

## GOVERNMENT AFFAIRS COMMITTEE

Minutes of Meeting - April 30, 1975

Present: Chairman Gibson  
Senator Walker  
Senator Dodge  
Senator Foote  
Senator Gojack  
Senator Hilbrecht  
Senator Schofield

Also Present: See attached Guest Register

The thirty ninth meeting of the Government Affairs Committee was called to order at 3:50 p.m. with a quorum present by Chairman Gibson.

AB-172 Allows public works board to utilize construction management service procedures. (BDR 40-428)

Bill Hancock, Public Works Board, proposes that this bill will give the state Public Works Board construction management on federally supported projects. Mr. Hancock stated that contractors are selected from a pre-qualified list of contractors and then each contractor on his work with the architect, work for the general conditions of the contract and his work for supervising the job. The lowest bidder receives the contract.

John Madole, Associated General Contractors, stated they wish to go on record in opposition to AB-172. Mr. Madole stated that the only assurances that public funds will be used appropriately is to have responsible contractors bidding on the job, with the lowest bidder receiving the contract.

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

SB-569 Provides method of creating fair and recreation board in counties having a population of 100,000 or more and less than 200,000. (BDR 20-1852)

Senator Raggio stated that the Washoe County Delegation favored having this board formed and stated that the Clark County board was very successful. Feels there will be better augmentation of the board by adding four members, possibly relieving some of the pressures other members experience and giving the board a broader outlook.

Randy Cappuro, Motel Association, stated that he was in favor of SB-569 and would like to see some members from the motel/hotel industry.

Jerry Grow, County Commissioner for Washoe County, spoke in opposition to SB-569 stating the people in the advisory committee are happy with their work and do not want to change the system. Stated that they were not consulted on this bill and asked if they had any suggestions.

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Sam Dibitonto, Mayor of Reno, stated that he is also against SB-569. Mr. Dibitonto reiterated Mr. Grow's statements adding that the Chamber of Commerce in Reno is opposed to the bill.

~~It was~~ the committee's decision to hold action on this bill until they could get more information.

SB-160 Creates office of public counsel to represent people of Nevada before public service commission. (BDR 58-403)

Noel Clark, Public Service Commission, stated that he does not oppose this bill but suggested that AB-452 does the same thing and the cost factors are complete. AB-452 will act as a separate unit within the division. Their decisions will be made without partiality to the Public Service Commission.

C. Soderblom, S/P, wanted to make sure that this counsel could be separate so that it would not be subject to criticism from the public.

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

SB-580 Requires approval of certain general improvement district contracts by public service commission of Nevada. (BDR 25-1760)

Noel Clark, P.S.C. stated that he is not in opposition to this bill as there is presently no laws that allows the Public Service Commission to enter into agreements for general improvement. Mr. Clark cited an example regarding the treatment of raw sewage at Incline Village. This district would like to enter into an agreement for this treatment with another district but under the present laws this can not be done.

AB-56 Authorizes local governments to inspect factory-built housing and manufactured buildings. (BDR 40-428)

Dan Quinan, State Fire Marshal, stated that he had no problem with the bill except the following suggestions; on line 12 where it states "to the state fire marshal," delete that and make it "to the Director".

Assemblyman Joe Dini stated that this bill should try to resolve the dispute in the clause regarding the responsibilities of the State Fire Marshal inspecting these houses. Should be the responsibility of the local housing authority.

Senator Hilbrecht suggested that the part in line 12 state "The Director or his designate" be added instead of just "to the Director".

Bob Warren, Nevada League of Cities, felt that the local governments should be allowed to inspect the homes. Mr. Warren is in favor of AB-56. Mr. Warren felt that this industry will be much larger in the years to come and this dispute should be resolved.

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Mr. Warren also felt that on-site quality control is very important and the local authorities should have the opportunity to inspect the facilities when the houses are complete and ready for sale.

Mr. Mike Vaughn, Boise Cascade, feels that AB-56 creates unnecessary inspections and could hinder the progress of the housing industry by creating conflicts in opinion. Mr. Vaughn feels that this was not the intent of the bill.

Further discussion was postponed at this time.

AB-294 Requires campaign contributions and expenditures for state office be reported to secretary of state. (BDR 24-876)

Assemblyman John Vergiels, stated that the figure of \$500. was the one most acceptable to their committee as a point at which campaign contributions should be recorded. Mr. Vergiels indicated that this figure was the one that the Governor had approved of in his State of the State message.

Senator Hilbrecht suggested that the committee also add in the language regarding the time frame from which these contributions should be reported from.

Father Dunphy, Common Cause, was in favor of this bill as it keeps the public informed of contributions and helps clean up the political image.

Senator Schofield, was afraid that this would hinder the work that is necessary in the larger districts to get the vote. Feels that it would cut down considerably on the contributions from those who request that their names not be known.

Further discussion was held until the full committee could discuss and act on the bill.

AB-178 Provides for an increase in formal bidding limit for state purchases. (27-127)

Terry Sullivan, State Purchasing Division, stated that this bill is to bring the bid from a rate of \$500.00 to \$2,500.

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

AB-360 Makes certain changes in provisions relating to inspector of mines, mines, mining health and safety. (BDR 46-751)

Bill Dubois, Mining Inspector, explained the reasons for the drafting of this bill. Mr. Dubois stated that there is a real need for this type of legislation to give better authority to those inspecting the mines for safety. The bill gives them the authority to follow-up

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on complaints received from workers in the mines. They will be able to go on the site without prior notice and can close a mine down if they find it in a dangerous condition.

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

AB-404 Removes office building restriction from type of buildings that Nevada industrial commission may purchase. (BDR 53-1119)

Mr. Reisner, N.I.C. stated that this bill will only clear up the statutes. They have been advised by their attorneys that they can purchase buildings outside the restriction of "office" but that this would make it very clear.

George Hawes, A.F.L.C.I.O. wanted to go on record of being in favor of AB-404.

Bob Wild, Executive Director of the State Home Owners Association, stated that they were against AB-404. Mr. Wild felt that the bill should be more narrowly defined and indicated that N.I.C. has a contingency fund in excess of \$5 million.

Chairman Gibson suggested that Mr. Reisner work out an amendment that will more clearly set out the intent of the bill, stating that it is only to include "rehabilitation and laboratories".

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

AB-587 Entitles employees under state personnel system to obtain payment for portion of unused sick leave upon retirement. (BDR 23-1442)

Bob Gagnier, Executive Director of N.S.E.A., stated that this bill attempts to reward employees for not using their sick leave. It will only be for those employees who are retiring or have died. Mr. Gagnier stated that almost half of the states have similar bills for their employees. They feel it is a good incentive and rewards a person for being a good steady worker. After 30 days it would drop to half the rate being accumulated.

Jim Wittenberg, State Personnel Administrator, is in favor of AB-587 stating that this would be a positive benefit for the employer as well as the employee. Feels that there is misuse of the sick leave and this would discourage misuse of sick leave. Mr. Wittenberg suggested that the bill should have a limit on it.

Bob Warren, wanted the committee to consider the effect this would have on the local governments and the possibility of their wanting the same program.

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The committee discussed putting a limit in the bill and discontinued discussion until all members were present.

AB-578 Limits application of veterans' preference points under the state personnel system. (BDR 23-1617)

Bob Gagnier stated that this bill attempts to bring back into the law some type of conformity of the intent of preference points for veterans in Nevada. The veterans can use these points as many times as they want to get a state position but after they are employed they can only use them once in a promotional examination. They are also requesting that all oral examinations be kept on tape for at least 30 days.

Jim Wittenberg objected to the oral examinations being kept on tape as this was not practical. Felt there were many things that an examiner noted that would not be on the tape, mannerisms, overall appearance, etc.

There was considerable discussion from the committee on this bill and since all members were not present it was felt the committee should discontinue discussion at this time.

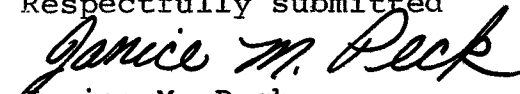
SB-387 Amends charter of City of Reno by increasing number of appointive officers. (BDR S-1385)

Bob Kerns, representing the Police and Firefighters, stated that he was still against this bill as it endangers the promotional system in the civil service. (See previous testimony given on April 10, meeting no. 30.)

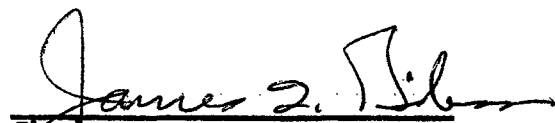
Bob Oldland, City Manager of Reno and Jim Berry, Personnel Director in Reno stated that the civil service people are worried due to misinformation. They had prepared an amendment to SB-387 for the committee's consideration. (See attached labeled as "Exhibit A")

As there was no further business the meeting was adjourned at 7:15 p.m.

Respectfully submitted

  
Janice M. Peck  
Committee Secretary

Approved:

  
Chairman

## S E N A T E

AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS

WEDNESDAY

DATE APRIL 30, 1975

Approx. 2:45 P.M.  
TIME AND 7:00 P.M. ROOM

345

BILLS OR RESOLUTIONS  
TO BE CONSIDEREDCOUNSEL  
REQUESTED

SB-387	SUMMARY—Amends charter of City of Reno by increasing number of appointive officers. Fiscal Note: No. (BDR S-1385) For Committee Action - Not a Hearing.
SR-560	SUMMARY—Provides separate group insurance program for professional employees of University of Nevada System. Fiscal Note: No. (EDR 23-1757) For Committee Action - Not a Hearing.
SB-497	SUMMARY—Requires creation of joint river development review boards in certain counties. Fiscal Note: No. (BDR 22-1686) For Committee Action - Not a Hearing.
SJR-15	SUMMARY—Memorializes Congress to remedy tax inequities involved in certain transactions on Indian reservations. (BDR 1244) FOR COMMITTEE ACTION - Not a Hearing.
SB-18	SUMMARY—Provides minimum standards for political activities of certain public officers and employees. Fiscal Note: No. (BDR 23-417) Notify: Sen. Sheerin, Jim Wittenberg, Bob Gagnier
SB-160	SUMMARY—Creates office of public counsel to represent people of Nevada before public service commission. Fiscal Note: Yes. (BDR 58-403) Notify: Public Service Commission, Noel Clark
SB-379	SUMMARY—Regulates political campaign financing. Fiscal Note: No. (BDR 24-1374) For Committee Action - Not a Hearing
SB-355	SUMMARY—Requires persons voting in general improvement district elections to register with county clerk or registrar of voters. Fiscal Note: No. (BDR 25-1246) For Committee Action - Not a Hearing
SB-250	SUMMARY—Increases number of justices of the peace allotted to certain townships. Fiscal Note: No. (BDR 1-988) For Committee Action - Not a Hearing
SB-569	SUMMARY—Provides method of creating fair and recreation board in counties having a population of 100,000 or more and less than 200,000. Fiscal Note: No. (BDR 20-1852) Notify: Sen. Raggio, Russ McDonald, Joe Lattimore City of Sparks

OVER



- SB-580 SUMMARY—Requires approval of certain general improvement district contracts by public service commission of Nevada. Fiscal Note: No. (BDR 25-1760)  
Notify: Public Service Comm. Russ McDonald  
Senator Raggio
- AB-56 SUMMARY—Authorizes local governments to inspect factory-built housing and manufactured buildings. Fiscal Note: No. (BDR 40-428)  
Notify: Assemblyman Dini, State Fire Marshal  
Bob Broadbent, Bob Warren
- AB-172 SUMMARY—Allows public works board to utilize construction management service procedures. Fiscal Note: No. (BDR 28-123)  
Notify: Public Works Board, Mr. Hancock  
Assemblyman Dini
- AB-294 SUMMARY—Requires campaign contributions and expenditures for state office be reported to secretary of state. Fiscal Note: No. (BDR 24-876)  
Notify: Assemblyman Demers, Murphy & Vergiels
- AB-178 SUMMARY—Provides for an increase in formal bidding limit for state purchases. Fiscal Note: No. (BDR 27-127)  
Notify: Assemblyman Dini, State Purchasing Div.  
Howard Barrett
- AB-360 SUMMARY—Makes certain changes in provisions relating to inspector of mines, mines, mining health and safety. Fiscal Note: No. (BDR 46-751)  
Notify: Assemblyman Dini & Getto, State Mines  
Inspector, N.I.C. Reiser, Howard Barrett
- AB-404 SUMMARY—Removes office building restriction from type of buildings that Nevada industrial commission may purchase. Fiscal Note: No. (BDR 53-1119)  
Notify: Assemblyman Dini, N.I.C. Reiser  
Howard Barrett
- AB-587 SUMMARY—Entitles employees under state personnel system to obtain payment for portion of unused sick leave upon retirement. Fiscal Note: No. (BDR 23-1442)  
Notify: Assemblyman Dini, Glover, Mann &  
Brookman, Howard Barrett, Jim Wittenberg, Bob Gagnier
- AB-578 SUMMARY—Limits application of veterans' preference points under the state personnel system. Fiscal Note: No. (BDR 23-1617)  
Notify: Same as above - NOTE CHANGE - ADDED  
TO AGENDA EFF. 4-30-75 @ 11:45 a.m.

## GUEST REGISTER

## GOVERNMENT AFFAIRS COMMITTEE

DATE: 4-30-75THOSE WISHING TO TESTIFY SHOULD  
IDENTIFY THEMSELVES BEFORE GIVING  
TESTIMONY.....

NAME	DO YOU WISH TO TESTIFY	BILL NO.	REPRESENTING
LEN BONK	NO	SB 387	R.P.P.A
JIM HARTSHORNE	YES	SB 387	R.P.P.A.
Fred Bradley	NO	SB 387	RPPA
ROBERT CAULKIS	YES	SB 387	KPPA
Nick Bloomster	NO	SB 387	RPPA
REG M. McVickers	YES	"	RENO FIREFIGHTERS LOCAL #731
Bob Kerns	YES	SB-387	" " " & Police
Kenneth Sunker	NO	SB-387	RPPA
R.B. Meredith	YES	SB 387	R.F.D. # 731
DAVID KICKBUSH	NO	SB-387	RPPA
Kirkland Kirkland	NO	SB 387	RPPA
Hugh L. Sells	NO	SB 387	I.A.F.F.
Charles Hansen	NO	SB 387	I.A.F.F.
Dennis Beedshaw	NO	SB 387	R.P.P.A
John H. Oldland	YES	SB 387	City Mgr. - Reno
John G. Stahl	NO	SB 387	R.P.P.A
Bob Sagnier	YES	SB 18- 578 + 587	SNEA
Joe H. Latimore	?	SB 387	City of Reno



EXPLANATION: *matter in italics is new, matter in brackets[] is material to be omitted.*

EXHIBIT 'A'

SECTION 1: Section 1.090, entitled Appointive officers, of Article 1 of the Reno City Charter is hereby amended to read as follows:

Sec. 1.090 Appointive officers. 1. The city council shall provide for the appointment of a city manager to perform the duties outlined in section 3.020. A vacancy in the office of city manager shall be filled within 6 months.

2. The city council may establish such other appointive offices as it may deem necessary for the operation of the city by designating the position and the qualifications therefor by ordinance. Appointment of such officers shall be made by the city manager and confirmed by the city council. Such appointive offices may include:

- (a) *Accounting supervisor*
- (b) *Administrative assistant to fire chief*
- (c) *Administrative assistant to police chief*
- (d) *Airport [Manager] Director*
- (e) *Animal [regulation officer] control supervisor*
- (f) *Assistant chief building inspector*
- (g) *Assistant city manager*
- (h) *Assistant fire chief*
- (i) *Assistant police chief*
- (j) *Assistant public works director*
- (k) *Budget officer*
- (l) *Building Maintenance superintendent*
- (m) *Chief building inspector*
- (n) *Chief license inspector*
- (o) *Chief of police*
- (p) *City controller*
- (q) *City engineer*
- (r) *Community development director*
- (s) *Data processing director*
- (t) *Director of finance*
- (u) *Director of parks, recreation and public properties*
- (v) *Director of personnel*
- (w) *Director of public safety*
- (x) *Director of public works*
- (y) *Equipment maintenance superintendent*
- (z) *Fire chief*

OVST

- (aa) License supervisor
- (bb) Personnal officer
- (cc) Planning officer
- (dd) Property management supervisor
- (ee) Purchasing agent
- (ff) Sewer fee supervisor
- (gg) Sign and paint superintendent
- (hh) Signal and fire alarm supervisor
- (ii) Superintendent of city shops
- (jj) Superintendent of communications
- (kk) Superintendent of parks
- (ll) Superintendent of recreation
- (mm) Superintendent of sanitation
- (nn) Superintendent of sewer plant
- (oo) Superintendent of sewers
- (pp) Superintendent of streets
- (qq) Traffic engineer
- (rr) Traffic engineering superintendent

3. A city clerk shall be appointed by the council.

SECTION 2. Section 9.020, entitled "Civil service and exempt positions" of Article IX of the Reno City Charter is hereby amended to read as follows:

Sec. 9.020 Civil service and exempt positions. There is hereby created a civil service system applicable to and for the purpose of governing the selection, appointment and promotion of all employees of the city except the following exempt positions: Elected officials of the city, city manager, secretary to the city manager, [assistant city manager, city clerk, airports manager, animal control center supervisor, building superintendent, building inspection superintendent, chief license and sewer collections inspector, city engineer, communications superintendent, comptroller, data processing manager, equipment maintenance superintendent, finance director, fire chief, parks and recreation director, parks superintendent, personnel director, personnel officer, police chief, public safety director, public works director, recreation superintendent, sewage plan superintendent, sewer lines superintendent, sign and paint superintendent, streets superintendent, traffic safety engineer, traffic signal and fire alarm superintendent,] accounting supervisor, administrative assistant to fire chief, administrative assistant to police chief, airport director, animal control supervisor, assistant chief building inspector, assistant city manager, assistant fire chief, assistant police chief, assistant public works director, budget officer, building maintenance superintendent, chief building inspector, chief license inspector, chief of police, city controller, city engineer, community development director, data processing director, director of finance, director of parks, recreation and public properties, director of personnel, director of public safety, director of public works, equipment maintenance superintendent, fire chief, license supervisor, personnel officer, planning officer, property management supervisor, purchasing agent, sewer fee supervisor, sign and paint superintendent, signal and fire alarm superintendent, superintendent of city shops, superintendent of communications, superintendent of parks, superintendent of recreation, superintendent of sanitation, superintendent of sewer plant, superintendent of sewers, superintendent of streets, traffic engineer, traffic engineering superintendent, persons employed in the office of the city attorney, persons employed by the city less than eighteen hours per week, the chief examiner of the civil service commission, persons employed in positions which are funded 50 percent or more by non-city funds, and persons employed in trainee positions on a limited-term basis; provided, however, that no employee of the City of Reno whose position has heretofore been within the civil service system shall by this enactment lose the rights or privileges held by him prior to the effective date of this article.

SECTION 3. Section 3.020, entitled "City manager: Duties; compensation" of Article III of the Reno Charter is hereby amended to read as follows:

Sec. 3.020 City manager: Duties; compensation. 1. The city manager shall be the chief executive and administrative officer of the city government. He shall be responsible to the city council for the proper administration of all affairs of the city. His duties and salary shall be fixed by the city council and he shall be reimbursed for all expenses incurred in the performance of his duties.

2. The city manager may appoint such clerical and administrative assistants as he may deem necessary, subject to the approval of the city council.

