33 the television picture. The provisions of chapter 709 of NRS shall not
34 be applicable to any franchise granted under the provisions of this sub-
35 section. [, and a member of any board of county commissioners shall be
36 allowed to vote on any such franchise which extends beyond his term of
37 office, irrespective of the provisions of NRS 244.320.]

38 SEC. 9. NRS 277.050 is hereby amended to read as follows:

39 277.050 1. As used in this section, "public agency" includes the
40 United States or a department or agency thereof, the State of Nevada or a
41 department or agency thereof, a county, Carson City, a public corporation
42 and a public district.

43 2. Without a vote of the electors of a public agency first being had,
44 the governing body thereof is authorized:

45 (a) To sell or exchange to another public agency any unused real prop-
46 erty belonging to it, which, at the time of delivery of title or possession, is
47 no longer required for public use by the selling or exchanging public
48 agency.

49 (b) To lease to another public agency, for a term not exceeding 99

1 years, any unused real property belonging to it, which, at the time of deliv-
2 ery of possession, is no longer required for public use by the lessor public
3 agency.

4 3. A sale or exchange may be:

5 (a) Negotiated without advertising for public bids.

6 (b) Made for cash or property, or for part cash and property, or for
7 part cash and terms of deferred payments secured by mortgage or deed of
8 trust, but the purchasing public agency or exchanging public agencies shall
9 pay or convey property worth an amount at least equal to the current,
10 appraised value of the real property being conveyed or exchanged. Funds
11 derived from a sale shall be used for capital outlay.

12 4. A lease may be:

13 (a) Negotiated without advertising for public bids.

14 (b) Made for such consideration as may be authorized by action of
15 the governing body of the lessor public agency.

16 5. Before ordering the sale, exchange or lease of any such property
17 the governing body of a public agency shall, in a regular open meeting,
18 by a majority vote of its members, adopt a resolution declaring its inten-
19 tion to sell or exchange the same, or a resolution declaring its intention to
20 lease the same, as the case may be. The resolution shall:

21 (a) Describe the property proposed to be sold, exchanged or leased
22 in such a manner as to identify it.

23 (b) Specify the minimum price, consideration or rent and the terms
24 upon which it will be sold, exchanged or leased.

25 (c) Fix a time not less than 2 weeks thereafter for a public meeting
26 of the governing body, at which meeting objections to the sale, exchange
27 or lease may be made by the electors of the public agency.

28 6. Notice of the adoption of the resolution and of the time and place
29 of the public meeting shall be published in a newspaper of general circula-
30 tion published in the county in which the public agency or any part
31 thereof is situated. The notice shall be published not less than twice, on
32 successive days, the last publication to be not less than 7 days before the
33 date of the public meeting.

34 7. Any resolution accepting a bid or any other form of acceptance of
35 a bid by another public agency shall authorize and direct the chairman,
36 president or other presiding officer of the governing body of the selling,
37 exchanging or lessor public agency to execute a deed or lease and to
38 deliver the same to the purchasing, exchanging or lessee public agency
39 upon the performance and compliance by it of all the terms and conditions
40 of the contract to be performed concurrently therewith.

41 [8. The provisions of NRS 244.320 do not apply to any sale,
42 exchange or lease authorized by this section and any board of county com-
43 missioners may vote on any such sale, exchange or lease agreement which
44 extends beyond their respective terms of office.]

45 SEC. 10. NRS 318.150 is hereby amended to read as follows:

46 318.150 1. Except as otherwise provided in this chapter, the board
47 shall have the power to enter into contracts and agreements affecting the
48 affairs of the district, including but not limited to contracts with the
49 United States of America and any of its agencies or instrumentalities and
50 contracts with any municipality or district for the operation of a common

1 or jointly owned project. [A contract or agreement between the board and
2 a board of county commissioners for the supplying of water by the district
3 to county buildings or facilities is not subject to the provisions of NRS
4 244.320.]

