

## Senate

## GOVERNMENT AFFAIRS COMMITTEE

Minutes of Meeting - May 1, 1975

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

Also Present:  
See attached Guest Register

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

AB-451 Requires counties and cities to pay pro rata share of costs of instruction arranged by Supreme Court for justices of peace and municipal judges. (BDR 1-1171)

Chief Justice Gunderson, stated there is a great need to have proper training of justices of the peace and municipal judges. They need to be aware of new rulings and therefore the seminar should be at least every six months to be effective. The program would start on Thursday and go through Saturday twice a year. He prepared a manual on rulings and law procedures in a loose leaf folder for these people and they can add to it as necessary. This course would cost approximately \$33,000 per year.

Senator Dodge questioned having this course twice a year when they had previously been authorized to have it once every two years.

Bob Broadbent, County Commissioners, stated that he is against this bill as their counties do not have the funds to support such a program. They feel they could pay for it once a year but not twice, as it is too much of a financial burden on the counties.

Bob Warren, Nevada League of Cities, stated that the cities had no position on this bill.

AB-530 Increases fees for photocopy services and permits certain other charges by the secretary of state. (BDR 18-813)

Bill Swackhammer, Secretary of State, this bill changes the present statutory fee of .50¢ for photocopy services to \$1.00. The change reflects that the costs of this service have gone up and the fee should reflect this increase.

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

AB-531 Provides that division of state, county and municipal archives in office of secretary of state be notified before certain obsolete records are destroyed. (BDR 19-814)

Senate

1457

Government Affairs  
Minutes of Meeting No. 40  
May 1, 1975  
Page 2

State Archivist, Frederick C. Gale, testified in favor of AB-531 explaining that this bill puts the jurisdiction of the district court records with the State Archives, if and when they wish to dispose of the records.

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

AB-434 Provides for election of members of state grazing boards. (BDR 50-1196)

Assemblyman Roy Young from Elko stated that this bill sets up a procedure to have elections for each of the 6 grazing boards to comply with the Federal Act.

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

AB-416 Further specifies residence requirements for political candidates. (BDR 24-1257)

Assemblywoman Sue Wagner, stated that this bill makes a residency requirement for candidates running for political office. The bill makes a residency requirement of at least 30 days.

Discussion followed and it was felt that this residency requirement would conflict with many city charters. Further discussion was set aside until this aspect could be studied.

SB-595 Permits certain counties to exercise control over health aspects of subdivisions in certain instances. (BDR 22-1754)

Jack Kenny, Southern Nevada Home Builders Association, stated that he was in favor of this bill. Mr. Kenny feels that this bill will leave controls over the local problems in the hands of the local officials. This bill will only affect Clark County and Washoe County. Mr. Kenny passed out a proposed resolution on this bill (See attached). These resolutions were unanimously approved by the Public Works Department, Planning Department, and the Building Departments of the local municipalities.

Bob Broadbent, County Commissioners, feels that this responsibility should be delegated.

Ernie Gregory, Chief of Environment and Health, is against SB-595 as he feels that the local entities do not have the expertise to spot and counteract the problems with water pollution.

Chairman Gibson stated that he would check with the drafter of the bill and consider action on this bill.

Senate

1438

Government Affairs  
Minutes of Meeting No. 40  
May 1, 1975  
Page 3

AB-577 Sets requirements for composition of county commissioner election districts within certain counties. (BDR 20-1195)

Assemblyman Weise stated that this bill will align the County Commissioners in Washoe County with the ten assembly districts. One County Commissioner for every two districts.

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

AB-582 Requires review by state board of examiners of certain state contracts. (BDR 27-1643)

Assemblyman Weise stated that there is a tremendous amount of money set aside in the budget that is not identified specifically other than "contract services" which is too broad a definition. They feel that any contract that is in excess of \$5,000. entered into by a state department would have to be reviewed by a Board of Examiners. The board now has no intervening authority and Mr. Weise feels that it will add no burden to the board if this bill is enacted. Howard Barrett, Budget Division, stated that he was in favor of this bill.

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

SB-468 Vests certain counties with areawide waste management planning duties and powers. (BDR 20-1448)

Bruce Arkell, Planning Coordinator, went over the changes made in the bill specifically noting that the word "control" had been deleted in most instances. The federal law has been incorporated into this bill. With the passage of SB-468 the Waste Agency can be created and thus receive designation from the Governor, and final authority will rest with the County Commissioners.

Bob Broadbent, County Commissioners, stated that this bill is badly needed giving the county the authority to build these facilities.

Jack Mitchell, City of North Las Vegas, stated that they were very much against SB-468. Mr. Mitchell stated that in talking with Bob Whitney of Henderson he indicated to him that he also was against this bill. Mr. Mitchell feels it will be detrimental to the environment of the cities.

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

AB-550 Exempts public works contractors from responsibility for extra costs incurred as result of errors or omissions of public agency in drafting specifications. (BDR 28-1459)

SENATE  
Government Affairs  
Minutes of Meeting No. 40  
May 1, 1975  
Page 4

Roland Oates, Associated Contractors, testified in favor of AB-550 noting that this bill will help keep the errors in bidding down by discouraging mistakes. The state agencies will probably save some money too.

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

The meeting adjourned at 5:30 p.m. to reconvene at 7:00 P.M.

At 7:00 p.m. Chairman Gibson called the meeting to order with a quorum present at that time.

AB-384 Revises laws pertaining to public securities.  
(BDR 30-1124)

Bob Warren, Nevada League of Cities, stated that the League of Cities requested AB-384. Mr. Warren went over the bill with the committee indicating the changes from 8% to 9%. There was some question as to why 10% was noted in some areas. Mr. Warren had a letter from Guild Gray on the changes and reasons for them but this letter did not address itself to the amended AB-384.

It was decided that action and further discussion be postponed until Mr. Gray could be present to answer questions.

AB-641 Extends economic development revenue bond law to include capital improvements by public utility.  
(BDR 20-1313)

Senator Dodge stated that this bill will probably lower the costs of the utilities by having these municipal type bonds. These bonds will apply for any public utility but can be used only for capital improvements.

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

AB-465 Makes changes in Economic Development Revenue Bond Law. (BDR 20-1296)

Bob Broadbent stated that the commissioners feel this bill will tighten up the laws on this statute. This is the only intent of the bill.

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

AB-527 Permits alternative method of defraying costs of collecting license taxes for county fair and recreation boards. (BDR 20-1465)

## Senate

Government Affairs  
Minutes of Meeting No. 40  
May 1, 1975  
Page 5

Bob Broadbent, County Commissioners, stated that the counties return 10% of the state room tax back to the cities for recreational purposes. Their new auditors requested clarification of the act spelling out the purpose of the 10% tax that is returned for the cities recreational use.

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

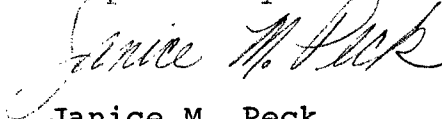
The committee discussed the amendment that has been prepared for SB-545, (see the attached), committee approved of this amendment.

Chairman Gibson read a letter from Earl Oliver, Audit Division of the Legislative Counsel Bureau, regarding SB-570 and gave a figure of \$25,000 in savings by enacting SB-570. Mr. Oliver again urged support for SB-570.

SB-256 was discussed by the committee with the two letters that had been requested by the two insurance companies involved. The insurance company that handles the state employees stated that taking 800 people out of a program of 1,500 would be detrimental to the remaining employees in the program. Mr. Heckethorn from the insurance company that would represent the 800 people leaving the state program felt that a program of this size would not be hurt by these people leaving the program. The committee decided that they would study the matter further before taking action.

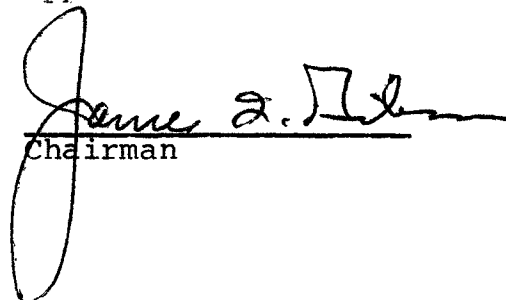
As there was no further business the meeting adjourned at 7:45 p.m.

Respectfully submitted,



Janice M. Peck  
Committee Secretary

Approved:



Chairman



R E S O L U T I O N   N O .**SB-595**

A RESOLUTION REQUESTING SUPPORT FROM THE 1975 NEVADA LEGISLATURE FOR LOCAL CONTROL OF HEALTH REGULATIONS AND REQUESTING AN INTERIM STUDY COMMITTEE BE PROVIDED TO REVIEW THE NEVADA REVISED STATUTES RELATING TO THEIR APPLICATION TO COUNTIES.

- WHEREAS, the Nevada Department of Health in promulgating their Regulations Governing Subdivisions adopted on March 13, 1974 have usurped the prerogatives of locally elected officials and their respective building and public works departments in Clark and Washoe Counties, and
- WHEREAS, the State Board of Health voted to adopt the regulations at a public hearing, despite the many objections of public officials and reputable businessmen of Clark and Washoe Counties, and
- WHEREAS, the regulations will halt, delay and curtail construction, imposing a hardship on the building industry and its tradesmen and laborers, and
- WHEREAS, the economic impact of these regulations could cause irreparable damage to our State's economy, and
- WHEREAS, compliance with these regulations is economically impossible for the builders, and
- WHEREAS, the implementations of the regulations would be discriminatory to Clark and Washoe Counties which have adequately staffed building and public works departments, and
- WHEREAS, compliance with the regulations will impose an economic hardship on the taxpayers of Nevada, and
- WHEREAS, these regulations impose a burden while providing no benefit to the public,

over

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of City Commissioners of the City of Las Vegas, Nevada, supports the following proposed legislation:

- A. Exempt Clark and Washoe counties from the Nevada State Health Department regulations for the next biennium.
- B. Set up a study committee for the 1977 session.
- C. The makeup of the committee should be weighted in proportion to the counties population.

PASSED, ADOPTED AND APPROVED this 5th day of February, 1975.

CITY OF LAS VEGAS, NEVADA

By: Oran K. Gragson  
 ORAN K. GRAGSON, MAYOR

ATTEST:

Edwina M. Cole  
 Edwina M. Cole, City Clerk

ADOPTED by the Board of City Commissioners at a Regular Meeting held the 5th day of February, 1975



## RESOLUTION NO. 449

RESOLUTION ON NEVADA HEALTH DEPARTMENT'S  
REGULATIONS GOVERNING SUBDIVISIONS.

- WHEREAS, the Nevada Department of Health in promulgating their Regulations Governing Subdivisions adopted on March 13, 1974, have usurped the prerogatives of locally elected officials and their respective building and public works departments in Clark and Washoe Counties, and
- WHEREAS, the State Board of Health voted to adopt the regulations at a public hearing, despite the many objections of public officials and reputable businessmen of Clark and Washoe Counties, and
- WHEREAS, the regulations will halt, delay and curtail construction, imposing a hardship on the building industry and its tradesmen and laborers, and
- WHEREAS, the economic impact of these regulations could cause irreparable damage to our State's economy, and
- WHEREAS, compliance with these regulations is economically impossible for the builders, and
- WHEREAS, the implementations of the regulations would be discriminatory to Clark and Washoe Counties which have adequately staffed building and public works departments, and
- WHEREAS, compliance with the regulations will impose an economic hardship on the taxpayers of Nevada, and
- WHEREAS, these regulations impose a burden while providing no benefit to the public,

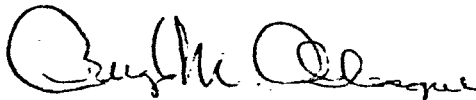
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NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Henderson, Nevada, supports the following proposed Legislation:

- A. Exempt Clark and Washoe counties from the Nevada State Health Department regulations for the next biennium.
- B. Set up a study committee for the 1977 session.
- C. The makeup of the committee should be weighted in proportion to the counties population, and

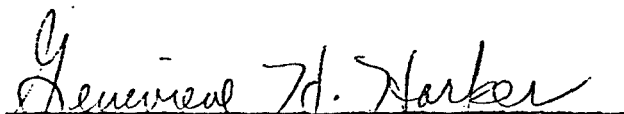
BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to our Legislative Delegation and the total Clark County Delegation.

ADOPTED, SIGNED AND APPROVED this 3rd day of February, 1975.



CRUZ M. OLAGUE, MAYOR

ATTEST:

  
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GENEVIEVE H. HARPER, CITY CLERK

R E S O L U T I O N   N O .

A RESOLUTION REQUESTING SUPPORT FROM THE 1975 NEVADA LEGISLATURE FOR LOCAL CONTROL OF HEALTH REGULATIONS AND REQUESTING AN INTERIM STUDY COMMITTEE BE PROVIDED TO REVIEW THE NEVADA REVISED STATUTES RELATING TO THEIR APPLICATION TO COUNTIES.

- WHEREAS, the Nevada Department of Health in promulgating their Regulations Governing Subdivisions adopted on March 13, 1974 have usurped the prerogatives of locally elected officials and their respective building and public works departments in Clark and Washoe Counties, and
- WHEREAS, the State Board of Health voted to adopt the regulations at a public hearing, despite the many objections of public officials and reputable businessmen of Clark and Washoe Counties, and
- WHEREAS, the regulations will halt, delay and curtail construction, imposing a hardship on the building industry and its tradesmen and laborers, and
- WHEREAS, the economic impact of these regulations could cause irreparable damage to our State's economy, and
- WHEREAS, compliance with these regulations is economically impossible for the builders, and
- WHEREAS, the implementations of the regulations would be discriminatory to Clark and Washoe Counties which have adequately staffed building and public works departments, and
- WHEREAS, compliance with the regulations will impose an economic hardship on the taxpayers of Nevada, and
- WHEREAS, these regulations impose a burden while providing no benefit to the public,

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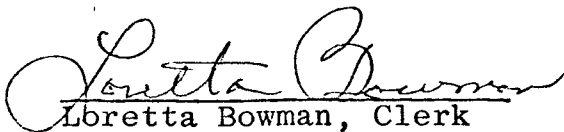
NOW, THEREFORE, BE IT RESOLVED that the County Commissioners of the County of Clark, Nevada, supports the following proposed legislation:

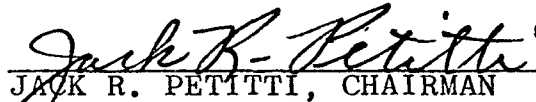
- A. Exempt Clark and Washoe counties from the Nevada State Health Department regulations for the next biennium.
- B. Set up a study committee for the 1977 session.
- C. The makeup of the committee should be weighted in proportion to the counties population.

PASSED, ADOPTED AND APPROVED this 5th day of February, 1975.

BOARD OF COUNTY COMMISSIONERS

ATTEST:

  
Loretta Bowman, Clerk

  
JACK R. PETITTI, CHAIRMAN

## RESOLUTION NO. 756

A RESOLUTION REQUESTING SUPPORT FROM THE 1975 NEVADA LEGISLATURE FOR LOCAL CONTROL OF HEALTH REGULATIONS AND REQUESTING AN INTERIM STUDY COMMITTEE BE PROVIDED TO REVIEW TITLES 117, 278, 439, 444, and 445 OF THE NEVADA REVISED STATUTES RELATING TO THEIR APPLICATION TO COUNTIES WITH POPULATIONS OVER TWO HUNDRED THOUSAND.

WHEREAS, the State of Nevada Health Department has promulgated regulations governing subdivisions pursuant to authorities set forth in NRS 117, 278, 439, 444 and 445; and

WHEREAS, these regulations were adopted by the State Board of Health; and,

WHEREAS, these regulations place the health division in a position which could override the decisions of the governing body of the City of North Las Vegas; and,

WHEREAS, the City of North Las Vegas has the expertise and staff within its building, engineering and planning departments to enforce such regulations and does have adequate ordinances, plans and studies to ensure the protection of the public; and

Over

WHEREAS, the City believes a legislative study committee should review the authorities of the NRS under which these regulations were promulgated;

NOW THEREFORE, be it resolved that the City Council of the City of North Las Vegas would support the following legislation:

1. That the political subdivisions of Clark County be given the authority to enforce regulations at the local level during the next biennium;
2. That the Legislature establish an interim study committee to review the enabling statutes, their intent, scope, and necessity as related to counties with over 200,000 population. Said committee to report their findings to the Legislature at the 1977 session;
3. That the composition of such a committee should be weighted in proportion to the county's population.

PASSED and ADOPTED THIS 3rd day of February, 1975

/s/ C. R. Cleland  
C. R. CLELAND, Mayor

/s/ Shirley A. Hansell  
Shirley A. Hansell, CMC, City Clerk

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 468

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 SENATE BILL NO. 468—COMMITTEE ON  
GOVERNMENT AFFAIRS
 

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APRIL 7, 1975

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 Referred to Committee on Government Affairs

SUMMARY—Vests certain counties with areawide waste management planning duties and powers. Fiscal Note: No. (BDR 20-1448)


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

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AN ACT relating to water pollution; vesting certain counties with areawide waste management planning duties and powers; 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 the provisions set forth as sections 2 to 5.4, inclusive, of this act.
- 3 SEC. 2. *“Discharge” means any addition of a pollutant or pollutants*  
4 *to water.*
- 5 SEC. 3. *“Point source” means any discernible, confined and discrete*  
6 *conveyance, including but not limited to any pipe, ditch, channel, tunnel,*  
7 *conduit, well, discrete fissure, container, rolling stock, concentrated*  
8 *animal feeding operation, or vessel or other floating craft, from which*  
9 *pollutants are or may be discharged.*
- 10 SEC. 4. *“Pollutant”:*
- 11 1. *Means dredged spoil, solid waste, incinerator residue, sewage,*  
12 *garbage, sewage sludge, munitions, chemical wastes, biological materials,*  
13 *radioactive materials, heat, wrecked or discarded equipment, rock, sand,*  
14 *cellar dirt and industrial, municipal and agricultural waste discharged*  
15 *into water;*
- 16 2. *Does not mean water, gas or other material which is injected*  
17 *into a well to facilitate production of oil or gas, or water derived in*  
18 *association with oil or gas production and disposed of in a well, if the*  
19 *well is used either for facilitating production or for disposal purposes,*  
20 *and if the department of human resources determines that such injection*  
21 *or disposal will not result in the degradation of ground or surface water*  
22 *resources.*

1 SEC. 5. "Pollution" means the manmade or man-induced alteration  
2 of the chemical, physical, biological and radiological integrity of water.

3 SEC. 5.2. 1. The officers of the county are authorized and directed to  
4 develop an areawide waste management plan pursuant to NRS 244.9222,  
5 subject to the approval of the department of human resources. A plan  
6 shall include but need not be limited to the following:

7 (a) The identification of treatment works necessary to meet the antici-  
8 pated municipal and industrial waste treatment needs of the area over a  
9 20-year period, annually updated (including an analysis of alternative  
10 waste treatment systems), including:

11 (1) Any requirements for the acquisition of land for treatment pur-  
12 poses;

13 (2) The necessary waste water collection and urban storm water  
14 runoff systems; and

15 (3) A program to provide the necessary financial arrangements for  
16 the development of such treatment works;

17 (b) The establishment of construction priorities for such treatment  
18 works and time schedules for the initiation and completion of all treat-  
19 ment works;

20 (c) The establishment of a regulatory program to:

21 (1) Implement the waste treatment management requirements of sec-  
22 tion 201(c) of P.L. 92-500 (33 U.S.C. § 1281(c)).

23 (2) Regulate the location, modification and construction of any facil-  
24 ities within such area which may result in any discharge in the area; and

25 (3) Assure that any industrial or commercial wastes discharged into  
26 any treatment works in such area meet applicable pretreatment require-  
27 ments;

28 (d) The identification of those agencies necessary to construct, operate  
29 and maintain all facilities required by the plan and otherwise to carry out  
30 the plan;

31 (e) The identification of the measures necessary to carry out the plan  
32 (including financing), the period of time necessary to carry out the plan,  
33 the costs of carrying out the plan within such time, and the economic,  
34 social and environmental impact of carrying out the plan within such  
35 time;

36 (f) A process to:

37 (1) Identify, if appropriate, agriculturally and silviculturally related  
38 nonpoint sources of pollution, including runoff from manure disposal  
39 areas and from land used for livestock and crop production; and

40 (2) Set forth procedures and methods (including land use require-  
41 ments) to control to the extent feasible such sources;

42 (g) A process to:

43 (1) Identify, if appropriate, mine-related sources of pollution includ-  
44 ing new, current and abandoned surface and underground mine runoff;  
45 and

46 (2) Set forth procedures and methods (including land use require-  
47 ments) to control to the extent feasible such sources;

48 (h) A process to:

49 (1) Identify construction activity related sources of pollution; and



1 (2) Set forth procedures and methods (including land use require-  
2 ments) to control to the extent feasible such sources;

3 (i) A process to:

4 (1) Identify, if appropriate, salt water intrusion into rivers, lakes and  
5 estuaries resulting from reduction of fresh water flow from any cause,  
6 including irrigation, obstruction, ground water extraction and diversion;  
7 and

8 (2) Set forth procedures and methods to control such intrusion to the  
9 extent feasible where such procedures and methods are otherwise a part of  
10 the waste treatment management plan;

11 (j) A process to control the disposition of all residual waste generated  
12 in such area which could affect water quality; and

13 (k) A process to control the disposal of pollutants on land or in sub-  
14 surface excavations within such area to protect ground and surface water  
15 quality.

16 2. In developing the elements of the areawide waste management  
17 plan, the county shall provide the most efficient areawide management sys-  
18 tem for the area.

19 SEC. 5.4. 1. The county shall adopt all necessary ordinances, regula-  
20 tions and policies to effectuate the adopted areawide waste management  
21 plan described in subsection 1 of section 5.2 of this act.

22 2. All ordinances, regulations and policies adopted by the county shall  
23 be enforced by all local political subdivisions in the area covered by the  
24 plan.

25 3. The county shall police the area to insure compliance with the area-  
26 wide waste management plan and adopted ordinances, regulations and  
27 policies. If it is found that the areawide waste management plan or the  
28 adopted ordinances, regulations and policies are not being enforced by all  
29 local political subdivisions, the county may bring action in a court of com-  
30 petent jurisdiction to insure compliance.

31 SEC. 6. NRS 244.922 is hereby amended to read as follows:

32 244.922 NRS 244.922 to 244.9261, inclusive, and sections 2 to 5.4,  
33 inclusive, of this act may be cited as the County Sewage and Waste  
34 Water Law.

35 SEC. 7. NRS 244.9221 is hereby amended to read as follows:

36 244.9221 NRS 244.922 to 244.9261, inclusive, and sections 2 to 5.4,  
37 inclusive, of this act shall apply to any county having a population of  
38 200,000 or more according to the last national census of the Bureau of the  
39 Census of the United States Department of Commerce.

40 SEC. 8. NRS 244.9222 is hereby amended to read as follows:

41 244.9222 It is hereby declared as a matter of legislative determina-  
42 tion that:

43 1. It is essential to the maintenance of the public health, welfare and  
44 orderly local government that each county to which NRS 244.922 to  
45 244.9261, inclusive, and sections 2 to 5.4, inclusive, of this act pertain be  
46 empowered to become the master agency within its territory for the collec-  
47 tion, disposal and treatment of sewage and waste water. In addition, it is  
48 essential that the master agency be empowered to perform and require  
49 compliance with any and all areawide waste management planning which

1 may be required by the state or Federal Government in connection with  
2 the exercise or implementation of any of the powers, authorization and  
3 responsibilities provided in NRS 244.922 to 244.9261, inclusive, and sec-  
4 tions 2 to 5.4, inclusive, of this act.

5 2. Granting to such counties the purposes, power, rights, privileges  
6 and immunities provided in NRS 244.922 to 244.9261, inclusive, and  
7 sections 2 to 5.4, inclusive, of this act will serve a public use and will pro-  
8 mote the health, safety, prosperity, security and general welfare of the  
9 inhabitants thereof and of the state.

10 3. The acquisition, improvement, equipment, maintenance and oper-  
11 ation of any project herein authorized is in the public interest, is condu-  
12 cive to the public health, and constitutes a part of the established and  
13 permanent policy of the state.

14 4. The necessity for the County Sewage and Waste Water Law is a  
15 result of: [the large population growth and intense residential, commer-  
16 cial and industrial development in the incorporated and unincorporated  
17 areas and of the ensuing need for extensive coordinated sewage and waste  
18 water collection and treatment.]

19 (a) The large population growth and intense development of residential,  
20 commercial, industrial and other human activities in both incorporated  
21 and unincorporated areas;

22 (b) The ensuing need for extensive, coordinated control, collection, dis-  
23 posal and treatment of all sources of pollution, including but not limited to  
24 sewage, wastewater and in place or accumulated pollution sources; and

25 (c) The ensuing need for areawide waste management planning for such  
26 control, collection, disposal and treatment.

27 5. The legislature recognizes the duty of such counties as instruments  
28 of state government to meet adequately the needs for such facilities within  
29 their boundaries, in cooperation with the state, municipalities and dis-  
30 tricts within the county and in satisfaction of federal and state require-  
31 ments and standards relating to pollution.

32 6. The legislature approves the final written report of the Las Vegas  
33 Valley water district made pursuant to chapter 616, Statutes of Nevada  
34 1971, and filed with the governor and the legislative commission on  
35 December 1, 1972, under the title, "Report to the Governor and the Leg-  
36 islative Commission, Pollution Abatement Project, Las Vegas Wash and  
37 Bay."

38 7. The legislature finds that the course of action recommended in the  
39 report referred to in subsection 6 is a measure necessary for the protec-  
40 tion and preservation of a natural resource of the state within the mean-  
41 ing of the second paragraph of section 3 of article 9 of the constitution of  
42 the State of Nevada.

43 8. The legislature recognizes that there may be alternative solutions  
44 to the pollution abatement problem in the Las Vegas Wash-Lake Mead  
45 area. It is the intention of the legislature that those charged with the  
46 responsibility of correcting the problem be able to avail themselves of all  
47 assistance that may develop through advances in technology and changing  
48 circumstances and regulations, federal or state, that have an impact on  
49 the problem. In constraining the powers, authorities and responsibilities  
50 conveyed by the legislature in NRS 244.922 to 244.9261, inclusive, and

1 sections 2 to 5.4, inclusive, of this act, the economic burden on the citizens  
2 of this state and the ultimate feasibility of the projects undertaken shall  
3 be carefully weighed in the light of the state of the art and the regulations  
4 governing the master agency at the time undertaken. Among the factors  
5 which will determine the ultimate resolution of the problem, the pro-  
6 tection and the fullest beneficial use of the resource represented by the  
7 water shall be given top priority. The legislature finds that the alternative  
8 courses of action that may be developed to find satisfactory solutions are  
9 necessary for the preservation of this valuable natural resource of the  
10 state and are within the meaning of the second paragraph of section 3  
11 of article 9 of the constitution of the State of Nevada.

12 9. For the accomplishment of these purposes the provisions of NRS  
13 244.922 to 244.9261, inclusive, and sections 2 to 5.4, inclusive, of this  
14 act shall be broadly construed.

15 10. The notices herein provided are reasonably calculated to inform  
16 each interested person of his legally protected rights.

17 11. The rights and privileges herein granted comply in all respects  
18 with any requirement imposed by any constitutional provision.

19 SEC. 9. NRS 244.9223 is hereby amended to read as follows:

20 244.9223 1. Except as otherwise provided in NRS 244.922 to 244.-  
21 9261, inclusive, and sections 2 to 5.4, inclusive, of this act the definitions  
22 provided in the Local Government Securities Law apply to NRS 244.922  
23 to 244.9261, inclusive [.] , and sections 2 to 5.4, inclusive, of this act.

24 2. The definitions provided in NRS 244.9224 to 244.9236, inclusive,  
25 and sections 2 to 5, inclusive, of this act, apply specifically to NRS 244.-  
26 922 to 244.9261, inclusive [.] , and sections 2 to 5.4, inclusive, of this  
27 act.

28 SEC. 10. NRS 244.9228 is hereby amended to read as follows:

29 244.9228 "County securities" means the securities authorized to be  
30 issued by NRS 244.922 to 244.9261, inclusive [.] , and sections 2 to 5.4,  
31 inclusive, of this act.

32 SEC. 11. NRS 244.923 is hereby amended to read as follows:

33 244.923 1. "Facilities" means the facilities of the county or other  
34 designated public body used or suitable for use for the control, collec-  
35 tion, disposal and treatment of [sewage and waste water] all sources of  
36 pollution, whether or not they are point sources, including but not  
37 limited to sewage, wastewater and in place or accumulated pollution  
38 sources and consisting of all properties, real, personal, mixed or other-  
39 wise, acquired by the county or the public body, as the case may be,  
40 by one or more projects through purchase, condemnation (subject to  
41 the provisions of NRS 244.9245), construction or otherwise, and used  
42 in connection with such purposes and related services or in any way  
43 pertaining thereto and situated within the county, whether within or  
44 without or both within and without the territorial limits of the public  
45 body.