3. He may designate an acting city manager to serve in his absence, or, if he fails to do so, the city council may appoint an acting city manager.

4. No councilman shall be appointed as city manager

## EXHIBIT 'B'

AN ACT to amend an act entitled "An Act incorporating the City of Reno, in Washoe County, Nevada, and defining the boundaries thereof, under a new charter; and providing other matters properly relating thereto," approved May 6, 1971, as amended.

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

SECTION 1. Section 1.090 of Article I of the above-entitled act, being chapter 662, Statutes of Nevada 1971, as amended by chapter 553, Statutes of Nevada 1973, at page 876, is hereby amended to read as follows:

Section 1.090 Appointive officers.

1. The city council shall provide for the appointment of a city manager to perform the duties outlined in section 3.020. A vacancy in the office of city manager shall be filled within 6 months.

2. The city council may establish such other appointive offices as it may deem necessary for the operation of the city by designating the position and the qualifications therefor by ordinance. Appointment of such officers shall be made by the city manager and confirmed by the city council.

3. A city clerk shall be appointed by the city council.

SECTION 2. Section 9.020 of Article IX of the above-entitled act, being chapter 553, Statutes of Nevada 1973, at page 884, is hereby amended to read as follows:

Section 9.020 Civil Service and exempt positions. There is hereby created a civil service system applicable to and for the purpose of governing the selection, appointment and promotion of all employees of the city except the exempt positions established by the city council. Any employee of the City who has been confirmed in his position by the City Council and who accepts appointment to an exempt position under the provisions of this chapter shall, upon removal from such office, be restored to his former position within the civil service, only if there is a position available.

EXHIBIT 'C'

AN ACT to amend an act entitled "An Act incorporating the City of Reno, in Washoe County, Nevada, and defining the boundaries thereof, under a new charter; and providing other matters properly relating thereto," approved May 6, 1971, as amended.

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1. The city council shall provide for the appointment of a city manager to perform the duties outlined in section 3.020. A vacancy in the office of city manager shall be filled within 6 months.

2. The city council may establish such other appointive offices as it may deem necessary for the operation of the city by designating the position and the qualifications therefor by ordinance. Said appointive offices may include the Assistant City Manager; City Manager's immediate staff; Staff to the Mayor and City Council; Department Heads; Assistant Department Heads; Division Heads, and such Technical personnel as determined by the City Council. Appointment of such officers shall be made by the city manager and confirmed by the city council.

3. A city clerk shall be appointed by the city council.

SECTION 2. Section 9.020 of Article IX of the above-entitled act, being chapter 553, Statutes of Nevada 1973, at page 884, is hereby amended to read as follows:

Section 9.020 Civil Service and exempt positions. There is hereby created a civil service system applicable to and for the purpose of governing the selection, appointment and promotion of all employees of the city except the exempt positions established by the city council. Any employee of the City who has been confirmed in his position by the City Council and who accepts appointment to an exempt position under the provisions of this chapter shall, upon removal from such office, be restored to his former position within the civil service, only if there is a position available.

TOTAL CITY EMPLOYEES = 958

POSITION CHANGES CONTEMPLATED IN CITY'S REORGANIZATION

- 1) Property Management Supervisor \*
- 2) Assistant Chief Building Inspector \*
- 3) Personnel Officer - Assistant Director \*
- 4) Planning Officer - Assistant Director \*\*
- 5) Purchasing Agent \*
- 6) Assistant Fire Chief\*
- 7) Assistant Police Chief \*
- 8) Assistant Airport Director \*
- 9) Assistant City Engineer \*
- 10) Assistant Data Processing Director \*\*
- 11) COMMUNITY DEVELOPMENT DIRECTOR \*\*

\* 8 = Existing Civil Service jobs

\*\* 3 = New jobs not yet established

Current exempt positions in charter = .....27

Proposed change from existing Civil Service to  
exempt 'Appointive' status = .....8

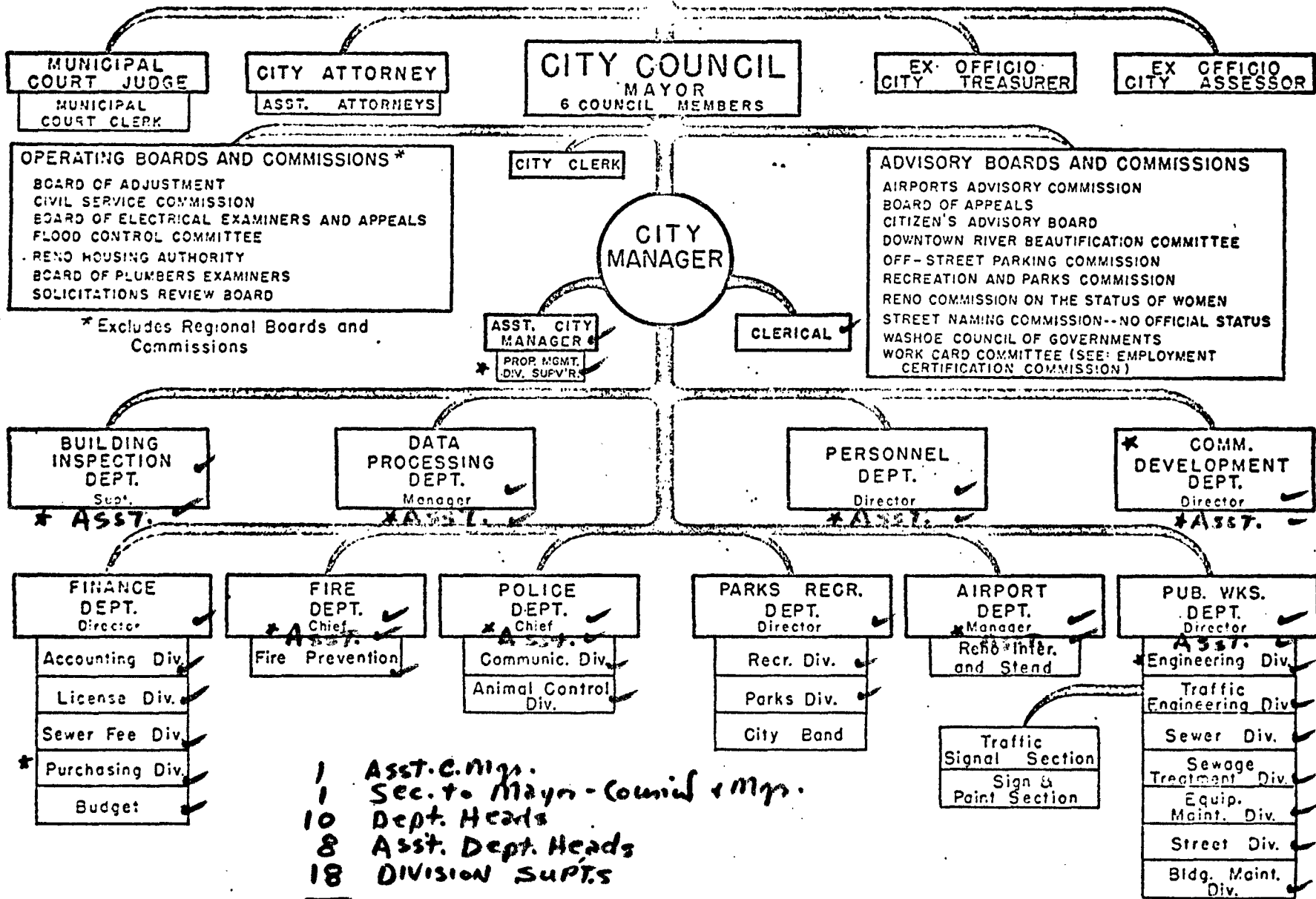
Proposed additional 'new' and exempt 'Appointive'  
status = .....3

TOTAL 38



20  
Copies

CITIZENS OF RENO



1 Asst. C. Mgr.  
 1 Sec. to Mayor - Council & Mgr.  
 10 Dept. Heads  
 8 Asst. Dept. Heads  
 18 DIVISION SUPTS

38 — out of City empl. = 958

EXHIBIT 1385

SPARKS char

20 copies

EXHIBIT 'F'

Specification of certain offices to be filled by appointment left out of SB 338, leaving all creation of appointive offices other than the city manager to the council.

Bond requirement for councilmen left out of SB 338.

#### Chapter 545, 1971 Statutes

Sec. 1.080 Appointive offices. The city council of the city shall appoint a city manager and may establish such other appointive offices as it may deem necessary for the operation of the city. Appointment of such officers shall be made by the city manager, subject to ratification of the city council. Such officers shall include: \*

1. Director of finance.
2. Chief of police.
3. Fire chief.
4. Director of the department of parks and recreation.
5. Director of the department of public works.
6. Director of personnel and services.
7. Such other officers as may be necessary.

#### Sec. 1.090 Appointive officers: Miscellaneous provisions.

1. All appointive officers shall perform such duties as may be designated by the city manager and such other duties as may be directed by the city council.
2. The city council may require from all other officers and employees of the city constituted or appointed under this charter, except councilmen, sufficient security for the faithful and honest performance of their respective duties.
3. All appointive officers of the city shall receive such salary as may be designated by the city council.

#### Sec. 1.100 Mayor and councilmen not to hold other office.

1. The mayor and councilmen shall not:
  - (a) Hold any other elective office with Washoe County or the city, which no compensation is received.
  - (b) Be elected or appointed to any office created by or the compensation for which was increased or fixed by the city council until 1 year after the expiration of the term for which such person was elected.
2. Any person holding any office proscribed by subsection 1 shall automatically forfeit his office as mayor or councilman.

Sec. 1.110 Departments: City manager's direction. All departments, offices and agencies under the direction and supervision of the city manager shall be administered by an officer subject to the direction and supervision of the city manager.

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## SB 338

## Sec. 1.080 Appointive offices and officers.

1. The mayor of the city shall appoint a city manager, subject to confirmation by the city council.

2. The city council may establish such other appointive offices as it may deem necessary for the operation of the city.

3. Appointment of such officers shall be made by the city manager, subject to ratification of the city council.

## Sec. 1.090 Appointive officers: Miscellaneous provisions.

1. All appointive officers shall perform such duties as may be directed by the city manager and such other duties as may be designated by ordinance.

2. The city council may require from all officers and employees of the city constituted or appointed under this charter, sufficient security for the faithful and honest performance of their respective duties, and the cost of such bond shall be paid by the city.

3. A person appointed by the city manager to any office may be removed from office for cause by the city manager. The officer so removed shall have the right of appeal to the mayor and city council and may demand written charges to be made and a hearing before the city council prior to the date his final removal is to take place. The decision and action of the city council upon such hearing is final.

## Sec. 1.100 Mayor and councilmen not to hold other office.

1. The mayor and councilmen shall not:

(a) Hold any other elective office with the State of Nevada, Washoe County, the City of Sparks or any other city, except as provided by law or as a member of a board or commission for which no compensation is received.

(b) Be elected or appointed to any office created by or the compensation for which was increased or fixed by the city council until 1 year after the expiration of the term for which such person was elected.

2. Any person holding any office proscribed by subsection 1 shall automatically forfeit his office as mayor or councilman.

§1.090 §§ 3 relates to this section

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 387

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 SENATE BILL NO. 387—COMMITTEE ON  
 GOVERNMENT AFFAIRS

MARCH 25, 1975

Referred to Committee on Government Affairs

SUMMARY—Amends charter of City of Reno by increasing number of appointive officers. Fiscal Note: No. (BDR S-1385)

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

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AN ACT to amend an act entitled "An Act incorporating the City of Reno, in Washoe County, Nevada, and defining the boundaries thereof, under a new charter; and providing other matters properly relating thereto," approved May 6, 1971, as amended.

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

- 1 SECTION 1. Section 1.090 of Article I of the above-entitled act, being  
 2 chapter 662, Statutes of Nevada 1971, as amended by chapter 553,  
 3 Statutes of Nevada 1973, at page 876, is hereby amended to read as  
 4 follows:  
 5 Section 1.090 Appointive officers.  
 6 1. The city council shall provide for the appointment of a city  
 7 manager to perform the duties outlined in section 3.020. A vacancy in  
 8 the office of city manager shall be filled within 6 months.  
 9 2. The city council may establish [such other] appointive offices as  
 10 it may deem necessary for the operation of the city by designating the  
 11 position and the qualifications therefor by ordinance. Appointment of  
 12 such officers shall be made by the city manager and confirmed by the  
 13 city council. [Such appointive offices may include:  
 14 (a) Airport manager.  
 15 (b) Animal regulation officer.  
 16 (c) Assistant city manager.  
 17 (d) Chief building inspector.  
 18 (e) Chief license inspector.  
 19 (f) Chief of police.  
 20 (g) City controller.  
 21 (h) City engineer.  
 22 (i) Data processing director.

- 1 (j) Director of finance.
- 2 (k) Director of parks, recreation and public properties.
- 3 (l) Director of personnel.
- 4 (m) Director of public safety.
- 5 (n) Director of public works.
- 6 (o) Fire chief.
- 7 (p) Sign and paint superintendent.
- 8 (q) Signal and fire alarm superintendent.
- 9 (r) Superintendent of city shops.
- 10 (s) Superintendent of communications.
- 11 (t) Superintendent of parks.
- 12 (u) Superintendent of recreation.
- 13 (v) Superintendent of sanitation.
- 14 (w) Superintendent of sewer plant.
- 15 (x) Superintendent of sewers.
- 16 (y) Superintendent of streets.
- 17 (z) Traffic engineer.】

18 3. A city clerk shall be appointed by the city council.

19 SEC. 2. Section 9.020 of Article IX of the above-entitled act, being  
20 chapter 553, Statutes of Nevada 1973, at page 884, is hereby amended to  
21 read as follows:

22 Section 9.020 Civil service and exempt positions. There is hereby  
23 created a civil service system applicable to and for the purpose of gov-  
24 erning the selection, appointment and promotion of all employees of the  
25 city except the following exempt positions: Elected officials of the city,  
26 city manager, secretary to the city manager, [assistant city manager, city  
27 clerk, airports manager, animal control center supervisor, building super-  
28 intendent, building inspection superintendent, chief license and sewer  
29 collections inspector, city engineer, communications superintendent,  
30 comptroller, data processing manager, equipment maintenance superin-  
31 tendent, finance director, fire chief, parks and recreation director, parks  
32 superintendent, personnel director, personnel officer, police chief, public  
33 safety director, public works director, recreation superintendent, sewage  
34 plant superintendent, sewer lines superintendent, sign and paint superin-  
35 tendent, streets superintendent, traffic safety engineer, traffic signal and  
36 fire alarm superintendent,】 persons appointed by the city manager pur-  
37 suant to subsection 2 of section 1.090, persons employed in the office of  
38 the city attorney, persons employed by the city less than eighteen hours  
39 per week, the chief examiner of the civil service commission, persons  
40 employed in positions which are funded 50 percent or more by noncity  
41 funds, and persons employed in trainee positions on a limited-term basis;  
42 provided, however, that no employee of the City of Reno whose position  
43 has heretofore been within the civil service system shall by this enactment  
44 lose the rights or privileges held by him prior to the effective date of this  
45 article.

## S. B. 560

## SENATE BILL NO. 560—SENATOR SHEERIN

APRIL 22, 1975

Referred to Committee on Government Affairs

SUMMARY—Provides separate group insurance program for professional employees of University of Nevada System. Fiscal Note: No. (BDR 23-1757)

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

AN ACT relating to group insurance of public officers and employees; providing a separate group insurance program for professional employees of the University of Nevada System; 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 287 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 11, inclusive, of this act.

3 SEC. 2. *As used in sections 2 to 11, inclusive, of this act, "professional*  
4 *employee" means a professional employee of the University of Nevada*  
5 *System employed under an annual employment contract.*

6 SEC. 3. *There is hereby created the University of Nevada System com-*  
7 *mittee on group insurance to be composed of a suitable number of mem-*  
8 *bers to be appointed by and to serve at the pleasure of the board of*  
9 *regents.*

10 SEC. 4. 1. *A majority of the members of the University of Nevada*  
11 *System committee on group insurance shall constitute a quorum for the*  
12 *transaction of business.*

13 2. *No member may receive any compensation for his services.*

14 SEC. 5. *The University of Nevada System committee on group insur-*  
15 *ance shall:*

16 1. *Act as an advisory body on matters relating to group life, accident*  
17 *or health insurance, or any combination thereof, for the benefit of all pro-*  
18 *fessional employees.*

19 2. *Purchase policies of life, accident or health insurance, or any com-*  
20 *bination thereof, from any insurance company qualified to do business in*  
21 *this state for the benefit of all eligible professional employees who elect to*  
22 *participate in the University of Nevada System's group insurance program.*

23 3. *Adopt such regulations and perform such other duties as may be*  
24 *necessary to carry out the provisions of sections 2 to 11, inclusive, of this*  
25 *act.*

1 SEC. 6. 1. A part of the cost of the monthly premiums of such group  
2 insurance, not to exceed \$29.55 for the fiscal period beginning July 1,  
3 1975, and ending June 30, 1976, or \$32.51 for the fiscal year 1976-1977,  
4 applied to both group life and group accident or health coverage, for each  
5 professional employee electing to participate in the group insurance pro-  
6 gram, may be paid by the board of regents from funds appropriated to or  
7 authorized for the board of regents for such purpose.

8 2. The board of regents shall not pay any part of such premiums if  
9 the group life insurance or group accident or health insurance is not  
10 approved by the University of Nevada System committee on group insur-  
11 ance.

12 SEC. 7. Professional employees of the University of Nevada System  
13 with annual employment contracts shall be eligible to participate in such  
14 program upon the effective dates of their respective employment contracts.

15 SEC. 8. Any professional employee who elects to participate in the  
16 University of Nevada System's group insurance program is entitled so to  
17 participate, and the board of regents shall pay the state's share of the cost  
18 of the premiums of such group insurance from funds appropriated or  
19 authorized as provided in section 6 of this act. Professional employees  
20 who elect to participate in the University of Nevada System's group insur-  
21 ance program shall authorize deductions from their compensation for the  
22 payment of premiums on such insurance.

23 SEC. 9. Upon the termination of his employment, any professional  
24 employee may, for any purpose, elect to retain his membership in the Uni-  
25 versity of Nevada System's group insurance program if the retention of  
26 such membership is consistent with the terms of any agreement between  
27 the University of Nevada System and the insurance company which issued  
28 the policies pursuant to such program, but no part of the cost of the group  
29 insurance premiums shall thereafter be paid by the board of regents.

30 SEC. 10. Nothing contained in sections 2 to 9, inclusive, of this act  
31 makes it compulsory upon any professional employee of the University  
32 of Nevada System to accept or join the University of Nevada System's  
33 group insurance program, or to assign his wages or salary to or authorize  
34 deductions from his wages or salary in payment of group insurance pre-  
35 miums.

36 SEC. 11. The cost of insurance premiums as provided in section 6 of  
37 this act shall be budgeted for as other expenditures of the University of  
38 Nevada System are budgeted for.

39 SEC. 12. NRS 287.045 is hereby amended to read as follows:

40 287.045 1. Every state officer or employee who is employed on a  
41 permanent and full-time basis on July 1, 1963, shall be eligible immedi-  
42 ately to participate in the state's group insurance program.

43 2. Except as provided in subsection 3, every officer or employee of  
44 the state who commences his employment after July 1, 1963, shall be  
45 eligible to participate in such program upon the completion of 90 days  
46 of full-time employment.