5 2. Any improvement or improvements of any nature made in any
6 district where the entire cost, value or amount of such work, including
7 labor and materials, exceeds \$5,000, except by labor or supplies and
8 materials, or all of such, supplied under agreement with the United
9 States of America, the State of Nevada, or any federal or state agency,
10 instrumentality or corporation, or other political subdivision, shall be
11 done only under independent contract to be entered into by the district
12 with the lowest responsible bidder submitting the lowest and best bid
13 upon proper terms after due public notice by publication has been given
14 asking for competitive bids. The board shall have the right to reject any
15 and all bids and to waive any irregularity in any bid. The requirement of
16 public notice and competitive bidding may be waived, with the permission
17 of the board of county commissioners, upon application in writing signed
18 by the owners of property in the district whose aggregate value is 75
19 percent or more of the total assessed value of taxable property in the
20 district. Any contract may be let on a lump sum or unit basis. No
21 contract shall be entered into for work where the value of the work
22 exceeds \$2,000 unless the contractor furnishes to the board a perform-
23 ance bond and a payment bond as provided in NRS 339.025, but each
24 such performance bond and each such payment bond shall be for 100
25 percent of the contract amount. Upon default in the performance of any
26 contract, the proper official may advertise and relet the remainder of the
27 work without further resolution and deduct the cost from the original
28 contract price and recover any excess cost by suit on the performance
29 bond, or otherwise.

30 3. All supplies and materials purchased by the board for any district
31 (but not by a contractor) costing \$500 or more shall be purchased only
32 after notice by publication for competitive bids. The board shall accept the
33 lowest bid, kind, quality and material being equal, but the board shall have
34 the right to reject any and all bids, to waive any irregularity in any bid,
35 and to select a single item from any bid. The provision as to bidding shall
36 not apply to the purchase of patented and manufactured products offered
37 for sale in a noncompetitive market or solely by a manufacturer's author-
38 ized dealer.

39 SEC. 11. NRS 361.607 is hereby amended to read as follows:

40 361.607 1. When the board of county commissioners determines that
41 the lease of any property referred to in NRS 361.606 will be to the advan-
42 tage of the county, the board may grant leases thereon on such terms and
43 conditions as it sees fit to the highest responsible bidder by competitive
44 bidding, under regulations promulgated in advance, on the basis of a cash
45 bonus as the sole biddable factor.

46 2. Before ordering the lease of any property the board shall, in open
47 meeting by a majority vote of the members, adopt a resolution declaring
48 its intention to lease the property. The resolution shall:

49 (a) Describe the property proposed to be leased in such manner as to
50 identify it.

1 (b) Specify the annual rental, royalty, term of the lease and the other
2 terms upon which it will be leased, including a cash consideration which
3 shall be the sole biddable factor to be included in all bids submitted. All
4 sealed bids shall be accompanied by a deposit not less than 20 percent
5 of the amount bid. Such deposit shall be by cashier's check, certified
6 check, United States currency, or a United States money order. The reso-
7 lution shall also specify that oral bids will be received after all sealed
8 bids have been opened, examined and declared. In the event an oral bid
9 is the highest bid, the bidder thereof shall in like manner immediately
10 deposit not less than 20 percent of the amount bid.

11 (c) Fix a time, not less than 3 weeks thereafter, for a public meeting
12 of the board to be held at its regular place of meeting, at which sealed
13 bids to lease will be received and considered.

14 3. Notice of the adoption of the resolution and of the time and place
15 of holding the meeting shall be given by:

16 (a) Posting copies of the resolution in three public places in the county
17 not less than 15 days before the date of the meeting; and

18 (b) Publishing the resolution not less than once a week for 2 succes-
19 sive weeks before the meeting in a newspaper of general circulation pub-
20 lished in the county, if any such newspaper is published therein.

21 4. At the time and place fixed in the resolution for the meeting of the
22 board, all sealed bids which have been received shall be opened, examined
23 and declared by the board.

24 5. After all sealed bids have been opened, examined and declared, the
25 board shall at the same session call for oral bids. The first such oral bid
26 must exceed by at least 5 percent the highest sealed bid. Any subsequent
27 oral bid or bids must exceed the amount of the next preceding oral bid.

28 6. The highest bid (sealed or oral) made by a responsible party shall
29 be accepted, either at the same session or at any adjourned session of the
30 same meeting held within the 10 days next following, but if the board
31 deems such action to be for the best public interest, it may reject any and
32 all bids, either written or oral, and withdraw the property from lease.

33 7. Any resolution of acceptance of any bid made by the board shall
34 authorize and direct the chairman to execute a lease and to deliver it upon
35 performance and compliance by the lessee with all the terms or conditions
36 of his contract which are to be performed concurrently therewith. [The
37 provisions of NRS 244.320 shall not apply concerning the resolution of
38 acceptance and the execution of a lease under the provisions of this sec-
39 tion.]