46 2. "Facilities" also includes:

47 (a) Those facilities for elimination of water pollution problems sub-  
48 stantially of the type and scope described in the "Report to the Governor

1 and the Legislative Commission, Pollution Abatement Project, Las Vegas  
2 Wash and Bay," dated December 1, 1972, including without limitation all  
3 trunk sewers, conduits, pumps, pumping plants, storage facilities, treat-  
4 ment plants, water reclamation plants, outfalls, disposal facilities, electric  
5 substations, and related works to be constructed, installed and acquired  
6 for the purpose of collecting, transporting, treating, reclaiming and dis-  
7 posing of sewage effluents, waste water, industrial waste and other liquid  
8 pollutants.

9 (b) Those facilities for the elimination of water pollution problems of  
10 the type and scope necessary to implement any alternative plan to that  
11 mentioned in paragraph (a).

12 SEC. 12. NRS 244.9231 is hereby amended to read as follows:

13 244.9231 1. "Hereby," "herein," "hereinabove," "hereinafter,"  
14 "hereof," "hereunder," "herewith," or any term of similar import, refers  
15 to NRS 244.922 to 244.9261, inclusive, *sections 2 to 5.4, inclusive, of*  
16 *this act*, and not solely to the particular portion thereof in which such  
17 word is used:

18 2. "Heretofore" means before the adoption of this act.

19 3. "Hereafter" means after the adoption of this act.

20 SEC. 13. NRS 244.9238 is hereby amended to read as follows:

21 244.9238 1. Within 30 days after July 1, 1973, there shall be  
22 appointed a technical advisory committee to be designated as the county  
23 sewage and waste water advisory committee.

24 2. The advisory committee shall consist of two members appointed  
25 by the board, three members appointed by the governing body of each  
26 city in the county having a population of 65,000 or more, two members  
27 appointed by the governing body of each city in the county having a  
28 population of 30,000 or more but less than 65,000, one member  
29 appointed by the governing body of each city in the county having a  
30 population of 5,000 or more but less than 30,000, and one member  
31 appointed by the governing body of each water district, sanitation dis-  
32 trict or water and sanitation district in the county having within its bound-  
33 aries a population of 15,000 or more, as determined by the last preceding  
34 national census of the Bureau of the Census of the United States Depart-  
35 ment of Commerce.

36 3. Each such appointee shall be an employee of the municipality  
37 whose governing body is required to make such appointment and shall at  
38 the time of such employment be actively engaged in the operation or  
39 management of sewer or water facilities within such municipality, except  
40 the county prior to its operation of facilities.

41 4. Each such appointee shall serve without additional compensation  
42 or fidelity bond for his duties as a member of the advisory committee and  
43 shall remain a member until death or resignation or his termination as a  
44 member, with or without cause, by the governing body of the appointing  
45 municipality and its appointment of his successor. The governing body of  
46 an appointing municipality shall in any case terminate the membership on  
47 the advisory committee of any of its appointed members within a reason-  
48 able time after such member ceases to be employed by the municipality in  
49 sewer or water work and shall appoint a successor with such qualifications.

1 5. The committee shall elect such officers from within its member-  
2 ship, fix such time and place of meetings, adopt such rules of procedure  
3 and keep such records all as in its sole discretion it shall determine to be  
4 consistent with the purposes of NRS 244.922 to 244.9261, inclusive [.] ,  
5 and sections 2 to 5.4, inclusive, of this act.

6 6. No member of the advisory committee shall be interested in any  
7 contract or transaction with the county under consideration by the advi-  
8 sory committee except in his official representative capacity or in his  
9 capacity as a public officer or employee.

10 7. The advisory committee shall proceed immediately upon appoint-  
11 ment and at all times thereafter diligently to inform itself as to all laws,  
12 matters and things which may be of significance in maintaining the quali-  
13 ty of collection, disposal and treatment of sewage and waste water in the  
14 county and the consequent purity of water within the county. The advi-  
15 sory committee shall also advise the board of conditions which in the  
16 judgment of the advisory committee require action by the board, and  
17 make recommendations in regard thereto.

18 8. It is the intent of NRS 244.922 to 244.9261, inclusive, and sec-  
19 tions 2 to 5.4, inclusive, of this act that the existence and activities of the  
20 advisory committee shall in no way diminish the responsibility of the  
21 board or the officers of the county in fulfilling the legislative declaration  
22 expressed in NRS 244.9222 and in performing its duties as the master  
23 agency of the county in such matters.

24 SEC. 14. NRS 244.9245 is hereby amended to read as follows:

25 244.9245 The county may also:

26 1. Enter upon any land, make surveys, borings, soundings and exam-  
27 inations for the purpose of the county, and locate the necessary works of  
28 any project and any roadways and other rights-of-way pertaining to any  
29 project herein authorized; acquire all property necessary or convenient  
30 for the acquisition, improvement or equipment of such works, including  
31 works constructed and being constructed by private owners, and all nec-  
32 essary appurtenances.

33 2. Acquire property by agreement, condemnation by the exercise of  
34 the power of eminent domain or otherwise, and in case any street, road,  
35 highway, railroad, canal, ditch or other property subject or devoted to  
36 public use and located within the county, whether within or without or  
37 both within and without the territorial limits of any public body, shall  
38 become subject to interference by reason of the construction or proposed  
39 construction of any works of the county, the right so to interfere with  
40 such property, whether it be publicly or privately owned; except:

41 (a) If such right is acquired by condemnation proceedings and if the  
42 court finds that public necessity or convenience so require, the judgment  
43 may direct the county to relocate such street, road, highway, railroad,  
44 canal, ditch or other property in accordance with the plans prescribed by  
45 the court.

46 (b) If, by such judgment or agreement, the county shall be required  
47 to relocate any such street, road, highway, railroad, canal, ditch or other  
48 property subject or devoted to public use, the board may acquire in the  
49 name of the county, by agreement or condemnation, all rights-of-way and  
50 other property necessary or proper for compliance with the agreement or

1 judgment of condemnation, and thereafter make such conveyance of such  
2 relocated street, road, highway, railroad, canal, ditch or other property as  
3 may be proper to comply with the agreement or judgment.

4 (c) No property, except for easements and rights-of-way, shall be  
5 acquired by condemnation if at the time of the proposed exercise of such  
6 power such property is utilized by a public body for the collection, dis-  
7 posal or treatment of sewage or waste water.

8 3. Carry on technical and other investigations of all kinds, make  
9 measurement, collect data, and make analyses, studies and inspections  
10 pertaining to the facilities and any project.

11 4. Make and keep records in connection with the facilities and any  
12 project or otherwise concerning the county.

13 5. Arbitrate any differences arising in connection with the facilities  
14 and any project or otherwise concerning the county.

15 6. Have the management, control and supervision of all business and  
16 affairs pertaining to the facilities and any project herein authorized, or  
17 otherwise concerning the county, and of the acquisition, improvement,  
18 equipment, operation, maintenance and disposal of any property pertain-  
19 ing to the facilities or any such project.

20 7. Enter into contracts of indemnity and guaranty, in such forms as  
21 may be approved by the board, relating to or connected with the perform-  
22 ance of any contract or agreement which the county is empowered to  
23 enter into.

24 8. Obtain financial statements, appraisals, economic feasibility reports  
25 and valuations of any type pertaining to the facilities or any project or  
26 any property relating thereto.

27 9. Adopt any ordinance or resolution authorizing a project or the  
28 issuance of county securities, or both.

29 10. Make and execute an indenture or other trust instrument pertain-  
30 ing to any county securities herein authorized, except as otherwise pro-  
31 vided in NRS 244.922 to 244.9261, inclusive [.] , and sections 2 to 5.4,  
32 inclusive, of this act.

33 11. Make all contracts, execute all instruments and do all things nec-  
34 essary or convenient in the exercise of the powers granted herein, or in  
35 the performance of the county's covenants or duties, or in order to secure  
36 the payment of county securities.

37 12. Have and exercise all rights and powers necessary or incidental  
38 to or implied from the specific powers granted herein, which specific  
39 powers shall not be considered as a limitation upon any power necessary  
40 or appropriate to carry out the purposes and intent hereof.

41 13. Exercise all or any part or any combination of the powers herein  
42 granted.

43 Sec. 15. NRS 244.9248 is hereby amended to read as follows:

44 244.9248. In addition to the other means for providing revenue to  
45 defray the costs of the activities and projects authorized by NRS 244.922  
46 to 244.9261, inclusive, and sections 2 to 5.4, inclusive, of this act and to  
47 meet general obligation bond requirements, the board shall have power  
48 and authority to levy and collect general (ad valorem) taxes on and  
49 against all taxable property within the county.

1 SEC. 16. NRS 244.9253 is hereby amended to read as follows:

2 244.9253 Subject to the provisions of NRS 244.922 to 244.9261,  
3 inclusive, *and sections 2 to 5.4, inclusive, of this act*, for any facilities as  
4 defined in paragraphs (a) and (b) of subsection 2 of NRS 244.923,  
5 any interest therein, or any project herein authorized, the board, as it  
6 may determine from time to time, may:

7 1. On the behalf and in the name of the county, levy assessments,  
8 borrow money, otherwise become obligated, and evidence such obliga-  
9 tions by the issuance of bonds and other county securities, and in  
10 connection with such facilities, interest therein, or project, the board may  
11 otherwise proceed as provided in the County Improvements Law and  
12 Local Government Securities Law, as from time to time amended.

13 2. Issue bonds or other securities in the name of and on behalf of  
14 the State of Nevada in accordance with the provisions of the State  
15 Securities Law.

16 SEC. 17. NRS 244.9257 is hereby amended to read as follows:

17 244.9257 The faith of the state is hereby pledged that NRS 244.922  
18 to 244.9261, inclusive, *and sections 2 to 5.4, inclusive, of this act*, any  
19 law supplemental or otherwise pertaining thereto, and any other act  
20 concerning the bonds or other county securities, taxes, assessments or  
21 the pledged revenues, or any combination of such securities, such taxes,  
22 such assessments and such revenues, shall not be repealed nor amended  
23 or otherwise directly or indirectly modified in such a manner as to  
24 impair adversely any outstanding county securities, until all such securities  
25 have been discharged in full or provision for their payment and redemp-  
26 tion has been fully made, including without limitation from the known  
27 minimum yield from the investment or reinvestment of moneys pledged  
28 therefor in federal securities.

29 SEC. 18. NRS 244.9259 is hereby amended to read as follows:

30 244.9259 The officers of the county are authorized and directed to  
31 take all action necessary or appropriate to effectuate the provisions of  
32 NRS 244.922 to 244.9261, inclusive [ ] , *and sections 2 to 5.4, inclusive,*  
33 *of this act.*

34 SEC. 19. NRS 244.926 is hereby amended to read as follows:

35 244.926 1. NRS 244.922 to 244.9261, inclusive, *and sections 2 to*  
36 *5.4, inclusive, of this act*, without reference to other statutes of the state,  
37 except as herein otherwise expressly provided, shall constitute full author-  
38 ity for the exercise of powers herein granted, including without limitation  
39 the granting of contractual powers to the county and the other public  
40 bodies and the financing of any project herein authorized wholly or in  
41 part and the issuance of county securities to evidence such loans.

42 2. No other act or law with regard to the making of contracts, the  
43 authorization or issuance of securities, other than the provisions of NRS  
44 350.001 to 350.006, inclusive, or the exercise of any other power herein  
45 granted that provides for an election, requires an approval, or in any way  
46 impedes or restricts the carrying out of the acts herein authorized to be  
47 done shall be construed as applying to any proceedings taken hereunder  
48 or acts done pursuant hereto, except as herein otherwise provided.

49 3. The provisions of no other law, either general, special or local,  
50 except as provided herein, shall apply to the doing of the things herein

1 authorized to be done; and neither the state nor any public body may per-  
2 form any of the acts herein authorized to be done, except as herein other-  
3 wise provided.

4 4. No notice, consent or approval by the state or any public body or  
5 officer thereof shall be required as a prerequisite to the sale or issuance of  
6 any county securities or the making of any contract or the exercise of any  
7 other power hereunder except as herein provided.

8 5. The powers conferred by NRS 244.922 to 244.9261, inclusive,  
9 and sections 2 to 5.4, inclusive, of this act are in addition to and supple-  
10 mental to, and the limitations imposed by such sections do not affect the  
11 powers conferred by any other law, general or special; and securities may  
12 be issued under such sections without regard to the procedure required by  
13 any other such law except as otherwise provided in such sections or in the  
14 State Securities Law. Insofar as the provisions of such sections are incon-  
15 sistent with the provisions of any other law, general or special, the pro-  
16 visions of those sections are controlling.

17 6. No provision contained in NRS 244.922 to 244.9261, inclusive,  
18 and sections 2 to 5.4, inclusive, of this act shall repeal or affect any other  
19 law or part thereof, it being intended that NRS 244.922 to 244.9261,  
20 inclusive, and sections 2 to 5.4, inclusive, of this act shall provide a sepa-  
21 rate method of accomplishing its objectives and not an exclusive one.

22 SEC. 20. This act shall become effective upon passage and approval.



A. B. 384

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ASSEMBLY BILL NO. 384—COMMITTEE ON  
GOVERNMENT AFFAIRS

MARCH 11, 1975

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Referred to Committee on Government Affairs

SUMMARY—Revises laws pertaining to public securities. Fiscal  
Note: No. (BDR 30-1124)

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

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AN ACT relating to public securities and obligations; amending the County Improvements Law, the County Economic Development Revenue Bond Law, the City Economic Development Revenue Bond Law, the Consolidated Local Improvements Law, the General Improvement District Law, the State Securities Law, the Local Government Securities Law, the University Securities Law, and other laws pertaining to public securities and obligations, including laws concerning elections relating thereto; providing generally for a maximum interest rate and a maximum discount on issuance; extending such provisions to issues previously authorized but not yet sold; relating to the purposes for which securities may be issued, their sale and provisions for their payment; otherwise concerning the borrowing of money, the issuance of such securities, the other incurrence of obligations, the facilities and other properties pertaining thereto, and the levy, collection and use of general (ad valorem) property taxes, special assessments, rates, tolls, charges, excise taxes and other revenues, and pledges and liens relating thereto; otherwise concerning powers, rights, privileges, immunities, liabilities, duties, disabilities, limitations and other details in connection therewith; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 244.400 is hereby amended to read as follows:  
2 244.400 1. If upon the returns of the election, which returns are  
3 required to be made to the county commissioners, it is shown that a  
4 majority of the persons voting at the election were in favor of the issuance  
5 of bonds for the purpose or purposes set out in the notice of the election,  
6 then the county commissioners shall proceed to have prepared and issued  
7 bonds in a sum not to exceed the amount set out in the notice of the elec-  
8 tion, designating the purpose of the bonds.  
9 2. In no case shall the bonds provide for interest in excess of [8] 9  
10 percent per annum, and the bonds shall not run for a period of more than  
11 20 years. The bonds shall provide that the faith and credit of the county  
12 issuing the same shall be pledged to the redemption of such bonds.

1 3. When issued as herein provided, the bonds, or as many thereof as  
2 may be necessary to carry out the requirements of the election so had,  
3 shall be sold and the proceeds thereof placed in the county treasury in a  
4 special fund to be designated by the county commissioners.

5 SEC. 2. NRS 244.484 is hereby amended to read as follows:

6 244.484 Any person filing a written complaint, protest or objection  
7 as provided in NRS 244.483 shall have the right, within 60 days after  
8 the board of county commissioners has finally passed on such complaint,  
9 protest or objection by resolution, [as provided in subsection 3 of NRS  
10 244.483, or by ordinance as provided in subsection 1 of NRS 244.487,]  
11 to commence an action or suit in any court of competent jurisdiction to  
12 correct or set aside such determination; but thereafter all actions or suits  
13 attacking the validity of the proceedings and the existence of special bene-  
14 fits shall be perpetually barred.

15 SEC. 3. NRS 244.494 is hereby amended to read as follows:

16 244.494 1. For the purpose of paying any contractor or otherwise  
17 defraying any costs of the street beautification project as they become due  
18 from time to time until moneys are available therefor from the levy and  
19 collection of assessments and any issuance of bonds, the board of county  
20 commissioners may issue interim warrants.

21 2. Any interim warrants issued for any construction work:

22 (a) Shall be issued only upon estimates of the engineer.

23 (b) Shall bear such date or dates, shall mature in such denomination  
24 or denominations at such time or times, or at any time upon call, shall  
25 bear interest at a rate or rates not exceeding [8] 9 percent per annum,  
26 and shall be payable in such medium or payment at such place or places  
27 within and without the state, including but not limited to the county  
28 treasurer, as the board may determine.

29 (c) May be issued with privileges for registration for payment as to  
30 principal only, or as to both principal and interest, may be negotiable or  
31 nonnegotiable, may be general obligations for the payment of which the  
32 board pledges the full faith and credit of the county, or may be special  
33 obligations payable from designated special assessments, any bond pro-  
34 ceeds, and any other moneys designated to be available for the redemp-  
35 tion of such interim warrants, and generally shall be issued in such  
36 manner, in such form, with such recitals, terms, covenants and conditions,  
37 and with such other details, as may be provided by the board by ordi-  
38 nance.

39 SEC. 4. NRS 244.501 is hereby amended to read as follows:

40 244.501 1. Upon receiving the assessment roll, the board of county  
41 commissioners, by resolution, shall:

42 (a) Fix a time and place when and where complaints, protests and  
43 objections that may be made in writing or verbally concerning the assess-  
44 ment roll, by the owner of any tract or any person interested, may be  
45 heard.

46 (b) Order the county clerk to give notice of the hearing.

47 2. The county clerk shall give notice by publication and by registered  
48 or certified mail of the time and place of such hearing, which notice shall  
49 also state:

50 (a) That the assessment roll is on file in his office.

1 (b) The date of filing the same.

2 (c) The time and place when and where the board will hear all com-  
3 plaints, protests and objections that may be made in writing or verbally to  
4 the assessment roll and to the proposed assessments by the persons  
5 thereby aggrieved.

6 (d) That any complaint, protest or objection to the regularity, validity  
7 and correctness of the proceedings, of the assessment roll, of each assess-  
8 ment contained therein, and of the amount thereof levied on each tract,  
9 shall be deemed waived unless filed in writing with the county clerk at  
10 least 3 days prior to the assessment hearing.

11 SEC. 5. NRS 244.503 is hereby amended to read as follows:

12 244.503 1. After the assessment roll is in final form, the board of  
13 county commissioners by resolution or ordinance shall, by reference to  
14 such assessment roll as so modified, if modified, and as confirmed by such  
15 resolution or ordinance, levy the assessments in the roll.

16 2. Written notice of the levy of assessment shall be given by [regis-  
17 tered or certified] mail to the owners of all property upon which the  
18 assessment was levied.

19 3. Such decision, resolution or ordinance shall be a final determina-  
20 tion of the regularity, validity and correctness of the proceedings, of the  
21 assessment roll, of each assessment contained therein, and of the amount  
22 thereof levied on each tract and parcel of land.

23 4. Such determination by the board shall be conclusive upon the  
24 owners of the property assessed.

25 5. The roll, when endorsed by the county clerk as the roll designated  
26 in the assessment resolution or ordinance, shall be prima facie evidence in  
27 all courts and tribunals of the regularity of all proceedings preliminary to  
28 the making thereof and the validity of the assessments and the assessment  
29 roll.

30 SEC. 6. NRS 244.522 is hereby amended to read as follows:

31 244.522 1. The board of county commissioners shall likewise have  
32 power to issue negotiable coupon bonds in an amount not exceeding that  
33 portion of the cost of any street beautification project which the board  
34 has determined to defray from special assessments.

35 2. Any ordinance pertaining to the sale, issuance or payment of bonds  
36 or other securities of the county (or any combination thereof) may:

37 (a) Be adopted as if an emergency existed. The declaration, if any, of  
38 the board of county commissioners, in any ordinance that it is such an  
39 ordinance is conclusive in the absence of fraud or gross abuse of dis-  
40 cretion.

41 (b) Become effective at any time when an emergency ordinance of the  
42 county may go into effect.

43 (c) Be adopted by not less than two-thirds of all the voting members  
44 of the board of county commissioners (excluding from any such compu-  
45 tation any vacancy on the board).

46 SEC. 7. NRS 244.524 is hereby amended to read as follows:

47 244.524 1. Any bonds issued pursuant to NRS 244.446 to 244.537,  
48 inclusive, may be sold in such manner as may be approved by the board  
49 of county commissioners to defray the cost of the street beautification

1 project, including all proper incidental expenses, but not including any  
2 operation and maintenance expenses.

3 2. Bonds shall first be offered at a public sale and if no satisfactory  
4 bid is then received, such bonds may be sold at private sale:

5 (a) For not less than the principal amount thereof and accrued interest  
6 thereon; or

7 (b) At the option of the board, below par at a discount not exceeding  
8 ~~8~~ 9 percent of the principal amount thereof and at a price which will  
9 not result in a net interest cost to the county of more than ~~8~~ 9 percent  
10 per annum computed to maturity according to standard tables of bond  
11 values if the maximum or any lesser amount of discount permitted by  
12 the board has been capitalized as a cost of the project.

13 3. The board may employ legal, fiscal, engineering and other expert  
14 services in connection with any street beautification project authorized in  
15 NRS 244.446 to 244.537, inclusive, and the authorization, issuance and  
16 sale of bonds.

17 4. Any accrued interest and any premium shall be applied to the  
18 payment of the interest on or the principal of the bonds, or both interest  
19 and principal.

20 5. Any unexpended balance of such bond proceeds remaining after  
21 the completion of the project for which such bonds were issued shall be  
22 paid immediately into the fund created for the payment of the principal  
23 of the bonds and shall be used therefor, subject to the provisions as to  
24 the times and methods for their payment as stated in the bonds and the  
25 proceedings authorizing their issuance.

26 6. The validity of the bonds shall not be dependent on or affected by  
27 the validity or regularity of any proceedings relating to the acquisition  
28 or improvement of the project for which the bonds are issued.

29 7. The purchaser or purchasers of the bonds shall in no manner be  
30 responsible for the application of the proceeds of the bonds by the county  
31 or any of its officers, agents and employees.

32 8. The board may enter into a contract to sell special assessment  
33 bonds at any time; but, any other provisions of NRS 244.446 to 244.537,  
34 inclusive, notwithstanding, if the board so contracts before it awards a  
35 construction contract or otherwise contracts for acquiring or improving  
36 the project, the board may terminate the contract to sell the bonds, if:

37 (a) Before awarding of the construction contract or otherwise contract-  
38 ing for the acquisition or improvement of the project, it determines not  
39 to acquire or improve the project; and

40 (b) It has not elected to proceed under subsection 2 of NRS 244.488,  
41 but has elected to proceed under subsection 1 of NRS 244.488.

42 9. If the board ceases to have jurisdiction to proceed, because the  
43 owners of more than one-half of the assessed valuation to be assessed, or  
44 of such frontage, area, zone or other assessment basis (or combination  
45 thereof), file written complaints, protests and objections to the project,  
46 as provided in NRS 244.482, or for any other reason, any contract to  
47 sell special assessment bonds shall thereupon be terminated and inoper-  
48 ative.

1     **SEC. 8. NRS 244.531 is hereby amended to read as follows:**  
2     244.531 Assessment bonds shall not bear interest at a rate or rates  
3 exceeding **[8]** 9 percent per annum.

4     **SEC. 9. NRS 244.532 is hereby amended to read as follows:**

5     244.532 1. Any assessment bonds:

6       (a) Shall bear such date or dates;

7       (b) Shall mature in such denomination or denominations at such time  
8 or times, but in no event exceeding 20 years from their date;

9       (c) Shall bear such interest, which may be evidenced by one or two  
10 sets of coupons, payable annually or semiannually, except that the first  
11 coupon or coupons on any bond may represent interest for any period not  
12 in excess of 1 year;

13       (d) Shall be payable in such medium of payment at such place or  
14 places within and without the state, including but not limited to the office  
15 of the county treasurer; and

16       (e) At the option of the board of county commissioners, may be made  
17 subject to prior redemption in advance of maturity, in such order or by  
18 lot or otherwise, at such time or times, without or with the payment of  
19 such premium or premiums not exceeding **[5]** 9 percent of the principal  
20 amount of each bond so redeemed,  
21 as provided by ordinance.

22     2. Bonds may be issued with privileges for registration for payment as  
23 to principal, or both principal and interest, and where interest accruing on  
24 the bonds is not represented by interest coupons, the bonds may provide  
25 for the endorsing of payments of interest thereon. The bonds generally  
26 shall be issued in such manner, in such form, with such recitals, terms,  
27 covenants and conditions, with such provisions for conversion into bonds  
28 of other denominations, and with such other details, as may be provided  
29 by the board of county commissioners in the ordinance or ordinances  
30 authorizing the bonds, except as otherwise provided in NRS 244.446 to  
31 244.537, inclusive.

32     3. Except for payment provisions expressly provided in NRS 244.446  
33 to 244.537, inclusive, the bonds shall be fully negotiable within the mean-  
34 ing of and for all the purposes of the Uniform Commercial Code—Invest-  
35 ment Securities.

36     4. Any bond shall be executed in the name of and on behalf of the  
37 county and signed by the chairman of the board of county commissioners,  
38 countersigned by the county treasurer, with the seal of the county affixed  
39 thereto and attested by the county clerk.

40     5. Except for such bonds as are registrable for payment of interest,  
41 interest coupons payable to bearer shall be attached to the bonds and  
42 shall bear the original or facsimile signature of the county treasurer.

43     6. Any of such officers, after filing with the secretary of state his man-  
44 ual signature certified by him under oath, may execute or cause to be  
45 executed with a facsimile signature in lieu of his manual signature any  
46 bond authorized by NRS 244.446 to 244.537, inclusive, but at least one  
47 signature required or permitted to be placed thereon shall be manually  
48 subscribed, and his facsimile signature has the same legal effect as his  
49 manual signature.

50     7. The county clerk may cause the seal of the county to be printed,

1 engraved, stamped or otherwise placed in facsimile on any bond. The fac-  
2 simile seal has the same legal effect as the impression of the seal.

3 8. The bonds and coupons, bearing the signatures of the officers in  
4 office at the time of the signing thereof, shall be the valid and binding  
5 obligations of the county, notwithstanding that before the delivery thereof  
6 and payment therefor, any or all persons whose signatures appear thereon  
7 have ceased to fill their respective offices.

8 9. Any officer authorized or permitted to sign any bond, at the time  
9 of its execution and of the execution of a signature certificate, may adopt  
10 as and for his own facsimile signature the facsimile signature of his pred-  
11 ecessor in office if such facsimile signature appears upon the bond or  
12 coupons pertaining thereto, or upon both the bond and such coupons.

13 SEC. 10. NRS 244.875 is hereby amended to read as follows:

14 244.875 Any person filing a written complaint, protest or objection  
15 as provided in NRS 244.874, shall have the right, within [60] 30 days  
16 after the board has finally passed on such complaint, protest or objection  
17 by resolution, [as provided in subsection 3 of NRS 244.874, or by ordi-  
18 nance as provided in subsection 1 of NRS 244.877,] to commence an  
19 action or suit in any court of competent jurisdiction to correct or set aside  
20 such determination, but thereafter all actions or suits attacking the valid-  
21 ity of the proceedings and the amount of benefits shall be perpetually  
22 barred.

23 SEC. 11. NRS 244.883 is hereby amended to read as follows:

24 244.883 1. For the purpose of paying any contractor or otherwise  
25 defraying any costs of the project as the same become due from time to  
26 time until moneys are available therefor from the levy and collection of  
27 assessments and any issuance of bonds, the board may issue interim war-  
28 rants.

29 2. Any interim warrants issued for any construction work shall be  
30 issued only upon estimates of the engineer.

31 3. Any interim warrants shall bear such date or dates, shall mature in  
32 such denomination or denominations at such time or times, or at any  
33 time upon call, shall bear interest at a rate or rates not exceeding [8] 9  
34 percent per annum, and shall be payable in such medium of payment at  
35 such place or places within and without the state, including but not limited  
36 to the county treasurer, as the board may determine.

37 4. Any interim warrants may be issued with privileges for registra-  
38 tion for payment as to principal only, or as to both principal and interest,  
39 may be negotiable or nonnegotiable, may be general obligations for the  
40 payment of which the board pledges the full faith and credit of the  
41 county, or may be special obligations payable from designated special  
42 assessments, any bond proceeds, and any other moneys designated to be  
43 available for the redemption of such interim warrants, and generally  
44 shall be issued in such manner, in such form, with such recitals, terms,  
45 covenants and conditions, and with such other details, as may be pro-  
46 vided by the board by ordinance.