47 3. [Professional employees of the University of Nevada System with  
48 annual employment contracts shall be eligible to participate in such pro-  
49 gram upon the effective dates of their respective employment contracts.

1 4.] Every officer or employee who is employed by a participating  
2 public agency on a permanent and full-time basis on the date such agency  
3 enters into an agreement to participate in the state's group insurance pro-  
4 gram, and every officer or employee who commences his employment  
5 after that date upon completion of 90 days of full-time employment, shall  
6 be eligible to participate in the state's group insurance program.

7 4. For the purposes of NRS 287.041 to 287.049, inclusive, profes-  
8 sional employees of the University of Nevada System are not state officers  
9 or employees.



S. B. 497

## SENATE BILL NO. 497—SENATORS YOUNG AND GOJACK

APRIL 8, 1975

Referred to Committee on Government Affairs

SUMMARY—Requires creation of joint river development review boards in certain counties. Fiscal Note: No. (BDR 22-1686)

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

AN ACT relating to planning and zoning; requiring the creation of joint river development review boards in certain counties; specifying the recommendatory powers and duties of such boards; providing for the payment of expenses of such boards; 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 278 of NRS is hereby amended by adding  
 2 thereto a new section which shall read as follows:  
 3 1. *The legislature finds that:*  
 4 (a) *Pursuant to NRS 278.160 the conservation and recreation plans,*  
 5 *elements of the master plan, are required to include provisions for flood*  
 6 *control, the prevention and control of the pollution of streams and other*  
 7 *waters, the prevention, control and correction of the erosion of soils*  
 8 *through proper clearing, grading and landscaping, and the reservation*  
 9 *of riverbank strips.*  
 10 (b) *The rivers of Nevada possess scenic, recreational and other values*  
 11 *of present and future benefit which require review of activities reasonably*  
 12 *adjacent thereto for the purpose of determining possible effects which*  
 13 *such activities will have on the rivers' channels, banks and vegetation and*  
 14 *to insure proper controls over drainage and site improvements necessary*  
 15 *to protect the water quality of the rivers and their appearance.*  
 16 (c) *The institution of additional safeguards are necessary whereby prop-*  
 17 *erty owners, land developers and governing bodies of local governments*  
 18 *can be assured that activities within reasonable distances from the river*  
 19 *bank will be of high quality and in the best interests of the public.*  
 20 (d) *Uncontrolled development, construction and the use of land adja-*  
 21 *cent to a river may affect detrimentally the future preservation of*  
 22 *Nevada's rivers as valuable natural resources and recreational assets.*  
 23 2. *In a county having a population of not less than 100,000 or more*  
 24 *than 200,000, as determined by the last preceding national census of the*  
 25 *Bureau of the Census of the United States Department of Commerce,*  
 26 *containing one or more interstate rivers and in which a regional planning*  
 27 *commission exists pursuant to the provisions of NRS 278.090, the board*

1 of county commissioners and the governing bodies of the municipalities  
2 within the county shall, by ordinance to be effective within 90 days of  
3 the effective date of this act:

4 (a) Create a joint river development review board, specifying the num-  
5 ber, terms, compensation, if any, and the method of removal of the mem-  
6 bers thereof.

7 (b) Specify the dimensions of the riverbank area subject to review by  
8 such board.

9 (c) Specify the powers and duties of such board. The powers and duties  
10 shall be only recommendatory and may pertain to but shall not be limited  
11 to:

12 (1) Review of development plans on property along the river.

13 (2) Recommendations to the regional planning commission, zoning  
14 boards of adjustment and building inspectors with respect to maintaining  
15 the river as a natural environmental corridor.

16 (3) Cooperative development along the river.

17 (4) Maintenance of open space along the river.

18 (5) Public access to the river.

19 (6) Water quality of the river.

20 (7) Acquisition and retention of the riverbank for public use.

21 3. Except as otherwise provided in this subsection, the regional plan-  
22 ning commission, zoning boards of adjustment and building inspectors  
23 shall not proceed to consider, hear, grant or make recommendations to  
24 governing bodies of local governments until the recommendations of the  
25 joint river development review board have been received concerning:

26 (a) Applications for building permits where the estimated value of the  
27 proposed improvement exceeds \$1,000.

28 (b) Changes of land use classification.

29 (c) Variances.

30 (d) Special use permits.

31 (e) Tentative subdivision plats.

32 (f) Parcel maps.

33 Immediately upon the filing of an application for a building permit,  
34 change of land use, variance, special use permit, tentative subdivision map  
35 or parcel map which concerns land lying within the riverbank area subject  
36 to review by the joint river development review board, the officer, board  
37 or commission with whom such application or map is filed shall transmit a  
38 copy of such application or map to the joint river development board for  
39 its written recommendations. Failure of the joint river development review  
40 board to respond to such application or map within 10 days from the date  
41 of transmittal shall be deemed to be a recommendation of approval.

42 4. The joint river development review board may make independent  
43 recommendations to the regional planning commission concerning the  
44 desirability of regulations for the protection of the river as a natural  
45 resource and recreational asset.

46 5. Expenses of the joint river development review board may be paid  
47 from appropriations made to the regional planning commission pursuant  
48 to NRS 278.120.

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

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**S. J. R. 15**


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**SENATE JOINT RESOLUTION NO. 15—SENATOR DODGE**
**MARCH 17, 1975**


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**Referred to Committee on Taxation**
**SUMMARY—**Memorializes Congress to remedy tax inequities involved in certain transactions on Indian reservations. (BDR 1244)



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

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**SENATE JOINT RESOLUTION—**Memorializing Congress to remedy tax inequities involved in certain transactions on Indian reservations.

- 1       WHEREAS, The intent of Congress under Title 25, U.S.C. § 261 et seq.  
2 was to license traders to do business with Indian tribes; and  
3       WHEREAS, The protections of federal law and exemptions from state  
4 and local regulation and taxation was to facilitate the unhampered con-  
5 duct of business between Indian traders and residents of reservations  
6 under rules of the Bureau of Indian Affairs; and  
7       WHEREAS, The privileges and immunities extended to Indian traders  
8 were never intended to give such traders a competitive edge over other  
9 businessmen doing business with the general public; and  
10       WHEREAS, The situation does exist in Nevada whereby cigarettes are  
11 shipped from outside the state and resold at retail on Indian reservations  
12 to the general public with no state tax whatever being paid to the state;  
13 and  
14       WHEREAS, In the past 2 years some 250,000 cartons have been resold  
15 from retail premises on the Walker River Paiute Indian Reservation alone  
16 resulting in a tax loss to Nevada of some \$275,000; and  
17       WHEREAS, Other retail outlets on other reservations in Nevada are now  
18 opening to sell taxfree cigarettes to the general public; and  
19       WHEREAS, On May 4, 1974, the U.S. District Court for the District of  
20 Nevada ruled that the State of Nevada was powerless to collect taxes on  
21 such cigarettes, or to prevent their shipment to destinations in Nevada;  
22 and  
23       WHEREAS, The power to amend the law pertaining to the rights and  
24 privileges of Indian traders is exclusively with Congress and only Con-  
25 gress can act to end this egregious abuse of the privileges of Indian  
26 traders; now, therefore, be it  
27       *Resolved by the Senate and Assembly of the State of Nevada, jointly,*

- 1 That the legislature of the State of Nevada hereby respectfully memorial-  
2 izes the Congress of the United States to clarify 25 U.S.C. § 261 et seq.  
3 regarding Indian traders to make it clear that the exemption of Indian  
4 traders from state taxes and regulations is intended to apply only to legiti-  
5 mate dealings with residents of Indian reservations and that such exemp-  
6 tions shall not apply when dealing with the general public; and be it  
7 further
- 8 *Resolved*, That copies of this resolution be prepared and transmitted  
9 forthwith by the legislative counsel to the Vice President of the United  
10 States as presiding officer of the Senate, to the Speaker of the House of  
11 Representatives and to all members of the Nevada congressional delega-  
12 tion; and be it further
- 13 *Resolved*, That this resolution shall become effective upon passage and  
14 approval.

S. B. 18

## SENATE BILL NO. 18—SENATOR SHEERIN

JANUARY 22, 1975

Referred to Committee on Government Affairs

SUMMARY—Provides minimum standards for political activities of certain public officers and employees. Fiscal Note: No. (BDR 23-417)

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

AN ACT relating to public officers and employees; providing minimum standards for political activities of persons in the executive branch of state and local government; 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 281 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 *No employee of any county, city, school district or any other political*  
4 *subdivision of the State of Nevada shall be subject to restrictions on his*  
5 *political activities which are more stringent than those applicable to state*  
6 *and local employees subject to the provisions of 5 U.S.C. § 1501 et seq.*
- 7 SEC. 2. Chapter 284 of NRS is hereby amended by adding thereto a  
8 new section which shall read as follows:  
9 *Except as otherwise provided by law, officers and employees in the*  
10 *classified and unclassified service of the State of Nevada shall not be sub-*  
11 *ject to restrictions on their political activities which are more stringent*  
12 *than those applicable to state and local employees subject to the pro-*  
13 *visions of 5 U.S.C. § 1501 et seq.*
- 14 SEC. 3. NRS 463.025 is hereby amended to read as follows:  
15 463.025 1. The commission members shall devote such time to the  
16 business of the commission as may be necessary to the discharge of their  
17 duties.  
18 2. No member [shall be:  
19 (a) A member of any political convention; or  
20 (b) A member of any committee of any political party.] *of the legis-*  
21 *lature, no person holding any elective office in the state government, nor*  
22 *any official of any political party shall be eligible to appointment to the*  
23 *commission.*
- 24 3. Before entering upon the duties of his office, each member shall  
25 subscribe to the constitutional oath of office and, in addition, swear that

1 he is not actively engaged in nor does he hold a direct pecuniary interest  
2 in gaming activities.

3 SEC. 4. NRS 463.060 is hereby amended to read as follows:

4 463.060 1. Each member shall devote his entire time and attention  
5 to the business of the board and shall not pursue any other business or  
6 occupation or hold any other office of profit.

7 2. [No member shall be:

8 (a) A member of any political convention.

9 (b) A member of any committee of any political party, or engage in  
10 any party activities.

11 3.] No member shall be pecuniarily interested in any business or  
12 organization holding a gaming license under this chapter or doing business  
13 with any person or organization licensed under this chapter.

14 [4.] 3. Before entering upon the duties of his office, each member  
15 shall subscribe to the constitutional oath of office and, in addition, swear  
16 that he is not pecuniarily interested in any business or organization hold-  
17 ing a gaming license or doing business with any such person or organiza-  
18 tion. The oath of office shall be filed in the office of the secretary of state.

19 SEC. 5. NRS 616.185 is hereby amended to read as follows:

20 616.185 1. The commission may employ a secretary, actuary,  
21 accountants, examiners, experts, clerks, stenographers, and other assist-  
22 ants, and fix their compensation.

23 2. The commission shall employ a safety inspector, and fix his com-  
24 pensation.

25 3. Employments and compensation shall be first approved by the  
26 governor and compensation shall be paid out of the state treasury.

27 4. Actuaries, accountants, inspectors, examiners, experts, sten-  
28 ographers, and other assistants shall be entitled to receive from the state  
29 treasury their actual and necessary expenses while traveling on the busi-  
30 ness of the commission. Expenses shall be itemized and sworn to by the  
31 person who incurred the expense and allowed by the commission.

32 [5. No employee of the commission shall serve on any committee of  
33 any political party.]

34 SEC. 6. NRS 618.255 is hereby amended to read as follows:

35 618.255 1. The department may employ such qualified employees as  
36 in the opinion of the director are necessary to enforce the provisions of  
37 this chapter. Such personnel shall be employed under the provisions of  
38 chapter 284 of NRS.

39 2. Any safety consultant employed by the department shall have had  
40 at least 4 years' practical experience in the field of construction, trade,  
41 craft, technical skill, profession or industry in which his services are  
42 required.

43 3. The director and other employees of the department shall not be  
44 financially interested in any business interfering with, or inconsistent with,  
45 their duties. They shall give their entire time to the business of the depart-  
46 ment and shall not pursue any other business or vocation or hold any  
47 office of profit.

48 [4. No employee of the department shall serve on any committee of  
49 any political party.]

1 SEC. 7. NRS 679B.020 is hereby amended to read as follows:

2 679B.020 1. The chief officer of the division shall be the commis-  
3 sioner appointed as provided in NRS 232.250 and 232.270.

4 2. The commissioner shall not engage in any other occupation, busi-  
5 ness or activity that is in any way inconsistent with the performance of  
6 his duties as commissioner, nor shall he hold any other public office.

7 3. The commissioner shall not [

8 (a) Directly ~~directly~~ or indirectly solicit or receive, or be in any man-  
9 ner concerned with soliciting or receiving, any assessment, subscription,  
10 contribution or service, whether voluntary or involuntary, for any politi-  
11 cal purpose whatever, from any person within or without the state.

12 [(b) Act as an officer or manager for any candidate, political party or  
13 committee organized to promote the candidacy or any person for any  
14 public office.]

15 SEC. 8. NRS 703.040 is hereby amended to read as follows:

16 703.040 1. One of the commissioners shall be generally familiar with  
17 the operation of transportation facilities, and one commissioner shall have  
18 a general knowledge of fares and freights and tolls and charges levied and  
19 collected by public utilities as defined in chapter 704 of NRS.

20 2. No commissioner shall be pecuniarily interested in any public util-  
21 ity in this state or elsewhere.

22 3. The commissioners shall give their entire time to the business of  
23 the commission and shall not pursue any other business or vocation or  
24 hold any other office of profit.

25 4. No commissioner shall [be a member of any political convention  
26 or a member of any committee of any political party.] *use his official*  
27 *authority to influence or interfere with an election or affect the results*  
28 *thereof or for any partisan political purpose.*



**S. B. 160****SENATE BILL NO. 160—SENATOR BRYAN**

FEBRUARY 6, 1975

Referred to Committee on Government Affairs

**SUMMARY**—Creates office of public counsel to represent people of Nevada before public service commission. Fiscal Note: Yes. (BDR 58-403)



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

AN ACT creating the office of public counsel to represent the interests of citizens of the State of Nevada before the public service commission of Nevada; providing for the appointment, qualifications, compensation, powers and duties of the public counsel; adding to the duties of the public service commission of Nevada; 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. Title 58 of NRS is hereby amended by adding thereto  
2 a new chapter to consist of the provisions set forth as sections 2 to 9,  
3 inclusive, of this act.

4 SEC. 2. As used in this chapter, unless the context otherwise requires,  
5 "commission" means the public service commission of Nevada.

6 SEC. 3. 1. There is hereby established the office of public counsel for  
7 the purpose of representing the citizens of the State of Nevada, as con-  
8 sumers, in hearings and other proceedings concerning matters within the  
9 jurisdiction of the public service commission of Nevada.

10 2. The office shall consist of a public counsel and such additional  
11 clerical, technical and professional personnel as are considered necessary  
12 by the public counsel and authorized by the legislative commission.

13 SEC. 4. 1. The public counsel shall be appointed by the legislative  
14 commission upon a majority vote of its members. The public counsel shall  
15 be an attorney licensed to practice law in the State of Nevada and shall  
16 serve at the pleasure of the legislative commission. Vacancies in the office  
17 shall be filled in the same manner as the original appointment.

18 2. The public counsel shall receive an annual salary of \$22,000, and  
19 travel expenses and subsistence allowances as provided by law.

20 3. Moneys to carry out the function of the office of public counsel  
21 shall be provided by separate legislative appropriation from the general  
22 fund to the legislative fund. Expenses of carrying out the function of the  
23 office shall be paid from the legislative fund, upon claims approved by the

1 public counsel, to the extent of the amount in the fund which has been  
2 appropriated for the purpose.

3 SEC. 5. The public counsel, as executive head of the office of public  
4 counsel, shall direct and supervise all its administrative and technical  
5 activities. In addition to the duties and powers imposed upon, or granted  
6 to, the public counsel elsewhere in this chapter, he may:

7 1. Represent the interests of the people of this state with respect to  
8 all matters within the jurisdiction of the commission.

9 2. Recommend to the commission by petition the commencement of  
10 any proceeding or action.

11 3. Appear in any proceeding or action before the commission in the  
12 name of the State of Nevada or its citizens and urge therein any position  
13 which he determines to be in the public interest, whether consistent or  
14 inconsistent with positions previously adopted by the commission.

15 4. Utilize in any proceeding or action before the commission all  
16 forms of discovery available to attorneys in civil actions, subject to pro-  
17 tective orders of the commission, which orders may be reviewed by the  
18 district court.

19 5. Have access to and use of all files, records and data of the com-  
20 mission available to any other party in a proceeding before the com-  
21 mission, and obtain professional assistance from the commission in  
22 interpreting such information.

23 6. In any proceeding in which he has participated as a party, obtain  
24 judicial review of any final determination, finding or order of the com-  
25 mission or any hearing examine, designated by the commission in the  
26 name of the State of Nevada or its citizens.

27 7. Prepare and issue reports, recommendations and proposed orders  
28 to the commission, the governor or the legislature on any matter or  
29 subject within the jurisdiction of the commission, and make such recom-  
30 mendations as he considers appropriate for legislation relative to com-  
31 mission procedures, rules, jurisdiction, personnel and functions.

32 8. Appear before federal and state agencies and courts in connection  
33 with matters under the jurisdiction of the commission in the name of the  
34 State of Nevada or its citizens.

35 SEC. 6. 1. The public counsel shall maintain his office in Carson City  
36 on the same premises as the commission or, if suitable space cannot be  
37 provided by the commission, in the legislative building.

38 2. The legislative commission may authorize the public counsel to  
39 employ clerical, technical and professional personnel and retain expert  
40 witnesses to aid him in hearings and other proceedings before the com-  
41 mission.

42 SEC. 7. 1. The public counsel and all full-time employees of the  
43 office of public counsel shall devote their entire time to the duties of their  
44 positions and shall follow no other gainful employment or occupation.

45 2. Neither the public counsel nor any full-time employee of the office  
46 of public counsel may become a candidate for public office or become an  
47 officer or employee of a political party while holding a position in the  
48 office of public counsel.

49 SEC. 8. The commission shall:

50 1. Assist the public counsel in all reasonable requests for documents

1 relating to proceedings before the commission and for professional assist-  
2 ance in interpreting such documents.

3 2. Provide to the public counsel, without cost, copies of all docu-  
4 ments in the files of the commission relating to proceedings before the  
5 commission in which the public counsel is a party or is considering join-  
6 ing as a party.

7 3. Furnish the public counsel with copies of all initial pleadings in  
8 all proceedings before the commission.

9 SEC. 9. If the public counsel intervenes as a party in any proceeding  
10 or action involving the commission, he shall be served with all pleadings,  
11 exhibits and prepared statements filed in such proceeding or action after  
12 his intervention.

13 SEC. 10. NRS 218.085 is hereby amended to read as follows:

14 218.085 1. The legislative fund is hereby created as a continuing  
15 fund in the state treasury for the use of the legislature, and where spe-  
16 cifically authorized by law, for the use of the legislative counsel bureau.

17 2. Support for the legislative fund shall be provided by legislative  
18 appropriation from the general fund.