40 8. All moneys received from the leases of such property shall be
41 deposited forthwith with the county treasurer to be credited to the county
42 general fund.

43 SEC. 12. NRS 450.500 is hereby amended to read as follows:

44 450.500 1. The board of county commissioners of any county for
45 which a public hospital has been established pursuant to NRS 450.010 to
46 450.510, inclusive, or established otherwise but administered pursuant to
47 NRS 450.010 to 450.510, inclusive, may convey such hospital, or lease it
48 for a term of not more than 50 years, to a nonprofit corporation if all of
49 the following minimum conditions are met:

1 (a) The nonprofit corporation shall be composed initially of the incum-
 2 bent members of the board of hospital trustees, as individuals. The articles
 3 of incorporation shall provide for a membership of the corporation which
 4 is broadly representative of the public and includes residents of each
 5 incorporated city in the county and of the unincorporated area of the
 6 county. The articles shall further provide for the selection of the governing
 7 body by the membership of the corporation and not by the governing
 8 body itself, except to fill a vacancy for the unexpired term. The articles
 9 shall further provide that the terms of office of members of the governing
 10 body shall not exceed 6 years.

11 (b) The nonprofit corporation shall contract to care for indigent
 12 patients at a charge to the county which shall not exceed the actual cost of
 13 providing such care, and to receive any person falling sick or maimed
 14 within the county.

15 (c) The nonprofit corporation shall agree to accept all the current
 16 assets, including accounts receivable, to assume all the current liabilities,
 17 and to take over and maintain the records of the existing public hospital.

18 (d) The agreement shall provide for the transfer of patients, staff and
 19 employees, and for the continuing administration of any trusts or bequests
 20 pertaining to the existing public hospital.

21 (e) The agreement shall provide for the assumption by the corpora-
 22 tion of all indebtedness of the county which is attributable to the hos-
 23 pital, and:

24 (1) If the hospital is conveyed, for payment to the county of its
 25 actual capital investment in the hospital, after deducting depreciation and
 26 any indebtedness so assumed, immediately or by deferred installments
 27 over a period of not more than 30 years.

28 (2) If the hospital is leased, for a rental which will over the term
 29 of the lease reimburse the county for its actual capital investment in the
 30 hospital, after deducting depreciation and any indebtedness so assumed.
 31 The lease may provide a credit against the rental so required for the
 32 value of any capital improvements made by the corporation.

33 2. Boards of county commissioners which have joint responsibility
 34 for a public hospital may jointly exercise the power conferred by sub-
 35 section 1, and are subject jointly to the related duties.

36 3. [The provisions of NRS 244.320 do not apply to the making of
 37 any lease or contract pursuant to this section.

38 4.] If any hospital which has been conveyed pursuant to this section
 39 ceases to be used as a community nonprofit hospital, unless the premises
 40 so conveyed are sold and the proceeds used to erect or enlarge another
 41 community nonprofit hospital for the county, the hospital so conveyed
 42 shall revert to the ownership of the county. If any hospital which has been
 43 leased pursuant to this section ceases to be used as a nonprofit commu-
 44 nity hospital, the lease shall terminate.

45 SEC. 13. NRS 495.060 is hereby amended to read as follows:

46 495.060 [NRS 244.320 and all other] All acts and parts of acts in
 47 conflict with NRS 495.040 and 495.050 are repealed insofar as the same
 48 apply to or interfere with the provisions of NRS 495.040 and 495.050,
 49 and not in any other particular.

1 SEC. 14. NRS 544.050 is hereby amended to read as follows:
 2 544.050 [Notwithstanding the provisions of NRS 244.320, or any
 3 other law, the counties] Counties in cooperating with the director in con-
 4 ducting any weather modification program in fulfillment of the purposes
 5 of NRS 544.010 to 544.060, inclusive, are [hereby] authorized to enter
 6 into 5-year agreements with the director.