47 SEC. 12. NRS 244.888 is hereby amended to read as follows:

48 244.888 1. Upon receiving the assessment roll, the board, by resolu-  
49 tion, shall:

50 (a) Fix a time and place when and where complaints, protests and

1 objections that may be made in writing or verbally concerning the same,  
2 by the owner of any tract or any person interested, may be heard.

3 (b) Order the clerk to give notice of the hearing.

4 2. The clerk shall give notice by publication and by *registered or*  
5 *certified* mail of the time and place of such hearing, which notice shall  
6 also state:

7 (a) That the assessment roll is on file in his office.

8 (b) The date of filing the same.

9 (c) The time and place when and where the board will hear all com-  
10 plaints, protests and objections that may be made in writing or verbally  
11 to the assessment roll and to the proposed assessments by the parties  
12 thereby aggrieved.

13 (d) That any complaint, protest or objection to the regularity, validity  
14 and correctness of the proceedings, of the assessment roll, of each assess-  
15 ment contained therein, and of the amount thereof levied on each tract,  
16 shall be deemed waived unless filed in writing with the clerk at least 3  
17 days prior to the assessment hearing.

18 SEC. 13. NRS 244.890 is hereby amended to read as follows:

19 244.890 1. After the assessment roll is in final form and is so con-  
20 firmed by resolution, the county by ordinance shall, by reference to such  
21 assessment roll as so modified, if modified, and as confirmed by such res-  
22 olution, levy the assessments in the roll.

23 2. Written notice of the levy of assessment shall be given by [regis-  
24 tered or certified] mail to the owners of all property upon which the  
25 assessment was levied.

26 3. Such decision, resolution and ordinance shall be a final determina-  
27 tion of the regularity, validity and correctness of the proceedings, of the  
28 assessment roll, of each assessment contained therein, and of the amount  
29 thereof levied on each tract and parcel of land.

30 4. Such determination by the board shall be conclusive upon the own-  
31 ers of the property assessed.

32 5. The roll, when endorsed by the clerk as the roll designated in the  
33 assessment ordinance, shall be prima facie evidence in all courts and tri-  
34 bunals of the regularity of all proceedings preliminary to the making  
35 thereof and the validity of the assessments and the assessment roll.

36 SEC. 14. NRS 244.893 is hereby amended to read as follows:

37 244.893 1. All assessments made in pursuance of the assessment  
38 ordinance shall be due and payable without demand within 30 days after  
39 the effective date of the assessment ordinance.

40 2. All such assessments may at the election of the owner be paid in  
41 installments with interest as hereinafter provided, whenever the board so  
42 authorizes the payment of assessments.

43 3. Failure to pay the whole assessment within such period of 30 days  
44 shall be conclusively considered and held an election on the part of all  
45 persons interested, whether under disability or otherwise, to pay in install-  
46 ments the amount of the assessment then unpaid.

47 4. All persons so electing to pay in installments shall be conclusively  
48 considered and held as consenting to such projects, and such election shall  
49 be conclusively considered and held as a waiver of any and all rights to  
50 question the power or jurisdiction of the county to acquire or improve the

1 projects, the quality of the work, the regularity or sufficiency of the pro-  
2 ceedings or the validity or correctness of the assessment.

3\* 5. The owner of any tract assessed may at any time pay the whole  
4 unpaid principal with the interest accrued to the next interest payment  
5 date, together with penalties, if any. The board may require in the assess-  
6 ment ordinance the payment of a premium for any such prepayment not  
7 exceeding [9] 10 percent of the installment or installments of principal  
8 so prepaid.

9 6. Subject to the foregoing provisions, all installments, both of prin-  
10 cipal and interest, shall be payable at such times as may be determined  
11 in and by the assessment ordinance.

12 7. The clerk shall give notice by publication or by mail of the levy of  
13 any assessment, of the fact that it is payable, and of the last day for its  
14 payment as herein provided.

15 SEC. 15. NRS 244.895 is hereby amended to read as follows:

16 244.895 1. In case of such election to pay in installments, the assess-  
17 ment shall be payable in not less than two nor more than 20 substantially  
18 equal annual installments, or not less than four nor more than 40 sub-  
19 stantially equal semiannual installments, or not less than eight nor more  
20 than 80 quarter-annual installments of principal.

21 2. Interest in all cases on the unpaid principal accruing from the  
22 effective date of the assessment ordinance until the respective install-  
23 ments' due dates shall be payable annually, or semiannually, or quarter-  
24 annually, at a rate or rates not exceeding [9] 10 percent per annum.

25 3. Nothing herein contained shall be construed as limiting the dis-  
26 cretion of the board in determining whether assessments shall be payable  
27 in installments and the time the first installment of principal or interest,  
28 or both, and any subsequent installments thereof, shall become due.

29 4. The board in the assessment ordinance shall state the number of  
30 installments in which assessments may be paid, the period of payment,  
31 the rate or rates of interest upon the unpaid installments of principal to  
32 their respective due dates, any privileges of making prepayments and any  
33 premium to be paid to the county for exercising any such privilege, the  
34 rate of interest upon unpaid principal and accrued interest after any  
35 delinquency at a rate not exceeding 1 percent per month, and any penal-  
36 ties and collection costs payable after delinquency.

37 5. The county treasurer shall give notice by publication or by mail  
38 of any installment which is payable and of the last day for its payment  
39 as provided herein and in the assessment ordinance.

40 SEC. 16. NRS 244.907 is hereby amended to read as follows:

41 244.907 1. The board shall likewise have power to issue negotiable  
42 coupon bonds in an amount not exceeding the total unpaid assessments  
43 levied to pay the cost of any project, howsoever acquired, as hereinafter  
44 provided.

45 2. Any ordinance pertaining to the sale, issuance or payment of bonds  
46 or other securities of the county (or any combination thereof) may:

47 (a) Be adopted as if an emergency existed. The declaration of the  
48 board, if any, in any ordinance that it is such an ordinance is conclusive  
49 in the absence of fraud or gross abuse of discretion.



1 (b) Become effective at any time when an emergency ordinance of the  
2 county may go into effect.

3 (c) Be adopted by not less than two-thirds of all the voting members  
4 of the board (excluding from any such computation any vacancy on the  
5 board).

6 SEC. 17. NRS 244.909 is hereby amended to read as follows:

7 244.909 1. Any bonds issued pursuant hereto may be sold in such  
8 manner as may be approved by the board to defray the cost of the project,  
9 including all proper incidental expenses.

10 2. Bonds shall first be offered at a public sale and if no satisfactory  
11 bid is then received, such bonds may be sold at private sale for not less  
12 than the principal amount thereof and accrued interest thereon, or, at the  
13 option of the board, below par at a discount not exceeding ~~8~~ 9 percent  
14 of the principal amount thereof and at a price which will not result in an  
15 effective interest rate of more than ~~8~~ 9 percent per annum if the maxi-  
16 mum or any lesser amount of discount permitted by the board shall have  
17 been capitalized as a cost of the project.

18 3. No bond interest rate shall at any time exceed the interest rate (or  
19 lower or lowest rate if more than one) borne by the special assessments,  
20 but any such bond interest rate may be the same as or less than any  
21 assessment interest rate, subject to the aforesaid limitation, as the board  
22 may determine.

23 4. The board may employ legal, fiscal, engineering and other expert  
24 services in connection with any project herein authorized and the author-  
25 ization, issuance and sale of bonds.

26 5. Any accrued interest and any premium shall be applied to the pay-  
27 ment of the interest on or the principal of the bonds, or both interest and  
28 principal.

29 6. Any unexpended balance of such bond proceeds remaining after  
30 the completion of the project for which such bonds were issued shall be  
31 paid immediately into the fund created for the payment of the principal  
32 of the bonds and shall be used therefor, subject to the provisions as to  
33 the times and methods for their payment as stated in the bonds and the  
34 proceedings authorizing their issuance.

35 7. The validity of the bonds shall not be dependent on nor affected  
36 by the validity or regularity of any proceedings relating to the acquisition  
37 or improvement of the project for which the bonds are issued.

38 8. The purchaser or purchasers of the bonds shall in no manner be  
39 responsible for the application of the proceeds of the bonds by the county  
40 or any of its officers, agents and employees.

41 9. The board may enter into a contract to sell special assessment  
42 bonds at any time; but, any other provisions hereof notwithstanding, if  
43 the board so contracts before it awards a construction contract or other-  
44 wise contracts for acquiring or improving the project, the board may  
45 terminate the contract to sell the bonds, if, before the awarding of the  
46 construction contract or otherwise contracting for the acquisition or  
47 improvement of the project, it determines not to acquire or improve the  
48 project, and if the board has not elected to proceed under subsection 2  
49 or 3 of NRS 244.878, but has elected to proceed under subsection 1  
50 thereof.

1 10: If the board ceases to have jurisdiction to proceed, because the  
2 owners of more than one-half of the frontage to be assessed, or of such  
3 area, zone or other assessment basis, file written complaints, protests and  
4 objections to the project, as provided in NRS 244.873, or for any other  
5 reason, any contract to sell special assessment bonds shall thereupon be  
6 terminated and inoperative.

7 SEC. 18. NRS 244.914 is hereby amended to read as follows:

8 244.914 Assessment bonds shall not bear interest at a rate or rates  
9 exceeding ~~8~~ 9 percent per annum.

10 SEC. 19. NRS 244.915 is hereby amended to read as follows:

11 244.915 1. Any assessment bonds:

12 (a) Shall bear such date or dates;

13 (b) Shall mature in such denomination or denominations at such time  
14 or times, but in no event commencing later than 1 year nor exceeding 20  
15 years from their date;

16 (c) Shall bear interest which may be evidenced by one or two sets of  
17 coupons, payable annually or semiannually, except that the first coupon  
18 or coupons on any bond may represent interest for any period not in  
19 excess of 1 year;

20 (d) Shall be payable in such medium of payment at such place or  
21 places within and without the state, including but not limited to the  
22 office of the county treasurer; and

23 (e) At the option of the board, may be made subject to prior redemp-  
24 tion in advance of maturity, in such order or by lot or otherwise, at such  
25 time or times, without or with the payment of such premium or premiums  
26 not exceeding ~~8~~ 9 percent of the principal amount of each bond so  
27 redeemed,  
28 as provided by ordinance.

29 2. Bonds may be issued with privileges for registration for payment  
30 as to principal, or both principal and interest, and where interest accru-  
31 ing on the bonds is not represented by interest coupons, the bonds may  
32 provide for the endorsing of payments of interest thereon; and the bonds  
33 generally shall be issued in such manner, in such form, with such recitals,  
34 terms, covenants and conditions, with such provisions for conversion into  
35 bonds of other denominations, and with such other details, as may be  
36 provided by the board in the ordinance or ordinances authorizing the  
37 bonds, except as herein otherwise provided.

38 3. Pending preparations of the definitive bonds, interim or temporary  
39 bonds, in such form and with such provisions as the board may determine,  
40 may be issued.

41 4. Except for payment provisions herein expressly provided, the  
42 bonds, any interest coupons thereto attached, and such interim or tempo-  
43 rary bonds shall be fully negotiable within the meaning of and for all the  
44 purposes of the Negotiable Instruments Law and the Uniform Commercial  
45 Code—Investment Securities.

46 5. Notwithstanding any other provisions of law, the board, in any  
47 proceedings authorizing bonds hereunder, may:

48 (a) Provide for the initial issuance of one or more bonds (in this sub-  
49 section 5 called "bond") aggregating the amount of the entire issue or any  
50 portion thereof.

1 (b) Make such provision for installment payments of the principal  
2 amount of any such bond as it may consider desirable.

3 (c) Provide for the making of any such bond payable to bearer or  
4 otherwise, registrable as to principal, or as to both principal and interest,  
5 and where interest accruing thereon is not represented by interest cou-  
6 pons, for the endorsing of payments of interest on such bond.

7 (d) Make provision in any such proceedings for the manner and cir-  
8 cumstances in and under which any such bond may in the future, at the  
9 request of the holder thereof, be converted into bonds of larger or smaller  
10 denominations, which bonds of larger or smaller denominations may in  
11 turn be either coupon bonds or bonds registrable as to principal, or both  
12 principal and interest, or either, at the option of the holder.

13 6. Any bonds may be issued hereunder with provisions for their reis-  
14 suance, and the terms and conditions thereof, whether lost, apparently  
15 destroyed, wrongfully taken, or for any other reason, as provided in the  
16 Uniform Commercial Code—Investment Securities, or otherwise.

17 7. Any bond shall be executed in the name of and on behalf of  
18 the county and signed by the chairman of the board, countersigned by the  
19 treasurer, with the seal of the county affixed thereto and attested by the  
20 clerk.

21 8. Except for such bonds which are registrable for payment of inter-  
22 est, interest coupons payable to bearer shall be attached to the bonds and  
23 shall bear the original or facsimile signature of the treasurer.

24 9. Any bond may be executed as provided in the Uniform Facsimile  
25 Signatures of Public Officials Act (and compliance therewith is not a  
26 condition precedent to the execution of any coupon with a facsimile sig-  
27 nature).

28 10. The bonds and coupons, bearing the signatures of the officers in  
29 office at the time of the signing thereof, shall be the valid and binding  
30 obligations of the county, notwithstanding that before the delivery thereof  
31 and payment therefor, any or all of the persons whose signatures appear  
32 thereon shall have ceased to fill their respective offices.

33 11. Any officer herein authorized or permitted to sign any bond, at  
34 the time of its execution and of the execution of a signature certificate,  
35 may adopt as and for his own facsimile signature the facsimile signa-  
36 ture of his predecessor in office in the event that such facsimile signature  
37 appears upon the bond or coupons pertaining thereto, or upon both the  
38 bond and such coupons.

39 SEC. 20. NRS 244.9202 is hereby amended to read as follows:

40 244.9202 1. The bonds shall:

41 (a) Be authorized by ordinance;

42 (b) Be in such denominations;

43 (c) Bear such date or dates;

44 (d) Mature at such time or times not exceeding 40 years from their  
45 respective dates;

46 (e) Bear such interest at a rate or rates not exceeding [8] 10 percent  
47 per annum;

48 (f) Be in such form;

49 (g) Carry such registration privileges;

50 (h) Be executed in such manner;

1 (i) Be payable at such place or places within or without the state; and  
2 (j) Be subject to such terms of redemption,  
3 as the authorizing ordinance may provide.

4 2. The bonds may be sold in one or more series at par, or below or  
5 above par, in such manner and for such price or prices as the county, in  
6 its discretion, shall determine. As an incidental expense of the project,  
7 the county, in its discretion, may employ financial and legal consultants in  
8 regard to the financing of the project.

9 3. The county may exchange all or a part of its bonds for all or an  
10 equivalent part of the project for which the bonds are issued, the exchange  
11 to be preceded by determination of the fair value of the project or part of  
12 the project exchanged for the bonds. Such determination shall be by ordi-  
13 nance and shall be conclusive.

14 4. The bonds shall be fully negotiable under the terms of the Uni-  
15 form Commercial Code—Investment Securities.

16 SEC. 21. NRS 267.510 is hereby amended to read as follows:

17 267.510 In the contracts, documents and other instruments designated  
18 in NRS 267.505, the governing body may:

19 1. Obligate the municipality to repay to the Federal Government the  
20 cost of the project undertaken by it for the municipality, including with-  
21 out limitation all incidental costs pertaining thereto, over a term of not  
22 exceeding 40 years commencing on any specified date in the calendar year  
23 next following the calendar year in which the project is completed or is  
24 estimated to be completed in any such contract between the municipality  
25 and the Federal Government, or in any other such document or any other  
26 such instrument, whichever period is later, and otherwise upon such terms  
27 and conditions and with such other provisions as the municipality and the  
28 Federal Government may provide, except as otherwise provided in NRS  
29 267.450 to 267.530, inclusive.

30 2. Obligate the municipality to pay to the Federal Government inter-  
31 est on the project cost, except to the extent an allowance is made in the  
32 project cost for interest during the period of construction or during any  
33 other period determined by the municipality and the Federal Government,  
34 at a rate or rates not exceeding [8] 9 percent per annum.

35 3. Obligate the municipality to operate and maintain the facilities  
36 resulting from the project or otherwise pertaining thereto, in such man-  
37 ner, upon such terms and conditions, and otherwise with such other pro-  
38 visions as the municipality and the Federal Government may provide.

39 4. Pledge the full faith and credit of the municipality for the pay-  
40 ment of the moneys due under such contracts, documents and other  
41 instruments.

42 5. Provide for the payment of such moneys as general obligations  
43 or special obligations of the municipality, or as general obligations of the  
44 municipality the payment of which is additionally secured by a pledge of  
45 revenues derived from any utility or other income-producing project of  
46 the municipality legally available therefor.

47 6. Otherwise pledge the full faith and credit of the municipality for  
48 the performance and observance of all covenants, conditions, limitations,  
49 promises and undertakings made or specified to be kept, observed or

1 fulfilled on the part of the municipality in any such contract with the  
2 Federal Government.

3 7. Exercise any combination of powers provided in NRS 267.450  
4 to 267.515, inclusive.

5 SEC. 22. NRS 268.534 is hereby amended to read as follows:

6 268.534 1. The bonds shall:

7 (a) Be authorized by ordinance;

8 (b) Be in such denominations;

9 (c) Bear such date or dates;

10 (d) Mature at such time or times not exceeding 40 years from their  
11 respective dates;

12 (e) Bear such interest at a rate or rates not exceeding **[8] 10 percent**  
13 per annum;

14 (f) Be in such form;

15 (g) Carry such registration privileges;

16 (h) Be executed in such manner;

17 (i) Be payable at such place or places within or without the state; and

18 (j) Be subject to such terms of redemption,

19 as the authorizing ordinance may provide.

20 2. The bonds may be sold in one or more series at par, or below or  
21 above par, in such manner and for such price or prices as the city, in its  
22 discretion, shall determine. As an incidental expense of the project, the  
23 city, in its discretion, may employ financial and legal consultants in regard  
24 to the financing of the project.

25 3. The city may exchange all or a part of its bonds for all or an  
26 equivalent part of the project for which the bonds are issued, the exchange  
27 to be preceded by determination of the fair value of the project or part of  
28 the project exchanged for the bonds. Such determination shall be by ordi-  
29 nance and shall be conclusive.

30 4. The bonds shall be fully negotiable under the terms of the Uniform  
31 Commercial Code—Investment Securities.

32 SEC. 23. NRS 271.315 is hereby amended to read as follows:

33 271.315 Any person filing a written complaint, protest or objection as  
34 provided in NRS 271.310, shall have the right, within **[60] 30 days** after  
35 the governing body has finally passed on such complaint, protest or objec-  
36 tion by resolution, **[as provided in subsection 3 of NRS 271.310, or by**  
37 **ordinance as provided in subsection 1 of NRS 271.325.]** to commence an  
38 action or suit in any court of competent jurisdiction to correct or set aside  
39 such determination, but thereafter all actions or suits attacking the validity  
40 of the proceedings and the amount of benefits shall be perpetually barred.

41 SEC. 24. NRS 271.355 is hereby amended to read as follows:

42 271.355 1. For the purpose of paying any contractor or otherwise  
43 defraying any costs of the project as the same become due from time to  
44 time until moneys are available therefor from the levy and collection of  
45 assessments and any issuance of bonds, the governing body may issue  
46 interim warrants.

47 2. Any interim warrants issued for any construction work shall be  
48 issued only upon estimates of the engineer.

1 3. Any interim warrants shall bear such date or dates, shall mature  
2 in such denomination or denominations at such time or times, or at any  
3 time upon call, shall bear interest at a rate or rates not exceeding [8] ~~9~~  
4 percent per annum, and shall be payable in such medium of payment, at  
5 such place or places within and without the state, including but not limited  
6 to the county treasurer, as the governing body may determine.

7 4. Any interim warrants may be issued with privileges for registra-  
8 tion for payment as to principal only, or as to both principal and interest,  
9 may be negotiable or nonnegotiable, may be general obligations for the  
10 payment of which the governing body pledges the full faith and credit of  
11 the municipality, or may be special obligations payable from designated  
12 special assessments, any bond proceeds, and any other moneys desig-  
13 nated to be available for the redemption of such interim warrants, and  
14 generally shall be issued in such manner, in such form, with such recitals,  
15 terms, covenants and conditions, and with such other details, as may be  
16 provided by the governing body by ordinance.

17 SEC. 25. NRS 271.380 is hereby amended to read as follows:

18 271.380 1. Upon receiving the assessment roll, the governing body,  
19 by resolution, shall:

20 (a) Fix a time and place when and where complaints, protests and  
21 objections that may be made in writing or verbally concerning the same,  
22 by the owner of any tract or any person interested, may be heard.

23 (b) Order the clerk of the municipality to give notice of the hearing.

24 2. The clerk of the municipality shall give notice by publication and  
25 by *registered or certified* mail of the time and place of such hearing, which  
26 notice shall also state:

27 (a) That the assessment roll is on file in his office.

28 (b) The date of filing the same.

29 (c) The time and place when and where the governing body will hear  
30 all complaints, protests and objections that may be made in writing or  
31 verbally to the assessment roll and to the proposed assessments by the  
32 parties thereby aggrieved.

33 (d) That any complaint, protest or objection to the regularity, validity  
34 and correctness of the proceedings, of the assessment roll, of each  
35 assessment contained therein, and of the amount thereof levied on each  
36 tract, shall be deemed waived unless filed in writing with the clerk of the  
37 municipality at least 3 days prior to the assessment hearing.

38 SEC. 26. NRS 271.390 is hereby amended to read as follows:

39 271.390 1. After the assessment roll is in final form and is so con-  
40 firmed by resolution, the municipality by ordinance shall, by reference to  
41 such assessment roll as so modified, if modified, and as confirmed by such  
42 resolution, levy the assessments in the roll.

43 2. Written notice of the levy of assessment shall be given by [regis-  
44 tered or certified] mail to the owners of all the property upon which the  
45 assessment was levied.

46 3. Such decision, resolution and ordinance shall be a final determina-  
47 tion of the regularity, validity and correctness of the proceedings, of the  
48 assessment roll, of each assessment contained therein, and of the amount  
49 thereof levied on each tract and parcel of land.

1 4. Such determination by the governing body shall be conclusive upon  
2 the owners of the property assessed.

3 5. The roll, when endorsed by the clerk as the roll designated in the  
4 assessment ordinance, shall be prima-facie evidence in all courts and tri-  
5 bunals of the regularity of all proceedings preliminary to the making  
6 thereof and the validity of the assessments and the assessment roll.

7 SEC. 27. NRS 271.405 is hereby amended to read as follows:

8 271.405 1. All assessments made in pursuance of the assessment  
9 ordinance shall be due and payable without demand within 30 days after  
10 the effective date of the assessment ordinance.

11 2. All such assessments may at the election of the owner be paid in  
12 installments with interest as hereinafter provided, whenever the governing  
13 body so authorizes the payment of assessments.

14 3. Failure to pay the whole assessment within such period of 30 days  
15 shall be conclusively considered and held an election on the part of all  
16 persons interested, whether under disability or otherwise, to pay in install-  
17 ments the amount of the assessment then unpaid.

18 4. All persons so electing to pay in installments shall be conclusively  
19 considered and held as consenting to such projects, and such election shall  
20 be conclusively considered and held as a waiver of any and all rights to  
21 question the power or jurisdiction of the municipality to acquire or  
22 improve the projects, the quality of the work, the regularity or sufficiency  
23 of the proceedings or the validity or correctness of the assessment.

24 5. The owner of any tract assessed may at any time pay the whole  
25 unpaid principal with the interest accrued to the next interest payment  
26 date, together with penalties, if any. The governing body may require in  
27 the assessment ordinance the payment of a premium for any such pre-  
28 payment not exceeding [9] 10 percent of the installment or installments  
29 of principal so prepaid.

30 6. Subject to the foregoing provisions, all installments, both of prin-  
31 cipal and interest, shall be payable at such times as may be determined  
32 in and by the assessment ordinance.

33 7. The clerk shall give notice by publication or by mail of the levy of  
34 any assessment, of the fact that it is payable, and of the last day for its  
35 payment as herein provided.

36 SEC. 28. NRS 271.415 is hereby amended to read as follows:

37 271.415 1. In case of such election to pay in installments, the assess-  
38 ment shall be payable in not less than two nor more than 20 substantially  
39 equal annual installments, or not less than four nor more than 40 sub-  
40 stantially equal semiannual installments, or not less than eight nor more  
41 than 80 quarter-annual installments of principal.

42 2. Interest in all cases on the unpaid principal accruing from the  
43 effective date of the assessment ordinance until the respective installments'  
44 due dates shall be payable annually, or semiannually, or quarter-annually,  
45 at a rate or rates not exceeding [9] 10 percent per annum.

46 3. Nothing herein contained shall be construed as limiting the discre-  
47 tion of the governing body in determining whether assessments shall be  
48 payable in installments and the time the first installment of principal or  
49 interest, or both, and any subsequent installments thereof, shall become  
50 due.



1 4. The governing body in the assessment ordinance shall state the  
2 number of installments in which assessments may be paid, the period  
3 of payment, the rate or rates of interest upon the unpaid installments of  
4 principal to their respective due dates, any privileges of making pre-  
5 payments and any premium to be paid to the municipality for exercising  
6 any such privilege, the rate of interest upon unpaid principal and accrued  
7 interest after any delinquency at a rate not exceeding 1 percent per month,  
8 and any penalties and collection costs payable after delinquency.

9 5. The county or municipal officer who has been directed by the  
10 governing body to collect assessments shall give notice by publication or  
11 by mail of any installment which is payable and of the last day for its  
12 payment as provided herein and in the assessment ordinance.

13 SEC. 29. NRS 271.475 is hereby amended to read as follows:

14 271.475 1. The governing body shall likewise have power to issue  
15 negotiable coupon bonds in an amount not exceeding the total unpaid  
16 assessments levied to pay the cost of any project, howsoever acquired, as  
17 hereinafter provided.

18 2. Any ordinance pertaining to the sale, issuance or payment of bonds  
19 or other securities of the municipality (or any combination thereof) may:

20 (a) Be adopted as if an emergency existed. The declaration of the gov-  
21 erning body, if any, is conclusive in the absence of fraud or gross abuse  
22 of discretion.

23 (b) Become effective at any time when an emergency ordinance of the  
24 municipality may go into effect.

25 (c) Be adopted by not less than three-fifths of all of the voting members  
26 of the governing body (excluding from any such computation any vacancy  
27 on the governing body and any member thereon who may vote only to  
28 break a tie vote).

29 SEC. 30. NRS 271.485 is hereby amended to read as follows:

30 271.485 1. Any bonds issued pursuant hereto may be sold in such  
31 manner as may be approved by the governing body to defray the cost of  
32 the project, including all proper incidental expenses.

33 2. Bonds shall first be offered at a public sale, and if no satisfactory  
34 bid is then received, such bonds may be sold at private sale for not  
35 less than the principal amount thereof and accrued interest thereon, or,  
36 at the option of the governing body, below par at a discount not exceed-  
37 ing [8] 9 percent of the principal amount thereof and at a price which  
38 will not result in an effective interest rate of more than [8] 9 percent per  
39 annum if the maximum or any lesser amount of discount permitted by the  
40 governing body shall have been capitalized as a cost of the project.

41 3. No bond interest rate shall at any time exceed the interest rate  
42 (or lower or lowest rate if more than one) borne by the special assess-  
43 ments, but any such bond interest rate may be the same as or less  
44 than any assessment interest rate, subject to the aforesaid limitation, as  
45 the governing body may determine.

46 4. The governing body may employ legal, fiscal, engineering and  
47 other expert services in connection with any project herein authorized  
48 and the authorization, issuance and sale of bonds.

49 5. Any accrued interest and any premium shall be applied to the



1 payment of the interest on or the principal of the bonds, or both interest  
2 and principal.

3 6. Any unexpended balance of such bond proceeds remaining after the  
4 completion of the project for which such bonds were issued shall be paid  
5 immediately into the fund created for the payment of the principal of the  
6 bonds and shall be used therefor, subject to the provisions as to the times  
7 and methods for their payment as stated in the bonds and the proceedings  
8 authorizing their issuance.

9 7. The validity of the bonds shall not be dependent on nor affected by  
10 the validity or regularity of any proceedings relating to the acquisition or  
11 improvement of the project for which the bonds are issued.

12 8. The purchaser or purchasers of the bonds shall in no manner be  
13 responsible for the application of the proceeds of the bonds by the munic-  
14 pality or any of its officers, agents and employees.