19 3. Expenditures from the legislative fund shall be made for:

- 20 (a) The payment of necessary operating expenses of the senate;  
21 (b) The payment of necessary operating expenses of the assembly;  
22 (c) The payment of necessary operating expenses of but not limited to:  
23 (1) The legislative commission;  
24 (2) The legal division;  
25 (3) The research and fiscal analysis division;  
26 (4) The audit division; and  
27 (5) The statute revision operation,

28 of the legislative counsel bureau [ ] ; and

29 (d) *The payment of necessary operating expenses of the office of pub-*  
30 *lic counsel.*

31 4. Expenditures from the legislative fund for purposes other than  
32 those specified in subsection 3 of this section shall be made only upon the  
33 authority of a concurrent resolution regularly adopted by the senate and  
34 assembly.

35 5. All moneys in the legislative fund shall be paid out on claims  
36 approved by the director of the legislative counsel bureau or his designee  
37 *or, in the case of claims applicable to the office of the public counsel, on*  
38 *claims approved by the public counsel*, as other claims against the state  
39 are paid.

40 SEC. 11. NRS 218.681 is hereby amended to read as follows:

41 218.681 1. The general objectives and functions of the legislative  
42 commission are to:

43 (a) Assist the legislature in retaining status coordinate with the execu-  
44 tive and judicial branches of state government.

45 (b) Investigate and inquire only into subjects upon which the legisla-  
46 ture may act by the enactment or amendment of statutes.

47 (c) Assure that the most effective use is made of the audit, fiscal, legal  
48 and research services and facilities provided by the legislative counsel  
49 bureau to the legislature and its members.

50 2. In addition to the powers and duties elsewhere conferred and

1 imposed upon the legislative commission in this chapter, in order to carry  
2 out its general objectives and functions the legislative commission:

3 (a) Shall receive recommendations and suggestions for legislation or  
4 investigation from:

5 (1) Members of the legislative commission and other members of  
6 the legislature;

7 (2) Any board, commission, department or officer of the state gov-  
8 ernment or any local government;

9 (3) Bar associations, chambers of commerce, labor unions and  
10 other organized groups; and

11 (4) Individual citizens.

12 (b) May hold hearings on any subject or matter which is a proper  
13 subject for legislative action whenever it considers such hearings neces-  
14 sary or desirable in the performance of its duties.

15 3. *The legislative commission shall appoint the public counsel, pur-*  
16 *suant to the provisions of section 4 of this act, and shall supervise the*  
17 *operation of his office. The public counsel is not subject to administrative*  
18 *supervision by the director of the legislative counsel bureau.*

19 SEC. 12. NRS 704.450 is hereby amended to read as follows:

20 704.450 1. Upon a complaint made against any public utility by any  
21 mercantile, agricultural or manufacturing society or club, or by any  
22 body politic or municipal organization, or by any person or persons, firm  
23 or firms, corporation or corporations, association or associations, the  
24 same being interested, *or by the public counsel*, that any of the rates,  
25 tolls, charges or schedules, or any joint rate or rates are in any respect  
26 unreasonable or unjustly discriminatory, or that any regulation, measure-  
27 ments, practice or act whatsoever affecting or relating to the transporta-  
28 tion of persons or property, or any service in connection therewith, or the  
29 production, transmission or delivery or furnishing of heat, light, gas, coal  
30 slurry, water or power, or any service in connection therewith or the  
31 transmission thereof is, in any respect, unreasonable, insufficient or  
32 unjustly discriminatory, or that any service is inadequate, the commission  
33 shall, within 10 days after receipt of such complaint, provide the public  
34 utility complained against *and the public counsel* with a copy of the  
35 complaint. Within a reasonable time thereafter the commission shall  
36 investigate such complaint.

37 2. If, as a result of such investigation, the commission shall determine  
38 that probable cause exists for such complaint, it shall order a hearing  
39 thereof, and such hearing shall be noticed as provided in NRS 704.465,  
40 and conducted as any other hearing before the commission.

41 3. No order affecting such rates, tolls, charges, schedules, regulations,  
42 measurements, practice or act complained of shall be entered without a  
43 formal hearing at which *the public counsel is entitled to appear and be*  
44 *heard and* both the complainant and the public utility are entitled to  
45 appear by counsel or otherwise and be fully heard, unless a hearing is  
46 dispensed with as provided in NRS 704.465.

47 SEC. 13. NRS 704.480 is hereby amended to read as follows:

48 704.480 1. A full and complete record shall be kept of all hearings  
49 before the commission, and all testimony shall be taken down by the  
50 stenographer appointed by the commission, or, under the direction of any

1 competent person appointed by the commission, reported by sound  
2 recording equipment in the manner authorized for reporting testimony  
3 in district courts. The testimony reported by a stenographer shall be  
4 transcribed, and the transcript filed with the record in the matter. The  
5 commission may, by rule or regulation, provide for the transcription or  
6 safekeeping of such sound recordings. ~~Cost of recording and transcribing~~  
7 testimony at any hearing, except those hearings ordered pursuant to NRS  
8 704.450, shall be paid by the applicant. If a complaint is made pursuant  
9 to NRS 704.450 by a customer or by a body politic or municipal organi-  
10 zation [.] or by the public counsel, the complainant is not liable for any  
11 costs. Otherwise, if there are several applicants or parties to any hearing,  
12 the commission may apportion the costs among them in its discretion.

13 2. Whenever any complaint is served upon the commission as pro-  
14 vided in NRS 704.540 for the bringing of actions against the commission,  
15 before the action is reached for trial, the commission shall cause a cer-  
16 tified copy of all proceedings and testimony taken to be filed with the  
17 clerk of the court in which the action is pending.

18 3. A copy of such proceedings and testimony shall be furnished to  
19 any party, on payment of a reasonable amount therefor, to be fixed by  
20 the commission, which amount shall be uniform per folio to all parties.

21 4. *The commission may not charge the public counsel for copies of*  
22 *any transcripts, files or other documents in the possession of the com-*  
23 *mission, when the public counsel requests such documents pursuant to his*  
24 *statutory powers and duties.*

SENATE BILL NO. 379—SENATOR NEAL

MARCH 25, 1975

Referred to Committee on Judiciary

SUMMARY—Regulates political campaign financing.  
Fiscal Note: No. (BDR 24-1374)

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

AN ACT relating to elections; regulating campaign financing; providing for disclosure; conferring a legal right on members of the public for an accounting of the handling and expenditure of political campaign funds; 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 293 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:

3 1. *As used in this section, "political committee" means a political*  
4 *party, any business or legal entity, or any combination of two or more*  
5 *natural persons whose primary or incidental purpose is to support or*  
6 *oppose any candidate, issue, political party or principle.*

7 2. *Every political committee shall keep detailed accounts of all its*  
8 *receipts, payments and obligations.*

9 3. *Every person receiving or expending contributions or incurring*  
10 *obligations in support of or opposition to any candidate, issue, political*  
11 *committee or principle shall on demand, and in any event within 20 days*  
12 *after such receipt, expenditure or incurrence of obligation give the politi-*  
13 *cal committee on whose behalf such receipt, expense or obligation was*  
14 *made or incurred a detailed verified account thereof. Every payment shall*  
15 *be accounted for by a receipted bill stating the particulars of the expense.*  
16 *Every voucher, receipt and verified account shall be placed in the*  
17 *accounts and files of such political committee and shall be preserved for 6*  
18 *months after the election to which it refers.*

19 4. *The books of account of every political committee during an elec-*  
20 *tion campaign shall be open at all reasonable office hours to the inspection*  
21 *of any member of the public. Their right of inspection may be enforced by*  
22 *a writ of mandamus.*

23 5. *The legislature declares that the funds of any political committee*  
24 *derived from campaign contributions made by the public are affected with*

1 *a public interest and any member of the public has a special interest in the*  
2 *proper handling of such funds and in their expenditure for the purpose for*  
3 *which they were contributed. Any member of the public is entitled to an*  
4 *accounting of the handling and expenditure of such funds.*

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**S. B. 355**


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**SENATE BILL NO. 355—SENATOR RAGGIO**
**MARCH 19, 1975**


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**Referred to Committee on Government Affairs**

**SUMMARY**—Requires persons voting in general improvement district elections to register with county clerk or registrar of voters. Fiscal Note: No. (BDR 25-1246)

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

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**AN ACT** relating to general improvement districts; requiring persons who vote in district elections to register with the county clerk or registrar of voters; imposing certain requirements on the county clerk or registrar of voters in connection with such registration; providing for voting by absent ballot; 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 293 of NRS is hereby amended by adding  
2     thereto the provisions set forth as sections 2 to 5, inclusive, of this act.
- 3     **SEC. 2.** 1. *Registration of electors in general improvement districts*  
4     *shall be accomplished in the manner provided in this chapter.*
- 5     2. *In connection with such registration, the person registering shall*  
6     *sign an affidavit attesting that he is a qualified elector of the district as*  
7     *defined in NRS 318.020.*
- 8     3. *The county clerk shall prepare for the secretary of the board of*  
9     *trustees of each general improvement district within his county the official*  
10    *register containing the original registration affidavits of all electors eligible*  
11    *to vote at the biennial election of the district.*
- 12    4. *The official register shall be prepared in suitable books, one for*  
13    *each precinct within each general improvement district, and the original*  
14    *registration affidavits shall be arranged alphabetically with the surnames*  
15    *first.*
- 16    5. *The county clerk shall keep duplicate copies of the registration*  
17    *affidavits contained in the official register in his office.*
- 18    **SEC. 3.** 1. *Not later than 3 days preceding the day on which a biennial*  
19    *election of the district is to be held, the county clerk shall prepare a*  
20    *checklist for each precinct in the general improvement district. Each*  
21    *checklist shall:*
- 22    (a) *Be prepared in an index book and shall contain the names and*



1 addresses of all electors eligible to vote at such election for each precinct,  
2 arranged alphabetically with surnames first.

3 (b) Have a blank column at the right of the column of names formed by  
4 two parallel perpendicular lines with a written heading showing the par-  
5 ticular election to which the checklist applies.

6 2. Election board members shall check the names of those persons  
7 voting, indicating the same by some particular symbol, such as "V" for  
8 voted:

9 SEC. 4. Not later than 3 days before the day on which any biennial  
10 election of the district is held, the county clerk shall deliver to the secre-  
11 tary of the board of trustees of the general improvement district:

12 1. The official register for such general improvement district.

13 2. The checklists for each precinct therein.

14 SEC. 5. 1. As full compensation for all services rendered under the  
15 provisions of sections 2 to 4, inclusive, of this act, the county registrar  
16 shall be entitled to receive the sum of 15 cents for each name of an  
17 elector copied by him, regardless of the number of times each name is  
18 copied.

19 2. His account shall be:

20 (a) A valid claim against the general improvement district.

21 (b) Made out so as to show clearly the number of names copied by him.

22 (c) Sworn to and filed with the board of trustees of the general  
23 improvement district.

24 SEC. 6. NRS 318.020 is hereby amended to read as follows:

25 318.020 As used in this chapter the following words or phrases are  
26 defined as follows:

27 1. "Acquisition," "acquire" and "acquiring" each means acquisition,  
28 extension, alteration, reconstruction, repair or other improvement by pur-  
29 chase, construction, installation, reconstruction, condemnation, lease, rent,  
30 gift, grant, bequest, devise, contract or other acquisition, or any combina-  
31 tion thereof.

32 2. "Board of trustees" and "board" alone each means the board of  
33 trustees of a district.

34 3. "General improvement district" and "district" alone each means  
35 any general improvement district organized or, in the case of organiza-  
36 tional provisions, proposed to be organized, pursuant to this chapter.

37 4. "Mail" means a single mailing, first class (or its equivalent), post-  
38 age prepaid, by deposit in the United States mails, at least 15 days prior to  
39 the designated time or event.

40 5. "Project" and "improvement" each means any structure, facility,  
41 undertaking or system which a district is authorized to acquire, improve,  
42 equip, maintain or operate. A project may consist of all kinds of per-  
43 sonal and real property, including but not limited to land, improvements  
44 and fixtures thereon, property of any nature appurtenant thereto or used  
45 in connection therewith, and every estate, interest and right therein, legal  
46 or equitable, including terms for years, or any combination thereof.

47 6. "Publication" means publication at least once a week for 3 con-  
48 secutive weeks in at least one newspaper of general circulation in the  
49 district. It shall not be necessary that publication be made on the same

1 day of the week in each of the 3 calendar weeks, but the first publica-  
2 tion shall be at least 15 days prior to the designated time or event.

3 7. "Qualified elector" means a person who [ , except for registration,  
4 is otherwise qualified to vote at general elections in this state ] *has regis-*  
5 *tered with the county clerk or registrar of voters of the county in which*  
6 *the district is located in the manner provided in section 2 of this act and:*

7 (a) Who is a resident of the district; or

8 (b) Who or whose spouse is obligated as an owner or as a contract  
9 purchaser at a designated time or event to pay a general tax on real or  
10 personal property within the district.

11 [Registration pursuant to the general election (or any other) statutes is  
12 not required.] Residence in any particular county in the state is not  
13 required. For the purpose of voting in any election precinct or other vot-  
14 ing division, any qualified elector who is not a resident of the district shall  
15 be deemed a resident of such election precinct or other voting division in  
16 which is located such taxable real or personal property or the larger or  
17 largest portion thereof according to its assessed valuation.

18 8. "Special assessment district" means any local public improvement  
19 district organized within a general improvement district by the board of  
20 trustees of such general improvement district pursuant to this chapter.

21 9. "Taxpaying elector" means a person who, except for registration,  
22 is otherwise qualified to vote at general elections in this state, and who,  
23 or whose spouse, is obligated as an owner or as a contract purchaser at  
24 a designated time or event to pay a general tax on real or personal prop-  
25 erty within the district.

26 Registration pursuant to the general election (or any other) statutes is  
27 not required. Residence in any particular county is not required.

28 10. "Trustees" means the members of a board.

29 SEC. 7. NRS 318.095 is hereby amended to read as follows:

30 318.095 1. There shall be held in conjunction with the first general  
31 election in the county after the creation of the district and in conjunction  
32 with every general election thereafter an election to be known as the bienn-  
33 nial election of the district. *Such election shall be conducted as nearly as*  
34 *may be practicable in accordance with the general election laws of this*  
35 *state, including the right to vote by absent ballot.*

36 2. At the first biennial election in any district organized or reorga-  
37 nized and operating under this chapter, and each fourth year thereafter,  
38 there shall be elected by the qualified electors of the district two qualified  
39 electors as members of the board to serve for terms of 4 years; at the sec-  
40 ond biennial election and each fourth year thereafter, there shall be so  
41 elected three qualified electors as members of the board to serve for terms  
42 of 4 years.

43 3. No later than 60 days before any such election, nominations may  
44 be filed with the secretary of the board, who shall, not later than 30  
45 days before any such election, certify such nominations to the county  
46 clerk of each county in which the district is located. If a nominee does  
47 not withdraw his name before the secretary certifies the nominations to  
48 the county clerk, his name shall be placed on the ballot. Nomination is a  
49 prerequisite to election. The secretary of the district shall give notice of  
50 election by publication, and shall arrange such other details in connection

## S. B. 250

SENATE BILL NO. 250—SENATORS HILBRECHT, NEAL, HERR,  
GIBSON, LAMB, BROWN, WALKER, ECHOLS, BRYAN AND  
SCHOFIELD

FEBRUARY 24, 1975

Referred to Committee on Government Affairs

SUMMARY—Increases number of justices of the peace allotted  
to certain townships. Fiscal Note: No. (BDR 1-988)

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

AN ACT relating to justices of the peace; increasing the number allotted to certain townships; 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 4.020 is hereby amended to read as follows:  
2 4.020 1. There shall be one justice's court in each of the townships  
3 of the state, for which there shall be elected by the qualified electors of the  
4 township at a general state election in November 1974, and every 4 years  
5 thereafter, the following number of justices of the peace according to the  
6 population of the township as determined by the last preceding national  
7 census of the Bureau of the Census of the United States Department of  
8 Commerce:  
9 (a) If the population is less than 60,000, one justice of the peace.  
10 (b) If the population is 60,000 or more [.] *but less than 150,000*, two  
11 justices of the peace.  
12 (c) *If the population is 150,000 or more, four justices of the peace.*  
13 2. The term of office of justices of the peace shall be 4 years begin-  
14 ning on the 1st Monday in January next succeeding their election.  
15 3. Justices of the peace shall receive certificates of election from the  
16 boards of county commissioners of their respective counties.  
17 4. The clerk of the board of county commissioners shall, within 10  
18 days after the election or appointment and qualification of any justice of  
19 the peace, certify under seal to the secretary of state the election or  
20 appointment and qualification of the justice of the peace. The certificate  
21 shall be filed in the office of the secretary of state as evidence of the offi-  
22 cial character of such officer.  
23 SEC. 2. The board of county commissioners of each county in which  
24 there is a township of such size that its justice's court is entitled to two

- 1 additional justices of the peace under the provisions of section 1 of this  
2 act may appoint two justices of the peace to fill such positions until the 1st  
3 Monday of January 1977.  
4 SEC. 3. Section 2 of this act shall become effective on July 1, 1975.  
5 Section 1 of this act shall become effective on July 1, 1975, for the pur-  
6 poses of nomination and election of justices of the peace, and for all other  
7 purposes on the 1st Monday of January 1977.

## S. B. 569

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 SENATE BILL NO. 569—SENATORS RAGGIO, YOUNG,  
 FOOTE, WILSON AND GOJACK

 APRIL 23, 1975
 

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Referred to Committee on Government Affairs

SUMMARY—Provides method of creating fair and recreation board in counties having a population of 100,000 or more and less than 200,000. Fiscal Note: No. (BDR 20-1852)

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

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AN ACT relating to county fair and recreation boards; providing a method of creating such boards in counties having a population of 100,000 or more and less than 200,000; establishing the number, selection and terms of members; 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. *In any county having a population of 100,000 or more and less*  
 4 *than 200,000, as determined by the last preceding national census of the*  
 5 *Bureau of the Census of the United States Department of Commerce, the*  
 6 *county fair and recreation board shall consist of nine members selected as*  
 7 *follows:*  
 8 (a) *Two members by the board of county commissioners from their own*  
 9 *number.*  
 10 (b) *Two members by the governing body of the largest incorporated city*  
 11 *in the county from their own number.*  
 12 (c) *One member by the governing body of the next largest incorporated*  
 13 *city in the county from their own number.*  
 14 (d) *Four members to be appointed by the members selected pursuant to*  
 15 *paragraphs (a), (b) and (c). Such members shall be selected from a list of*  
 16 *three nominees for each position submitted by the chamber of commerce*  
 17 *of the largest incorporated city in the county. Such lists shall be composed*  
 18 *of nominees respectively who are actively engaged in:*  
 19 (1) *The resort hotel industry.*  
 20 (2) *The motel industry.*  
 21 (3) *The finance industry.*  
 22 (4) *General business or commerce.*

1     2. Any vacancy occurring on a county fair and recreation board shall  
2 be filled by the authority entitled to appoint the member whose position is  
3 vacant.

4     3. Upon the expiration of the terms of those members appointed  
5 pursuant to paragraph (d) of subsection 1, on January 1, 1977, four new  
6 members shall be appointed as provided in that paragraph as follows:

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

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

9. ~~Thereafter all members shall be appointed for 2-year terms.~~ If any such  
10 member ceases to be engaged in the business sector which he was  
11 appointed to represent, he ceases to be a member, and another person  
12 engaged in that business shall be appointed to fill the unexpired term.  
13 Any such member may succeed himself.