7 SEC. 15. This act shall become effective upon passage and approval.

S. B. 479

SENATE BILL NO. 479—COMMITTEE ON
GOVERNMENT AFFAIRS

APRIL 7, 1975

Referred to Committee on Government Affairs

SUMMARY—Authorizes appointment of county comptrollers in counties under 100,000; provides for appointing authority in all counties. Fiscal Note: No. (BDR 20-1626)

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

AN ACT relating to county comptrollers; authorizing the appointment of county comptrollers in counties having a population less than 100,000; providing that in counties where there is a county administrator or county manager the county comptroller shall be appointed by the county administrator or county manager, with the confirmation of the board of county commissioners; providing for specification of procedures and duties of the county comptroller by the county administrator or county manager under certain circumstances; 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 251.170 is hereby amended to read as follows:
 2 251.170 1. [The board of county commissioners of] *In each county*
 3 *having a population of 100,000 or more as determined by the last pre-*
 4 *ceding national census of the Bureau of the Census of the United States*
 5 *Department of Commerce [shall appoint a county comptroller, who] :*
 6 *(a) Where there is a county administrator or county manager, the*
 7 *county administrator or county manager, with the confirmation of the*
 8 *board of county commissioners, shall appoint a county comptroller.*
 9 *(b) Where there is no county administrator or county manager, the*
 10 *board of county commissioners shall appoint a county comptroller. The*
 11 *county comptroller shall perform all of the duties required of county*
 12 *auditors under this chapter or any other applicable law of this state,*
 13 *including county ordinances.*
 14 2. [The board may fix the compensation of the county comptroller
 15 and may specify the procedures which he shall follow in performing the
 16 duties of his office.
 17 3. The county comptroller shall be the chief fiscal officer of his
 18 county under the direction of the board of county commissioners.

1 **4.]** *In any county having a population of less than 100,000 as deter-*
2 *mined by the last preceding national census of the Bureau of the Census*
3 *of the United States Department of Commerce:*

4 *(a) Where there is a county administrator or county manager, the*
5 *county administrator or county manager, with the confirmation of the*
6 *board of county commissioners, may appoint a county comptroller.*

7 *(b) Where there is no county administrator or county manager, the*
8 *board of county commissioners may appoint a county comptroller.*

9 *The county comptroller shall perform all of the duties required of county*
10 *auditors under this chapter or any other applicable law of this state,*
11 *including county ordinances.*

12 **3.** *The board may fix the compensation of the county comptroller. In*
13 *counties where there is a county administrator or county manager, such*
14 *administrator or manager may specify the procedures which the county*
15 *comptroller shall follow in performing the duties of his office. In counties*
16 *where there is no county administrator or county manager, the board of*
17 *county commissioners may specify the procedures which the county comp-*
18 *troller shall follow in performing the duties of his office.*

19 **4.** *The county comptroller shall be the chief fiscal officer of his county*
20 *under the direction of the county administrator or county manager, where*
21 *there is one, subject to approval of the board of county commissioners.*
22 *Where there is no county administrator or county manager, the county*
23 *comptroller shall be under the direction of the board of county commis-*
24 *sioners.*

25 **5.** *The county comptroller, as directed by the board of county com-*
26 *missioners, shall audit all books and records of any fund or department of*
27 *the county and report the findings to the board.*

28 **[5.] 6.** *The county comptroller shall keep an office at the county*
29 *seat of his county, which shall be kept open in accordance with the provi-*
30 *sions of NRS 245.040.*

S. B. 480

SENATE BILL NO. 480—COMMITTEE ON
GOVERNMENT AFFAIRS

APRIL 7, 1975

Referred to Committee on Government Affairs

SUMMARY—Creates county commissioner districts based on population in Washoe County. Fiscal Note: No. (BDR 20-1631)

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

AN ACT creating county commissioner districts based on population in Washoe County; specifying the number of members of the board of county commissioners of Washoe County; repealing NRS 244.013 and 244.033; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Chapter 244 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *The board of county commissioners of Washoe County shall con-*
4 *sist of five members.*
5 2. *In Washoe County five county commissioner districts are hereby*
6 *created as follows:*
7 (a) *District No. 1 shall be composed of enumeration districts Nos. 71,*
8 *72, 73, 74, 75, 76, 77, 78, 79, 80; 81, 82, 83, 84A, 84B, 84C, 84D,*
9 *85A, 85B, 86A, 86B, 87, 88, 89, 90, 91, 92, 93, 94, 98, 101, 103,*
10 *104, 173 and 174.*
11 (b) *District No. 2 shall be composed of enumeration districts Nos. 120,*
12 *121, 122, 123, 128, 129, 130, 131, 137, 138, 146, 148, 149, 150, 151,*
13 *152, 153, 154, 155A, 155B, 155C, 155D, 156, 157, 158, 159, 161,*
14 *161B, 162, 164, 165 and 190B.*
15 (c) *District No. 3 shall be composed of enumeration districts Nos. 66,*
16 *67, 68, 69, 70, 96, 99, 100, 102, 105, 106, 107, 108, 109, 110, 111,*
17 *112, 113, 114, 115, 116, 117, 118, 119, 124, 125, 126, 127, 132,*
18 *133, 134, 135, 136, 139, 140, 141, 142, 143, 144, 145, 147 and 163.*
19 (d) *District No. 4 shall be composed of enumeration districts Nos. 11,*
20 *12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29,*
21 *30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 47, 49, 50,*
22 *51, 52, 59, 62 and 64.*
23 (e) *District No. 5 shall be composed of the remainder of Washoe*