15 9. The governing body may enter into a contract to sell special assess-  
16 ment bonds at any time; but, any other provisions hereof notwithstanding,  
17 if the governing body so contracts before it awards a construction contract  
18 or otherwise contracts for acquiring or improving the project, the govern-  
19 ing body may terminate the contract to sell the bonds, if, before the  
20 awarding of the construction contract or otherwise contracting for the  
21 acquisition or improvement of the project, it determines not to acquire or  
22 improve the project, and if the governing body has not elected to proceed  
23 under subsection 2 or 3 of NRS 271.330, but has elected to proceed under  
24 subsection 1 thereof.

25 10. If the governing body ceases to have jurisdiction to proceed,  
26 because the owners of more than one-half of the frontage to be assessed,  
27 or of such area, zone or other assessment basis, file written complaints,  
28 protests and objections to the project, as provided in NRS 271.305, or for  
29 any other reason, any contract to sell special assessment bonds shall there-  
30 upon be terminated and inoperative.

31 SEC. 31. NRS 271.510 is hereby amended to read as follows:

32 271.510. Assessment bonds shall not bear interest at a rate or rates  
33 exceeding [8] 9 percent per annum.

34 SEC. 32. NRS 271.515 is hereby amended to read as follows:

35 271.515 1. Any assessment bonds:

36 (a) Shall bear such date or dates;

37 (b) Shall mature in such denomination or denominations at such time  
38 or times, but in no event commencing later than 1 year nor exceeding 20  
39 years from their date;

40 (c) Shall bear interest which may be evidenced by one or two sets of  
41 coupons, payable annually or semiannually, except that the first coupon or  
42 coupons on any bond may represent interest for any period not in excess  
43 of 1 year;

44 (d) Shall be payable in such medium of payment at such place or  
45 places within and without the state, including but not limited to the office  
46 of the county treasurer; and

47 (e) At the option of the governing body, may be made subject to prior  
48 redemption in advance of maturity, in such order or by lot or otherwise,  
49 at such time or times, without or with the payment of such premium or

- 1 premiums not exceeding [8] 9 percent of the principal amount of each  
2 bond so redeemed.  
3 as provided by ordinance.
- 4 2. Bonds may be issued with privileges for registration for payment as  
5 to principal, or both principal and interest, and where interest accruing on  
6 the bonds is not represented by interest coupons, the bonds may provide  
7 for the endorsing of payments of interest thereon; and the bonds generally  
8 shall be issued in such manner, in such form, with such recitals, terms,  
9 covenants and conditions, with such provisions for conversion into bonds  
10 of other denominations, and with such other details, as may be provided  
11 by the governing body in the ordinance or ordinances authorizing the  
12 bonds, except as herein otherwise provided.
- 13 3. Pending preparation of the definitive bonds, interim or temporary  
14 bonds, in such form and with such provisions as the governing body may  
15 determine, may be issued.
- 16 4. Except for payment provisions herein expressly provided, the  
17 bonds, any interest coupons thereto attached, and such interim or tempo-  
18 rary bonds shall be fully negotiable within the meaning of and for all the  
19 purposes of the Negotiable Instruments Law and the Uniform Commercial  
20 Code—Investment Securities.
- 21 5. Notwithstanding any other provisions of law, the governing body,  
22 in any proceedings authorizing bonds hereunder, may:
- 23 (a) Provide for the initial issuance of one or more bonds (in this sub-  
24 section 5 called "bond") aggregating the amount of the entire issue or any  
25 portion thereof.
- 26 (b) Make such provision for installment payments of the principal  
27 amount of any such bond as it may consider desirable.
- 28 (c) Provide for the making of any such bond payable to bearer or  
29 otherwise, registrable as to principal, or as to both principal and interest,  
30 and where interest accruing thereon is not represented by interest coupons,  
31 for the endorsing of payments of interest on such bond.
- 32 (d) Make provision in any such proceedings for the manner and cir-  
33 cumstances in and under which any such bond may in the future, at the  
34 request of the holder thereof, be converted into bonds of larger or smaller  
35 denominations, which bonds of larger or smaller denominations may in  
36 turn be either coupon bonds or bonds registrable as to principal, or both  
37 principal and interest, or either, at the option of the holder.
- 38 6. Any bonds may be issued hereunder with provisions for their reis-  
39 suance, and the terms and conditions thereof, whether lost, apparently  
40 destroyed, wrongfully taken, or for any other reason, as provided in the  
41 Uniform Commercial Code—Investment Securities, or otherwise.
- 42 7. Any bond shall be executed in the name of and on behalf of the  
43 municipality and signed by the mayor, chairman, or other presiding officer  
44 of the governing body, countersigned by the treasurer of the municipality,  
45 with the seal of the municipality affixed thereto and attested by the clerk.
- 46 8. Except for such bonds which are registrable for payment of inter-  
47 est, interest coupons payable to bearer shall be attached to the bonds and  
48 shall bear the original or facsimile signature of the treasurer.
- 49 9. Any bond may be executed as provided in the Uniform Facsimile

1 Signatures of Public Officials Act (and compliance therewith is not a con-  
2 dition precedent to the execution of any coupon with a facsimile signa-  
3 ture).

4 10. The bonds and coupons, bearing the signatures of the officers in  
5 office at the time of the signing thereof, shall be the valid and binding  
6 obligations of the municipality, notwithstanding that before the delivery  
7 thereof and payment therefor, any or all of the persons whose signatures  
8 appear thereon shall have ceased to fill their respective offices.

9 11. Any officer herein authorized or permitted to sign any bond, at  
10 the time of its execution and of the execution of a signature certificate,  
11 may adopt as and for his own facsimile signature the facsimile signa-  
12 ture of his predecessor in office in the event that such facsimile signature  
13 appears upon the bond or coupons pertaining thereto, or upon both the  
14 bond and such coupons.

15 SEC. 33. NRS 279.310 is hereby amended to read as follows:

16 279.310 1. A municipality shall have power to issue bonds from time  
17 to time in its discretion to finance the undertaking of any urban renewal  
18 project under NRS 279.010 to 279.380, inclusive, including, without  
19 limiting the generality thereof, the payment of principal and interest upon  
20 any advances for surveys and plans, and shall also have power to issue  
21 refunding bonds for the payment or retirement of such bonds previously  
22 issued by it. Such bonds shall be made payable, as to both principal and  
23 interest, solely from the income, proceeds, revenues and funds of the  
24 municipality derived from or held in connection with its undertaking and  
25 carrying out of urban renewal projects under NRS 279.010 to 279.380,  
26 inclusive. Payment of such bonds, both as to principal and interest, may  
27 be further secured by a pledge of any loan, grant or contribution from  
28 the Federal Government or other source, in aid of any urban renewal  
29 projects of the municipality under NRS 279.010 to 279.380, inclusive,  
30 and by a mortgage of any such urban renewal projects, or any part  
31 thereof, title to which is in the municipality.

32 2. Bonds issued under this section shall not constitute an indebtedness  
33 within the meaning of any constitutional or statutory debt limitation or  
34 restriction, and shall not be subject to the provisions of any other law or  
35 charter relating to the authorization, issuance or sale of bonds. Bonds  
36 issued under the provisions of NRS 279.010 to 279.380, inclusive, are  
37 declared to be issued for an essential public and governmental purpose  
38 and, together with interest thereon and income therefrom, shall be  
39 exempted from all taxes.

40 3. Bonds issued under this section shall be authorized by resolution or  
41 ordinance of the local governing body and may be issued in one or more  
42 series and shall bear such date or dates, be payable upon demand or  
43 mature at such time or times, bear interest at such rate or rates, not  
44 exceeding [8] 9 percent per annum, be in such denomination or denomi-  
45 nations, be in such form either coupon or registered, carry such conver-  
46 sion or registration privileges, have such rank or priority, be executed in  
47 such manner, be payable in such medium of payment, at such place or  
48 places, and be subject to such terms of redemption, with or without pre-  
49 mium, be secured in such manner, and have such other characteristics, as

1 may be provided by such resolution or trust indenture or mortgage issued  
2 pursuant thereto.

3 4. Such bonds may be sold at public sales held after notice published  
4 prior to such sale in a newspaper having a general circulation in the area  
5 of operation and in such other medium of publication as the municipality  
6 may determine, or may be exchanged for other bonds on the basis of par.  
7 Such bonds may be sold to the Federal Government at private sale and, in  
8 the event less than all of the authorized principal amount of such bonds is  
9 sold to the Federal Government, the balance may be sold at private sale at  
10 an interest cost to the municipality of not to exceed the interest cost to the  
11 municipality of the portion of the bonds sold to the Federal Government.

12 5. In case any of the public officials of the municipality whose signa-  
13 tures appear on any bonds or coupons issued under NRS 279.010 to  
14 279.380, inclusive, shall cease to be such officials before the delivery of  
15 such bonds, such signatures shall, nevertheless, be valid and sufficient for  
16 all purposes, the same as if such officials had remained in office until  
17 such delivery. Any provision of any law to the contrary notwithstanding,  
18 any bonds issued pursuant to NRS 279.010 to 279.380, inclusive, shall  
19 be fully negotiable.

20 6. In any suit, action or proceeding involving the validity or enforce-  
21 bility of any bond issued under NRS 279.010 to 279.380, inclusive, or  
22 the security therefor, any such bond reciting in substance that it has  
23 been issued by the municipality in connection with an urban renewal  
24 project shall be conclusively deemed to have been issued for such pur-  
25 pose and such project shall be conclusively deemed to have been planned,  
26 located and carried out in accordance with the provisions of NRS 279-  
27 010 to 279.380, inclusive.

28 SEC. 34. NRS 309.160 is hereby amended to read as follows:

29 309.160 For the purpose of organization, the board of directors (in  
30 this chapter sometimes merely designated "the board") may at any time,  
31 with the approval of the irrigation district bond commission, incur an  
32 indebtedness not exceeding in the aggregate the sum of \$5,000, nor in any  
33 event to exceed \$1 per acre, and may cause warrants of the district to  
34 issue therefor, bearing interest at not exceeding [8] 9 percent per annum,  
35 and the directors shall have the right and power to levy an assessment of  
36 not to exceed \$1 per acre on all lands in the district for the payment of  
37 such expenses. Thereafter, the directors shall have the right and power to  
38 levy an assessment, annually, in the absence of assessments therefor under  
39 any of the other provisions of this chapter, of not to exceed 20 cents  
40 per acre on all lands in the district for the payment of the ordinary and  
41 current expenses of the district, including the salaries of officers and  
42 other incidental expenses. Such assessments shall be collected as pro-  
43 vided in this chapter for the collection of other assessments.

44 SEC. 35. NRS 309.180 is hereby amended to read as follows:

45 309.180 1. No special election may be called for any of the purposes  
46 provided in this chapter until the board of directors of the district has sub-  
47 mitted to the irrigation district bond commission and the commission has  
48 approved the following:

- 49 (a) The proposed local improvement;  
50 (b) The estimated cost of the improvement;

1 (c) A report of a competent engineer; and

2 (d) The proposed method of financing the improvement.

3 2. The bonds authorized by vote shall be designated as a series, and  
4 the series shall be numbered consecutively as authorized. The portion of  
5 the bonds of the series authorized to be sold at any time shall be desig-  
6 nated as an issue and each issue shall be numbered in its order. The bonds  
7 of such issue shall be numbered consecutively commencing with those  
8 earliest falling due. They shall be negotiable in form and payable in money  
9 of the United States and in such amounts and maturing at such time or  
10 times, not exceeding 20 years, as the board of directors may prescribe.  
11 Interest coupons shall be attached thereto, and all bonds and coupons  
12 shall be dated on January 1 or July 1 next following the date of their  
13 authorization, and they shall bear interest at the rate of not to exceed [8]  
14 9 percent per annum, payable semiannually on January 1 and July 1 of  
15 each year. The principal and interest shall be payable at the place desig-  
16 nated therein. The bonds shall be each of a denomination of not less than  
17 \$100 nor more than \$1,000, and shall be signed by the president and sec-  
18 retary, and the seal of the district shall be affixed thereto. Coupons  
19 attached to each bond shall be signed by the secretary. The bonds shall  
20 express on their face that they were issued by the authority of this chapter,  
21 naming it, and shall also state the number of the issue of which the bonds  
22 are a part. The secretary and the treasurer shall each keep a record of the  
23 bonds sold, their number, the date of sale, the price received, and the  
24 name of the purchaser.

25 3. In case the money raised by the sale of all the bonds be insuffi-  
26 cient for the completion of the plans and works adopted, and additional  
27 bonds be not voted, the board of directors shall provide for the com-  
28 pletion of the plan by levy or assessment therefor; but when the money  
29 obtained by any previous issue of bonds has become exhausted by  
30 expenditures herein authorized, and it becomes necessary to raise addi-  
31 tional moneys to carry out the adopted plan, additional bonds may be  
32 issued if authorized at an election for that purpose, which election shall  
33 be called and otherwise conducted in accordance with the provisions of  
34 this chapter in respect to an original issue of bonds.

35 4. The lien for taxes for the payment of interest and principal of  
36 any bond series shall be a prior lien to that of any subsequent bond  
37 series. The time for the issuance and maturity of the bonds and the  
38 manner of their payment may be otherwise determined and directed if  
39 submitted to vote by the electors of the district at the election authoriz-  
40 ing the bonds.

41 SEC. 36. NRS 309.332 is hereby amended to read as follows:

42 309.332 1. To carry out the purposes of this chapter, the board is  
43 authorized to issue the following types of securities:

44 (a) Short-term notes, warrants and interim debentures;

45 (b) General obligation bonds and other general obligation securities  
46 payable from general (ad valorem) property taxes;

47 (c) General obligation bonds and other general obligation securities  
48 payable from general (ad valorem) property taxes, the payment of which  
49 securities is additionally secured by a pledge and lien on net revenues;

50 (d) Revenue bonds and other securities constituting special obligations

1 and payable from net revenues, but excluding the proceeds of any general  
 2 (ad valorem) property taxes or other special assessments, which payment  
 3 is secured by a pledge of and lien on such net revenues; or

4 (c) Any combination of such securities.

5 2. Interest coupons thereon shall bear the facsimile signature of the  
 6 president of the board.

7 3. The form and terms of the general obligation bonds, including  
 8 provisions for their payment and redemption, shall be determined by  
 9 the board. If the board so determines, such bonds may be redeemable  
 10 prior to maturity upon payment of a premium, not exceeding [8] 9 per-  
 11 cent of the principal thereof.

12 SEC. 37. NRS 315.630 is hereby amended to read as follows:

13 315.630 By resolution, an authority may authorize bonds. The reso-  
 14 lution; its trust indenture or mortgage may provide for:

15 1. The issuance of bonds in one or more series.

16 2. The date the bonds shall bear.

17 3. The date of maturity.

18 4. The interest rate, not exceeding [8] 9 percent per annum.

19 5. The denomination of the bonds.

20 6. The form of the bonds, either coupon or registered.

21 7. The conversion or registration privileges which the bonds shall  
 22 carry.

23 8. The rank or priority of the bonds.

24 9. The manner of execution of the bonds.

25 10. The medium of payment in which the bonds are payable.

26 11. The place of payment.

27 12. The terms of redemption, with or without premium.

28 SEC. 38. Chapter 318 of NRS is hereby amended by adding thereto a  
 29 new section which shall read as follows:

30 1. *As an alternate procedure for constructing or otherwise acquiring,*  
 31 *improving or converting any public improvement (or any combination*  
 32 *thereof), and for defraying all the cost thereof or any portion of the cost*  
 33 *thereof not to be defrayed with moneys otherwise available therefor by the*  
 34 *levy of special assessments against assessable property specially benefited*  
 35 *thereby and the collection of such assessments and the issuance of special*  
 36 *obligation bonds primarily payable from such special assessments payable*  
 37 *in installments (to implement any one, all or any combination of basic*  
 38 *powers stated in NRS 318.116 and granted to any district in proceedings*  
 39 *for its organization or in any proceedings for its reorganization or as may*  
 40 *be otherwise provided by law), as the board of the district determines, the*  
 41 *district, acting by and through the board, is vested with the powers*  
 42 *granted to municipalities by chapters 271 and 704A of NRS, and in any*  
 43 *proceedings thereunder the district, other public bodies, district officials,*  
 44 *and other public officials are subject to the rights, privileges, immunities,*  
 45 *liabilities, duties, disabilities, limitations and other details provided*  
 46 *therein.*

47 2. *For purposes of this section, in any proceedings under chapters*  
 48 *271 and 704A of NRS:*

49 (a) "Clerk" means the *de jure* or *de facto* secretary of the district.

50 (b) "Governing body" means the district's board.

1 (c) "Municipality" means the district and "municipal" means pertain-  
2 ing to the district; except that where the context so indicates, "municipal-  
3 ity" means the geographical area comprising the district.

4 (d) "Ordinance" means a resolution of the district.  
5 Sec. 39. NRS 318.325 is hereby amended to read as follows:

6 318.325 1. Subject to the limitations and other provisions in this  
7 chapter, a board of any district may issue on its behalf and in its name  
8 at any time or from time to time, as the board may determine, the follow-  
9 ing types of securities in accordance with the provisions of the Local Gov-  
10 ernment Securities Law, except as otherwise provided in subsection 3:

11 (a) General obligation bonds and other general obligation securities  
12 payable from general (ad valorem) property taxes;

13 (b) General obligation bonds and other general obligation securities  
14 payable from general (ad valorem) property taxes, the payment of which  
15 securities is additionally secured by a pledge of and lien on net revenues;

16 (c) Revenue bonds and other securities constituting special obligations  
17 and payable from net revenues, but excluding the proceeds of any general  
18 (ad valorem) property taxes or any special assessments, which payment  
19 is secured by a pledge of and lien on such net revenues; or

20 (d) Any combination of such securities.

21 2. Nothing in this chapter [shall be construed as preventing] prevents  
22 a district from funding, refunding or reissuing any outstanding securities  
23 of the district of a type designated in subsection 1 as provided in the  
24 Local Government Securities Law.

25 3. General obligation or revenue bonds may be sold for not less than  
26 90 percent of their face amount and for an interest coupon rate of not to  
27 exceed [8] 9 percent per annum, without regard to effective interest  
28 rate. If no bids are received or if the bid or bids received are not satis-  
29 factory as to price or responsibility of the bidder, the bonds may be  
30 readvertised or sold at private sale.

31 SEC. 40. NRS 318.349 is hereby amended to read as follows:

32 318.349 Any act, action, determination or approval by the board  
33 authorized or required by the provisions of NRS 318.350 to 318.486,  
34 inclusive, shall be done only by an affirmative vote of at least [four]  
35 a majority of the trustees.

36 SEC. 41. NRS 318.350 is hereby amended to read as follows:

37 318.350 Such part of the expenses of making any public improvement  
38 [(authorized, in a general way, in the ordinance creating any district  
39 authorized by this chapter)] (to implement any one, all or any combina-  
40 tion of basic powers stated in NRS 318.116 and granted to any district in  
41 proceedings for its organization or in any proceedings for its reorganiza-  
42 tion or as may be otherwise provided by law), as the board determines,  
43 may be defrayed by special assessments upon lands and premises abutting  
44 upon that part of the street or alley so improved or proposed so to be, or  
45 the lands abutting upon such improvement and such other lands as in the  
46 opinion of the board may be specially benefited by the improvement.

47 SEC. 42. NRS 318.420 is hereby amended to read as follows:

48 318.420 1. All special assessments shall from the date of approval  
49 thereof constitute a lien upon the respective lots or parcels of land assessed

1 coequal with the lien of general taxes, not subject to extinguishment by the  
2 sale of any property on account of the nonpayment of general taxes, and  
3 prior and superior to all liens, claims, encumbrances and titles other than  
4 liens of general taxes.

5 2. Upon the approval of any assessment, the amount thereof may be  
6 divided into not more than 15 annual or 30 semiannual installments to be  
7 collected at such time, with such interest, at a rate not to exceed [9] 10  
8 percent per annum, and with such penalties to be collected upon delin-  
9 quent payments, as the board may determine; but at the option of the  
10 owner of property assessed, the whole or any part of the unpaid principal,  
11 with interest accruing thereon to the next interest payment date, is payable  
12 at any time.

13 3. A notice of the lien created by such special assessment, separately  
14 prepared for each lot affected, shall be:

15 (a) Delivered by the board to the office of the county recorder of the  
16 county within which the property subject to such lien is located.

17 (b) Recorded by the county recorder in a book kept by him for the  
18 purpose of recording instruments encumbering land.

19 (c) Indexed in the real estate index as deeds and other conveyances are  
20 required by law to be indexed.

21 SEC. 43. Chapter 349 of NRS is hereby amended by adding thereto a  
22 new section which shall read as follows:

23 *As used in NRS 349.010 to 349.070, inclusive:*

24 1. "Bond question" means any proposal for the issuance of bonds or  
25 otherwise for the incurrence of a loan.

26 2. "General election" means a general election, primary election and  
27 any other regular statewide election.

28 SEC. 44. NRS 349.010 is hereby amended to read as follows:

29 349.010 [1.] Whenever the State of Nevada proposes to issue bonds  
30 or provide for loans in any amount which does not contravene the limit  
31 of indebtedness provided by the constitution of the State of Nevada, the  
32 proposal for the bond issue or loan may be submitted to the electors of  
33 the state at a general or a special election called for that purpose.

34 [2. The term "general election" in the provisions of NRS 349.010  
35 to 349.070, inclusive, includes a primary election and any other regular  
36 statewide election.]

37 SEC. 45. NRS 349.017 is hereby amended to read as follows:

38 349.017 1. If the bond question is submitted at a general election,  
39 no notice of registration of electors is required other than that required  
40 by the general election laws for such election.

41 2. If the bond question is submitted at a special election, the clerk of  
42 each county shall cause to be published at least once a week for 2 con-  
43 secutive weeks by two weekly insertions a week apart, the first publica-  
44 tion to be not more than 50 days nor less than 42 days next preceding  
45 the election, in a newspaper published within the county, if any is so pub-  
46 lished, and having a general circulation therein, a notice signed by him  
47 to the effect that registration for the special election will be closed on a  
48 date designated therein, as provided in this section.

49 3. Except as provided in subsection 4, the office of the county clerk  
50 in each county of this state shall be open for such a special election, from



1 9 a.m. to 12 m. and from 1 p.m. to 5 p.m. on Mondays through Fridays.  
2 with Saturdays, Sundays and legal holidays excepted, for the registration  
3 of any qualified elector.

4 4. [During the last 5 days of registration before such a special elec-  
5 tion, the] The office of the county clerk shall be open from 9 a.m. to  
6 5 p.m. and from 7 p.m. to 9 p.m. on Monday through Saturday, with  
7 Sundays and any legal holidays excepted [.] , during the last days of  
8 registration as provided in subsection 2 of NRS 293.560.

9 5. The office of the county clerk shall be opened for registration of  
10 voters for such a special election up to but excluding the 30th day next  
11 preceding such election and during regular office hours.

12 SEC. 46. NRS 349.050 is hereby amended to read as follows:

13 349.050 1. Every citizen of the United States, 18 years of age or  
14 over, who has resided in the state [6 months] and in the county 30 days  
15 next preceding such election, [shall be] is entitled to vote at the election  
16 if he has complied with the registration laws of this state.

17 2. The provisions of the election laws of this state relating to absent  
18 voting shall apply to all bond elections under NRS 349.010 to 349.070,  
19 inclusive.

20 3. Subsection 1 does not exclude the registration of eligible persons  
21 whose 18th birthday or the date of whose completion of the required  
22 residence occurs on or before the election at which is submitted the pro-  
23 posal for a bond issue or otherwise for the incurrence of a loan under  
24 NRS 349.010 to 349.070, inclusive.

25 SEC. 47. NRS 349.076 is hereby amended to read as follows:

26 349.076 Except where the provisions, whenever enacted, of a general  
27 or special law authorize a higher rate, the maximum rate of interest on  
28 securities issued by the state shall not exceed [8] 9 percent per annum.

29 SEC. 48. NRS 349.077 is hereby amended to read as follows:

30 349.077 Except where the provisions, whenever enacted, of a general  
31 or special law prohibit discount or authorize a greater discount, securities  
32 issued by the state may be sold at par, above par or below par at a dis-  
33 count of not more than [8] 9 percent of the principal amount, but the  
34 effective interest rate shall not exceed [8] 9 percent per annum.

35 SEC. 49. NRS 349.168 is hereby amended to read as follows:

36 349.168 "Cost of any project," or any phrase of similar import,  
37 means all or any part designated by the commission of the cost of any  
38 project, or interest therein, which cost at the option of the commission  
39 may include all or any part of the incidental costs pertaining to the proj-  
40 ect, including without limitation:

41 1. Preliminary expenses advanced by the state from funds available  
42 for use therefor, or advanced by the Federal Government, or from any  
43 other source, with the approval of the commission or any board or other  
44 agency of the state responsible for the project or defraying the cost  
45 thereof, or any combination thereof;

46 2. The costs in the making of surveys, audits, preliminary plans, other  
47 plans, specifications, estimates of costs and other preliminaries;

48 3. The costs of premiums on builders' risk insurance and performance  
49 bonds, or a reasonably allocable share thereof;

1 4. The costs of appraising, printing, estimates, advice, services of  
2 engineers, architects, financial consultants, attorneys at law, clerical help  
3 or other agents or employees;

4 5. The costs of making, publishing, posting, mailing and otherwise  
5 giving any notice in connection with a project, the filing or recordation  
6 of instruments, the taking of options, the issuance of bonds and other  
7 securities, and bank fees and expenses;

8 6. The cost of contingencies;

9 7. The costs of the capitalization with proceeds of bonds or other  
10 securities issued hereunder of any operation and maintenance expenses  
11 appertaining to any facilities to be acquired as a project and of any inter-  
12 est on bonds or other securities for any period not exceeding the period  
13 estimated by the commission to effect the project plus 1 year, of any dis-  
14 count on bonds or other securities, and of any reserves for the payment of  
15 the principal of and interest on the bonds or other securities, of any  
16 replacement expenses, and of any other cost of issuance of the bonds or  
17 other securities;

18 8. The costs of amending any resolution or other instrument author-  
19 izing the issuance of or otherwise appertaining to outstanding bonds or  
20 other securities of the state;

21 9. The costs of funding any emergency loans, construction loans and  
22 other temporary loans of not exceeding [3] 5 years appertaining to a  
23 project and of the incidental expenses incurred in connection with such  
24 loans;

25 10. The costs of any properties, rights, easements or other interests  
26 in properties, or any licenses, privileges, agreements and franchises;

27 11. The costs of demolishing, removing or relocating any buildings,  
28 structures or other facilities on land acquired for any project, and of  
29 acquiring lands to which such buildings, structures or other facilities may  
30 be moved or relocated; and

31 12. All other expenses necessary or desirable and appertaining to a  
32 project, as estimated or otherwise ascertained by the commission.

33 SEC. 50. NRS 349.216 is hereby amended to read as follows:

34 349.216 The state may issue, in one series or more, without the state  
35 securities being authorized at any election in the absence of an expressed  
36 provision to the contrary in the act authorizing the project and the issu-  
37 ance of state securities therefor or in any act supplemental thereto, in  
38 anticipation of taxes or pledged revenues, or both, and constituting either  
39 general obligations or special obligations of the state, any one or more  
40 or all of the following types of state securities:

41 1. Notes, evidencing any amount borrowed by the state;

42 2. Warrants, evidencing the amount due to any person for any serv-  
43 ices or supplies, equipment or other materials furnished to or for the  
44 benefit of the state and appertaining to a project;

45 3. Bonds, evidencing any amount borrowed by the state and con-  
46 stituting long-term financing;

47 4. Temporary bonds, pending the preparation of and exchangeable  
48 for definitive bonds of like character and in like principal amount when  
49 prepared and issued in compliance with the conditions and limitations  
50 herein provided; and

1 5. Interim debentures, evidencing any emergency loans, construction  
2 loans, and other temporary loans of not exceeding [3] 5 years, in sup-  
3 plementation of long-term financing and the issuance of bonds, as pro-  
4 vided in NRS 349.318 to 349.328, inclusive.

5 SEC. 51. NRS 349.240 is hereby amended to read as follows:

6 349.240 Such tax shall be levied immediately after the issuance of  
7 any general obligation securities issued in accordance with the provisions  
8 of the State Securities Law, *and annually thereafter*, at the times and in  
9 the manner provided by law, [and annually thereafter] until all of the  
10 securities, and the interest thereon, have been fully discharged. Such tax  
11 may be first levied after the state, acting by and through the commission,  
12 has contracted to sell any securities but before their issuance.