14     4. The terms of members appointed pursuant to paragraphs (a), (b)  
15 and (c) of subsection 1 shall be coterminous with their terms of office.  
16 Any such member may succeed himself.

17     SEC. 2. NRS 244.335 is hereby amended to read as follows:

18       244.335 1. Except as provided in subsection 2, the board of county  
19 commissioners shall have power and jurisdiction in their respective coun-  
20 ties to:

21       (a) Regulate all character of lawful trades, callings, industries, occu-  
22 pations, professions and business conducted in their respective counties,  
23 outside of the limits of incorporated cities and towns.

24       (b) Fix, impose and collect a license tax for revenue or for regulation,  
25 or for both revenue and regulation, on such trades, callings, industries,  
26 occupations, professions and business.

27     2. The county license boards shall have the exclusive power and  
28 jurisdiction in their respective counties to regulate the business of con-  
29 ducting a billiard or pool hall, dancing hall, bowling alley, theater, soft  
30 drink establishment, gambling game or device permitted by law, or other  
31 place of amusement, entertainment or recreation, outside of an incorpo-  
32 rated city or incorporated town. The county license boards shall have the  
33 power and jurisdiction to fix, impose and collect license taxes for revenue  
34 or for regulation, or for both revenue and regulation, on such businesses.

35     3. Any license tax levied for the purposes of NRS 244.640 to 244.-  
36 780, inclusive, [shall constitute] and section 1 of this act, constitutes a  
37 lien upon the real and personal property of the business upon which the  
38 tax was levied until the tax is paid. The lien shall be enforced in the  
39 following manner:

40       (a) By recording in the office of the county recorder, within 90 days  
41 following the date on which such tax became delinquent, a notice of the  
42 tax lien containing the following:

43           (1) The amount of tax due and the appropriate year.

44           (2) The name of the record owner of the property.

45           (3) A description of the property sufficient for identification.

46           (4) A verification by the oath of any member of the board of county  
47 commissioners or the county fair and recreation board; and

48       (b) By an action for foreclosure against such property in the same  
49 manner as an action for foreclosure of any other lien, commenced within

1 2 years after the date of recording of the notice of the tax lien, and  
2 accompanied by appropriate notice to other lienholders.

3 4. The board of county commissioners may delegate the power and  
4 authority to enforce such liens to the county fair and recreation board.

5 All information concerning license taxes levied by an ordinance author-  
6 ized by this section or other information concerning the business affairs  
7 or operation of any licensee obtained as a result of the payment of such  
8 license taxes or as the result of any audit or examination of the books by  
9 any authorized employee of a county fair and recreation board of the  
10 county for any license tax levied for the purpose of NRS 244.640 to  
11 244.780, inclusive, and section 1 of this act, is confidential and shall not  
12 be disclosed by any member, official or employee of the county fair and  
13 recreation board or the county imposing such license tax unless the dis-  
14 closure is authorized by the affirmative action of a majority of the mem-  
15 bers of the appropriate county fair and recreation board.

16 SEC. 3. NRS 244.645 is hereby amended to read as follows:

17 244.645 1. Whenever the board of county commissioners of any  
18 county or the board of supervisors of Carson City desires the powers  
19 granted in NRS 244.640 to 244.780, inclusive, and section 1 of this act,  
20 to be exercised, it shall, by resolution, determine that the interest of the  
21 county and the public interest, necessity or desirability require the exer-  
22 cise of such powers and the creation of a county fair and recreation board  
23 therefor, pursuant to the provisions of NRS 244.640 to 244.780, inclu-  
24 sive [.] , and section 1 of this act. After approval of the resolution, the  
25 county or city clerk shall:

26 (a) Cause a copy of the resolution to be published promptly once in a  
27 newspaper published in and of general circulation in the county or city;  
28 and

(b) In the case of a county, cause a certified copy of the resolution to  
30 be mailed by registered or certified mail to the mayor or other chief exec-  
31 utive officer of each incorporated city within the county.

32 2. In counties having a population of [200,000] 100,000 or more,  
33 the county fair and recreation board shall be selected as provided in NRS  
34 244.647 [.] , and section 1 of this act. [In counties having a population  
35 of 100,000 or more and less than 200,000, the most populous incorpo-  
36 rated city in the county shall be represented on the county fair and recrea-  
37 tion board by two members, and the next most populous incorporated city  
38 by one member.] In counties having a population of 11,000 or more and  
39 less than 100,000, and in which there is one or more incorporated city,  
40 each incorporated city, except an incorporated city which is the county  
41 seat, shall be represented by one member and any incorporated city which  
42 is the county seat shall be represented by four members. Within 30 days  
43 after the day of publication of the resolution or the day on which the last  
44 of the copies of the resolution was mailed, whichever day is later, the  
45 mayor or other chief executive officer shall, with the approval of the legis-  
46 lative body of the city, appoint a member or members of the city council  
47 or board of trustees to serve on the board for the remainder of his or their  
48 terms of office. The clerk or secretary of the city shall promptly certify the  
49 appointment by registered or certified mail to the county clerk. In counties  
50 having a population of less than 11,000, any incorporated city which is the

1 county seat shall be represented by one member, who shall be appointed  
2 and certified as provided in this section, and the board of county commis-  
3 sioners shall appoint three representatives as follows:

- 4 (a) One member to represent the motel operators in the county.  
5 (b) One member to represent the hotel operators in the county.  
6 (c) One member to represent the other commercial interests in the  
7 county.

8 3. [In counties having a population of 100,000 or more and less than  
9 200,000, two members of the board of county commissioners shall be  
10 appointed by the board of county commissioners to serve on the board  
11 for the remainder of their terms of office.] In counties having a popula-  
12 tion of less than 100,000, one member of the board of county commis-  
13 sioners shall be appointed by the county commissioners to serve on the  
14 board for the remainder of his term of office.

15 4. Population [shall be] is determined by the last preceding national  
16 census of the Bureau of the Census of the United States Department of  
17 Commerce.

18 5. In Carson City the board of supervisors shall appoint five repre-  
19 sentatives to the fair and recreation board established as provided in sub-  
20 section 1 as follows:

- 21 (a) Two members to represent the hotel and motel operators in the  
22 city.  
23 (b) One member to represent the other commercial interests in the  
24 city.  
25 (c) One member who is a member of the board of supervisors.  
26 (d) One member to represent the city at large.

27 6. [The terms of all members appointed pursuant to this section,  
28 who are not elected officials, shall terminate on January 1, 1972. There-  
29 after, such members shall be appointed for 2-year terms. Any such mem-  
30 ber may succeed himself.] *Any member who is not an elected official*  
31 *shall serve a 2-year term and may be reappointed.*

32 7. The terms of all elected officials shall be coterminous with their  
33 terms of office. Any such member may succeed himself.

34 SEC. 4. NRS 244.680 is hereby amended to read as follows:

35 244.680 The board of county commissioners of any county proceed-  
36 ing under the provisions of NRS 244.640 to 244.780, inclusive, *and sec-*  
37 *tion 1 of this act*, is authorized to advance such funds to the board as  
38 may be necessary to pay the preliminary organization, administration and  
39 engineering costs thereof, including bond elections as provided in NRS  
40 244.640 to 244.780, inclusive, *and section 1 of this act*, on such terms  
41 of repayment as may be agreed upon, and the county is authorized to  
42 secure necessary funds in the manner provided by law authorizing short-  
43 term loans.

44 SEC. 5. NRS 244.685 is hereby amended to read as follows:

45 244.685 In addition to powers elsewhere conferred, the county fair  
46 and recreation board of any county, upon behalf of the county and in  
47 connection with the recreational facilities herein authorized, is authorized  
48 and empowered:

49 1. To establish, construct, purchase, lease, enter into a lease purchase  
50 agreement respecting, rent, acquire by gift, grant, bequest, devise, or

- 1 otherwise acquire, reconstruct, improve, extend, better, alter, repair,  
2 equip, furnish, regulate, maintain, operate and manage recreational facili-  
3 ties, including personal property, real property, lands, improvements and  
4 fixtures thereon, property of any nature appurtenant thereto or used in  
5 connection therewith, and every estate, interest and right, legal or equita-  
6 ble, therein, including terms for years.
- 7 2. To insure or provide for the insurance of any recreational facility  
8 against such risks and hazards as the board may deem advisable.
- 9 3. To arrange or contract for the furnishing by any person, agency,  
10 association or corporation, public or private, of services, privileges, works  
11 or facilities for, or in connection with, a recreational facility; and to hire  
12 and retain officers, agents and employees, including a fiscal advisor,  
13 engineers, attorneys, or other professional or specialized personnel.
- 14 4. To direct the board of county commissioners, with the concurrence  
15 of the board, to acquire by the exercise of the power of eminent domain  
16 any real property which the county fair and recreation board may deem  
17 necessary for its purposes under NRS 244.640 to 244.780, inclusive, *and*  
18 *section 1 of this act*, after the adoption by the board of a resolution declar-  
19 ing that its acquisition is necessary for such purposes. This power shall be  
20 exercised in the manner provided by any applicable statutory provisions  
21 and laws of the State of Nevada. Title to property so acquired shall be  
22 taken in the name of the county.
- 23 5. To sell, lease, exchange, transfer, assign or otherwise dispose of any  
24 real or personal property, or any interest therein acquired for the purpose  
25 of NRS 244.640 to 244.780, inclusive, *and section 1 of this act*, including  
26 the lease of any recreational facility acquired by the county under the pro-  
27 visions of NRS 244.640 to 244.780, inclusive, *and section 1 of this act*,  
28 which is to be operated and maintained as a public project and recreational  
29 facility.
- 30 6. To fix, and from time to time increase or decrease, rates, tolls or  
31 charges for services or facilities furnished in connection with any recrea-  
32 tional facility, and to take such action as necessary or desirable to effect  
33 their collection, and, with the consent of the board of county commission-  
34 ers, to provide for the levy by the board of county commissioners of ad  
35 valorem taxes, the proceeds thereof to be used in connection with the rec-  
36 reational facilities.
- 37 7. To receive, control, invest and order the expenditure of any and all  
38 moneys and funds pertaining to any recreational facility or related proper-  
39 ties, including but not limited to annual grants to the state, the county and  
40 incorporated cities in the county for capital improvements for recreational  
41 facilities.
- 42 8. To enter into contracts, leases or other arrangements for commer-  
43 cial advertising purposes with any person, partnership or corporation.
- 44 9. To exercise all or any part or combination of the powers herein  
45 granted to such county, except as herein otherwise provided.
- 46 10. To sue and be sued.
- 47 11. To do and perform any and all other acts and things necessary,  
48 convenient, desirable or appropriate to carry out the provisions of NRS  
49 244.640 to 244.780, inclusive [ ], *and section 1 of this act*.



1 SEC. 6. NRS 244.6851 is hereby amended to read as follows:

2 244.6851 The county fair and recreation board, in addition to the  
3 other powers conferred upon a county fair and recreation board by NRS  
4 244.640 to 244.780, inclusive, *and section 1 of this act*, may:

5 1. Set aside a fund in an amount which it considers necessary and  
6 which may be expended in the discretion of the board for the purpose of  
7 promoting or attracting conventions, meetings and like gatherings which  
8 will utilize the recreational facilities authorized by NRS 244.640. Such  
9 expenditure is hereby declared to be an expenditure made for a public  
10 purpose.

11 2. Solicit and promote tourism generally, both individually and  
12 through annual grants to the chambers of commerce of the incorporated  
13 cities within the county, and further promote generally the use of its  
14 facilities, pursuant to lease agreements, by organized groups or by the  
15 general public for the holding of conventions, expositions, trade shows,  
16 entertainment, sporting events, cultural activities or similar uses reason-  
17 ably calculated to produce revenue for the board and to enhance the gen-  
18 eral economy. Such promotion may include advertising the facilities under  
19 control of the board and the resources of the community or area, includ-  
20 ing without restriction tourist accommodations, transportation, entertain-  
21 ment and climate.

22 3. Enter into contracts for advertising pursuant to this section and  
23 pay the cost of such advertising, including a reasonable commission.

24 SEC. 7. NRS 244.690 is hereby amended to read as follows:

25 244.690 1. In addition to the powers conferred upon a county fair  
26 and recreation board by other provisions of NRS 244.640 to 244.780,  
27 inclusive, *and section 1 of this act*, a board, for the county, is empowered  
28 to borrow money or accept contributions, grants or other financial assist-  
29 ance from the Federal Government or any agency or instrumentality  
30 thereof, corporate or otherwise, for or in aid of any recreational facility  
31 within its area of operation, and to comply with such conditions, trust  
32 indentures, leases or agreements as may be necessary, convenient or  
33 desirable.

34 2. The purpose and intent of NRS 244.640 to 244.780, inclusive,  
35 *and section 1 of this act*, is to authorize every county to do any and all  
36 things necessary, convenient or desirable to secure the financial aid or  
37 cooperation of the Federal Government in the undertaking, acquisition,  
38 construction, maintenance or operation of any recreational facility of the  
39 county.

40 SEC. 8. NRS 244.700 is hereby amended to read as follows:

41 244.700 1. Whenever the county fair and recreation board shall, by  
42 resolution, determine that the interest of the county and the public inter-  
43 est, necessity or desirability demand the creation of a bonded indebted-  
44 ness by the issuance of general obligation bonds, or the incurrence of  
45 special obligations by the issuance of revenue bonds, or the making of any  
46 contract creating an indebtedness with the United States Government, or  
47 any agency or instrumentality thereof, corporate or otherwise, or any  
48 other person or corporation, public or private, for any purpose authorized  
49 by NRS 244.640 to 244.780, inclusive, *and section 1 of this act*, the

— 7 —

1 board shall order the submission of the proposition of issuing such gen-  
2 eral obligation bonds or such revenue bonds or making such a contract  
3 creating an indebtedness, to the qualified electors of the county at an  
4 election held for that purpose.

5 2. This section does not preclude the county fair and recreation board  
6 from applying for short-term financing under the provisions of NRS 354.-  
7 430 to 354.460, inclusive.

8 SEC. 9. NRS 244.710 is hereby amended to read as follows:

9 244.710 Subject to the provisions of NRS 244.700 and 244.705, for  
10 any recreational facilities authorized in NRS 244.640 to 244.780, inclu-  
11 sive, and *section 1 of this act*, the board of any county, as the board may  
12 determine from time to time, may, on the behalf and in the name of the  
13 county, borrow money, otherwise become obligated, and evidence such  
14 obligations by the issuance of bonds and other county securities, and in  
15 connection with such undertaking or such recreational facilities, the board  
16 may otherwise proceed as provided in the Local Government Securities  
17 Law, as from time to time amended.

18 SEC. 10. NRS 244.743 is hereby amended to read as follows:

19 244.743 In connection with any license taxes assigned or appropri-  
20 ated by any city, town or county, or any combination thereof, for use in  
21 connection with NRS 244.640 to 244.780, inclusive, and *section 1 of this*  
22 *act*, the county fair and recreation board of any county, upon behalf of the  
23 county, in addition to powers elsewhere conferred, is authorized and  
24 empowered (but is not required):

25 1. To collect the proceeds of such taxes from time to time, to receive,  
26 control, invest and order the expenditure of any and all moneys and funds  
27 pertaining thereto, to prescribe a procedure therefor, including (but not  
28 limited to) enforcing the collection of any delinquent taxes and providing  
29 penalties in connection therewith, and to create an office and hire person-  
30 nel therefor.

31 2. To defray the reasonable costs of collecting and otherwise adminis-  
32 tering such taxes from not exceeding 10 percent of the gross revenues so  
33 collected (excluding from this limitation and from such gross revenues any  
34 costs of collecting any delinquent taxes borne by any delinquent tax-  
35 payer).

36 3. To defray further with the proceeds of any such tax the costs of  
37 the county fair and recreation board and of officers, agents and employees  
38 hired thereby, and of incidentals incurred thereby, of operating and main-  
39 taining recreational facilities under the jurisdiction of the board, includ-  
40 ing, without limiting the generality of the foregoing, the payment of  
41 reasonable promotional expenses pertaining thereto, payment of reason-  
42 able expenses pertaining to the promotion of tourism generally, both  
43 individually and through grants to the chambers of commerce of the  
44 incorporated cities of the county or other nonprofit groups or associa-  
45 tions, and of improving, extending and bettering any recreational facil-  
46 ities authorized by NRS 244.640 to 244.780, inclusive, and *section 1*  
47 *of this act*, including but not limited to making annual grants to the state,  
48 the county and incorporated cities in the county for capital improvements  
49 for recreational facilities, and of constructing, purchasing or otherwise  
50 acquiring any such recreational facilities.

1 4. To redeem any general obligation bonds of the county issued pur-  
2 suant to NRS 244.640 to 244.780, inclusive, *and section 1 of this act*,  
3 principal, interest and any prior redemption premium, regardless of  
4 whether such taxes are pledged as additional security for their payment.

5 5. To make contracts from time to time concerning any such license  
6 taxes, notwithstanding any such contract may limit the exercise of powers  
7 pertaining thereto, including, without limiting the generality of the fore-  
8 going, the right of any city, town or the county from time to time to  
9 increase, decrease or otherwise modify the tax; but no such change shall  
10 be made which shall prejudicially affect any pledge of tax proceeds as  
11 additional security for the payment of bonds issued pursuant to NRS  
12 244.640 to 244.780, inclusive, *and section 1 of this act*, and each other  
13 political subdivision assigning or appropriating such taxes pertaining  
14 thereto shall consent to any such modification.

15 6. To make rules and regulations concerning such license taxes, and to  
16 provide penalties for the failure to comply therewith.

17 SEC. 11. NRS 244.744 is hereby amended to read as follows:

18 244.744 All taxes, levied by a city, town or county for use in connec-  
19 tion with NRS 244.640 to 244.780, inclusive, *and section 1 of this act*,  
20 and collected by any motel, hotel or gaming establishment are public mon-  
21 eys from the moment of their collection and shall be held in trust by the  
22 establishment collecting such taxes for the use and benefit of the city, town  
23 or county levying such taxes or for the use of the county fair and recrea-  
24 tion board where such revenues have been assigned or appropriated to the  
25 county fair and recreation board.

26 SEC. 12. NRS 244.775 is hereby amended to read as follows:

27 244.775 No county having a population of 200,000 or more, as  
28 determined by the last preceding national census of the Bureau of the  
29 Census of the United States Department of Commerce, shall ever become  
30 indebted for such county recreational purposes under the provisions of  
31 NRS 244.640 to 244.780, inclusive, *and section 1 of this act*, by the  
32 issuance of such general obligation bonds and other general obligation  
33 securities (other than any notes or warrants maturing within 1 year from  
34 the respective dates of their issuance), but excluding any outstanding  
35 revenue bonds, special assessment bonds or other special obligation  
36 securities, and excluding any such outstanding general obligation notes  
37 and warrants, exceeding 5 percent of the total last assessed valuation of  
38 the taxable property in the county; and no such county shall ever become  
39 indebted in an amount exceeding 10 percent of such valuation by the  
40 issuance of any such general obligation securities (other than any such  
41 notes or warrants), but excluding any such outstanding special obligation  
42 securities and excluding any such outstanding general obligation notes  
43 and warrants.