1 County, Nevada, not specified in paragraphs (a) to (d), inclusive, of this
2 subsection.

3 3. As used in subsection 2, "enumeration districts" refers to and has
4 the meaning conferred by NRS 218.053.

5 4. At the general election in 1976 and every 4 years thereafter, there
6 shall be elected one county commissioner from District No. 1 and one
7 county commissioner from District No. 4, for terms of 4 years.

8 5. At the general election in 1978 and every 4 years thereafter, there
9 shall be elected one county commissioner from District No. 2, one county
10 commissioner from District No. 3, and one county commissioner from
11 District No. 5, for terms of 4 years.

12 6. The voters in each county commissioner district shall elect their
13 county commissioner.

14 7. County commissioners shall be residents of the county commis-
15 sioner districts which they represent throughout their terms of office.

16 8. The members of the board of county commissioners of Washoe
17 County elected pursuant to the provisions of Washoe County Ordinance
18 No. 186 at the general elections of 1972 and 1974 shall continue to hold
19 office for the terms for which they were elected.

20 SEC. 2. NRS 244.010 is hereby amended to read as follows:

21 244.010 Except as provided in NRS [244.013 and 244.011,] 244.-
22 011, 244.017 and section 1 of this act, each board of county commis-
23 sioners of the several counties shall consist of three members; and not
24 more than three county commissioners shall be elected or appointed to
25 such office in any county.

26 SEC. 3. NRS 244.020 is hereby amended to read as follows:

27 244.020 1. [Except as provided in NRS 244.013, county] County
28 commissioners shall be qualified electors of their respective counties.

29 2. No county or township officer shall be eligible to the office of
30 county commissioner.

31 SEC. 4. NRS 244.013 and 244.033 are hereby repealed.

32 SEC. 5. This act shall become effective upon passage and approval.

S. B. 481

SENATE BILL NO. 481—COMMITTEE ON
GOVERNMENT AFFAIRS

APRIL 7, 1975

Referred to Committee on Government Affairs

SUMMARY—Authorizes county commissioners to install, operate parking meters on publicly owned, leased property made available for public parking. Fiscal Note: No. (BDR 20-1633)



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

AN ACT authorizing boards of county commissioners to acquire, install, maintain, operate and regulate parking meters upon publicly owned or leased property made available for public parking.

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

- 1 SECTION 1. Chapter 244 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *The boards of county commissioners shall have power and juris-*
4 *isdiction in their respective counties to acquire, install, maintain, operate*
5 *and regulate parking meters upon publicly owned or leased property made*
6 *available for public parking.*
7 2. *The parking fees to be charged for the use of the parking facilities*
8 *regulated by parking meters shall be fixed by the board of county com-*
9 *missioners.*
10 3. *This section does not authorize the acquisition, installation, main-*
11 *tenance, operation and regulation of parking meters at the curbs or*
12 *shoulders of county roads.*

S. B. 482

SENATE BILL NO. 482—COMMITTEE ON
GOVERNMENT AFFAIRS

APRIL 7, 1975

Referred to Committee on Government Affairs

SUMMARY—Increases dollar limitation on advances from county general fund for purpose of making public improvements by special assessments without issuance of bonds. Fiscal Note: No. (BDR 20-1635)



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

AN ACT to amend NRS 244.556, relating to advances from the county general fund to cover the cost of public improvements by special assessments without the issuance of bonds, by increasing the amount which may be advanced.

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

- 1 SECTION 1. NRS 244.556 is hereby amended to read as follows:
- 2 244.556 Where the cost of an improvement to be defrayed by special
- 3 assessment does not exceed ~~[\$100,000,]~~ *\$150,000*, the board of county
- 4 commissioners may advance moneys to cover the cost of such improve-
- 5 ment from the general fund of the county, in lieu of issuing bonds.
- 6 SEC. 2. This act shall become effective upon passage and approval.