13 SEC. 52. NRS 349.252 is hereby amended to read as follows:

14 349.252 No recourse shall be had for the payment of the principal of,  
15 any interest on, and any prior redemption premiums due in connection  
16 with any bonds or other state securities or for any claim based thereon or  
17 otherwise upon the resolution authorizing their issuance or other instru-  
18 ment appertaining thereto, against any individual member of the commis-  
19 sion or any officer or other agent of the state, past, present or future,  
20 either directly or indirectly through the commission or the state, or other-  
21 wise, whether by virtue of any constitution, statute or rule of law, or by  
22 the [endorsement] enforcement of any penalty or otherwise, all such li-  
23 ability, if any, being by the acceptance of the securities and as a part of the  
24 consideration of their issuance specially waived and released.

25 SEC. 53. NRS 349.256 is hereby amended to read as follows:

26 349.256 1. The faith of the state is hereby pledged that the State  
27 Securities Law, any law supplemental or otherwise appertaining thereto,  
28 and any other act concerning the bonds or other state securities, taxes  
29 or the pledged revenues, or any combination of such securities, such  
30 taxes and such revenues, shall not be repealed nor amended or otherwise  
31 directly or indirectly modified in such a manner as to impair adversely  
32 any outstanding state securities, until all such securities have been dis-  
33 charged in full or provision for their payment and redemption has been  
34 fully made, including without limitation the known minimum yield from  
35 the investment or reinvestment of moneys pledged therefor in federal  
36 securities.

37 2. *Any holder of securities issued hereunder and remaining outstand-*  
38 *ing and unpaid, or trustee therefor, may sue the state in any court of com-*  
39 *petent jurisdiction for damages or for any other appropriate remedy, as*  
40 *provided in NRS 349.310 or otherwise, for any breach of the provisions*  
41 *of subsection 1.*

42 SEC. 54. NRS 349.260 is hereby amended to read as follows:

43 349.260 Except as otherwise provided in the constitution of the state  
44 and as otherwise provided in the State Securities Law and in any other act  
45 the provisions of which are relevant by express reference herein thereto,  
46 any state securities issued hereunder shall be:

47 1. In such form;

48 2. Issued in such manner, at, above or below par at a discount not  
49 exceeding [8] 9 percent of the principal amount of the securities, and at

- 1 a price which will result in an effective interest rate of not more than [8]  
2 9 percent per annum;
- 3 3. Issued with such provisions:
- 4 (a) For the application of any accrued interest and any premium from  
5 the sale of any bonds or other state securities hereunder as provided in  
6 NRS 349.294;
- 7 (b) For the registration of the bonds or other securities for payment as  
8 to principal only, or as to both principal and interest, at the option of any  
9 holder of a bond or other security, or for registration for payment only in  
10 either manner designated;
- 11 (c) For the endorsement of payments of interest on the bonds or other  
12 securities or for reconverting the bonds or other securities into coupon  
13 bonds or other coupon securities, or both for such endorsement and such  
14 reconversion, where any bond or other security is registered for payment  
15 as to interest; and where interest accruing on the securities is not repre-  
16 sented by interest coupons the securities may provide for the endorsing  
17 of payments of interest thereon;
- 18 (d) For the endorsement of payments of principal on the bonds or  
19 other securities, where any bond or other securities are registered for  
20 payment as to principal;
- 21 (e) For the initial issuance of one or more bonds or other securities  
22 aggregating the amount of the entire issue or any portion thereof, and  
23 the endorsement of payments of interest or principal, or both interest  
24 and principal, on the securities;
- 25 (f) For the manner and circumstances in and under which any such  
26 bond or other securities may in the future, at the request of the holder  
27 thereof, be converted into bonds or other securities of larger or smaller  
28 denominations, which bonds or other securities of larger or smaller  
29 denominations may in turn be either coupon bonds or other coupon secu-  
30 rities or bonds or other securities registered for payment, or coupon bonds  
31 or other coupon securities with provisions for registration for payment;
- 32 (g) For the reissuance of any outstanding bonds or other securities,  
33 and the terms and conditions thereof, whether lost, apparently destroyed,  
34 wrongfully taken, or for any other reason, as provided in the Uniform  
35 Commercial Code—Investment Securities, or otherwise;
- 36 (h) For the deposit of moneys, federal securities or other securities of  
37 the Federal Government, or both moneys and all such securities, with and  
38 securing their repayment by a commercial bank or commercial banks  
39 within or without or both within and without this state; and
- 40 (i) For the payment of costs or expenses incident to the enforcement of  
41 the securities or of the provisions of the resolution or of any covenant or  
42 contract with the holders of the securities; and
- 43 4. Issued otherwise with such recitals, terms, covenants, conditions  
44 and other provisions,  
45 as may be provided by the commission in a resolution authorizing their  
46 issuance and in any indenture or other proceedings appertaining thereto.
- 47 SEC. 55. NRS 349.276 is hereby amended to read as follows:  
48 349.276 1. As the commission may determine, any bonds and other

1 state securities issued hereunder, except as otherwise provided in the con-  
2 stitution of the state, or in the State Securities Law, or in any act supple-  
3 mental thereto, shall:

4 (a) Be of a convenient denomination or denominations;

5 (b) Be fully negotiable within the meaning of and for all the purposes  
6 of the Uniform Commercial Code—Investment Securities;

7 (c) Mature at such time or serially at such times in regular numerical  
8 order at annual or other designated intervals in amounts designated and  
9 fixed by the commission;

10 (d) Bear interest at a rate or rates of not more than [8] 9 percent per  
11 annum, the interest on each security not constituting a debt to be payable  
12 annually, semiannually or at other designated intervals, but the first  
13 interest payment date may be for interest accruing for any other period,  
14 and the interest on each security constituting a debt subject to the limita-  
15 tions stated in the first paragraph of section 3 or article 9 of the constitu-  
16 tion of this state shall be payable semiannually;

17 (e) Be made payable in lawful money of the United States, at the office  
18 of the treasurer or any commercial bank or commercial banks within or  
19 without or both within and without the state as may be provided by the  
20 commission; and

21 (f) Be printed at such place within or without this state, as the com-  
22 mission may determine.

23 2. General obligation bonds shall mature within not exceeding 20  
24 years from their date or within 20 years from the effective date of the act  
25 authorizing their issuance or the issuance of any securities funded or  
26 refunded thereby, whichever limitation is shorter; but any bonds consti-  
27 tuting a debt which is not subject to the limitations stated in the first  
28 paragraph of section 3, of article 9 of the constitution of this state, as  
29 from time to time amended, shall mature within not exceeding 50 years  
30 from their date.

31 3. Special obligation bonds shall mature within not exceeding 50  
32 years from their date.

33 SEC. 56. NRS 349.290 is hereby amended to read as follows:

34 349.290 The commission may provide for the redemption of any or  
35 all of the bonds or other state securities prior to maturity, in such order,  
36 by lot or otherwise, at such time or times, without or with the payment  
37 of such premium or premiums not exceeding [8] 9 percent of the prin-  
38 cipal amount of each bond or other security so redeemed, and otherwise  
39 upon such terms as may be provided by the commission in the resolution  
40 authorizing the issuance of the securities or other instrument appertaining  
41 thereto.

42 SEC. 57. NRS 349.322 is hereby amended to read as follows:

43 349.322 1. Any interim debentures may mature at such time or times  
44 not exceeding a period of time equal to the estimated time needed to  
45 effect the purpose or purposes for which they are issued or for which the  
46 bonds are authorized to be issued, but not exceeding [3] 5 years from  
47 the date of the interim debentures, as the commission may determine.

48 2. The proceeds of interim debentures shall be used to defray the cost  
49 of a project.

50 3. Any notes or warrants or both notes and warrants may be funded.

1 with the proceeds of interim debentures, as well as bonds authorized by  
2 the commission authorizing the issuance of the funded securities.

3 4. Except as otherwise provided in NRS 349.318 to 349.328, inclu-  
4 sive, interim debentures shall be issued as provided herein for state secu-  
5 rities in NRS 349.230 to 349.316, and 349.352 to 349.364, inclusive.

6 SEC. 58. NRS 349.324 is hereby amended to read as follows:

7 349.324 1. Except as otherwise provided in NRS 349.320, the pro-  
8 ceeds of taxes, pledged revenues and other moneys, including without lim-  
9 itation proceeds of bonds to be issued or reissued after the issuance of  
10 interim debentures, and bonds issued for the purpose of securing the pay-  
11 ment of interim debentures, or any combination thereof, may be pledged  
12 for the purpose of securing the payment of interim debentures; but the  
13 proceeds of taxes and the proceeds of bonds payable from taxes, or any  
14 combination thereof, shall not be used to pay any special obligation  
15 interim debentures nor may their payment be secured by a pledge of any  
16 such general obligation bonds.

17 2. Any bonds pledged as collateral security for the payment of any  
18 interim debentures shall mature at such time or times as the commission  
19 may determine, except as otherwise provided in subsections 2 and 3 of  
20 NRS 349.276.

21 3. Any bonds pledged as collateral security shall not be issued in an  
22 aggregate principal amount exceeding the aggregate principal amount of  
23 the interim debenture or interim debentures secured by a pledge of such  
24 bonds, nor shall they bear interest at any time which, with any interest  
25 accruing at the same time on the interim debenture or interim debentures  
26 so secured, exceeds [8] 9 percent per annum.

27 SEC. 59. NRS 349.340 is hereby amended to read as follows:

28 349.340 1. No bonds may be refunded hereunder unless they have  
29 been outstanding for at least 1 year from the date of their delivery and  
30 unless the holders thereof voluntarily surrender them for exchange or pay-  
31 ment, or unless they either mature or are callable for prior redemption  
32 under their terms within 15 years from the date of issuance of the refund-  
33 ing bonds. Provision shall be made for paying the securities within such  
34 period of time.

35 2. No maturity of any bond refunded may be extended over 15 years,  
36 or beyond 1 year next following the date of the last outstanding maturity,  
37 whichever limitation is later, nor in any event in the case of any bonds  
38 constituting a debt in contravention of any state constitutional debt limi-  
39 tation, nor may any interest on any bond refunded be increased to any rate  
40 exceeding [8] 9 percent per annum [.] ; but any general obligation  
41 bonds funding or refunding any securities which constitute a debt and are  
42 subject to the limitations stated in the first paragraph of section 3 of  
43 article 9 of the constitution of this state, as from time to time amended,  
44 shall mature within 20 years from the effective date of the act authoriz-  
45 ing the issuance of the securities so funded or refunded thereby, or within  
46 20 years from the date or earliest date of such securities, as the case may  
47 be, whichever limitation is shorter.

48 3. The principal amount of the refunding bonds may exceed the prin-  
49 cipal amount of the refunded bonds if the aggregate principal and interest  
50 costs of the refunding bonds do not exceed such unaccrued costs of the

1 bonds refunded, except to the extent any interest on the bonds refunded  
2 in arrears or about to become due is capitalized with the proceeds of the  
3 refunding bonds. Principal may also then be increased to that extent. In  
4 no event, however, in the case of any bonds constituting a debt shall  
5 the principal of the bonds be increased to any amount in excess of any  
6 state debt limitation in the state constitution [.] *pertaining thereto.*

7 4. The principal amount of the refunding bonds may also be less than  
8 or the same as the principal amount of the bonds being refunded so long  
9 as provision is duly and sufficiently made for their payment.

10 SEC. 60. NRS 350.020 is hereby amended to read as follows:

11 350.020 1. Whenever any municipal corporation in the State of  
12 Nevada proposes to issue bonds or provide for loans in any amount within  
13 the limit of indebtedness authorized by law, *after compliance with the*  
14 *provisions of NRS 293.481*, the proposal for the bond issue or loan shall  
15 be submitted to the electors of the municipal corporation at a general  
16 election or a special election called for that purpose.

17 2. The provisions of NRS 350.010 to 350.070, inclusive, shall not be  
18 applicable:

19 (a) To incorporated cities organized or reorganized and existing under  
20 the provisions of any special legislative act or special charter enacted  
21 or granted pursuant to the provisions of section 1 of article 8 of the  
22 constitution of the State of Nevada; or

23 (b) To incorporated cities or incorporated towns organized or reor-  
24 ganized and existing under charters originally framed and adopted (and  
25 regardless of any amendments thereof or the method of amendment) by  
26 the electors thereof pursuant to section 8 of article 8 of the constitution  
27 of the State of Nevada.

28 3. Nothing contained in this section shall prevent the adoption of the  
29 provisions of NRS 350.010 to 350.070, inclusive, by reference thereto  
30 in any such act, any such special charter, other such charter, or ordinance  
31 or resolution of any such city or any such town.

32 SEC. 61. NRS 350.026 is hereby amended to read as follows:

33 350.026 1. If the bond question or other loan proposal is submitted  
34 at a general election, no notice of registration of electors is required other  
35 than that required by the general election laws for such election.

36 2. If the bond question or other loan proposal is submitted at a spe-  
37 cial election, the clerk of the county in which the municipal corporation  
38 is located shall cause to be published at least once a week for 2 con-  
39 secutive weeks by two weekly insertions a week apart, the first publica-  
40 tion to be not more than 50 days nor less than 42 days next preceding  
41 the election, in a newspaper published within the municipal corporation,  
42 if any be so published, and having a general circulation therein, a notice  
43 signed by him to the effect that registration for the special election will  
44 be closed on a date designated therein, as hereinafter provided.

45 3. Except as provided in subsection 4, the office of the county clerk *in*  
46 *the county or each county in which the municipal corporation holding the*  
47 *election for the authorization of bonds or other loan is situated wholly or*  
48 *in part*, shall be open for such a special election, from 9 a.m. to 12 m. and

1     SEC. 66. NRS 350.380 is hereby amended to read as follows:

2     350.380 1. The acquisition, construction, reconstruction, improve-  
3     ment, betterment or extension of any undertaking and the issuance, in  
4     anticipation of the collection of the revenues of such undertaking, of  
5     bonds to provide funds to pay the cost thereof may be authorized under  
6     NRS 350.350 to 350.490, inclusive, by ordinance or resolution of the  
7     governing body, which may be adopted at a regular meeting by a vote of  
8     a majority of the members elected to the governing body.

9     2. Before such ordinance or resolution shall become effective or any  
10    bonds issued thereunder may be in any respect a valid obligation of the  
11    municipality or undertaking, the proposal for such bond issue or loan shall  
12    be submitted to, and carried by a majority vote of, ~~both the real prop-~~  
13    ~~erty owners and their spouses and also the other~~ *the registered* qualified  
14    electors of the municipality voting thereon at a general or special election  
15    called for that purpose in the manner prescribed by the provisions of  
16    NRS 350.010 to 350.070, inclusive.

17    SEC. 67. NRS 350.400 is hereby amended to read as follows:

18    350.400 ~~1.~~ The bonds ~~may be sold at private sale to the United~~  
19    States of America or any agency, instrumentality or corporation thereof.

20    2. Unless sold to the United States of America or any agency, instru-  
21    mentality or corporation thereof, the bonds shall be sold at public sale. ~~]~~  
22    *shall be sold as provided in the Local Government Securities Law.*

23    SEC. 68. NRS 350.490 is hereby amended to read as follows:

24    350.490 1. The powers conferred by NRS 350.350 to 350.490,  
25    inclusive, shall be in addition and supplemental to, and not in substitution  
26    for, and the limitations imposed by NRS 350.350 to 350.490, inclusive,  
27    shall not affect, the powers conferred by any other general or special law  
28    or charter ~~].~~ *, including, without limitation, the Local Government Secu-*  
29    *rities Law.*

30    2. The undertaking may be acquired, purchased, constructed, recon-  
31    structed, improved, bettered and extended, notwithstanding that any spe-  
32    cial or general law or local charter may provide for the acquisition,  
33    purchase, construction, reconstruction, improvement, betterment and  
34    extension of a like undertaking and without regard to the requirement,  
35    restrictions, debt or other limitations or other provisions contained in any  
36    other general or special law or charter, including, but not limited to, any  
37    restriction or limitation on the incurring of indebtedness or the issuance of  
38    bonds.

39    3. Insofar as the provisions of NRS 350.350 to 350.490, inclusive,  
40    are inconsistent with the provisions of any other general or special law or  
41    charter, the provisions of NRS 350.350 to 350.490, inclusive, shall be  
42    controlling, except as otherwise provided in NRS 350.350 to 350.490,  
43    inclusive ~~].~~ *; but the provisions of the Local Government Securities Law*  
44    *are supplemental to NRS 350.350 to 350.490, inclusive, to the extent the*  
45    *Local Government Securities Law pertains to revenue bonds and other*  
46    *special obligations.*

47    SEC. 69. NRS 350.516 is hereby amended to read as follows:

48    350.516 "Cost of any project" or any phrase of similar import, means  
49    all or any part designated by the governing body of the cost of any proj-  
50    ect, or interest therein, which cost, at the option of the governing body,



- 1 may include all or any part of the incidental costs pertaining to the proj-  
2 ect, including without limitation:
- 3 1. Preliminary expenses advanced by the municipality from funds  
4 available for use therefor, or advanced by the Federal Government, or  
5 from any other source, with the approval of the governing body or any  
6 board or other agency of the municipality responsible for the project or  
7 defraying the cost thereof, or any combination thereof;
  - 8 2. The costs in the making of surveys, audits, preliminary plans, other  
9 plans, specifications, estimates of costs and other preliminaries;
  - 10 3. The costs of premiums on builders' risk insurance and perform-  
11 ance bonds, or a reasonably allocable share thereof;
  - 12 4. The costs of appraising, printing, estimates, advice, services of  
13 engineers, architects, financial consultants, attorneys at law, clerical help  
14 or other agents or employees;
  - 15 5. The costs of making, publishing, posting, mailing and otherwise  
16 giving any notice in connection with a project, the filing or recordation of  
17 instruments, the taking of options, the issuance of bonds and other secu-  
18 rities, and bank fees and expenses;
  - 19 6. The costs of contingencies;
  - 20 7. The costs of the capitalization with proceeds of bonds or other  
21 securities issued hereunder of any operation and maintenance expenses  
22 appertaining to any facilities to be acquired as a project and of any inter-  
23 est on bonds or other securities for any period not exceeding the period  
24 estimated by the governing body to effect the project plus 1 year, of any  
25 discount on bonds or other securities, and of any reserves for the payment  
26 of the principal of and interest on the bonds or other securities, of any  
27 replacement expenses, and of any other cost of issuance of the bonds or  
28 other securities;
  - 29 8. The costs of amending any ordinance, resolution or other instru-  
30 ment authorizing the issuance of or otherwise appertaining to outstanding  
31 bonds or other securities of the municipality;
  - 32 9. The cost of funding any emergency loans, construction loans and  
33 other temporary loans of not exceeding [3] 5 years appertaining to a  
34 project and of the incidental expenses incurred in connection with such  
35 loans;
  - 36 10. The costs of any properties, rights, easements or other interests  
37 in properties, or any licenses, privileges, agreements, and franchises;
  - 38 11. The costs of demolishing, removing or relocating any buildings,  
39 structures or other facilities on land acquired for any project, and of  
40 acquiring lands to which such buildings, structures or other facilities may  
41 be moved or relocated; and
  - 42 12. All other expenses necessary or desirable and appertaining to a  
43 project, as estimated or otherwise ascertained by the governing body.
- 44 SEC. 70. NRS 350.572 is hereby amended to read as follows:  
45 350.572 The municipality may issue, in one series or more, without  
46 the municipal securities being authorized at any election in the absence of  
47 an expressed provision to the contrary in the act authorizing the project  
48 and the issuance of municipal securities therefor or in any act supple-  
49 mental thereto, in anticipation of taxes or pledged revenues, or both, and

1 constituting either general obligations or special obligations of the munic-  
2 ipality, any one or more or all of the following types of municipal secu-  
3 rities:

- 4 1. Notes, evidencing any amount borrowed by the municipality;
- 5 2. Warrants, evidencing the amount due to any person for any serv-  
6 ices or supplies, equipment or other materials furnished to or for the  
7 benefit of the municipality and appertaining to a project;
- 8 3. Bonds, evidencing any amount borrowed by the municipality and  
9 constituting long-term financing;
- 10 4. Temporary bonds, pending the preparation of and exchangeable  
11 for definitive bonds of like character and in like principal amount when  
12 prepared and issued in compliance with the conditions and limitations  
13 herein provided; and
- 14 5. Interim debentures, evidencing any emergency loans, construction  
15 loans, and other temporary loans of not exceeding [3] 5 years, in sup-  
16 plementation of long-term financing and the issuance of bonds, as pro-  
17 vided in NRS 350.672 to 350.682, inclusive.

18 SEC. 71. NRS 350.579 is hereby amended to read as follows:

19 350.579 1. Any ordinance pertaining to the sale, issuance or pay-  
20 ment of bonds or other securities of the municipality (or any combination  
21 thereof) may be adopted as if an emergency existed.

22 2. The governing body's declaration, if any, in any ordinance that it  
23 is such an ordinance shall be conclusive in the absence of fraud or gross  
24 abuse of discretion.

25 3. Such an ordinance may become effective at any time when an  
26 emergency ordinance of the municipality may go into effect.

27 4. *Such an ordinance may be adopted by an affirmative vote of not*  
28 *less than two-thirds of all the voting members of the governing body*  
29 *(excluding from any such computation any vacancy on the governing*  
30 *body and any member thereon who may vote only to break a tie vote).*

31 SEC. 72. NRS 350.594 is hereby amended to read as follows:

32 350.594 Such tax shall be levied immediately after the issuance of  
33 any general obligation securities issued in accordance with the provisions  
34 of the Local Government Securities Law, *and annually thereafter*, at the  
35 times and in the manner provided by law, [and annually thereafter] until  
36 all of the securities, and the interest thereon, have been fully discharged.  
37 Such tax may be first levied after the municipality has contracted to sell  
38 any securities but before their issuance.

39 SEC. 73. NRS 350.606 is hereby amended to read as follows:

40 350.606 No recourse shall be had for the payment of the principal  
41 of, any interest on, and any prior redemption premiums due in connec-  
42 tion with any bonds or other municipal securities or for any claim based  
43 thereon or otherwise upon the ordinance authorizing their issuance or  
44 other instrument appertaining thereto, against any individual member of  
45 the governing body or any officer or other agent of the municipality, past,  
46 present or future, either directly or indirectly through the governing body  
47 or the municipality, or otherwise, whether by virtue of any constitution,  
48 statute or rule of law, or by the [endorsement] enforcement of any  
49 penalty or otherwise, all such liability, if any, being by the acceptance

1 of the securities and as a part of the consideration of their issuance spe-  
2 cially waived and released.

3 SEC. 74. NRS 350.610 is hereby amended to read as follows:

4 350.610 1. The faith of the state is hereby pledged that the Local  
5 Government Securities Law, any law supplemental or otherwise apper-  
6 taining thereto, and any other act concerning the bonds or other munic-  
7 ipal securities, taxes or the pledged revenues or any combination of  
8 such securities, such taxes and such revenues shall not be repealed nor  
9 amended or otherwise directly or indirectly modified in such a manner  
10 as to impair adversely any outstanding municipal securities, until all such  
11 securities have been discharged in full or provision for their payment and  
12 redemption has been fully made, including without limitation the known  
13 minimum yield from the investment or reinvestment of moneys pledged  
14 therefor in federal securities.

15 2. *Any holder of securities issued hereunder and remaining outstand-*  
16 *ing and unpaid, or trustee therefor, or any municipality may sue the state*  
17 *in any court of competent jurisdiction for damages or for any other*  
18 *appropriate remedy, as provided in NRS 350.664, or otherwise, for any*  
19 *breach of the provisions of subsection 1.*

20 SEC. 75. NRS 350.614 is hereby amended to read as follows:

21 350.614 Except as otherwise provided in the Local Government  
22 Securities Law and in any other act the provisions of which are relevant  
23 by express reference herein thereto or by provisions to that effect therein,  
24 any securities issued hereunder shall be:

25 1. In such form;

26 2. Issued in such manner, at, above or below par at a discount not  
27 exceeding [8] 9 percent of the principal amount of the securities, and at  
28 a price which will result in an effective interest rate of not more than  
29 [8] 9 percent per annum;

30 3. Issued with such provisions:

31 (a) For the application of any accrued interest and any premium from  
32 the sale of any bonds or other municipal securities hereunder as provided  
33 in NRS 350.648;

34 (b) For the registration of the bonds or other securities for payment  
35 as to principal only, or as to both principal and interest, at the option of  
36 any holder of a bond or other security, or for registration for payment  
37 only in either manner designated;

38 (c) For the endorsement of payments of interest on the bonds or other  
39 securities or for reconverting the bonds or other securities into coupon  
40 bonds or other coupon securities, or both for such endorsement and such  
41 reconversion, where any bond or other security is registered for payment  
42 as to interest; and where interest accruing on the securities is not repre-  
43 sented by interest coupons the securities may provide for the endorsing of  
44 payments of interest thereon;

45 (d) For the endorsement of payments of principal on the bonds or  
46 other securities, where any bond or other securities are registered for pay-  
47 ment as to principal;

48 (e) For the initial issuance of one or more bonds or other securities  
49 aggregating the amount of the entire issue or any portion thereof, and

1 the endorsement of payments of interest or principal, or both interest and  
2 principal, on the securities;

3 (f) For the manner and circumstances in and under which any such  
4 bond or other securities may in the future, at the request of the holder  
5 thereof, be converted into bonds or other securities of larger or smaller  
6 denominations, which bonds or other securities of larger or smaller  
7 denominations may in turn be either coupon bonds or other coupon secu-  
8 rities or bonds or other securities registered for payment, or coupon bonds  
9 or other coupon securities with provisions for registration for payment;

10 (g) For the reissuance of any outstanding bonds or other securities,  
11 and the terms and conditions thereof, whether lost, apparently destroyed,  
12 wrongfully taken, or for any other reason, as provided in the Uniform  
13 Commercial Code—Investment Securities, or otherwise;

14 (h) For the deposit of moneys, federal securities or other securities of  
15 the Federal Government, or both moneys and all such securities, with and  
16 securing their repayment by a commercial bank or commercial banks  
17 within or without or both within and without this state; and

18 (i) For the payment of costs or expenses incident to the enforcement of  
19 the securities or of the provisions of the ordinance or of any covenant or  
20 contract with the holders of the securities; and

21 4. Issued otherwise with such recitals, terms, covenants, conditions  
22 and other provisions,

23 as may be provided by the governing body in an ordinance authorizing  
24 their issuance and in any indenture or other proceedings appertaining  
25 thereto.

26 SEC. 76. NRS 350.630 is hereby amended to read as follows:

27 350.630 1. As the governing body may determine, any bonds and  
28 other municipal securities issued hereunder, except as otherwise provided  
29 in the Local Government Securities Law, or in any act supplemental  
30 thereto, shall:

31 (a) Be of a convenient denomination or denominations;

32 (b) Be fully negotiable within the meaning of and for all the purposes  
33 of the Uniform Commercial Code—Investment Securities;

34 (c) Mature at such time or serially at such times in regular numerical  
35 order at annual or other designated intervals in amounts designated and  
36 fixed by the governing body, except as herein otherwise provided;

37 (d) Bear interest at a rate or rates of not more than [8] 9 percent  
38 per annum, payable annually, semiannually or at other designated inter-  
39 vals, but the first interest payment date may be for interest accruing for  
40 any other period;

41 (e) Be made payable in lawful money of the United States, at the office  
42 of the treasurer or any commercial bank or commercial banks within or  
43 without or both within and without the state as may be provided by the  
44 governing body; and

45 (f) Be printed at such place, within or without this state, as the gov-  
46 erning body may determine.

47 2. General obligation bonds shall mature serially within not exceed-  
48 ing 30 years from their respective dates and commencing not later than  
49 the third year thereafter, in such manner as the governing body may  
50 determine.

1 3. Special obligation bonds shall mature within not exceeding 50  
2 years from their respective dates.

3 SEC. 77. NRS 350.644 is hereby amended to read as follows:

4 350.644 The governing body may provide for the redemption of any  
5 or all of the bonds or other municipal securities prior to maturity, in such  
6 order, by lot or otherwise, at such time or times, without or with the  
7 payment of such premium or premiums not exceeding [8] 9 percent of  
8 the principal amount of each bond or other security so redeemed, and  
9 otherwise upon such terms as may be provided by the governing body  
10 in the ordinance authorizing the issuance of the securities or other instru-  
11 ment appertaining thereto.

12 SEC. 78. NRS 350.676 is hereby amended to read as follows:

13 350.676 1. Any interim debentures may mature at such time or times  
14 not exceeding a period of time equal to the estimated time needed to effect  
15 the purpose or purposes for which they are issued or for which the bonds  
16 are authorized to be issued, but not exceeding [3] 5 years from the date  
17 of the interim debentures, as the governing body may determine.