44 SEC. 13. NRS 244.780 is hereby amended to read as follows:

45 244.780 No county having a population of less than 200,000, as deter-  
46 mined by the last preceding national census of the Bureau of the Census  
47 of the United States Department of Commerce, shall ever become  
48 indebted for such county recreational purposes under the provisions of

1 NRS 244.640 to 244.780, inclusive, *and section 1 of this act*, by the issu-  
 2 ance of such general obligation bonds and other general obligation secu-  
 3 rities (other than any notes or warrants maturing within 1 year from the  
 4 respective dates of their issuance), but excluding any outstanding reve-  
 5 nue bonds, special assessment bonds, or other special obligation securities,  
 6 and excluding any such outstanding general obligation notes and warrants,  
 7 exceeding 3 percent of the total last assessed valuation of the taxable  
 8 ~~property in the county; and no such county shall ever become indebted~~  
 9 ~~in an amount exceeding 10 percent of such valuation by the issuance of~~  
 10 ~~any such general obligation securities (other than any such notes or war-~~  
 11 ~~rants), but excluding any such outstanding special obligation securities~~  
 12 ~~and excluding any such outstanding general obligation notes and warrants.~~

13 SEC. 14. NRS 268.095 is hereby amended to read as follows:

14 268.095 1. The city council or other governing body of each incor-  
 15 porated city or town in the State of Nevada, whether or not organized  
 16 under general law or special charter, shall have the power and jurisdiction:

17 (a) To fix, impose and collect for revenues or for regulation, or both,  
 18 a license tax on all character of lawful trades, callings, industries, occu-  
 19 pations, professions and businesses conducted within its corporate limits.

20 (b) To assign the proceeds of any one or more such license taxes to  
 21 the county within which such city or town is situated for the purpose or  
 22 purposes of making such proceeds available to the county:

23 (1) As a pledge as additional security for the payment of any gen-  
 24 eral obligation bonds issued pursuant to NRS 244.640 to 244.780, inclu-  
 25 sive [;] , *and section 1 of this act*;

26 (2) For redeeming any general obligation bonds issued pursuant to  
 27 NRS 244.640 to 244.780, inclusive [;] , *and section 1 of this act*;

28 (3) For defraying the costs of collecting or otherwise administering  
 29 any such license tax so assigned, of the county fair and recreation board  
 30 and of officers, agents and employees hired thereby, and of incidentals  
 31 incurred thereby;

32 (4) For operating and maintaining recreational facilities under the  
 33 jurisdiction of the county fair and recreation board;

34 (5) For improving, extending and bettering recreational facilities  
 35 authorized by NRS 244.640 to 244.780, inclusive [; and] , *and section*  
 36 *1 of this act; and*

37 (6) For constructing, purchasing or otherwise acquiring such recrea-  
 38 tional facilities.

39 2. Any license tax levied under the provisions of this section shall  
 40 constitute a lien upon the real and person property of the business upon  
 41 which the tax was levied until the tax is paid. The lien shall be enforced  
 42 in the following manner:

43 (a) By recording in the office of the county recorder, within 90 days  
 44 following the date on which such tax became delinquent, a notice of the  
 45 tax lien containing the following:

46 (1) The amount of tax due and the appropriate year.

47 (2) The name of the record owner of the property.

48 (3) A description of the property sufficient for identification.

49 (4) A verification by the oath of any member of the board of county  
 50 commissioners or the county fair and recreation board; and

1 (b) By an action for foreclosure against such property in the same  
2 manner as an action for foreclosure of any other lien, commenced within  
3 2 years after the date of recording of the notice of the tax lien, and  
4 accompanied by appropriate notice to other lienholders.

5 3. The city council or other governing body of each incorporated city  
6 or town may delegate the power and authority to enforce such liens to the  
7 county fair and recreation board. All information concerning license taxes  
8 levied by an ordinance authorized by this section or other information  
9 concerning the business affairs or operation of any licensee obtained as a  
10 result of the payment of such license taxes or as the result of any audit or  
11 examination of the books of the city by any authorized employee of a  
12 county fair and recreation board for any license tax levied for the purpose  
13 of NRS 244.640 to 244.780, inclusive, and *section 1 of this act*, is confi-  
14 dential and shall not be disclosed by any member, official or employee of  
15 the county fair and recreation board or the city imposing such license tax  
16 unless the disclosure is authorized by the affirmative action of a majority  
17 of the members of the appropriate county fair and recreation board.

18 4. The powers conferred by this section shall be in addition and  
19 supplemental to, and not in substitution for, and the limitations imposed  
20 by this section shall not affect the powers conferred by, any other law.  
21 No part of this section shall repeal or affect any other law or any part  
22 thereof, it being intended that this section shall provide a separate  
23 method of accomplishing its objectives, and not an exclusive one.

24 SEC. 15. NRS 268.460 is hereby amended to read as follows:

25 268.460 Any license tax levied by any county against any lawful  
26 trade, calling, industry, occupation, profession or business conducted in  
27 the county and located in an unincorporated area therein, the proceeds  
28 of which tax have been pledged for the payment of any bonds issued  
29 pursuant to the provisions of NRS 244.640 to 244.780, inclusive, and  
30 *section 1 of this act*, and all laws amendatory thereto and supplemental  
31 thereto, shall, upon the incorporation of such area as a city or town,  
32 continue to be levied thereagainst and shall be collected by the officer  
33 of such newly incorporated city or town charged by law with the collec-  
34 tion of its license taxes, and the proceeds therefrom shall be transmitted  
35 to the county officer then required by law to collect such a county  
36 license tax, so long as any of such county bonds so additionally secured  
37 and issued prior to the incorporation of such area remain outstanding  
38 and unpaid, both as to principal and interest.

39 SEC. 16. NRS 269.170 is hereby amended to read as follows:

40 269.170 1. In addition to the powers and jurisdiction conferred by  
41 other laws, the town board or board of county commissioners shall have  
42 the power in any unincorporated town or city:

43 (a) To fix and collect a license tax on, and regulate, having due  
44 regard to the amount of business done by each person or firm so licensed,  
45 all places of business and amusement so licensed, as follows:

46 (1) Artisans, artists, assayers, auctioneers, bakers, banks and bank-  
47 ers, barbers, boilermakers, cellars and places where soft drinks are kept  
48 or sold, clothes cleaners, foundries, laundries, lumberyards, manufactur-  
49 ers of soap, soda, borax or glue, markets, newspaper publishers, pawn-  
50 brokers, undertakers, wood and coal dealers.

- 1 (2) Bootmakers, cobblers, dressmakers, milliners, shoemakers, tail-  
2 ors.  
3 (3) Boardinghouses, hotels, lodginghouses, restaurants and refresh-  
4 ment saloons.  
5 (4) Barrooms, gaming, manufacturers of liquors and other bever-  
6 ages, saloons.  
7 (5) Billiard tables, bowling alleys, caravans, circuses, concerts and  
8 other exhibitions, dancehouses, melodeons, menageries, shooting galleries,  
9 skating rinks, theaters.  
10 (6) Corrals, hayyards, livery and sale stables, wagonyards.  
11 (7) Electric light companies, illuminating gas companies, power  
12 companies, telegraph companies, telephone companies, water companies.  
13 (8) Carts, drays, express companies, freight companies, job wagons,  
14 omnibuses and stages.  
15 (9) Brokers, commission merchants, factors, general agents, mercan-  
16 tile agents, merchants and traders, stockbrokers.  
17 (10) Drummers, hawkers, peddlers, solicitors.  
18 (11) Insurance agents, brokers, analysts, adjusters and managing  
19 general agents within the limitations and under the conditions prescribed  
20 in NRS 680B.020.  
21 (b) To fix and collect a license tax upon all professions, trades or busi-  
22 ness within the town or city not heretofore specified.  
23 2. Any license tax levied for the purposes of NRS 244.640 to 244.-  
24 780, inclusive, [shall constitute] and section 1 of this act, constitutes a  
25 lien upon the real and personal property of the business upon which the  
26 tax was levied until the tax is paid. The lien shall be enforced in the same  
27 manner as liens for ad valorem taxes on real and personal property. The  
28 town board or other governing body of the unincorporated town may dele-  
29 gate the power to enforce such liens to the county fair and recreation  
30 board.

S. B. 580

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SENATE BILL NO. 580—COMMITTEE ON  
GOVERNMENT AFFAIRS

APRIL 25, 1975

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Referred to Committee on Government Affairs

SUMMARY—Requires approval of certain general improvement district contracts by public service commission of Nevada. Fiscal Note: No. (BDR 25-1760)

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

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AN ACT relating to general improvement districts; requiring approval of the public service commission of Nevada for certain contracts made by general improvement districts and authorizing the commission to impose terms and conditions on any such contracts; 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 318.117 is hereby amended to read as follows:  
 2 318.117 1. In the case of a district created wholly or in part for  
 3 acquiring electric light and power improvements, the board [shall have]  
 4 has the power:  
 5 [1.] (a) To acquire, either by purchase, condemnation or other legal  
 6 means, all lands, rights and other property necessary for the construction,  
 7 use and supply, operation, maintenance, repair and improvement of the  
 8 works of the district, including without limitation the plant, works, system,  
 9 facilities or properties, together with all parts thereof, the appurtenances  
 10 thereto, including contract rights, used and useful primarily for the produc-  
 11 tion, transmission or distribution of electric energy to or for the public for  
 12 any purpose, works constructed and being constructed by private owners,  
 13 and all other works and appurtenances, either within or without the State  
 14 of Nevada.  
 15 [2.] (b) To furnish, deliver and sell to the public, and to any munici-  
 16 pality and to the state and any public institution, heat, light and power  
 17 service and any other service, commodity or facility which may be pro-  
 18 duced or furnished in connection therewith.  
 19 2. *Each district exercising the power granted in this section is under*  
 20 *the jurisdiction of the public service commission of Nevada, and any con-*  
 21 *tract of such a district for furnishing, delivering or selling heat, light and*  
 22 *power services or any other service, commodity or facility shall be*  
 23 *approved by the commission. The commission may impose terms and con-*  
 24 *ditions on any such contract.*

1     SEC. 2. NRS 318.140 is hereby amended to read as follows:

2     318.140 1. In the case of a district created wholly or in part for  
3 acquiring sanitary sewer improvements, the board [shall have] has the  
4 power:

5     (a) To construct, reconstruct, improve, extend or better the sanitary  
6 sewer system or any part thereof, including, without limiting the generality  
7 of the foregoing, mains, laterals, wyes, tees, meters and collection, treat-  
8 ment and disposal plants.

9     (b) To sell any product or byproduct thereof and to acquire the appro-  
10 priate outlets within or without the district and to extend the sewerlines of  
11 the district thereto.

12     2. Notwithstanding any other provision of this chapter, each district  
13 exercising the power granted in this section [shall be] is under the jurisdic-  
14 tion of the public service commission of Nevada in regard to rates  
15 charged and services and facilities furnished in the same manner as a  
16 public utility as defined in NRS 704.020, except for any district governed  
17 by a board of county commissioners acting, ex officio, as the board of  
18 trustees of the district.

19     3. *The board of each district shall obtain prior approval by the*  
20 *public service commission of Nevada of any contract to furnish services*  
21 *and facilities outside of the district. The commission may impose terms*  
22 *and conditions on any such contract.*

23     SEC. 3. NRS 318.144 is hereby amended to read as follows:

24     318.144 1. The board [shall have] has the power to acquire, con-  
25 struct, reconstruct, improve, extend or better a works, system or facilities  
26 for the supply, storage and distribution of water for private and public  
27 purposes.

28     2. Notwithstanding any other provision of this chapter, each district  
29 exercising the power granted in this section [shall be] is under the jurisdic-  
30 tion of the public service commission of Nevada in regard to rates  
31 charged and services and facilities furnished in the same manner as a  
32 public utility as defined in NRS 704.020, except for:

33     (a) Any district governed by a board of county commissioners acting,  
34 ex officio, as the board of trustees of the district.

35     (b) Any contract or agreement between the board and a board of  
36 county commissioners for the supplying of water by the district to county  
37 buildings or facilities.

38     3. *The board of each district shall obtain prior approval by the public*  
39 *service commission of Nevada of any contract to furnish services and facil-*  
40 *ities outside of the district. The commission may impose terms and condi-*  
41 *tions on any such contract.*

42     SEC. 4. NRS 703.150 is hereby amended to read as follows:

43     703.150 The commission shall: [supervise]

44     1. *Supervise* and regulate the operation and maintenance of public  
45 utilities, as named and defined in chapter 704 of NRS, in conformity with  
46 the provisions of chapter 704 of NRS.

47     2. *Approve or disapprove all contracts for services and facilities fur-*  
48 *nished by general improvement districts pursuant to NRS 318.117, 318.-*  
49 *140 or 318.144.*



(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 56

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 ASSEMBLY BILL NO. 56—ASSEMBLYMEN DINI,  
 JACOBSEN AND HOWARD

JANUARY 27, 1975

Referred to Committee on Government Affairs

 SUMMARY—Authorizes local governments to inspect factory-built housing and  
 manufactured buildings. Fiscal Note: No. (BDR 40-428)

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

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 AN ACT relating to factory-built housing and manufactured buildings; authorizing  
 local governments to inspect such housing and buildings.

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

- 1 SECTION 1. NRS 461.260 is hereby amended to read as follows:  
 2 461.260 1. Local enforcement agencies shall enforce and inspect the  
 3 installation of factory-built housing and manufactured buildings.  
 4 2. Local use zone requirements, local fire zones, building setback,  
 5 side and rear yard requirements, site development and property line  
 6 requirements, as well as the review and regulation of architectural and  
 7 aesthetic requirements are hereby specifically and entirely reserved to  
 8 local jurisdictions notwithstanding any other requirement of this chapter.  
 9 3. [Nothing in this chapter shall be construed to prohibit any appro-  
 10 priate local government authority from examining and approving all  
 11 plans, applications or building sites.] *After giving 10 days' written notice*  
 12 *to the state fire marshal, a local government authority may:*  
 13 (a) *Inspect Nevada manufacturers of factory-built housing or manu-*  
 14 *factured buildings to insure compliance with all provisions of NRS*  
 15 *461.170.*  
 16 (b) *Inspect factory-built housing or manufactured buildings erected*  
 17 *onsite within its jurisdiction to insure compliance with the provisions of*  
 18 *NRS 461.170 and the provisions of any of its ordinances or regulations.*

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 172

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ASSEMBLY BILL NO. 172—COMMITTEE ON  
GOVERNMENT AFFAIRS

JANUARY 30, 1975

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Referred to Committee on Government Affairs

SUMMARY—Allows public works board to utilize construction management service procedures. Fiscal Note: No. (BDR 28-123)

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

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AN ACT relating to the public works board; allowing the board to utilize construction management services to satisfy federal funding requirements; giving the board the authority to establish procedures for construction management services; 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 341 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 1. *The board may utilize construction management services on capitol  
4 improvement projects, which are financed in part by the Federal Govern-  
5 ment, if such services are required by any department or agency of the  
6 Federal Government.*  
7 2. *The board shall adopt regulations establishing procedures for:*  
8 (a) *The prequalifying of contractors properly licensed under chapter  
9 624 of NRS to bid for construction management services;*  
10 (b) *The bidding and awarding of construction management service  
11 contracts;*  
12 (c) *The awarding of construction contracts based on a guaranteed  
13 maximum cost; and*  
14 (d) *The scheduling and controlling of projects.*  
15 3. *A person furnishing construction management services is a con-  
16 tractor subject to all provisions pertaining to a contractor in Title 28  
17 of NRS.*  
18 SEC. 2. This act shall become effective on the occasion of the state  
19 public works board's receipt of the first federal department of agency  
20 request for construction maintenance services.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 294

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 ASSEMBLY BILL NO. 294—ASSEMBLYMEN VERGIELS,  
 DEMERS AND MURPHY

FEBRUARY 18, 1975

Referred to Committee on Elections

SUMMARY—Requires campaign contributions and expenditures for state office be reported to secretary of state. Fiscal Note: No. (BDR 24-876)

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

AN ACT relating to elections; requiring the reporting of campaign contributions and expenditures by candidates for all elective offices; establishing powers and duties of the secretary of state in connection therewith; providing penalties; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Chapter 293 of NRS is hereby amended by adding  
 2 thereto the provisions set forth as sections 2 to 6, inclusive, of this act.  
 3 SEC. 2. 1. *Every candidate for state, district, county, city or township*  
 4 *office at a primary or general election shall, within 15 days after the*  
 5 *primary election and 30 days after the general election, report the total*  
 6 *amount of all of his campaign contributions to the secretary of state on*  
 7 *affidavit forms to be designed and provided by the secretary of state.*  
 8 2. *Each contribution, whether from an individual, association or cor-*  
 9 *poration, in excess of \$500, shall be separately identified with the name*  
 10 *and address of the contributor and the date of the contribution, tabu-*  
 11 *lated and reported to the secretary of state on the affidavit report form*  
 12 *provided therefor.*  
 13 3. *As used in this section, "contribution" means a gift, subscription,*  
 14 *pledge, loan, conveyance, deposit, payment, transfer or distribution of*  
 15 *money, and includes the payment by any person other than a candidate,*  
 16 *of compensation for the personal services of another person which are*  
 17 *rendered to a candidate without charge to the candidate.*  
 18 4. *Any candidate who willfully violates any of the provisions of this*  
 19 *section is guilty of a gross misdemeanor.*  
 20 SEC. 3. 1. *Every candidate for state, district, county, city or town-*  
 21 *ship office at a primary or general election shall, within 15 days after*  
 22 *the primary election and 30 days after the general election, report his*

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 360

ASSEMBLY BILL NO. 360—ASSEMBLYMEN  
DINI AND GETTO

MARCH 5, 1975

Referred to Committee on Government Affairs

SUMMARY—Makes certain changes in provisions relating to inspector of mines, mines, mining health and safety. Fiscal Note: No. (BDR 46-751)

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

AN ACT relating to health and safety in mines and mining; requiring the inspector of mines to develop programs, give assistance to operators and adopt certain regulations relating to mining health and safety; amending provisions relating to records and reports of the inspector of mines and operators; changing qualifications of inspector of mines and his deputies; making certain changes in notices and orders issued by the inspector of mines for certain violations by operators; making certain changes in provisions relating to investigations of mines and accidents in mines; declaring the Nevada industrial commission, the department of occupational safety and health and the office of inspector of mines for the State of Nevada to be agencies of the State of Nevada for the purpose of statutes relating to waiver of sovereign immunity; repealing certain statutes relating to health and safety in mines and other places of employment; providing compensation for members of the mining safety advisory board; providing penalties; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Chapter 512 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 13, inclusive, of this act.  
3 SEC. 2. *As used in this chapter unless the context otherwise requires,*  
4 *the words and terms defined in sections 3 to 8, inclusive, of this act have*  
5 *the meanings ascribed to them in such sections.*  
6 SEC. 3. "Accident" means any unplanned event which caused or  
7 could have caused death or bodily injury or which endangered or could  
8 have endangered human life and includes any mine fire, mine explosion,  
9 mine ignition, unplanned initiation of explosives, entrapment or falls of  
10 ground or inundation by water, dust or gas.  
11 SEC. 4. "Imminent danger" means the existence of any condition or  
12 practice in a mine which could reasonably be expected to cause death  
13 or serious physical harm to any worker if mine operations were to pro-  
14 ceed in the affected area or if workers were to enter the affected area  
15 before the condition or practice was eliminated.

- 1     SEC. 5. "Mine" means:  
2     1. An area of land:  
3     (a) Where exploration is conducted to discover or delineate minerals  
4     or mineral commodities in any deposit;  
5     (b) Where development is conducted to prepare or open any deposit  
6     of minerals or mineral commodities other than solid fuels for extraction;  
7     or  
8     (c) Where exploitation or extraction of minerals or mineral commod-  
9     ities other than solid fuels is conducted from any deposit;  
10    2. Private ways and roads appurtenant to such areas;  
11    3. Structures, equipment, machinery, apparatus or other property,  
12    upon the surface or underground, used or to facilitate the work of explor-  
13    ing, developing or extracting minerals or mineral commodities other than  
14    solid fuels in or from any deposit; or  
15    4. Beneficiation plants, mills, smelters, refineries or other property  
16    used or to facilitate the treatment or reduction of any minerals or mineral  
17    commodities, whether or not contiguous to an area where exploitation  
18    or extraction of minerals or mineral commodities is conducted from any  
19    deposit.
- 20    SEC. 6. "Operator" means any person or organization operating, con-  
21    trolling or supervising a mine and owning the right to do so, and includes  
22    any individual, owner, lessor, lessee, agent, manager, workman, contrac-  
23    tor, subcontractor, independent contractor, partnership, association or  
24    corporation or subsidiary of a corporation charged with the responsibility  
25    for the operation of such mine.
- 26    SEC. 7. "Unwarrantable failure of an operator to comply" means the  
27    failure of an operator to prevent the occurrence of or to abate a violation  
28    of a health or safety standard or regulation adopted pursuant to the  
29    provisions of this chapter due to indifference, lack of diligence or lack of  
30    reasonable care.
- 31    SEC. 8. "Worker" means any individual working for wages or other  
32    compensation, whether or not employed by an operator.
- 33    SEC. 9. The inspector of mines shall:  
34    1. Develop programs for the education and training of operators and  
35    workers in the recognition, avoidance and prevention of accidents or  
36    unsafe or unhealthful working conditions in mines which are subject to  
37    the provisions of this chapter; and  
38    2. To the greatest extent possible, provide technical assistance to  
39    operators in meeting the requirements of this chapter and in further  
40    improving the health and safety conditions and practices in mines which  
41    are subject to the provisions of this chapter.  
42    3. Collect information and statistics relative to mines, mining and the  
43    minerals industry of the state.
- 44    SEC. 10. 1. The inspector of mines shall:  
45    (a) Adopt, modify, amend or repeal regulations formulated and pro-  
46    posed by the mining safety advisory board as he deems necessary and  
47    which are consistent with the Federal Metal and Nonmetallic Mine Safety  
48    Act (30 U.S.C. §§ 721-740), as amended.  
49    (b) Adopt all mandatory federal health and safety standards promul-  
50    gated by the Secretary of the Interior pursuant to the provisions of the

1 *Federal Metal and Nonmetallic Mine Safety Act (30 U.S.C. §§ 721-740),*  
2 *as amended.*

3 2. *The adoption of such regulations and standards, or their modifica-*  
4 *tion, amendment or repeal shall be in accordance with chapter 233B of*  
5 *NRS (Nevada Administrative Procedure Act), the provisions of which are*  
6 *specifically made applicable to such procedures.*

7 3. *The inspector of mines shall forward a copy of every regulation or*  
8 *standard adopted under this section to the operator of each mine and to*  
9 *the representative of the workers, if any, at such mine. Failure to receive*  
10 *a copy of such regulation or standard shall not relieve anyone of the obli-*  
11 *gation to comply with such regulations or standards.*

12 SEC. 11. *Copies of regulations and standards adopted and notices and*  
13 *orders issued by the inspector of mines pursuant to the provisions of this*  
14 *chapter shall be posted by the operator on a bulletin board located in a*  
15 *conspicuous place at the mine.*

16 SEC. 12. *All information, reports, notices, orders or findings obtained*  
17 *or issued under the provisions of this chapter may be published and made*  
18 *available for public inspection.*

19 SEC. 13. 1. *Notices and orders issued pursuant to this chapter:*

20 (a) *Shall contain a detailed description of the conditions or practices*  
21 *which cause and constitute a situation of imminent danger or a violation*  
22 *of any health or safety regulation or standard and, where appropriate,*  
23 *a description of the area of the mine from which persons, equipment,*  
24 *machinery or apparatus must be withdrawn and prohibited from enter-*  
25 *ing, and a description of the equipment, machinery or apparatus pro-*  
26 *hibited from being used or operated.*

27 (b) *Shall be in writing and signed by the inspector of mines and given*  
28 *promptly to the operator of the affected mine.*

29 (c) *May be modified, vacated or terminated by the inspector of mines.*

30 2. *The inspector of mines shall furnish immediately a copy of any*  
31 *notice or order issued pursuant to this chapter to the operator and to a*  
32 *representative of the workers, if any, at the affected mine.*

33 3. *If an order is issued pursuant to subsection 1 of NRS 512.190 and*  
34 *the Mining Enforcement and Safety Administration of the United States*  
35 *Department of the Interior did not participate in the inspection on which*  
36 *such order is based, the inspector of mines shall notify the Mining Enforce-*  
37 *ment and Safety Administration of the United States Department of the*  
38 *Interior that such order has been issued.*

39 SEC. 13.5. NRS 512.010 is hereby amended to read as follows:

40 512.010 1. *The office of inspector of mines for the State of Nevada*  
41 *is hereby created [.] under the jurisdiction of the Nevada industrial com-*  
42 *mission.*

43 2. *The office shall be administered by the inspector of mines.*

44 SEC. 14. NRS 512.020 is hereby amended to read as follows:

45 512.020 1. *The inspector of mines or his duly authorized representa-*  
46 *tives, or deputy or assistant inspectors of mines shall not at the time of*  
47 *[his] their appointment [.] or employment, or at any time during the*  
48 *term of [his office, be] their office or employment:*

49 (a) *Be an officer, director or employee [in or of any mining corporation*  
50 *in this state, or in or of any milling corporation in the state engaged in the*

1 business of smelting or reducing ores.], or have any personal or private  
2 interest in any operating mine, mill, smelter or ore reduction plant or the  
3 products thereof;

4 (b) Hold, directly or indirectly, any financial interest in any company,  
5 partnership, organization or corporation or subsidiary of a corporation,  
6 which owns, operates or has a financial interest in any mines which are  
7 subject to the provisions of this chapter; or

8 (c) Be an officer or employee of any labor organization.

9 2. The inspector of mines shall have had at least 7 years' technical,  
10 operational or management experience in at least two of the following  
11 areas: mines, mills, beneficiation plants or smelters, at least 3 years of  
12 which shall be in underground mining.

13 SEC. 14.5. NRS 512.100 is hereby amended to read as follows:

14 512.100 Funds for the operation of the office of the inspector of  
15 mines shall be provided [by direct legislative appropriation from the gen-  
16 eral fund.] :

17 (a) By legislative appropriation from the state general fund; and

18 (b) From premiums collected by the Nevada industrial commission pur-  
19 suant to the provisions of chapters 616 and 617 of NRS.

20 Moneys from the legislative appropriation shall be paid out on claims as  
21 other claims against the state are paid.

22 SEC. 15. NRS 512.105 is hereby amended to read as follows:

23 512.105 1. The mining safety advisory board, consisting of seven  
24 members, is hereby created.

25 2. The members shall be appointed by the governor to serve for terms  
26 of 4 years or until their respective successors are appointed. Three mem-  
27 bers shall represent the mining industry; three members shall be non-  
28 supervisory production or maintenance employees in the mining industry;  
29 and one member, who shall be the chairman, shall represent the public  
30 and be a responsible officer of the bureau of mines and geology of the  
31 State of Nevada.

32 3. [The first board appointed shall consist of seven members,  
33 appointed three for 2 years and four for 4 years, and thereafter all mem-  
34 bers shall be appointed for the full 4-year term, except that any] Any  
35 vacancy caused by the death or resignation of any member shall be filled  
36 for the balance of the unexpired term. No more than two members, one  
37 member representing the mining industry and one nonsupervisory produc-  
38 tion or maintenance employee member, shall be appointed at one time  
39 from any one category of the mining industry based on products mined.

40 4. The inspector of mines shall be an ex officio member of the board.

41 5. Members shall receive [no compensation for their services but  
42 shall be] \$40 per day for attendance at meetings of the board. Members  
43 are entitled to receive their traveling expenses and subsistence allowances  
44 in the transaction of public business in the amounts authorized by law for  
45 other state officers. Claims for such traveling expenses and subsistence  
46 allowances shall be approved by the inspector of mines and paid from  
47 appropriations made to the office of the inspector of mines.

48 6. The duties of the board are to formulate and propose to the inspec-  
49 tor of mines [rules and] regulations, and modifications, amendments or  
50 repeal thereof, for the [prevention of accidents in the mining industry.]

1 protection of life, the promotion of health and safety and the prevention  
2 of accidents in mines which are subject to the provisions of this chapter.

3 [7. The adoption of such rules and regulations, or their modification,  
4 amendment or repeal, shall be in accordance with chapter 233B of NRS  
5 (Nevada Administrative Procedure Act), the provisions of which are  
6 specifically made applicable to such procedures.]

7 SEC. 16. NRS 512.110 is hereby amended to read as follows:

8 512.110 1. [Within the limits of legislative appropriations, the] *The*  
9 *inspector of mines* ~~has the power to appoint~~ *may employ* deputy and  
10 *assistant* inspectors to assist in the performance of the duties of the inspec-  
11 tor of mines. *All deputy and assistant inspectors so employed shall have*  
12 *the power to perform all duties required of the inspector of mines.*

13 2. Deputy or assistant inspectors of mines [shall be in the classified  
14 service of the state and they shall receive:

15 (a) Salaries fixed pursuant to the provisions of chapter 284 of NRS.

16 (b) Per diem allowances and traveling expenses fixed by law.] *shall*  
17 *receive such salaries as are provided under the provisions of chapter 284*  
18 *of NRS, and they shall be allowed their traveling expenses while in the*  
19 *discharge of their duties.*

20 3. Deputy or assistant inspectors of mines, at the time of their  
21 employment, shall:

22 (a) Have at least 7 years' experience in mines, mills, beneficiation  
23 plants or smelters;

24 (b) Be physically fit to inspect all working places in mines; and

25 (c) Take initial and annual physical examinations to verify their physi-  
26 cal fitness to perform the tasks of mine inspections or investigations.

27 SEC. 17. NRS 512.120 is hereby amended to read as follows:

28 512.120 The inspector of mines [shall have the power to employ];  
29 *may:*

30 1. *Employ* necessary clerks within the provisions of chapter 284 of  
31 NRS.

32 2. *Authorize representatives to perform all duties required of him.*

33 SEC. 18. NRS 512.140 is hereby amended to read as follows:

34 512.140 [On August 1, 1952, and on August 1 of every 2nd year  
35 thereafter, the inspector of mines shall file with the governor the original  
36 draft of a report giving:

37 1. A list of all fatal accidents that have occurred during the 2-year  
38 period, and the nature and cause of the same, together with the names of  
39 the persons fatally injured.

40 2. A summary of nonfatal accidents that have been reported to the  
41 inspector of mines during the 2-year period.

42 3. The number of mines visited or examined during the 2-year period,  
43 the number of mines currently in operation, the number, names and loca-  
44 tions of mines that have become idle during the 2-year period, and the  
45 total number of men currently employed.

46 4. The name, location and address of each currently active mine in  
47 the state which has been examined and from which the inspector of mines  
48 has received a report as provided in NRS 512.160, together with data  
49 as to the manner of working the same, the number of men currently  
50 employed, and the products produced or being developed for production.



- 1 5. The number and character of notices served, together with sug-  
2 gestions and recommendations made, and the manner in which such  
3 suggestions and recommendations were complied with.
- 4 6. The number of complaints received and the action therein.
- 5 7. The number of prosecutions for neglect or refusal to comply with  
6 notices.
- 7 8. A summary of the reports received from mine owners and deputy  
8 inspectors of mines.
- 9 9. A full statement containing all available statistical and other infor-  
10 mation calculated to exhibit the mineral resources of the state and to pro-  
11 mote the development of the same.
- 12 10. Generally, such other information and suggestions as may be  
13 deemed advisable. *The inspector of mines shall submit annually to the*  
14 *governor, as soon as practicable after the beginning of each calendar*  
15 *year, a full report of the administration of his functions under this chap-*  
16 *ter during the preceding calendar year. Such report shall include, either*  
17 *in summary or detailed form, the information obtained by him under*  
18 *this chapter together with such findings and comments thereon and such*  
19 *recommendations as he may deem proper.*
- 20 SEC. 19. NRS 512.160 is hereby amended to read as follows:
- 21 512.160 1. *[The owner, lessor, lessee, agent, manager or other per-*  
22 *son in charge of each mine of whatever kind or character within the state*  
23 *shall forward to the inspector of mines at his office, not later than June 1*  
24 *in each year, and in all cases when commencing operations, a detailed*  
25 *report showing:*
- 26 (a) The character of the mine.
- 27 (b) The number of men then employed and the estimated maximum  
28 number of men to be employed therein during the ensuing year.
- 29 (c) The method of working such mine.
- 30 (d) The general condition thereof.
- 31 2. The owner, lessor, lessee, agent, manager or other person in charge  
32 of any mine within the state must furnish any information relative to such  
33 mine that the inspector of mines may from time to time require for his  
34 guidance in the proper discharge of his official duties. *Operators shall*  
35 *maintain records and reports and shall submit, at least annually and at*  
36 *such other times as the inspector of mines deems necessary, and in such*  
37 *form as he may prescribe, reports of production, employment, mine activ-*  
38 *ity and status, accidents, bodily injuries, loss of life, occupational illnesses*  
39 *and related data.*
- 40 2. *The inspector of mines shall compile, keep and analyze and may*  
41 *publish, either in summary or detailed form, the information obtained pur-*  
42 *suant to the provisions of subsection 1.*
- 43 SEC. 20. NRS 512.170 is hereby amended to read as follows:
- 44 512.170 *[1.] At least once a year and at such other times as*  
45 *required the inspector of mines, or his designee, shall visit [in person]*  
46 *each mining county in the State of Nevada and [examine] thoroughly*  
47 *inspect and investigate all such mines therein as, in his judgment, may*  
48 *require [examination for the purpose of determining the condition of*  
49 *such mines as to safety.*

1 2. The inspector of mines shall post or cause to be posted, in a  
2 prominent place upon the gallows-frame or other superstructure at the  
3 collar of the main workings of such mine, a copy of his recommendations  
4 within 24 hours from the date of such examination.] *inspection and*  
5 *investigation for the purposes of:*

6 1. *Determining whether or not there has been compliance with health*  
7 *and safety regulations or standards adopted or notices or orders issued*  
8 *pursuant to the provisions of this chapter;*

9 2. *Determining whether an imminent danger exists;*

10 3. *Determining the cause or causes of accidents, bodily injuries, loss*  
11 *of lives or occupational illnesses which have occurred in such mines;*

12 4. *Determining if there are dangerous conditions or practices with*  
13 *respect to the condition or manner of use of equipment, machinery or*  
14 *apparatus; and*

15 5. *Obtaining such other information for any other purpose as he may*  
16 *deem advisable.*

17 SEC. 21. NRS 512.180 is hereby amended to read as follows:

18 512.180 1. The inspector of mines [or his deputy inspectors of  
19 mines shall have full power and authority, at all reasonable hours, to]  
20 may enter [and examine any and] all mines in this state [, and shall  
21 have the right to enter into any and all mine stopes, levels, winzes, tun-  
22 nels, shafts, drifts, crosscuts, workings, machinery, open cuts and open  
23 pits for the purpose of such examination. The owner, lessor, lessee, agent,  
24 manager, or other person in charge of such mine or mines] *subject to*  
25 *the provisions of this chapter, for the purposes of inspections, investiga-*  
26 *tions or access to records and reports required to be maintained or for*  
27 *any other purpose necessary in the proper discharge of his official duties.*  
28 *Operators shall render the inspector of mines [and his deputy inspectors*  
29 *of mines] such assistance as may be required [by any of them] to enable*  
30 *[them] him to make a full, thorough and complete [examination]*  
31 *inspection or investigation of each and every part of such mine or mines.*  
32 *No advance notice of an inspection shall be provided to any operator,*  
33 *worker, or representative of the workers, if any, at such mine.*

34 2. [Refusal of any owner, lessor, lessee, agent, manager, or other per-  
35 son in charge of such mine or mines to allow the inspector of mines or his  
36 deputy inspectors of mines access to the mine or mines or to any part  
37 thereof shall be a misdemeanor.] *At the commencement of any inspection*  
38 *of such mine by the inspector of mines, the authorized representative of*  
39 *the workers at the mine shall be given an opportunity to accompany the*  
40 *inspector of mines on such inspections and to participate in any confer-*  
41 *ence held at the conclusion of such inspection. If there is no representa-*  
42 *tive of the workers, the inspector of mines shall consult with a reasonable*  
43 *number of workers concerning matters of health and safety at the mine.*

44 SEC. 22. NRS 512.190 is hereby amended to read as follows:

45 512.190 1. Whenever, as the result of the [examination] *inspection*  
46 *of any mine, [(whether such examination is made in consequence of a*  
47 *complaint, as provided in NRS 512.200, or otherwise),] the inspector*  
48 *of mines [shall find such mine or any part of such mine to be in unsafe*  
49 *condition, he shall at once:*

50 (a) Serve or cause to be served a written notice upon the owner,

1 lessor, lessee, agent, manager, or other person in charge of such mine,  
2 stating in what particular or particulars the mine is dangerous or insecure.

3 (b) Post or cause to be posted, in a conspicuous place upon the  
4 gallows-frame, shaft house or other superstructure, at the collar of the  
5 shaft or at the entrance of the tunnel or at the main workings of such  
6 mine, a written notice stating in what particular or particulars the mine is  
7 dangerous or insecure.

8 (c) Require all necessary changes to be made without delay for the  
9 purpose of making the mine or workings safe for the employees therein.

10 2. Upon the neglect or refusal of any owner, lessor, lessee, agent,  
11 manager, or other person in charge so notified to comply with the require-  
12 ments, or any of them, stated in such notice so served and posted, such  
13 owner, lessor, lessee, agent, manager, or other person in charge of such  
14 mine shall be guilty of a misdemeanor. In case of any criminal or civil  
15 proceedings at law against the person or persons so notified, on account  
16 of the loss of life or bodily injury sustained because of neglect or refusal  
17 to obey the requirements of the inspector of mines, a certified copy of  
18 the notice served by the inspector of mines shall be prima facie evidence  
19 of the culpable negligence of the person or persons so notified. *finds*  
20 *that an imminent danger exists in such mine or with respect to the con-*  
21 *dition or manner of use of equipment, machinery or apparatus, he shall*  
22 *thereupon issue an order:*

23 (a) *Requiring the operator to cause all persons except those referred to*  
24 *in subsection 5, to be withdrawn immediately from and prohibited from*  
25 *entering the area where such danger exists until he determines that such*  
26 *imminent danger no longer exists.*

27 (b) *Prohibiting such equipment, machinery or apparatus to be used or*  
28 *operated until he determines that such imminent danger no longer exists.*

29 2. *If, upon any inspection of a mine, the inspector of mines finds that*  
30 *there has been a violation of any health or safety regulation or standard*  
31 *adopted pursuant to the provisions of this chapter, but the violation has*  
32 *not created an imminent danger, he shall issue a notice to the operator*  
33 *fixing a reasonable time for the abatement of the violation. If the inspec-*  
34 *tor of mines subsequently finds:*

35 (a) *Upon the expiration of the period of time as originally fixed or*  
36 *extended for the abatement of the violation, that the violation has not*  
37 *been totally abated and that the period of time should not be further*  
38 *extended; or*

39 (b) *Another violation of any health or safety regulation or standard*  
40 *caused by failure of an operator to prevent the occurrence of such viola-*  
41 *tion due to indifference, lack of diligence or lack of reasonable care, dur-*  
42 *ing the same inspection or any subsequent inspection within ninety days*  
43 *after the issuance of such notice,*

44 *he shall forthwith issue an order requiring the operator to cause all per-*  
45 *sons in the area affected by such violation, except those persons referred*  
46 *to in subsection 5, to be withdrawn from and prohibited from entering*  
47 *such area until he determines that such violation has been abated.*

48 3. *If the inspector of mines finds a violation of a health and safety*

1 regulation or standard within 30 days following the abatement of a vio-  
2 lation which resulted in the issuance of a withdrawal order under para-  
3 graph (b) of subsection 2, he shall forthwith issue an order requiring the  
4 operator to cause all persons in the area affected by such violation, except  
5 those persons referred to in subsection 5, to be withdrawn from and pro-  
6 hibited from entering such area until he determines that such violation  
7 has been abated.