18 2. The proceeds of interim debentures shall be used to defray the cost  
19 of a project.

20 3. Any notes or warrants or both notes and warrants may be funded  
21 with the proceeds of interim debentures, as well as bonds.

22 4. Except as otherwise provided in NRS 350.672 to 350.682, inclu-  
23 sive, interim debentures shall be issued as provided herein for municipal  
24 securities in NRS 350.584 to 350.670, inclusive, and NRS 350.708 to  
25 350.720, inclusive.

26 SEC. 79. NRS 350.678 is hereby amended to read as follows:

27 350.678 1. Except as otherwise provided in NRS 350.674, the pro-  
28 ceeds of taxes, pledged revenues and other moneys, including without lim-  
29 itation proceeds of bonds to be issued or reissued after the issuance of  
30 interim debentures, and bonds issued for the purpose of securing the pay-  
31 ment of interim debentures, or any combination thereof, may be pledged  
32 for the purpose of securing the payment of interim debentures; but the  
33 proceeds of taxes and the proceeds of bonds payable from taxes, or any  
34 combination thereof, shall not be used to pay any special obligation  
35 interim debentures nor may their payment be secured by a pledge of any  
36 such general obligation bonds.

37 2. Any bonds pledged as collateral security for the payment of any  
38 interim debentures shall mature at such time or times as the governing  
39 body may determine, except as otherwise provided in subsections 2 and  
40 3 of NRS 350.630.

41 3. Any bonds pledged as collateral security shall not be issued in an  
42 aggregate principal amount exceeding the aggregate principal amount of  
43 the interim debenture or interim debentures secured by a pledge of such  
44 bonds, nor shall they bear interest at any time which, with any interest  
45 accruing at the same time on the interim debenture or interim debentures  
46 so secured, exceeds [8] 9 percent per annum.

47 SEC. 80. NRS 350.694 is hereby amended to read as follows:

48 350.694 1. No bonds may be refunded hereunder unless they have  
49 been outstanding for at least 1 year from the date of their delivery and  
50 unless the holders thereof voluntarily surrender them for exchange or

1 payment, or unless they either mature or are callable for prior redemption  
2 under their terms within 15 years from the date of issuance of the refund-  
3 ing bonds. Provision shall be made for paying the securities within such  
4 period of time.

5 2. No maturity of any bond refunded may be extended over 15 years,  
6 or beyond 1 year next following the date of the last outstanding maturity,  
7 whichever limitation is later, nor may any interest on any bond refunded  
8 be increased to any rate exceeding [8] 9 percent per annum.

9 3. The principal amount of the refunding bonds may exceed the  
10 principal amount of the refunded bonds if the aggregate principal and  
11 interest costs of the refunding bonds do not exceed such unaccrued costs  
12 of the bonds refunded, except to the extent any interest on the bonds  
13 refunded in arrears or about to become due is capitalized with the pro-  
14 ceeds of the refunding bonds. Principal may also then be increased to that  
15 extent. In no event, however, in the case of any bonds constituting a debt  
16 shall the principal of the bonds be increased to any amount in excess of  
17 any municipal debt limitation.

18 4. The principal amount of the refunding bonds may also be less than  
19 or the same as the principal amount of the bonds being refunded so long  
20 as provision is duly and sufficiently made for their payment.

21 5. *If at the time of the issuance of any issue of general obligation*  
22 *refunding bonds provision is not made for the redemption of all the out-*  
23 *standing bonds of the or each issue refunded, as the case may be, by the*  
24 *use of proceeds of the refunding bonds and any other moneys available*  
25 *for such redemption, the general obligation refunding bonds may mature*  
26 *but are not required to mature serially commencing not later than the*  
27 *third year after their respective dates in accordance with subsection 2 of*  
28 *NRS 350.630.*

29 SEC. 81. NRS 354.440 is hereby amended to read as follows:

30 354.440 1. Whenever any governing board of any local government  
31 is authorized to enter into short-term financing as provided in NRS 354.-  
32 430, the governing body may issue, as evidence thereof, negotiable notes  
33 or short-time negotiable bonds.

34 2. The negotiable notes or bonds shall:

35 (a) Mature not later than 5 years from the date of issuance.

36 (b) Bear interest not to exceed [8] 9 percent per annum.

37 (c) Be redeemable at the option of such local government at any time  
38 when money is available in the special tax fund provided for in NRS  
39 354.460.

40 SEC. 82. NRS 355.130 is hereby amended to read as follows:

41 355.130 1. By unanimous vote of its members and with the approval  
42 of the state board of examiners, the state board of finance is empowered  
43 to lend any available moneys in the state treasury, other than those in the  
44 state permanent school fund and those in the state insurance fund, to local  
45 governments situated within the boundaries of the State of Nevada. Such  
46 loans shall be made only to local governments that have observed the reg-  
47 ulations and followed the procedure for obtaining short-term financing set  
48 forth in chapter 354 of NRS. Such loans shall be made for a period of not  
49 longer than 5 years and shall bear interest at the rate of not to exceed [8]  
50 9 percent per annum.

1 2. In making loans to local governments, the state board of finance  
2 shall follow the procedure for making other loans set forth in this chapter.

3 SEC. 83. NRS 387.335 is hereby amended to read as follows:

4 387.335 1. The board of trustees of a county school district may,  
5 when in its judgment it is advisable, call an election and submit to the  
6 electors of the county school district the question whether the negotiable  
7 coupon bonds of the county school district shall be issued and sold for  
8 the purpose of raising money for the following purposes, and no others:

9 (a) Construction or purchase of new school buildings, including but  
10 not limited to teacherages, dormitories, dining halls, gymnasiums and  
11 stadiums.

12 (b) Enlarging, remodeling or repairing existing school buildings, includ-  
13 ing but not limited to teacherages, dormitories, dining halls, gymnasiums  
14 and stadiums.

15 (c) Acquiring school building sites or additional real property for nec-  
16 essary school purposes, including but not limited to playgrounds, athletic  
17 fields and sites for stadiums.

18 (d) Purchasing necessary school equipment.

19 [(e) Refunding of any outstanding valid indebtedness of the county  
20 school district, evidenced by bonds, when the interest rate or rates on the  
21 indebtedness are to be increased or any bond maturity is to be extended.]

22 2. Any one or more of the purposes enumerated in subsection 1 [,  
23 except that refunding any outstanding valid indebtedness of the county  
24 school district evidenced by bonds,] may, by order of the board of trus-  
25 tees entered in its minutes, be united and voted upon as one single propo-  
26 sition.

27 3. *Nothing in this chapter prevents a county school district from exer-*  
28 *cising the powers granted thereto by the Local Government Securities*  
29 *Law, including, without limitation, the issuance of refunding bonds pur-*  
30 *suant to NRS 350.684 to 350.706, inclusive, and to other provisions in*  
31 *the Local Government Securities Law supplemental to such sections*  
32 *therein.*

33 SEC. 84. NRS 387.340 is hereby amended to read as follows:

34 387.340 1. When the board of trustees of a county school district  
35 deems it necessary to incur any bonded indebtedness authorized by NRS  
36 387.335 to 387.525, inclusive, by issuing the negotiable coupon bonds of  
37 the county school district, the board of trustees, *after compliance with the*  
38 *provisions of NRS 293.481*, shall, by a resolution adopted and entered in  
39 its minutes:

40 (a) Find the necessity of and state the purpose or purposes for incur-  
41 ring the bonded indebtedness.

42 (b) Determine the maximum amount of bonds to be issued.

43 (c) Call an election for submission of the question whether the nego-  
44 tiable coupon bonds of the county school district should be issued and  
45 sold to raise money for the purpose or purposes stated.

46 (d) Designate whether the election shall be consolidated with the next  
47 general election, or shall be a special election which the board of trustees  
48 is authorized to call. For the purposes of NRS 387.335 to 387.525, inclu-  
49 sive, the term "general election" includes a primary election.

50 (e) Fix the date of the election.

1 2. The resolution adopted by the board of trustees pursuant to the  
2 provisions of subsection 1 shall fix a date for the election which will:

3 (a) Allow sufficient time for the electors of the county school district  
4 to register to vote pursuant to the provisions of the election laws of this  
5 state; and

6 (b) Allow sufficient time for the county clerk to perform the duties  
7 required of him by the election laws of this state.

8 3. Prior to the adoption of any such resolution the clerk of the board  
9 of trustees shall notify, in writing, the board of county commissioners of  
10 the county whose boundaries are coterminous with the boundaries of  
11 the county school district of the intention of such board of trustees to  
12 consider any such resolution.

13 SEC. 85. NRS 387.341 is hereby amended to read as follows:

14 387.341 1. If the bond question is submitted at a general election, no  
15 notice of registration of electors is required other than that required by  
16 the general election laws for such election.

17 2. If the bond question is submitted at a special election, the county  
18 clerk shall cause to be published at least once a week for 2 consecutive  
19 weeks by two weekly insertions a week apart, the first publication to be  
20 not more than 50 days nor less than 42 days next preceding the election,  
21 in a newspaper published within the county, if any is so published, and  
22 having a general circulation therein, a notice signed by him to the effect  
23 that registration for the special election will be closed on a date desig-  
24 nated therein, as provided in this section.

25 3. Except as provided in subsection 4, the office of the county clerk  
26 *in the county in which the county school district holding the election for*  
27 *the authorization of bonds is situated*, shall be open for such a special  
28 election, from 9 a.m. to 12 m. and from 1 p.m. to 5 p.m. on Mondays  
29 through Fridays, with Saturdays, Sundays and legal holidays excepted,  
30 for the registration of any qualified elector.

31 4. [During the last 6 days of registration before such a special elec-  
32 tion, the] *The* office of the county clerk shall be open from 9 a.m. to 5  
33 p.m. and from 7 p.m. to 9 p.m. on Monday through Saturday, with Sun-  
34 days and any legal holidays excepted [ ], *during the last days of regis-*  
35 *tration as provided in subsection 2 of NRS 293.560.*

36 5. The office of the county clerk shall be opened for registration of  
37 voters for such a special election up to but excluding the 30th day next  
38 preceding such election and during regular office hours.

39 SEC. 86. NRS 396.816 is hereby amended to read as follows:

40 396.816 "Cost of any project," or any phrase of similar import,  
41 means all or any part designated by the board of the cost of any project,  
42 or interest therein, which cost at the option of the board may include all  
43 or any part of the incidental costs pertaining to the project, including  
44 without limitation:

45 1. Preliminary expenses advanced by the university or the board from  
46 funds available for use therefor, or advanced by this state, the Federal  
47 Government, or from any other source, with the approval of the board, or  
48 any combination thereof;

49 2. The costs in the making of surveys, audits, preliminary plans, other  
50 plans, specifications, estimates of costs and other preliminaries;



- 1 3. The costs of premiums on builders' risk insurance and performance  
2 bonds, or a reasonably allocable share thereof;
- 3 4. The costs of appraising, printing, estimates, advice, services of  
4 engineers, architects, financial consultants, attorneys at law, clerical help,  
5 or other agents or employees;
- 6 5. The costs of making, publishing, posting, mailing and otherwise  
7 giving any notice in connection with a project, the filing or recordation of  
8 instruments, the taking of options, the issuance of bonds and other securi-  
9 ties, and bank fees and expenses;
- 10 6. The costs of contingencies;
- 11 7. The costs of the capitalization with proceeds of bonds or other  
12 securities issued hereunder of any operation and maintenance expenses  
13 appertaining to any facilities to be acquired as a project and of any  
14 interest on bonds or other securities for any period not exceeding the  
15 period estimated by the board to effect the project plus 1 year, of any  
16 discount on bonds or other securities, and of any reserves for the pay-  
17 ment of the principal of and interest on the bonds or other securities, of  
18 any replacement expenses, and of any other cost of issuance of the bonds  
19 or other securities;
- 20 8. The costs of amending any resolution or other instrument author-  
21 izing the issuance of or otherwise appertaining to outstanding bonds or  
22 other securities of the university or the board;
- 23 9. The costs of funding any emergency loans, construction loans and  
24 other temporary loans of not exceeding [3] 5 years appertaining to a  
25 project and of the incidental expenses incurred in connection with such  
26 loans; and
- 27 10. All other expenses necessary or desirable and appertaining to a  
28 project, as estimated or otherwise ascertained by the board.
- 29 SEC. 87. NRS 396.842 is hereby amended to read as follows:  
30 396.842 No recourse shall be had for the payment of the principal  
31 of, any interest on, and any prior redemption premiums due in connec-  
32 tion with any bonds or other securities of the university or the board or  
33 for any claim based thereon or otherwise upon the resolution authorizing  
34 their issuance or other instrument appertaining thereto, against any indi-  
35 vidual regent of the board, past, present or future, either directly or  
36 indirectly through the board or the university, or otherwise, whether by  
37 virtue of any constitution, statute or rule of law, or by the [endorsement]  
38 enforcement of any penalty or otherwise, all such liability, if any, being  
39 by the acceptance of the securities and as a part of the consideration of  
40 their issuance specially waived and released.
- 41 SEC. 88. NRS 396.844 is hereby amended to read as follows:  
42 396.844 1. The faith of the state is hereby pledged that the Univer-  
43 sity Securities Law, any law supplemental or otherwise appertaining  
44 thereto, and any other act concerning the bonds and other securities of  
45 the board or the university or the pledged revenues, or both such secu-  
46 rities and such revenues shall not be repealed nor amended or otherwise  
47 directly or indirectly modified in such a manner as to impair adversely  
48 any outstanding securities of the university or the board, until all such  
49 securities payable from the pledged revenues have been discharged in full  
50 or provision has been fully made therefor, including without limitation the

1 known minimum yield from the investment or reinvestment of moneys  
2 pledged therefor in federal securities.

3 2. The state may at any time provide by act that no further obliga-  
4 tions appertaining to any pledged revenues or any part thereof shall be  
5 incurred thereafter.

6 3. *Any holder of securities issued hereunder and remaining outstand-*  
7 *ing and unpaid, or trustee therefor, or the university or board, may sue*  
8 *the state in any court of competent jurisdiction for damages or for any*  
9 *other appropriate remedy, as provided in NRS 396.864, or otherwise, for*  
10 *any breach of the provisions of subsection 1.*

11 SEC. 89. NRS 396.850 is hereby amended to read as follows:

12 396.850 Except as herein otherwise provided and as otherwise pro-  
13 vided in any other act the provisions of which are relevant by express  
14 reference herein thereto, any securities issued hereunder shall be:

15 1. In such form;

16 2. Issued in such manner, at, above, or below par at a discount not  
17 exceeding [8] 9 percent of the principal amount of the securities, at  
18 public or private sale, and at a price which will result in an effective  
19 interest rate of not more than [8] 9 percent per annum; and

20 3. Issued with such recitals, terms, covenants, conditions and other  
21 provisions,

22 as may be provided by the board in a resolution authorizing their issu-  
23 ance and in any indenture or other proceedings appertaining thereto.

24 SEC. 90. NRS 396.852 is hereby amended to read as follows:

25 396.852 1. As the board may determine, any bonds and other secu-  
26 rities issued hereunder (except as herein otherwise provided) shall:

27 (a) Be of a convenient denomination or denominations;

28 (b) Be fully negotiable within the meaning of and for all the purposes  
29 of the Uniform Commercial Code—Investment Securities;

30 (c) Mature at such time or serially at such times in regular numerical  
31 order at annual or other designated intervals in amounts designated and  
32 fixed by the board, but not exceeding 50 years from their date;

33 (d) Bear interest at a rate or rates of not more than [8] 9 percent per  
34 annum, the interest on each bond to be payable annually, semiannually,  
35 or at other designated intervals, but the first interest payment date may  
36 be for interest accruing for any other period;

37 (e) Be made payable in lawful money of the United States, at the office  
38 of the treasurer of the university or any commercial bank or commercial  
39 banks within or without or both within and without the state as may be  
40 provided by the board; and

41 (f) Be printed at such place within or without this state, as the board  
42 may determine.

43 2. Any bonds issued hereunder shall have one or two sets of interest  
44 coupons, bearing the number of the bond to which they are respectively  
45 attached, numbered consecutively in regular numerical order, and attached  
46 in such manner that they can be removed upon the payment of the install-  
47 ments of interest without injury to the bonds, except as herein otherwise  
48 provided.

1     SEC. 91. NRS 396.854 is hereby amended to read as follows:

2     396.854 The board may provide for the redemption of any or all of  
3 the bonds or other securities prior to maturity, in such order, by lot or  
4 otherwise, at such time or times, without or with the payment of such pre-  
5 mium or premiums not exceeding [8] 9 percent of the principal amount  
6 of each bond or other security so redeemed, and otherwise upon such  
7 terms as may be provided by the board in the resolution authorizing the  
8 issuance of the securities or other instrument appertaining thereto.

9     SEC. 92. NRS 396.868 is hereby amended to read as follows:

10     396.868 1. Any interim debentures may mature at such time or times  
11 not exceeding a period of time equal to the estimated time needed to effect  
12 the purpose or purposes for which they are issued or for which the bonds  
13 are authorized to be issued, but not exceeding [9] 5 years from the date  
14 of the interim debentures, as the board may determine.

15     2. The proceeds of interim debentures shall be used to defray the cost  
16 of the project appertaining thereto.

17     3. Any notes or warrants or both notes and warrants may be funded  
18 with the proceeds of interim debentures, as well as with the proceeds of  
19 bonds.

20     4. Except as otherwise provided in NRS 396.868 to 396.871, inclu-  
21 sive, interim debentures shall be issued as provided herein for board or  
22 university securities in NRS 396.839 to 396.867, inclusive, and 396.880  
23 to 396.885, inclusive.

24     SEC. 93. NRS 396.869 is hereby amended to read as follows:

25     396.869 1. Pledged revenues and other moneys, including without  
26 limitation proceeds of bonds to be issued or reissued after the issuance of  
27 interim debentures, and bonds issued for the purpose of securing the pay-  
28 ment of interim debentures, or any combination thereof, may be pledged  
29 for the purpose of securing the payment of interim debentures.

30     2. Any bonds pledged as collateral security for the payment of any  
31 interim debentures shall mature at such time or times as the board may  
32 determine, but in no event exceeding 50 years from the dates of such  
33 bonds and such interim debentures, or if the dates are not the same, from  
34 whichever date is the earlier.

35     3. Any bonds pledged as collateral security shall not be issued in an  
36 aggregate principal amount exceeding the aggregate principal amount of  
37 the interim debenture or interim debentures secured by a pledge of such  
38 bonds, nor shall they bear interest at any time which, with any interest  
39 accruing at the same time on the interim debenture or interim debentures  
40 so secured, exceeds [8] 9 percent per annum.

41     SEC. 94. NRS 396.874 is hereby amended to read as follows:

42     396.874 1. No bonds may be refunded hereunder unless they have  
43 been outstanding for at least 1 year from the date of their delivery and  
44 unless the holders thereof voluntarily surrender them for exchange or  
45 payment, or unless they either mature or are callable for prior redemption  
46 under their terms within 15 years from the date of issuance of the refund-  
47 ing bonds. Provision shall be made for paying the securities within such  
48 period of time.

49     2. No maturity of any bond refunded may be extended over 15 years,

1 or beyond 1 year next following the date of the last outstanding maturity,  
2 whichever limitation is later, nor may any interest thereon be increased to  
3 any rate exceeding [8] 9 percent per annum.

4 3. The principal amount of the refunding bonds may exceed the prin-  
5 cipal amount of the refunded bonds if the aggregate principal and interest  
6 costs of the refunding bonds do not exceed such unaccrued costs of the  
7 bonds refunded, except to the extent any interest on the bonds refunded  
8 in arrears or about to become due is capitalized with the proceeds of the  
9 refunding bonds. Principal may also then be increased to that extent.

10 4. The principal amount of the refunding bonds may also be less than  
11 or the same as the principal amount of the bonds being refunded so long  
12 as provision is duly and sufficiently made for their payment.

13 SEC. 95. NRS 403.310 is hereby amended to read as follows:

14 403.310 All bonds shall bear interest at not to exceed [8] 9 percent  
15 per annum, payable semiannually, according to the tenor and effect of the  
16 bonds.

17 SEC. 96. NRS 474.250 is hereby amended to read as follows:

18 474.250 The bonds shall bear interest at a rate or rates not exceeding  
19 [8] 9 percent per annum, payable annually, semiannually or at other des-  
20 ignated intervals, but the first interest payment date may be for interest  
21 accruing for any other period.

22 SEC. 97. NRS 539.277 is hereby amended to read as follows:

23 539.277 1. When a contract has been or may hereafter be made with  
24 the United States, bonds of the district may be transferred to or deposited  
25 with the United States, if so provided by the contract and authorized as  
26 set forth in this chapter, at not less than 95 percent of their par value  
27 to the amount or any part thereof to be paid by the district to the United  
28 States.

29 2. The interest or principal, or both, of the bonds shall be raised by  
30 assessment and levy as prescribed in this chapter and shall be regularly  
31 paid to the United States and applied as provided in the contract.

32 3. Bonds transferred to or deposited with the United States may call  
33 for the payment of such interest, not exceeding [8] 9 percent per annum,  
34 may be of such denomination, and may call for the repayment of the  
35 principal at such times as may be agreed upon between the board and the  
36 Secretary of the Interior.

37 SEC. 98. NRS 539.280 is hereby amended to read as follows:

38 539.280 1. The contract with the United States may likewise call for  
39 the payment of the amount or amounts or any part thereof to be paid by  
40 the district to the United States at such times and in such installments and  
41 with such interest charges not exceeding [8] 9 percent per annum as may  
42 be agreed upon, and for assessment and levy therefor as provided in this  
43 chapter.

44 2. The obligations of such contracts shall be a prior lien to any subse-  
45 quent bond issue.

46 SEC. 99. NRS 539.375 is hereby amended to read as follows:

47 539.375 1. The board of directors of the district may:  
48 (a) Incur an indebtedness not exceeding, in the aggregate, the sum of  
49 \$1,500, and not exceeding the estimated cost of preliminary surveys and  
50 engineering data; and

1 (b) Cause warrants of the district to issue therefor, bearing interest at  
2 not exceeding [8] 9 percent per annum.

3 2. The directors of the district shall have the power to levy an assess-  
4 ment on all the lands in such division benefited by such proposed improve-  
5 ments, in addition to any district assessment on the lands within such  
6 division, for the payment of such expenses and the redemption of such  
7 warrants.

8 SEC. 100. NRS 539.427 is hereby amended to read as follows:

9 539.427 The board of directors shall have power to prepare plans  
10 and estimates of the cost of such proposed improvement and to determine  
11 the manner in which the cost of such improvement shall be provided for.  
12 For this purpose the board of directors may propose the issuance of  
13 bonds, notes or certificates of indebtedness payable by an assessment or  
14 otherwise on the property in the improvement district, bearing not more  
15 than [8] 9 percent interest per annum, interest payable semiannually, and  
16 in such amounts and maturing at such time or times, not exceeding 20  
17 years, as the board of directors may prescribe.

18 SEC. 101. NRS 539.465 is hereby amended to read as follows:

19 539.465 1. If the proposed plan for the funding or refunding of  
20 bonds, notes or certificates of indebtedness is approved by the irrigation  
21 district bond commission, the board of directors of the irrigation district  
22 shall call an election in the improvement district for the purpose of author-  
23 izing the issuance of such funding or refunding bonds.

24 2. Such election shall be called and held and the result thereof deter-  
25 mined and declared substantially in the same manner provided by this  
26 chapter for the issuance of other bonds of improvement districts in irri-  
27 gation districts, except that a majority vote only shall be required for the  
28 authorization of such funding or refunding bonds.

29 3. The maturity or maturities of the funding or refunding bonds shall  
30 be fixed by the board of directors of the irrigation district, subject to the  
31 approval of the irrigation district bond commission, but in no case shall  
32 the maturity of any of the bonds be more than 40 years from the date  
33 thereof. The rate of interest on such bonds shall not exceed [8] 9 per-  
34 cent per annum, payable semiannually.

35 SEC. 102. NRS 539.480 is hereby amended to read as follows:

36 539.480 1. For the purpose of organization, or for any of the pur-  
37 poses of this chapter, the board of directors may, at any time with the  
38 approval of the irrigation district bond commission, incur an indebtedness  
39 not exceeding in the aggregate the sum of \$50,000, nor in any event  
40 exceeding \$1 per acre, and may cause warrants of the district to issue  
41 therefor, bearing interest at not to exceed [8] 9 percent per annum. The  
42 directors shall have the power to levy an assessment of not to exceed \$1  
43 per acre on all lands in the district for the payment of such expenses.

44 2. Thereafter the directors shall have the power to levy an assessment,  
45 annually, in the absence of assessments therefor under any of the other  
46 provisions of this chapter of not to exceed \$1.50 per acre on all lands  
47 in the district for the payment of the ordinary and current expenses of  
48 the district, including the salaries of officers and other incidental expenses.  
49 Such assessments shall be collected as provided in this chapter for the  
50 collection of other assessments.

1 SEC. 103. NRS 539.620 is hereby amended to read as follows:

2 539.620 The board of directors shall have the power, with the  
3 approval of a majority of the members of the irrigation district bond  
4 commission, to fix and determine otherwise than as provided in NRS  
5 539.617 the time for the issuance and maturity of the bonds, the manner,  
6 method, terms and conditions of their payment, and to provide for the  
7 calling and redeeming of the bonds before maturity at a premium not in  
8 excess of [8] 9 percent above par; but in no case shall the maturity of  
9 any bond be more than 50 years from the date thereof.

10 SEC. 104. NRS 539.630 is hereby amended to read as follows:

11 539.630 The bonds shall bear interest at the rate of not to exceed  
12 [8] 9 percent per annum, payable semiannually on January 1 and July 1  
13 of each year.

14 SEC. 105. NRS 540.590 is hereby amended to read as follows:

15 540.590 A debt or liability incurred in excess of the provisions of  
16 this chapter shall be absolutely void, except:

17 1. That for the purpose of organization or for the purpose of this  
18 chapter the board of supervisors may, before the collection of the first  
19 annual taxes, cause warrants of the district to issue, bearing interest not  
20 exceeding [8] 9 percent per annum.

21 2. In any case where money has been theretofore loaned to the dis-  
22 trict and actually expended by the board of supervisors for the benefit  
23 of the district.

24 3. That in cases of great necessity the board of supervisors may apply  
25 to the Nevada tax commission as provided in chapter 354 of NRS for  
26 permission to obtain short-term financing to meet such necessity, and the  
27 Nevada tax commission may give its permission as therein provided. The  
28 limit of the loan for such purpose shall be an amount equivalent to an  
29 average of \$1.50 per acre throughout the district.

30 SEC. 106. NRS 540.720 is hereby amended to read as follows:

31 540.720 Bonds shall bear interest at a rate not exceeding [8] 9 per-  
32 cent per annum, payable annually or semiannually, but the first interest  
33 payment date may be for interest accruing for any other period.

34 SEC. 107. NRS 543.710 is hereby amended to read as follows:

35 543.710 1. To carry out the purposes of NRS 543.160 to 543.840,  
36 inclusive, the board is authorized to issue general obligation negotiable  
37 coupon bonds of the district.

38 2. Bonds shall:

39 (a) Bear interest at a rate not exceeding [8] 9 percent per annum,  
40 payable semiannually.

41 (b) Be due and payable serially, either annually or semiannually, com-  
42 mencing not later than 3 years and extending not more than 40 years from  
43 date.

44 (c) Be in such denominations as the board determines and the bonds  
45 and coupons thereto attached shall be payable to bearer.

46 (d) Be executed in the name of and on behalf of the district and signed  
47 by the chairman of the board with the seal of the district affixed thereto  
48 and attested by the secretary of the board.

49 3. Any of such officers, after filing with the secretary of state his  
50 manual signature certified by him under oath, may execute or cause to be

1 executed with a facsimile signature in lieu of his manual signature any  
2 bond herein authorized, provided that at least one signature required or  
3 permitted to be placed thereon shall be manually subscribed, and his fac-  
4 simile signature has the same legal effect as his manual signature. Interest  
5 coupons shall bear the original or facsimile signature of the chairman of  
6 the board.

7 4. The form and terms of the bonds, including provisions for their  
8 payment and redemption, shall be determined by the board. If the board  
9 so determines, such bonds may be redeemable prior to maturity upon  
10 payment of a premium, not exceeding [8] 9 percent of the principal  
11 thereof.

12 SEC. 108. NRS 704A.052 is hereby amended to read as follows:

13 704A.052 "Engineer" means the de facto or de jure [clerk] engineer  
14 of the municipality, or his successor in functions, if any.