8 4. If, as a result of any investigation of any accident occurring in a  
9 mine or as a result of any other investigation or tests performed by the  
10 inspector of mines, the inspector of mines has reason to believe that any  
11 equipment, machinery or apparatus will cause an accident, the inspector  
12 of mines may, by order, prohibit the use or operation in any mine of  
13 such equipment, machinery or apparatus until he determines that such  
14 equipment, machinery or apparatus has been repaired, modified, recon-  
15 ditioned or altered in a manner that an accident will thereafter be avoided.

16 5. The following persons shall not be required to be withdrawn from,  
17 or prohibited from entering, any area of the mine subject to a withdrawal  
18 order issued under this section:

19 (a) Any person whose presence in such area is necessary, in the judg-  
20 ment of the operator or the inspector of mines, to eliminate the condition  
21 described in the order;

22 (b) Any public official whose official duties require him to enter such  
23 area; and

24 (c) Any consultant to any of the foregoing.

25 6. A notice or order issued under this section is prima facie evidence  
26 of the culpable negligence of a operator in a criminal or civil proceeding  
27 at law against such operator for loss of life or bodily injury sustained  
28 because of the operator's failure or refusal to comply with the require-  
29 ments stated in such notice or order.

30 SEC. 23. NRS 512.200 is hereby amended to read as follows:

31 512.200 1. [Whenever the inspector of mines shall receive a formal  
32 complaint in writing, signed by one or more persons, setting forth that the  
33 mine in which he is employed is dangerous in any respect, he shall, in  
34 person, visit and examine such mine.

35 2. Every formal complaint shall in all cases:

36 (a) Specifically set forth the nature of the danger existing at the mine.

37 (b) Describe with as much certainty as possible the conditions render-  
38 ing such mine dangerous.

39 (c) Set forth the time when such danger was first observed.

40 (d) Distinctly set forth whether or not any notice of such defect or  
41 danger has been given by the complainants, or by anyone else to their  
42 knowledge, to the superintendent or other person in charge of such mine,  
43 and if no such complaint has been made to the superintendent or other  
44 person in charge, the reason why it has not been made.

45 3. After a complaint has been received by the inspector of mines,  
46 the inspector of mines shall, as soon as possible after receiving the com-  
47 plaint, visit and examine such mine. If from such examination he shall  
48 find the complaint to be just, he shall give notice in writing of the danger  
49 existing to the owner, lessor, lessee, agent, manager, or other person in

1 charge thereof. In such notice he may, in his discretion, order such mine  
2 or workings in which danger exists closed until danger has been removed.

3 4. The names of the complainants complaining as provided in this  
4 section shall not, under any circumstances, be divulged to any person by  
5 the inspector of mines except when such action is necessary in the admin-  
6 istration of justice in the courts of this state. *Whenever any worker or*  
7 *a representative of the workers, if any, has reasonable grounds to believe*  
8 *that a violation of a health or safety regulation or standard exists, or an*  
9 *imminent danger exists, such worker or representative of the workers may*  
10 *obtain an inspection by giving notice to the inspector of mines of such*  
11 *violation or danger.*

12 2. *Any such notice shall be reduced to writing, signed by the worker*  
13 *or representative of the workers, and a copy shall be provided to the oper-*  
14 *ator no later than at the time of inspection, except that, upon the request*  
15 *of the person giving such notice, his name and the names of individual*  
16 *workers referred to therein shall not appear in such copy.*

17 3. *Upon receipt of such notification by the inspector of mines, an*  
18 *inspection in accordance with the provisions of this chapter may be made*  
19 *as soon as practicable to determine if such violation or imminent danger*  
20 *exists.*

21 SEC. 24. NRS 512.210 is hereby amended to read as follows:

22 512.210 Upon the [neglect or refusal of any owner, lessor, lessee,  
23 agent, manager, or other person in charge of any mine or workings, noti-  
24 fied by the inspector of mines of the unsafe or dangerous condition of  
25 such mine or workings, promptly to comply with the requirements of the  
26 notice served upon him, the inspector of mines shall immediately notify  
27 the attorney general of such neglect or refusal.] *unwarrantable failure of*  
28 *an operator to comply or upon refusal of an operator of any mine to com-*  
29 *ply with the requirements of any order issued to such operator, the inspec-*  
30 *tor of mines may immediately notify the attorney general of such*  
31 *unwarrantable failure to comply or such refusal.* The attorney general, or  
32 the district attorney of the county in which the mine is situated at the  
33 instigation of the attorney general, must thereupon immediately com-  
34 mence an action in the name of the state against the [person] operator so  
35 notified for the enforcement of the penalty designated in NRS 512.270.

36 SEC. 25. NRS 512.220 is hereby amended to read as follows:

37 512.220 1. Whenever a serious [or fatal] accident [shall occur]  
38 occurs in any mine in the State of Nevada [.] *subject to the provisions of*  
39 *this chapter, the [owner, lessor, lessee, agent, manager, or other person in*  
40 *charge thereof] operator shall, immediately and by the quickest means,*  
41 *notify the inspector of mines or his deputy [.] or assistant, as may be*  
42 *most convenient, of such accident [.] , and shall take appropriate meas-*  
43 *ures to preserve anything and everything which might assist the inspector*  
44 *of mines in determining the cause or causes of the accident. Except as nec-*  
45 *essary to alleviate or eliminate any situation constituting an imminent dan-*  
46 *ger or an unwarranted danger to property, no person shall alter any*  
47 *condition which might assist the inspector of mines in determining the*  
48 *cause or causes of the accident.*

49 2. [The inspector of mines or his deputy, or both, shall at once repair  
50 to the place of the accident and investigate fully the cause of the accident.

1 3. If the inspector of mines or a deputy inspector of mines cannot be  
2 immediately present in case of a fatal or serious accident occurring, the  
3 owner, lessor, lessee, agent, manager, or other person in charge of the  
4 mine in which such accident has occurred shall have statements made and  
5 verified by those persons witnessing the accident. If no person was present  
6 at the time of the accident, then the statement of those persons first present  
7 thereafter shall be taken and verified. Such verified statements shall  
8 be placed in the hands of the inspector of mines or the deputy inspector  
9 of mines upon the demand of such officer.

10 4. The inspector of mines or his deputy shall be present at any coroner's  
11 inquest held over the remains of any person or persons killed in  
12 any such accident, and shall have power at such inquest to examine and  
13 cross-examine witnesses, and may have process to compel the attendance  
14 of necessary witnesses at such inquest.

15 5. Whenever any deputy inspector of mines is present at any coroner's  
16 inquest and assists in the examination, he shall, at the conclusion  
17 thereof, at once prepare and forward to the inspector of mines a full and  
18 detailed report of the accident, giving all information obtainable regarding  
19 the same. *The inspector of mines may investigate fully the cause of  
20 the accident as soon as practicable after receipt of such notification.*

21 SEC. 26. NRS 512.270 is hereby amended to read as follows:

22 512.270 1. *Any owner, agent, manager or lessee, whether an individual,  
23 partnership or corporation, operating a mine or mineworkings in  
24 this state, or any workman or other employee thereof, who fails to comply  
25 with, or violates any provision of any standard constituting a part of the  
26 state plan agreement between the United States Department of the Interior  
27 and the State of Nevada pursuant to the Federal Metal and Non-metallic  
28 Mine Safety Act (Public Law 89-577, 30 U.S.C. §§ 721-740) or this chapter shall be*

29 *Any operator who:*  
30 *(a) Violates, fails or refuses to comply with any health or safety regulation  
31 or standard adopted by the inspector of mines pursuant to the  
32 provisions of this chapter;*

33 *(b) Interferes with, hinders or delays the inspector of mines in carrying  
34 out the duties required under this chapter;*

35 *(c) Refuses admission to the inspector of mines upon or through any  
36 mine which is subject to the provisions of this chapter or to render  
37 assistance;*

38 *(d) Refuses to permit the inspector of mines to inspect or investigate  
39 any mine which is subject to the provisions of this chapter, or of any  
40 accident, bodily injury, fatality or occupational illness occurring at or  
41 connected with such mine;*

42 *(e) Refuses to furnish to the inspector of mines any information or  
43 report requested by the inspector of mines pursuant to this chapter;*

44 *(f) Knowingly makes any false statement or representation, or fails to  
45 make any statement or representation in any record, report or other  
46 document filed or required to be maintained pursuant to this chapter;*

47 *(g) Refuses to permit the inspector of mines to inspect or investigate  
48 any equipment, machinery, apparatus, tools or other property with respect  
49 to its condition or manner of use at any mine subject to the provisions  
50 of this chapter;*

1 (h) Fails to maintain any information or report required to be main-  
2 tained pursuant to this chapter; or

3 (i) Violates or fails or refuses to comply with an order of withdrawal  
4 issued pursuant to NRS 512.190,  
5 is guilty of a gross misdemeanor.

6 2. Each separate provision not complied with and each day after  
7 conviction of failure to comply with any such standard or provision of  
8 this chapter shall be a separate offense and punished accordingly.

9 SEC. 26.5. NRS 616.181 is hereby amended to read as follows:

10 616.181 1. There is within the commission a department of occupa-  
11 tional safety and health as provided for in chapter 618 of NRS [.]  
12 and the office of inspector of mines for the State of Nevada as provided  
13 for in chapter 512 of NRS.

14 2. The commission, the department of occupational safety and health  
15 and the office of inspector of mines for the State of Nevada are agencies  
16 of the State of Nevada for all purposes of the provisions of NRS 41.031  
17 to 41.038, inclusive.

18 SEC. 27. NRS 618.315 is hereby amended to read as follows:

19 618.315 The department shall have full power, jurisdiction and  
20 authority:

21 1. Over all places of employment except those which are subject to  
22 the jurisdiction of:

23 (a) The Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C.  
24 §§ 801 et seq.) or the Federal Metal and Nonmetallic Mine Safety Act  
25 (30 U.S.C. §§ 721 et seq.);

26 (b) The inspector of mines under the provisions of chapter [518]  
27 512 of NRS;

28 (c) Railroad employees whose safety and health are subject to protec-  
29 tion under the Federal Safety Appliances Act (45 U.S.C. §§ 1 et seq.)  
30 or the Federal Railroad Safety Act of 1970 (45 U.S.C. §§ 421 et seq.);

31 (d) Motor vehicles operating on public highways of this state. This  
32 section does not invest the department with any power, jurisdiction or  
33 authority over motor vehicles operating on the public highways.

34 2. To declare and prescribe what safety devices, safeguards or other  
35 means or methods of protection are well adapted to render the employees  
36 of every employment and place of employment safe as required by lawful  
37 order, state standards, rules, regulations or federal standards, as adopted  
38 by the department.

39 3. To fix and adopt such reasonable standards and to prescribe, mod-  
40 ify and enforce such reasonable orders for the adoption, installation, use,  
41 maintenance and operation of safety devices, safeguards and other means  
42 or methods of protection, which shall be as nearly uniform as practicable,  
43 as may be necessary to carry out all laws and lawful orders relative to the  
44 protection of the lives, safety and health of employees in employments and  
45 places of employment.

46 4. To fix, adopt and order such reasonable standards for the construc-  
47 tion, repair and maintenance of places of employment as shall render such  
48 places safe and healthful.

49 5. To require the performance of any other act which the protection

1 of the lives, safety and health in places of employment may reasonably  
2 demand.

3 6. To provide the method and frequency of making investigations,  
4 examinations and inspections.

5 7. To prepare, provide and regulate forms of notices, publications  
6 and blank forms deemed proper and advisable to carry out the provisions  
7 of this chapter, and to charge to employers the printing costs for such  
8 publications.

9 8. To furnish blank forms upon request.

10 9. To provide for adequate notice to each employer or employee of  
11 his right:

12 (a) To administrative review of any department action or decision as  
13 set forth in NRS 618.475 and 618.605.

14 (b) To judicial review under NRS 618.615.

15 10. To consult with the chief of the bureau of environmental health  
16 in the health division of the department of human resources with respect  
17 to occupational health matters in chapter 617 of NRS.

18 11. To appoint advisers and fix their compensation, who shall assist  
19 the department in establishing standards of safety and health, and the  
20 department may adopt and incorporate in its general orders such safety  
21 and health recommendations as it may receive from such advisers.

22 SEC. 28. NRS 512.130, 512.150, 512.230, 512.250, 512.260 and  
23 618.335 are hereby repealed.

24 SEC. 29. Section 3 of chapter 300, Statutes of Nevada 1971, at page  
25 541, is hereby amended to read as follows:

26 Section 3. NRS 512.240, chapter 518 of NRS, [618.330, 618.340]  
27 NRS 618.730 and 618.740 and chapter 626 of NRS are hereby repealed.

28 SEC. 30. Section 4 of chapter 300, Statutes of Nevada 1971, at page  
29 541, is hereby amended to read as follows:

30 Section 4. This act shall become effective on [the day the state plan  
31 agreement between the United States Department of the Interior and the  
32 State of Nevada pursuant to the Federal Metal and Nonmetallic Mine  
33 Safety Act (Public Law 89-577, 30 U.S.C. §§ 721-740) becomes effective.]  
34 *passage and approval of this amendatory act.*

35 SEC. 31. Sections 29 and 30 of this act shall become effective upon  
36 passage and approval; the remaining sections of this act shall become  
37 effective 1 minute after sections 29 and 30 of this act become effective.



(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 178

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 ASSEMBLY BILL NO. 178—COMMITTEE ON  
GOVERNMENT AFFAIRS
 

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JANUARY 30, 1975

Referred to Committee on Government Affairs

SUMMARY—Provides for an increase in formal bidding limit for state purchases. Fiscal Note: No. (BDR 27-127)

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

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 AN ACT relating to procedures for state purchasing; increasing the limit for purchases without formal contract and bidding; revising the provisions providing preferences for goods produced within the state or supplied by a resident dealer.

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

- 1 SECTION 1. NRS 333.300 is hereby amended to read as follows:  
 2 333.300 1. The chief shall give reasonable notice, by advertising  
 3 and by written notice mailed to persons, firms or corporations in a posi-  
 4 tion to furnish the classes of commodities involved, as shown by its rec-  
 5 ords, of all proposed purchases of supplies, materials and equipment to  
 6 be purchased in accordance with a schedule prepared in conformity with  
 7 the provisions of NRS 333.250.  
 8 2. All such materials, supplies and equipment, except as otherwise  
 9 provided in this section, when the estimated cost thereof shall exceed  
 10 ~~[\$500,]~~ \$2,500, shall be purchased by formal contract from the lowest  
 11 responsible bidder [in conformity with NRS 334.005 to 334.009, inclu-  
 12 sive,] after due notice inviting the submission of sealed proposals to the  
 13 chief of the purchasing division at his office in Carson City, Nevada, until  
 14 a date and hour as set forth in the proposal form, and at such date and  
 15 hour the proposals shall be publicly opened. The purchasing division may  
 16 reject any or all proposals, or may accept the proposal determined best  
 17 for the interest of the state. Such notice shall be published as outlined in  
 18 NRS 333.310.  
 19 3. In case of emergencies due to acts of God or the national defense  
 20 or other unforeseeable circumstances, the provisions for advertisements  
 21 on competitive bids may be waived by the chief; but every effort should be

- 1 made to secure the maximum competitive bidding under the circum-  
2 stances, and in no case shall contracts be awarded until every possible  
3 effort has been made to secure at least three bona fide competitive bids.  
4 In awarding contracts for the purchase of supplies, materials and equip-  
5 ment, whenever two or more lowest bids are identical, the chief shall  
6 **[comply with NRS 334.005 to 334.009, inclusive.]** :  
7 *(a) If such lowest bids are by bidders resident in Nevada, accept the*  
8 *proposal which, in his discretion, is in the best interests of this state.*  
9 *(b) If such lowest bids are by bidders resident outside Nevada:*  
10 *(1) Accept the proposal of the bidder who will furnish goods or com-*  
11 *modities produced or manufactured in this state; or*  
12 *(2) Accept the proposal of the bidder who will furnish goods or com-*  
13 *modities supplied by a dealer resident in Nevada.*  
14 SEC. 2. NRS 334.005, 334.007 and 334.009 are hereby repealed.  
15 SEC. 3. This act shall become effective upon passage and approval.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 578

ASSEMBLY BILL NO. 578—COMMITTEE ON  
GOVERNMENT AFFAIRS

APRIL 8, 1975

Referred to Committee on Government Affairs

SUMMARY—Limits application of veterans' preference points under the  
state personnel system. Fiscal Note: No. (BDR 23-1617)EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is  
material to be omitted.AN ACT relating to the state personnel system; limiting the application of veterans'  
preference points and requiring oral examinations to be recorded.*The People of the State of Nevada, represented in Senate and Assembly,  
do enact as follows:*

- 1 SECTION 1. NRS 284.210 is hereby amended to read as follows:  
2 284.210 1. All competitive examinations for positions in the classi-  
3 fied service shall:  
4 [1.] (a) Relate to those matters which will fairly test the capacity and  
5 fitness of the persons examined to discharge efficiently the duties of the  
6 class in which employment is sought.  
7 [2.] (b) Be open to all applicants who meet the reasonable standards  
8 or requirements fixed by the chief with regard to experience, character,  
9 age, education, physical condition and such other factors as may be held  
10 to relate to the ability of the applicants to perform the duties of the posi-  
11 tion with reasonable efficiency.  
12 2. *An oral examination given pursuant to this section shall be recorded*  
13 *and maintained by the personnel division for at least 30 days after the*  
14 *date of the examination and shall be available to interested persons.*  
15 SEC. 2. NRS 284.260 is hereby amended to read as follows:  
16 284.260 1. In establishing the lists of eligible persons, certain pref-  
17 erences shall be allowed for veterans not dishonorably discharged from  
18 the Armed Forces of the United States. For disabled veterans, 10 points  
19 shall be added to the passing grade achieved on the examination. For  
20 ex-servicemen and women who have not suffered disabilities, and for the  
21 widows of veterans, 5 points shall be added to the passing grade achieved  
22 on the examination.  
23 2. *Any person qualifying for preference points pursuant to subsection*  
24 *1, is entitled to have such points applied to any open competitive exami-*  
25 *nation in the classified service, but only to one promotional examination.*