15 SEC. 109. Section 15.01 of Article XV of chapter 180, Statutes of  
16 Nevada 1949, being the charter of the city of Sparks, as last amended by  
17 chapter 679, Statutes of Nevada 1971, at page 2181, is hereby amended  
18 to read as follows:

19 Section 15.01. 1. The city council shall have the power to borrow  
20 money from time to time to defray, wholly or in part, the cost of acquir-  
21 ing the facilities, or for any other public purpose as determined by the  
22 city council, notwithstanding that such purpose is not otherwise enumer-  
23 ated in this charter or any other general or special act, and to issue  
24 debentures, warrants, bonds, interim receipts, temporary certificates, tem-  
25 porary bonds and notes (hereafter sometimes collectively referred to in  
26 this article as "securities") to evidence such borrowing.

27 2. The council may pledge the full faith and credit of the city for the  
28 payment of any securities, the interest thereon, any prior redemption  
29 premium or premiums, or any other charges appertaining thereto. Such  
30 securities shall constitute the general obligations of the city payable from  
31 the proceeds of general (ad valorem) taxes (hereafter sometimes referred  
32 to in this section as "tax proceeds") levied without limitation of rate or  
33 amount, except for constitutional limitations, and from any other reve-  
34 nues of the city other than tax proceeds available therefor (hereafter  
35 sometimes referred to in this section as "other revenues of the city").  
36 Their payment may be additionally secured by a specific pledge of other  
37 revenues of the city, or part thereof (subject to any prior pledges), and  
38 the council may cause to be deposited such other revenues of the city  
39 so pledged in any fund or funds created to pay the securities or created  
40 additionally to secure their payment.

41 3. The council may directly pledge other revenues of the city, or any  
42 part thereof (subject to the prior payment of the operation and mainte-  
43 nance expenses, if any, incurred by the city or its instrumentalities in pro-  
44 ducing such revenues and to any other prior pledges) for the payment of  
45 any securities, the interest thereon, any prior redemption premium or pre-  
46 miums, or any other charges appertaining thereto. Such securities shall  
47 constitute the special obligations of the city payable directly from the  
48 other revenues of the city so pledged, and their payment may be addition-  
49 ally secured by a specific pledge of tax proceeds to be utilized in such  
50 amounts and in such manner as the council may determine. Securities

1 issued pursuant to this subsection 3 or the next-preceding subsection 2 of  
2 this section 15.01 shall not be construed to be a debt within the meaning  
3 of any statutory or charter limitation.

4 4. (a) Each series of securities shall be authorized by ordinance and  
5 shall bear such date or dates, shall be in such convenient denomination  
6 or denominations, shall mature at any time or times from and after such  
7 date or dates, but in no event exceeding 35 years thereafter, and shall  
8 bear interest at a rate or rates not exceeding [8] 9 percent per annum,  
9 which interest may be evidenced by one or two sets of coupons, payable  
10 annually or semiannually, except that the first coupon or coupons apper-  
11 taining to any securities may represent interest for any period not in  
12 excess of 1 year, as may be prescribed by the authorizing ordinance; and  
13 such securities and any coupons shall be payable in such medium of pay-  
14 ment at any banking institution, the office of the director of the depart-  
15 ment of finance or at such other place or places within or without the  
16 state as determined by the council; and such securities, at the option of  
17 the council, may be in one or more series, may be made subject to prior  
18 redemption in such order or by lot or otherwise, at such time or times  
19 without or with the payment of a premium or premiums not exceeding  
20 [8] 9 percent of the principal amount of such securities so redeemed as  
21 determined by the council.

22 (b) Each series of securities issued pursuant to subsection 2 of this  
23 section 15.01 shall mature, insofar as practicable, in substantially equal  
24 annual installments of principal, or upon an amortization plan for such  
25 securities so that substantially equal annual tax levies shall be required  
26 for the payment of the principal of and the interest on such securities,  
27 or upon an amortization plan for all general obligation securities of the  
28 city so that substantially equal annual tax levies shall be required for  
29 the payment of the principal of and the interest on all such outstanding  
30 securities of the city; but the first or last installment of principal, or both,  
31 may be for greater or lesser amounts than required by any of the afore-  
32 said limitations, or at the option of the council without limitation as to  
33 the manner in which they mature.

34 (c) Each series of securities issued pursuant to subsection 3 of this  
35 section 15.01 may mature without limitation as to time, manner or  
36 amount but not exceeding the maximum term heretofore specified.

37 (d) Securities may be issued with privileges for registration for pay-  
38 ment as to principal, or both principal and interest, and where interest  
39 accruing on the securities is not represented by interest coupons, the secu-  
40 rities may provide for the endorsing of payments of interest thereon; and  
41 the securities generally shall be issued in such manner, in such form, with  
42 such recitals, terms, covenants and conditions, with such provisions for  
43 conversion into securities of other denominations, and with such other  
44 details, as may be provided by the council in the ordinance or ordinances  
45 authorizing the securities, except as herein otherwise provided.

46 (e) Pending preparation of the definitive securities, interim or tempo-  
47 rary securities, in such form and with such provisions as the council may  
48 determine, may be issued.



- 1 (f) Except for payment provisions herein expressly provided, the secu-  
2 rities, any interest coupons thereto attached, and such interim or tempo-  
3 rary securities shall be fully negotiable within the meaning of and for all  
4 the purposes of the Negotiable Instruments Law and the Uniform Com-  
5 mercial Code—Investment Securities.
- 6 (g) Notwithstanding any other provision of law, the council, in any  
7 proceedings authorizing securities hereunder:
- 8 (1) May provide for the initial issuance of one or more securities (in  
9 this paragraph (g) called "bond") aggregating the amount of the entire  
10 issue or any portion thereof.
- 11 (2) May make such provision for installment payments of the prin-  
12 cipal amount of any such bond as it may consider desirable.
- 13 (3) May provide for the making of any such bond payable to bearer  
14 or otherwise, registrable as to principal, or as to both principal and inter-  
15 est, and where interest accruing thereon is not represented by interest cou-  
16 pons, for the endorsing of payments of interest on such bond.
- 17 (4) May make provision in any such proceedings for the manner  
18 and circumstances in and under which any such bond may in the future,  
19 at the request of the holder thereof, be converted into securities of smaller  
20 denominations, which securities of smaller denominations may in turn be  
21 either coupon securities or securities registrable as to principal, or both  
22 principal and interest, at the option of the holder.
- 23 (h) If lost or completely destroyed, any security may be reissued in the  
24 form and tenor of the lost or destroyed security upon the owner's furnish-  
25 ing, to the satisfaction of the council:
- 26 (1) Proof of ownership.
- 27 (2) Proof of loss or destruction.
- 28 (3) A surety bond in twice the face amount of the security and cou-  
29 pons.
- 30 (4) Payment of the cost of preparing and issuing the new security.
- 31 (i) Any security shall be executed in the name of and on behalf of the  
32 city and signed by the mayor, countersigned by the director of the depart-  
33 ment of finance, with the seal of the city affixed thereto and attested by  
34 the clerk.
- 35 (j) Except for such securities which are registrable for payment of  
36 interest, interest coupons payable to bearer shall be attached to the secu-  
37 rities and shall bear the original or facsimile signature of the director of  
38 the department of finance.
- 39 (k) Any of such officers, after filing with the secretary of state his man-  
40 ual signature certified by him under oath, may execute or cause to be exe-  
41 cuted with a facsimile signature in lieu of his manual signature any  
42 security or coupon herein authorized, provided that such a filing is not a  
43 condition of the valid execution with a facsimile signature of any interest  
44 coupon, and provided that at least one signature required or permitted to  
45 be placed on each security (excluding any interest coupon) shall be man-  
46 ually subscribed, and his facsimile signature has the same legal effect as  
47 his manual signature.
- 48 (l) The clerk may cause the seal of the municipality to be printed,  
49 engraved, stamped or otherwise placed in facsimile on any security. The  
50 facsimile seal has the same legal effect as the impression of the seal.

1 (m) The securities and coupons, bearing the signatures of the officers  
2 in office at the time of the signing thereof, shall be the valid and binding  
3 obligations of the city, notwithstanding that before the delivery thereof  
4 and payment therefor, any or all of the persons whose signatures appear  
5 thereon have ceased to fill their respective offices.

6 (n) Any officer herein authorized or permitted to sign any security,  
7 at the time of its execution and of the execution of a signature certificate,  
8 may adopt as and for his own facsimile signature the facsimile signature  
9 of his predecessor in office in the event that such facsimile signature  
10 appears upon the security or coupons pertaining thereto, or upon both  
11 the security and such coupons.

12 (o) The securities shall otherwise be issued in such manner, in such  
13 form, with such recitals, terms, covenants and conditions, and with such  
14 other details as may be determined by the ordinance and shall be printed  
15 at such place or places, within or without the State of Nevada, as the  
16 council may determine.

17 5. Any ordinance authorizing the issuance of securities pursuant to  
18 subsection 2 or 3 of this section 15.01 or any other instrument appertain-  
19 ing thereto may contain covenants and other provisions (notwithstanding  
20 such covenants and provisions may limit the exercise of powers conferred  
21 hereby), in order to secure the payment of such securities, in agreement  
22 with the holders and owners of such securities, as to any one or more of  
23 the following:

24 (a) The service charges, and any taxes to be fixed, charged or levied,  
25 and the collection, use and disposition thereof, including but not limited  
26 to the foreclosure of liens for delinquencies, the discontinuance of services,  
27 facilities or commodities, or use of any revenue-producing project, prohi-  
28 bition against free service, the collection of penalties and collection costs,  
29 including disconnection and reconnection fees, and the use and disposition  
30 of any revenues of the city, derived or to be derived, from any source.

31 (b) The acquisition, improvement or equipment of all or any part of  
32 any revenue-producing project.

33 (c) The creation and maintenance of reserves or sinking funds to  
34 secure the payment of the principal of and interest on any securities or of  
35 operation and maintenance expenses of any revenue-producing project,  
36 or part thereof, and the source, custody, security, use and disposition of  
37 any such reserves or funds, including but not limited to the powers and  
38 duties of any trustee with regard thereto.

39 (d) A fair and reasonable payment by the city from its general fund or  
40 other available moneys to the account of a designated project for any  
41 facilities or commodities furnished or services rendered thereby to the  
42 city or any of its departments, boards or agencies.

43 (e) The purpose or purposes to which the proceeds of the sale of  
44 securities may be applied, and the custody, security, use, expenditure,  
45 application and disposition thereof.

46 (f) The payment of the principal of and interest on any securities, and  
47 the sources and methods thereof, the rank or priority of any securities as  
48 to any lien or security for payment, or the acceleration of any maturity  
49 of any securities, or the issuance of other or additional securities payable  
50 from or constituting a charge against or lien upon any revenues pledged

1 for the payment of securities and the creation of future liens and encum-  
2 brances thereagainst, and limitations thereon.

3 (g) The use, regulation, inspection, management, operation, mainte-  
4 nance or disposition, or any limitation or regulation of the use, of all or  
5 any part of any revenues of the city.

6 (h) The determination or definition of revenues from any revenue-  
7 producing project or of the expenses of operation and maintenance of  
8 such, the use and disposition of such revenues and the manner of and lim-  
9 itations upon paying such expenses.

10 (i) The insurance to be carried by the city and use and disposition of  
11 insurance moneys, the acquisition of completion or surety bonds, apper-  
12 taining to any project or funds, or both, and the use and disposition of any  
13 proceeds of such securities.

14 (j) Books of account, the inspection and audit thereof, and other rec-  
15 ords appertaining to a revenue-producing project herein authorized.

16 (k) The assumption or payment or discharge of any indebtedness,  
17 other obligation, lien or other claim related to any part of a revenue-  
18 producing project or any securities having or which may have a lien on  
19 any part of any revenues of the project.

20 (l) Limitations on the powers of the city to acquire or operate, or per-  
21 mit the acquisition or operation of, any plants, structures, facilities or  
22 properties which may compete or tend to compete with any revenue-  
23 producing project.

24 (m) The vesting in a corporate or other trustee or trustees of such  
25 property rights, powers and duties in trust as the city may determine,  
26 which may include any or all of the rights, powers and duties of the trust-  
27 tee appointed by the holders of securities, and limiting or abrogating the  
28 right of such holders to appoint a trustee, or limiting the rights, duties and  
29 powers of such trustee.

30 (n) The payment of costs or expenses incident to the enforcement of  
31 the securities or of the provisions of the ordinance or of any covenant  
32 or contract with the holders of the securities.

33 (o) The procedure, if any, by which the terms of any covenant or  
34 contract with, or duty to, the holders of securities may be amended or  
35 abrogated, the amount of securities the holders of which must consent  
36 thereto, and the manner in which such consent may be given or evidenced.

37 (p) Events of default, rights and liabilities arising therefrom, and the  
38 rights, liabilities, powers and duties arising upon the breach by the city  
39 of any covenants, conditions or obligations.

40 (q) The terms and conditions upon which the holders of the securities  
41 or any portion, percentage or amount of them may enforce any covenants  
42 or provisions made hereunder or duties imposed thereby.

43 (r) The terms and conditions upon which the holders of the securities  
44 or of a specified portion, percentage or amount thereof, or any trustee  
45 therefor, shall be entitled to the appointment of a receiver, which receiver  
46 may enter and take possession of the revenue-producing project, operate  
47 and maintain the same, prescribe fees, rates and charges, and collect,  
48 receive and apply all revenues thereafter arising therefrom in the same  
49 manner as the city itself might do.

1 (s) A procedure by which the terms of any ordinance authorizing  
2 securities, or any other contract with any holders of securities, including  
3 but not limited to an indenture of trust or similar instrument, may be  
4 amended or abrogated, and as to the amount of securities the holders  
5 of which must consent thereto and the manner in which such consent  
6 may be given.

7 (t) The terms and conditions upon which any or all of the securities  
8 shall become or may be declared due before maturity, and as to the terms  
9 and conditions upon which such declaration and its consequences may  
10 be waived.

11 (u) All such acts and things as may be necessary or convenient or  
12 desirable in order to secure the city's securities, or in the discretion of the  
13 council tend to make the securities more marketable, notwithstanding that  
14 such covenant, act or thing may not be enumerated herein, it being the  
15 intention hereof to give the city power to do all things in the issuance of  
16 securities and for their security except as herein specifically limited.

17 6. The council is hereby authorized to sell securities at one time, or  
18 from time to time, as the council may determine, at public sale in accordance  
19 with NRS 350.616 to 350.626, inclusive, or at private sale. The  
20 council may employ legal, fiscal, engineering and other expert services in  
21 connection with the authorization, issuance and sale of such securities.

22 7. Except as hereinafter provided, the question of the issuance of  
23 such securities shall be submitted to, and carried by a majority vote of,  
24 the electors voting on the question at a general or special election called  
25 for that purpose in the manner prescribed by the provisions of NRS  
26 350.020 to 350.070, inclusive, and the general laws of the state; but the  
27 council may dispense with the requirement for an election by the unanimous  
28 vote of all members of the council (excluding the mayor) and  
29 submit a resolution authorizing the securities to the referendum procedure  
30 hereafter provided. In that event, and in the case of every franchise  
31 (no election being required on franchises except as hereafter provided),  
32 the council shall first pass a resolution which shall set forth fully, and in  
33 detail, the purpose or purposes of the proposed securities, the terms,  
34 amount, maximum rate of interest, and time within which redeemable  
35 and on what fund; or the applicant for, the purpose and character of,  
36 terms, time, and conditions of the proposed franchise, as the case may  
37 be. Such resolution shall be published in full in some newspaper published  
38 in the city or county, for at least two publications in the 2 weeks  
39 succeeding its passage. On the first regular meeting of the council, after  
40 the expiration of the period of such publication, the council shall, unless  
41 a petition shall be received by it as in the next section provided, proceed  
42 to pass an ordinance for the issuing of the securities, or the granting of  
43 the franchise, as the case may be; provided, that such securities shall be  
44 issued or franchise granted, as the case may be, only on substantially the  
45 same terms and conditions as expressed in the resolution as published;  
46 otherwise such ordinance shall be null and void.

47 SEC. 110. Section 20.65 of Article XX of chapter 180, Statutes of  
48 Nevada 1949, being the charter of the city of Sparks, as added by chapter  
49 347, Statutes of Nevada 1963, at page 727, and amended by chapter 679,

1 Statutes of Nevada 1971, at page 2186, is hereby amended to read as fol-  
2 lows:

3 Section 20.65. 1. For the purpose of paying any contractor or other-  
4 wise defraying any costs of the project as the same become due from time  
5 to time until moneys are available therefor from the levy and collection of  
6 assessments and any issuance of bonds, the city council may issue interim  
7 warrants.

8 2. Any interim warrants issued for any construction work shall be  
9 issued only upon estimates of the engineer.

10 3. Any interim warrants shall bear such date or dates, shall mature in  
11 such denomination or denominations at such time or times, or at any  
12 time upon call, shall bear interest at a rate or rates not exceeding [8] 9  
13 percent per annum, and shall be payable in such medium of payment at  
14 such place or places within and without the state, including but not lim-  
15 ited to the county treasurer, as the city council may determine.

16 4. Any interim warrants may be issued with privileges for registration  
17 for payment as to principal only, or as to both principal and interest, may  
18 be negotiable or nonnegotiable, may be general obligations for the pay-  
19 ment of which the city council pledges the full faith and credit of the city,  
20 or may be special obligations payable from designated special assess-  
21 ments, any bond proceeds, and any other moneys designated to be avail-  
22 able for the redemption of such interim warrants, and generally shall be  
23 issued in such manner, in such form, with such recitals, terms, covenants  
24 and conditions, and with such other details, as may be provided by the  
25 city council by ordinance.

26 SEC. 111. Section 20.76 of Article XX of chapter 180, Statutes of  
27 Nevada 1949, being the charter of the city of Sparks, as added by chapter  
28 347, Statutes of Nevada 1963, at page 731, and last amended by chapter  
29 679, Statutes of Nevada 1971, at page 2187, is hereby amended to read  
30 as follows:

31 Section 20.76. 1. All assessments made in pursuance of the assess-  
32 ment ordinance shall be due and payable without demand within 30 days  
33 after the effective date of the assessment ordinance.

34 2. All such assessments may at the election of the owner be paid in  
35 installments with interest as hereinafter provided, whenever the city coun-  
36 cil so authorizes the payment of assessments.

37 3. Failure to pay the whole assessment within such period of 30 days  
38 shall be conclusively considered and held an election on the part of all  
39 persons interested, whether under disability or otherwise, to pay in install-  
40 ments the amount of the assessment then unpaid.

41 4. All persons so electing to pay in installments shall be conclusively  
42 considered and held as consenting to such projects, and such election  
43 shall be conclusively considered and held as a waiver of any and all rights  
44 to question the power or jurisdiction of the city to acquire or improve the  
45 projects, the quality of the work, the regularity or sufficiency of the pro-  
46 ceedings or the validity or correctness of the assessment.

47 5. The owner of any tract assessed may at any time pay the whole  
48 unpaid principal with the interest accrued to the next interest payment  
49 date, together with penalties, if any. The city council may require in the  
50 assessment ordinance the payment of a premium for any such prepayment

1 not exceeding [9] 10 percent of the installment or installments of princi-  
2 pal so prepaid.

3 6. Subject to the foregoing provisions, all installments, both of prin-  
4 cipal and interest, shall be payable at such times as may be determined  
5 in and by the assessment ordinance.

6 SEC. 112. Section 20.78 of Article XX of chapter 180, Statutes of  
7 Nevada 1949, being the charter of the city of Sparks as added by chapter  
8 347, Statutes of Nevada 1963, at page 732, and amended by chapter 679,  
9 Statutes of Nevada 1971, at page 2187, is hereby amended to read as fol-  
10 lows:

11 Section 20.78. 1. In case of such election to pay in installments, the  
12 assessment shall be payable in not less than two nor more than 20 sub-  
13 stantially equal annual installments, or not less than four nor more than  
14 40 substantially equal semiannual installments, or not less than eight nor  
15 more than 80 quarter-annual installments of principal.

16 2. Interest in all cases on the unpaid principal accruing from the  
17 effective date of the assessment ordinance until the respective installments'  
18 due dates shall be payable annually, or semiannually, or quarter-annually,  
19 at a rate or rates not exceeding [9] 10 percent per annum.

20 3. Nothing herein contained shall be construed as limiting the dis-  
21 cretion of the city council in determining whether assessments shall be  
22 payable in installments and the time the first installment of principal or  
23 interest, or both, and any subsequent installments thereof, shall become  
24 due.

25 4. The city council in the assessment ordinance shall state the number  
26 of installments in which assessments may be paid, the period of payment,  
27 the rate or rates of interest upon the unpaid installments of principal to  
28 their respective due dates, any privileges of making prepayments and any  
29 premium to be paid to the city for exercising any such privilege, the rate  
30 of interest upon unpaid principal and accrued interest after any delin-  
31 quency at a rate not exceeding 1 percent per month, and any penalties  
32 and collection costs payable after delinquency.

33 SEC. 113. Section 20.92 of Article XX of chapter 180, Statutes of  
34 Nevada 1949, being the charter of the city of Sparks, as added by chap-  
35 ter 347, Statutes of Nevada 1963, at page 736, and amended by chapter  
36 679, Statutes of Nevada 1971, at page 2188, is hereby amended to read  
37 as follows:

38 Section 20.92. 1. Any bonds issued pursuant hereto may be sold  
39 in such manner as may be approved by the city council to defray the cost  
40 of the project, including all proper incidental expenses.

41 2. Bonds shall be sold at public or private sale for not less than the  
42 principal amount thereof and accrued interest thereon, or, at the option  
43 of the city council, below par at a discount not exceeding [8] 9 percent  
44 of the principal amount thereof and at a price which will not result in a  
45 net interest cost to the city of more than [8] 9 percent per annum com-  
46 puted to maturity according to standard tables of bond values if the max-  
47 imum or any lesser amount of discount permitted by the city council shall  
48 have been capitalized as a cost of the project.

49 3. No bond interest rate shall at any time exceed the interest rate (or  
50 lower or lowest rate if more than one) borne by the special assessments,

1 but any such bond interest rate may be the same as or less than any  
2 assessment interest rate, subject to the aforesaid limitation, as the city  
3 council may determine.

4 4. No discount (except as herein otherwise provided expressly or by  
5 necessary implication) or commission shall be allowed or paid on or for  
6 any bond sale to any purchaser or bidder, directly or indirectly.

7 5. The city council may employ legal, fiscal, engineering and other  
8 expert services in connection with any project herein authorized and the  
9 authorization, issuance and sale of bonds.

10 6. Any accrued interest and any premium shall be applied to the pay-  
11 ment of the interest on or the principal of the bonds, or both interest  
12 and principal.

13 7. Any unexpended balance of such bond proceeds remaining after  
14 the completion of the project for which such bonds were issued shall be  
15 paid immediately into the fund created for the payment of the principal  
16 of the bonds and shall be used therefor, subject to the provisions as to  
17 the times and methods for their payment as stated in the bonds and the  
18 proceedings authorizing their issuance.

19 8. The validity of the bonds shall not be dependent on nor affected  
20 by the validity or regularity of any proceedings relating to the acquisition  
21 or improvement of the project for which the bonds are issued.

22 9. The purchaser or purchasers of the bonds shall in no manner be  
23 responsible for the application of the proceeds of the bonds by the city  
24 or any of its officers, agents and employees.

25 10. The city council may enter into a contract to sell special assess-  
26 ment bonds at any time; but, any other provisions hereof notwithstanding,  
27 if the city council so contracts before it awards a construction contract  
28 or otherwise contracts for acquiring or improving the project, the city  
29 council may terminate the contract to sell the bonds, if, before the award-  
30 ing of the construction contract or otherwise contracting for the acqui-  
31 sition or improvement of the project, it determines not to acquire or  
32 improve the project, and if the city council has not elected to proceed  
33 under subsection 2 or 3 of section 20.60 hereof, but has elected to pro-  
34 ceed under subsection 1 thereof.

35 11. If the city council ceases to have jurisdiction to proceed, because  
36 the owners of more than one-half of the frontage to be assessed, or of  
37 such area, zone or other assessment basis, file written complaints, protests  
38 and objections to the project, as provided in section 20.55 hereof, or for  
39 any other reason, any contract to sell special assessment bonds shall there-  
40 upon be terminated and inoperative.

41 SEC. 114. Section 20.97 of Article XX of chapter 180, Statutes of  
42 Nevada 1949, being the charter of the city of Sparks, as added by chap-  
43 ter 347, Statutes of Nevada 1963, at page 738, and amended by chapter  
44 679, Statutes of Nevada 1971, at page 2189, is hereby amended to read  
45 as follows:

46 Section 20.97. Assessment bonds shall not bear interest at a rate or  
47 rates exceeding [8] 9 percent per annum.

48 SEC. 115. Section 20.98 of Article XX of chapter 180, Statutes of  
49 Nevada 1949, being the charter of the city of Sparks, as added by chap-  
50 ter 347, Statutes of Nevada 1963, at page 738, and amended by chapter

1 67), Statutes of Nevada 1971, at page 2189, is hereby amended to read  
2 as follows:

3 Section 20.98. 1. Any assessment bonds:

4 (a) Shall bear such date or dates;

5 (b) Shall mature in such denomination or denominations at such time  
6 or times, but in no event commencing later than 1 year nor exceeding  
7 20 years from their date;

8 (c) Shall bear interest which may be evidenced by one or two sets of  
9 coupons, payable annually or semiannually, except that the first coupon  
10 or coupons on any bond may represent interest for any period not in  
11 excess of 1 year;

12 (d) Shall be payable in such medium of payment at such place or  
13 places within and without the state, including but not limited to the  
14 office of the county treasurer; and

15 (e) At the option of the city council, may be made subject to prior  
16 redemption in advance of maturity, in such order or by lot or otherwise,  
17 at such time or times, without or with the payment of such premium or  
18 premiums not exceeding [8] 9 percent of the principal amount of each  
19 bond so redeemed,  
20 as provided by ordinance.

21 2. Bonds may be issued with privileges for registration for payment  
22 as to principal, or both principal and interest, and where interest accruing  
23 on the bonds is not represented by interest coupons, the bonds may pro-  
24 vide for the endorsing of payments of interest thereon; and the bonds  
25 generally shall be issued in such manner, in such form, with such recitals,  
26 terms, covenants and conditions, with such provisions for conversion into  
27 bonds of other denominations, and with such other details, as may be  
28 provided by the city council in the ordinance or ordinances authorizing  
29 the bonds, except as herein otherwise provided.

30 3. Pending preparations of the definitive bonds, interim or temporary  
31 bonds, in such form and with such provisions as the city council may  
32 determine, may be issued.

33 4. Except for payment provisions herein expressly provided, the  
34 bonds, any interest coupons thereto attached, and such interim or tempo-  
35 rary bonds shall be fully negotiable within the meaning of and for all the  
36 purposes of the Negotiable Instruments Law and the Uniform Commer-  
37 cial Code—Investment Securities.

38 5. Notwithstanding any other provisions of law, the city council, in  
39 any proceedings authorizing bonds hereunder, may:

40 (a) Provide for the initial issuance of one or more bonds (in this sub-  
41 section 5 called "bond") aggregating the amount of the entire issue or any  
42 portion thereof.

43 (b) Make such provision for installment payments of the principal  
44 amount of any such bond as it may consider desirable.

45 (c) Provide for the making of any such bond payable to bearer or  
46 otherwise, registrable as to principal, or as to both principal and interest,  
47 and where interest accruing thereon is not represented by interest cou-  
48 pons, for the endorsing of payment of interest on such bond.

49 (d) Make provision in any such proceedings for the manner and cir-  
50 cumstances in and under which any such bond may in the future, at the



1 request of the holder thereof, be converted into bonds of smaller denomi-  
2 nations, which bonds of smaller denominations may in turn be either  
3 coupon bonds or bonds registrable as to principal, or both principal and  
4 interest, or either, at the option of the holder.

5 6. If lost or completely destroyed, any bond may be reissued in the  
6 form and tenor of the lost or destroyed bond upon the owner's furnishing,  
7 to the satisfaction of the city council:

8 (a) Proof of ownership.

9 (b) Proof of loss or destruction.

10 (c) A surety bond in twice the face amount of the bond and coupons.

11 (d) Payment of the cost of preparing and issuing the new bond.

12 7. Any bond shall be executed in the name of and on behalf of the  
13 city and signed by the mayor, countersigned by the clerk, with the seal  
14 of the city affixed thereto.

15 8. Except for such bonds which are registrable for payment of interest,  
16 interest coupons payable to bearer shall be attached to the bonds and  
17 shall bear the original or facsimile signature of the clerk.

18 9. Any of such officers, after filing with the secretary of state his  
19 manual signature certified by him under oath, may execute or cause to be  
20 executed with a facsimile signature in lieu of his manual signature any  
21 bond herein authorized, provided that at least one signature required or  
22 permitted to be placed thereon shall be manually subscribed, and his  
23 facsimile signature has the same legal effect as his manual signature.

24 10. The clerk may cause the seal of the city to be printed, engraved,  
25 stamped or otherwise placed in facsimile on any bond. The facsimile seal  
26 has the same legal effect as the impression of the seal.

27 11. The bonds and coupons, bearing the signatures of the officers in  
28 office at the time of the signing thereof, shall be the valid and binding  
29 obligations of the city, notwithstanding that before the delivery thereof  
30 and payment therefor, any or all of the persons whose signatures appear  
31 thereon shall have ceased to fill their respective offices.

32 12. Any officer herein authorized or permitted to sign any bond, at  
33 the time of its execution and of the execution of a signature certificate,  
34 may adopt as and for his own facsimile signature the facsimile signature  
35 of his predecessor in office in the event that such facsimile signature  
36 appears upon the bond or coupons pertaining thereto, or upon both the  
37 bond and such coupons.

38 SEC. 116. Section 16e of chapter 167, Statutes of Nevada 1947, being  
39 an act creating the Las Vegas Valley Water District, as added by chapter  
40 307, Statutes of Nevada 1951, at page 480, and amended by chapter 679,  
41 Statutes of Nevada 1971, at page 2191, is hereby amended to read as  
42 follows:

43 Section 16e. Such bonds shall be in coupon form, but may be made  
44 registerable as to principal if so provided in the resolution adopting the  
45 proposal to be submitted at any bond election. The bonds shall be in the  
46 denomination of \$100 or a multiple thereof, shall bear interest at a cou-  
47 pon rate not exceeding [eight] 9 percent per annum, shall mature serially  
48 or otherwise in such manner as may be provided by the governing body,  
49 but not later than forty years from their date, shall be made payable at

1 such place or places within or without the State of Nevada as may be pro-  
2 vided by the governing body, and in the discretion of the governing body  
3 may be made redeemable at the option of the district prior to maturity at  
4 such premium or premiums not greater than one hundred [eight] 9 per-  
5 cent of the principal amount thereof as the governing body may deter-  
6 mine. The bonds shall be signed by the president and attested by the  
7 secretary of the district under the official seal of the district in such man-  
8 ner as may be provided by resolution of the board. Interest coupons to be  
9 attached to the bonds may be executed with the facsimile signatures of  
10 such officers, and in the event any officer whose signature appears on such  
11 bond or coupons shall cease to be such officer before delivery of the bonds  
12 to the purchaser, such signature shall nevertheless be valid and sufficient  
13 for all purposes. The bonds shall be sold in such manner and at such times  
14 as the governing body may determine at public or private sale for such  
15 prices as the governing body shall approve, except that in no event shall  
16 the bonds be sold at a price which will result in an interest yield therefrom  
17 of more than [eight] 9 percent per annum computed to average maturity  
18 according to standard tables of bond values. The proceeds from the sale of  
19 the bonds shall be applied exclusively to the purposes stated in the notice  
20 of the election and to the payment of the incidental expenses in connec-  
21 tion therewith, and expenses incurred in connection with the authoriza-  
22 tion and issuance of the bonds, including but without limitation,  
23 engineering and legal fees and expenses, fiscal agents' fees and expenses,  
24 and the payment of interest on the bonds during the period of construction  
25 of any improvements for which the bonds were voted and for six months  
26 thereafter. The proceeds from the sale of the first bonds issued by the dis-  
27 trict may also be used to repay any amounts advanced to the district by  
28 Clark County, which have not been repaid at the time the bonds are  
29 issued. Pending the preparation or execution of definitive bonds, interim  
30 receipts or certificates or temporary bonds may be delivered to the pur-  
31 chaser of said bonds.

32 All bonds issued under the provisions of this act shall constitute nego-  
33 tiable instruments within the meaning of the negotiable instruments law  
34 as that law is now or may hereafter be in force in the State of Nevada.

35 SEC. 117. Section 40 of chapter 167, Statutes of Nevada 1947, being  
36 an act creating the Las Vegas Valley Water District, as added by chapter  
37 446, Statutes of Nevada 1963, at page 1201, and last amended by chap-  
38 ter 797, Statutes of Nevada 1973, at page 1799, is hereby amended to  
39 read as follows:

40 Section 40. 1. All special assessments shall from the date of approval  
41 of the final assessment roll constitute a lien upon the respective lots or  
42 parcels of land assessed coequal with the lien of general taxes, not subject  
43 to extinguishment by the sale of any property on account of the nonpay-  
44 ment of general taxes, and prior and superior to all liens, claims, encum-  
45 brances and titles other than liens of general taxes.

46 2. The special assessments shall be due and payable without demand  
47 and without interest within 30 days from the approval of the final assess-  
48 ment role. All assessments remaining unpaid at the end of the cash pay-  
49 ment period, at the option of the board, may be made payable in not less  
50 than four nor more than 15 annual installments of principal, with interest

1 thereon at a rate of interest not exceeding ~~[8½]~~ 9½ percent per annum.  
2 Installments may be collected in either substantially equal installments of  
3 principal or in such manner that annual collections of principal together  
4 with the interest thereon payable in any 1 year are substantially equal.

5 3. The lien upon any payment shall be released upon payment on any  
6 regular payment date of the total principal due and interest to that date,  
7 or upon payment at any other time of the total principal due and interest  
8 to the next regular payment date.

9 4. Any penalty which may be established by the board in the assess-  
10 ment resolution must also be paid in full before the lien will be released.

11 SEC. 118. Section 45 of chapter 167, Statutes of Nevada 1947, being  
12 an act creating the Las Vegas Valley Water District, as added by chapter  
13 446, Statutes of Nevada 1963, at page 1202, and last amended by chap-  
14 ter 797, Statutes of Nevada 1973, at page 1800, is hereby amended to  
15 read as follows:

16 Section 45. 1. When the board shall determine to make any improve-  
17 ment and shall determine to defray the whole or any part of the cost or  
18 expense thereof by special assessment, the board may, by resolution, at  
19 the time it directs such special assessment to be made, or at any time  
20 thereafter while any part of the assessment remains unpaid, without sub-  
21 mitting the question to the electors of the district at any general or special  
22 election, cause to be issued bonds of the district in an amount not exceed-  
23 ing the assessments outstanding and unpaid at the end of the cash payment  
24 period, for the purpose of paying the cost or expense of such improve-  
25 ment. The bonds shall be called "(insert name of subdivision, district or  
26 street) Improvement Bonds," shall be signed by the president and coun-  
27 tersigned by the secretary of the district, and shall not be sold for less than  
28 their par value nor before the work of the improvement is ordered. The  
29 bonds may bear interest at a rate or at rates not to exceed ~~[8]~~ 9 percent  
30 per annum in any 1 year; provided, however, the highest interest rate to  
31 be borne by the bonds shall be at least one-half of 1 percent less than the  
32 rate of interest to be borne by deferred installments of assessments (i.e.,  
33 assessments remaining unpaid after the 30-day cash payment period)  
34 from which the bonds are payable. The bonds may be serial or term in  
35 form, may be subject to call for redemption prior to maturity in such  
36 manner as the board may determine, shall be payable within a period of  
37 not to exceed 15 years, and shall be in such form and denominations as  
38 the board shall determine.

39 2. The special assessment, when levied, shall be and remain a lien  
40 on the respective lots and parcels of land assessed from the confirmation  
41 of the final assessment roll until paid, as provided in sections 25 to 45,  
42 inclusive, and, when collected, shall be placed in a special fund to be  
43 known as "..... Improvement Bond Interest and Redemption  
44 Fund," and as such shall at all times constitute a sinking fund for and  
45 deemed specially appropriated to the payment of the bonds and interest  
46 thereon, and shall not be used for any other purpose until the bonds and  
47 the interest thereon is fully paid.

48 3. The issuance of any bonds, as herein provided, shall be conclusive  
49 evidence of the regularity of all proceedings up to the issuance of such  
50 bonds.

1 4. In the event that the special fund created by the proceeds of the  
2 special assessment shall be insufficient to pay the bonds and interest  
3 thereon as they become due, the deficiency shall be paid out of the  
4 general funds of the district.

5 SEC. 119. Section 46 of chapter 167, Statutes of Nevada 1947, being  
6 an act creating the Las Vegas Valley Water District, as added by chapter  
7 120, Statutes of Nevada 1969, at page 163, and amended by chapter  
8 679, Statutes of Nevada 1971, at page 2193, is hereby amended to read  
9 as follows:

10 Section 46. 1. As an alternative means to obtain funds for the  
11 accomplishment of any of its corporate purposes, the district shall also  
12 have the power to borrow money and to issue and sell notes, in either  
13 negotiable or nonnegotiable form, to evidence the indebtedness created by  
14 such borrowing whenever the board determines that the public interest  
15 and necessity require the exercise of that power. Such notes may be issued  
16 and sold from time to time as the board determines at either public or  
17 private sale; provided, however, that such notes shall not be issued in a  
18 principal amount which exceeds the amount of any unused balance of  
19 indebtedness authorized by vote of the qualified electors of the district and  
20 not otherwise incurred; provided further that any note issued hereunder  
21 shall mature not later than 5 years from its date; and provided further  
22 that the maximum rate of interest upon any such note shall not exceed  
23 [8] 9 percent per annum. Notes authorized pursuant to this section shall  
24 be in such form and amount as the board shall determine and set forth in  
25 its resolution providing for the issuance of the notes. Any such notes may  
26 be refunded in the manner prescribed by Section 16i.

27 2. Notes issued pursuant to this section shall be issued as the general  
28 obligations of the district, for the payment of which the full faith, credit  
29 and resources of the district are pledged, and it shall be the duty annually  
30 of the governing body to provide for the levy of taxes on all taxable  
31 property in the district (subject to pertinent existing constitutional restric-  
32 tions) fully sufficient in conjunction with other available income and  
33 revenues of the district to assure the prompt payment of principal and  
34 interest as they fall due. The governing body of the district shall in each  
35 year in due season, prior to the time when county taxes are levied by the  
36 board of county commissioners, determine the amount of taxes, if any,  
37 which are necessary to be levied on the taxable property in such district  
38 for such year, for the purpose of supplementing other revenues of the  
39 district available for the payment of principal and interest of any general  
40 obligation bond issues or notes issued pursuant to this section; and prior  
41 to the date on which the board of county commissioners makes the  
42 county levy for such year the governing body of the district shall certify  
43 to the clerk of the board of county commissioners the amount necessary  
44 to be so raised by taxes levied against the taxable property in the district  
45 in such fiscal year. The board of county commissioners shall at the time  
46 of making the levy of county taxes for that year levy the tax so certified  
47 upon all taxable property in the district. Such tax when levied shall be  
48 entered upon the assessment rolls and collected in the same manner as  
49 state and county taxes and the proceeds thereof shall be paid to the  
50 treasurer of the district to be used for the purposes for which the tax was

1 levied. All taxes levied as herein provided shall constitute a lien on the  
2 property charged therewith from the date of the levy thereof by the  
3 board of county commissioners, or the entry thereof on the assessment  
4 roll of the county auditor, until the same are paid, and thereafter, if  
5 allowed to become delinquent, shall be enforced in the same manner as  
6 is now provided by law for the collection of state and county taxes. No  
7 additional allowance, fee or compensation shall be paid to any officer  
8 for carrying out the provisions of this section. In the event that the total  
9 taxes requested to be levied in any 1 year by the district and the political  
10 subdivision which overlap it should exceed 50 mills and reduction  
11 thereof shall become necessary by reason of the restriction contained in  
12 section 2 of article 10 of the constitution of the State of Nevada, the  
13 board charged with the duty of making such reductions and allocations  
14 is hereby required to allocate to the district sufficient taxes to assure the  
15 payment to the district of money sufficient to make certain the prompt  
16 payment of and interest on any note of the district which may have been  
17 issued with the pledge of the full faith, credit and resources of the dis-  
18 trict; and where notes have been so issued, the district shall be regarded  
19 as a political subdivision of the State of Nevada for the purposes of  
20 NRS 350.250, and the provisions of NRS 350.250 shall be applicable  
21 to the district.

22 3. The provisions of law regarding the general obligation bond com-  
23 mission (NRS 350.001 to 350.006, inclusive) shall not apply to notes  
24 issued pursuant to this section.

25 4. The authority granted by this section shall not be construed as a  
26 continuing revolving authorization to issue such notes but rather is author-  
27 ity only to issue notes in lieu of the bonds previously authorized. The  
28 issuance of notes pursuant to this section exhausts, to the extent of their  
29 principal amount, any unused balance of indebtedness authorized by vote  
30 of the qualified electors of the district.

31 SEC. 120. 1. The purpose of the legislature in enacting this section is  
32 to authorize the application of the liberalizing provisions relating to inter-  
33 est, discount and time of issuance or sale of public securities contained in  
34 this act to securities authorized at an election held before, but unsold  
35 upon, the effective date of this act. The legislature finds that this exercise  
36 of its plenary power is advisable in view of the highly unsatisfactory bond  
37 marketing experiences of public issuers which have resulted from an  
38 unanticipated rise in interest rates, and is necessary to avoid the post-  
39 ponement of essential public projects.

40 2. Notwithstanding the provisions of any other law, general or special,  
41 or of any special charter, where the issuance of any bond or other evidence  
42 of indebtedness by this state or by any political subdivision thereof has  
43 been authorized at an election held before the effective date of this act  
44 pursuant to any law then in effect, whether or not a question has been  
45 submitted to the electorate which set forth a lower maximum rate of  
46 interest, such bond or other evidence of indebtedness may be issued and  
47 sold without any further election:

48 (a) At a maximum interest rate of not more than 9 percent per annum.

49 (b) At a discount of not more than 9 percent of the principal amount,  
50 but the effective interest rate shall not exceed 9 percent per annum.

1 (c) At any time prior to the expiration of 6 years from the date of the  
2 election authorizing such issue.

3 SEC. 121. 1. The purpose of the legislature in enacting this section  
4 is to authorize the application of the liberalizing provisions relating to  
5 interest on special assessments and their prepayment premiums contained  
6 in this act and pertaining to securities payable from such assessments but  
7 remaining unsold prior to the effective date of this act. In view of the  
8 unsatisfactory bond marketing experiences in the past year of public  
9 issues which have resulted from an unanticipated rise in interest rates,  
10 the legislature finds that this exercise of its plenary power is advisable  
11 and is necessary to avoid the postponement of essential public projects.

12 2. Notwithstanding the provisions of any other law, general or spe-  
13 cial, or of any special charter, where any bonds or other securities pay-  
14 able from special assessments remain unsold on the effective date of  
15 this act, and notwithstanding the status of the proceedings taken prelim-  
16 inary to and in the levy of such special assessments by the state or any  
17 political subdivision thereof, the special assessments may be levied or  
18 relieved after the effective date of this act in accordance with the liberal-  
19 izing provisions of this act, except as provided in subsections 3 and 4  
20 of this section.

21 3. On the effective date of this act if any special assessments have  
22 been levied or if notice of a hearing on any proposed special assessments  
23 has been given, and if the limitations pertaining to the payment of the  
24 assessments are more restrictive than provisions therefor permitted by this  
25 act, the special assessments may be relieved or levied, subject to the lim-  
26 itations therein, after a hearing is given as provided by the act authorizing  
27 the levy of such assessments, as amended by this act, if the proceedings  
28 pertaining to such notice, hearing and relief or levy of the assessments  
29 state provisions for their payment in compliance with such enabling act  
30 as so amended.

31 4. The state or political subdivision relieving or levying any such  
32 special assessments may do so and may authorize or reauthorize the issu-  
33 ance of the bonds or other securities payable therefrom without the neces-  
34 sity of the proceedings taken preliminary thereto being retaken, including  
35 without limitation any preliminary hearing (other than the hearing on the  
36 proposed special assessments), except as provided in subsection 3 of this  
37 section.

38 SEC. 122. This act being necessary to secure and preserve the public  
39 health, safety, convenience and welfare shall be liberally construed to  
40 effect its purposes.

41 SEC. 123. If any provision of this act or the application thereof to  
42 any person, thing or circumstance is held invalid, such invalidity shall  
43 not affect the provisions or application of this act that can be given effect  
44 without the invalid provision or application, and to this end the provisions  
45 of this act are declared to be severable.

46 SEC. 124. This act shall become effective upon passage and approval.

## A. B. 641

ASSEMBLY BILL NO. 641—A SELECT  
COMMITTEE ON UTILITIES

APRIL 14, 1975

Referred to Committee on Commerce

SUMMARY—Extends economic development revenue bond law to include capital improvements by public utility. Fiscal Note: No. (BDR 20-1313)

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

AN ACT relating to economic development revenue bonds; extending their use to capital improvements of a public utility; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 244.9196 is hereby amended to read as follows:  
 2 244.9196 "Project" means:  
 3 1. Any land, building or other improvement and all real and personal  
 4 properties necessary in connection therewith, whether or not in existence,  
 5 suitable for manufacturing, industrial or research and development enter-  
 6 prises.  
 7 2. Any land, building, structure, facility, system, fixture, improve-  
 8 ment, appurtenance, machinery, equipment, or any combination thereof  
 9 or any interest therein, used by any individual, partnership, firm, com-  
 10 pany, corporation (including a public utility), association, trust, estate,  
 11 political subdivision, state agency or any other legal entity, or its legal rep-  
 12 resentative, agent or assigns, for the reduction, abatement or prevention of  
 13 pollution or for the removal or treatment of any substance in a processed  
 14 material which otherwise would cause pollution when such material is  
 15 used.  
 16 3. *Any undertaking by a public utility, in addition to that allowed by*  
 17 *subsection 2, which is solely for the purpose of making capital improve-*  
 18 *ments to property, whether or not in existence, of a public utility.*  
 19 SEC. 2. NRS 268.522 is hereby amended to read as follows:  
 20 268.522 "Project" means: [any]  
 21 1. Any land, building or other improvement and all real and personal  
 22 properties necessary in connection therewith, whether or not in existence,  
 23 suitable for manufacturing, industrial or research and development enter-  
 24 prises.

— 2 —

- 1 2. *Any undertaking by a public utility which is solely for the purpose*  
 2 *of making capital improvements to property, whether or not in existence,*  
 3 *of a public utility.*  
 4 SEC. 3. This act shall become effective upon passage and approval.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 465

ASSEMBLY BILL NO. 465—COMMITTEE ON  
GOVERNMENT AFFAIRS

MARCH 24, 1975

Referred to Committee on Government Affairs

SUMMARY—Makes changes in Economic Development Revenue Bond Law.  
Fiscal Note: No. (BDR 20-1296)EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is  
material to be omitted.

AN ACT relating to economic development revenue bonds; enlarging the determinations required prior to their issuance; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 244.920 is hereby amended to read as follows:  
2 244.920 1. After holding a public hearing or hearings, as provided in  
3 NRS 244.9199, the board of county commissioners shall proceed no fur-  
4 ther unless or until it:  
5 [1.] (a) Determines the total amount of money necessary to be pro-  
6 vided by the county for the acquisition, improvement and equipment of  
7 the project;  
8 [2.] (b) *Receives a 5-year operating history from the contemplated*  
9 *lessee or purchaser, or from a parent or other enterprise which guarantees*  
10 *principal and interest payments on any bonds issued;*  
11 (c) *Receives an evaluation study of the feasibility of the proposed proj-*  
12 *ect and the availability of financial resources to satisfy the requirements of*  
13 *subsection 1 from an independent certified public accountant certified by*  
14 *the Nevada state board of accountancy or from a financial consulting firm*  
15 *incorporated in this state;*  
16 (d) *Is furnished with evidence that the contemplated lessee, purchaser or*  
17 *other enterprise which guarantees principal and interest payments enjoys a*  
18 *rating by a nationally recognized bond rating organization sufficiently high*  
19 *for the comptroller of the currency to allow national banks to invest in*  
20 *bonds of the lessee, purchaser or guarantor except that a public utility reg-*  
21 *ulated by the public service commission of Nevada is not required to fur-*  
22 *nish such evidence;*



1 (e) Determines that the contemplated lessee or purchaser has sufficient  
 2 financial resources to place the project in operation and to continue its  
 3 operation, meeting the obligations of the lease or purchase contract; and  
 4 [3.] (f) Determines, in the case of a project as defined in subsection  
 5 1 of NRS 244.9196, that the revenue which can reasonably be expected  
 6 to be derived from normal operation of the project under normal economic  
 7 conditions is sufficient with a suitable margin of safety to meet the obli-  
 8 gations of a lease or purchase contract which in turn will meet in full the  
 9 debt service requirements of a bond issue to provide the amount of money  
 10 determined pursuant to subsection 1. [; and  
 11 4.] 2. The board may refuse to proceed with any project even if all  
 12 the criteria of subsection 1 are satisfied. If the board desires to proceed  
 13 with any project where any criterion of subsection 1 is not satisfied, it may  
 14 do so only with the approval of the state board of finance. In requesting  
 15 such approval, the board of county commissioners shall transmit to the  
 16 state board of finance all evidence received pursuant to subsection 1.  
 17 3. If any part of the project or improvements is to be constructed by a  
 18 lessee or a lessee's designee or a purchaser or a purchaser's designee, [pro-  
 19 vides] the board of county commissioners shall provide sufficient safe-  
 20 guards to assure that all money provided by the county will be expended  
 21 solely for the purposes of the project.  
 22 SEC. 2. NRS 268.530 is hereby amended to read as follows:  
 23 268.530 1. After holding a public hearing or hearings, as provided in  
 24 NRS 268.528, the governing body shall proceed no further unless or until  
 25 it:  
 26 [1.] (a) Determines the total amount of money necessary to be pro-  
 27 vided by the city for the acquisition, improvement and equipment of the  
 28 project;  
 29 [2.] (b) Receives a 5-year operating history from the contemplated  
 30 lessee or purchaser, or from a parent or other enterprise which guarantees  
 31 principal and interest payments on any bonds issued;  
 32 (c) Receives an evaluation study of the feasibility of the proposed  
 33 project and the availability of financial resources to satisfy the require-  
 34 ments of subsection 1 from an independent certified public accountant  
 35 certified by the Nevada state board of accountancy or from a financial  
 36 consulting firm incorporated in this state;  
 37 (d) Is furnished with evidence that the contemplated lessee, purchaser  
 38 or other enterprise which guarantees principal and interest payments  
 39 enjoys a rating by a nationally recognized bond rating organization suffi-  
 40 ciently high for the comptroller of the currency to allow national banks  
 41 to invest in bonds of the lessee, purchaser or guarantor; except that a  
 42 public utility regulated by the public service commission of Nevada is not  
 43 required to furnish such evidence;  
 44 (e) Determines that the contemplated lessee or purchaser has sufficient  
 45 financial resources to place the project in operation and to continue its  
 46 operation, meeting the obligations of the lease or purchase contract  
 47 meanwhile, until the point of profitable operation is reached; and  
 48 [3.] (f) Determines that the revenue which can reasonably be  
 49 expected to be derived from normal operation of the facility under  
 50 normal economic conditions is sufficient with a suitable margin of safety

1 to meet the obligation of a lease or purchase contract which in turn will  
 2 meet in full the debt service requirements of a bond issue to provide the  
 3 amount of money determined pursuant to [subsection 1; and] paragraph  
 4 (a) of this subsection.  
 5 [4.] 2. The governing body may refuse to proceed with any project  
 6 even if all the criteria of subsection 1 are satisfied. If the governing body  
 7 desires to proceed with any project where any criterion of subsection 1  
 8 is not satisfied, it may do so only with the approval of the state board of  
 9 finance. In requesting such approval, the governing body shall transmit to  
 10 the state board of finance all evidence received pursuant to subsection 1.  
 11 3. If any part of the project or improvements is to be constructed by  
 12 a lessee or a lessee's designee [, provides] or a purchaser or a purchaser's  
 13 designee, the governing body shall provide sufficient safeguards to assure  
 14 that all money provided by the city will be expended solely for the pur-  
 15 poses of the project. Such provision shall include the requirement that any  
 16 plans not prepared by or under the immediate direction of an appropriate  
 17 officer of the city be submitted to the governing body for approval before  
 18 a commitment is made to finance the project. The governing body shall  
 19 consider in reviewing such plans whether the completed project will  
 20 meet the economic requirements of [subsections 2 and 3.] subsection 1.

(REPRINTED WITH ADOPTED AMENDMENTS)

THIRD REPRINT

A. B. 416

## ASSEMBLY BILL NO. 416—COMMITTEE ON ELECTIONS

MARCH 17, 1975

Referred to Committee on Elections

SUMMARY—Further specifies residence requirements for political candidates. Fiscal Note: No. (BDR 24-1257)

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

AN ACT relating to elections; further specifying the residence requirement for candidates; providing a penalty; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 281.050 is hereby amended to read as follows:  
 2 281.050 1. The legal residence of a person with reference to his  
 3 eligibility to office is that place where he [shall have] *has* been actually,  
 4 physically and corporeally present within the state or county or district,  
 5 as the case may be, during all the period for which residence is claimed  
 6 by him. Should any person absent himself from the jurisdiction of his  
 7 residence such absence shall be considered in determining the question of  
 8 legal residence.  
 9 2. *If a candidate who has filed for elective office moves his residence*  
 10 *out of the state, county, district, ward, subdistrict or any other unit pre-*  
 11 *scribed by law for which he is a candidate and in which he is required to*  
 12 *reside, a vacancy is created thereby and the appropriate action for filling*  
 13 *such vacancy shall be taken.*  
 14 3. The district court [shall have] *has* jurisdiction to determine the  
 15 question of legal residence in an action for declaratory judgment.  
 16 SEC. 2. NRS 283.040 is hereby amended to read as follows:  
 17 283.040 1. Every office [shall become] *becomes* vacant upon the  
 18 occurring of [either] *any* of the following events before the expiration  
 19 of the term:  
 20 (a) The death or resignation of the incumbent.  
 21 (b) The removal of the incumbent from office.  
 22 (c) The confirmed insanity of the incumbent, found [upon a commis-  
 23 *sion of lunacy issued to determine the fact.] by a court of competent juris-*  
 24 *isdiction.*

1 (d) A conviction of the incumbent of any felony or offense involving a  
2 violation of his official oath or bond [.] or a violation of section 3 of this  
3 act.

4 (e) A refusal or neglect of the person elected or appointed to take the  
5 oath of office, as prescribed in NRS 282.010; or, when a bond is required  
6 by law, his refusal or neglect to give such bond within the time prescribed  
7 by law.

8 (f) The ceasing of the incumbent to be a resident of the state, district,  
9 county, city [or precinct], ward or other unit prescribed by law in which  
10 the duties of his office are to be exercised, or [for which he shall have  
11 been] from which he was elected or appointed [.] , or in which he was  
12 required to reside to be a candidate for office.

13 (g) The neglect or refusal of the incumbent to discharge the duties of  
14 his office for a period of 30 days, except when prevented by sickness, or  
15 absence from the state or county, as provided by law.

16 (h) The decision of a competent tribunal declaring the election or  
17 appointment void or the office vacant.

18 2. Upon the happening of any of the events enumerated in subsection  
19 1, should the incumbent fail or refuse to relinquish his office, the attorney  
20 general shall, if the office affected [be a state or district office,] is a state  
21 office or concerns more than one county, or the district attorney shall, if  
22 the office affected [be a county, city or precinct office,] is a county office  
23 or concerns territory within one county, commence and prosecute, in a  
24 court of competent jurisdiction, any [and all] proceedings for judgment  
25 and decree declaring such office vacant.

26 SEC. 3. Chapter 293 of NRS is hereby amended by adding thereto a  
27 new section which shall read as follows:

28 1. In addition to any other requirement provided by law, no person  
29 may be a candidate for any office unless he has been a legal resident of  
30 the district to which the office pertains for at least 30 days before the close  
31 of filing of declarations of candidacy for the office which he seeks.

32 2. Any person who knowingly and willfully files an acceptance,  
33 certificate or declaration of candidacy which contains a false statement  
34 in this respect is guilty of a gross misdemeanor.

35 3. Any person convicted under the provisions of this section is dis-  
36 qualified from entering upon the duties of the office for which he was a  
37 candidate.

38 4. The provisions of this section do not apply to candidates for the  
39 office of district attorney.

40 SEC. 4. NRS 293.177 is hereby amended to read as follows:

41 293.177 1. Except as provided in NRS 293.165, no name may be  
42 printed on a ballot or a ballot label to be used at a primary election  
43 unless the person named has filed a declaration of candidacy, or an  
44 acceptance of a candidacy, and paid the fee required by NRS 293.193  
45 not later than 5 p.m. of the 3rd Wednesday in July.

46 2. A declaration of candidacy or an acceptance of a candidacy  
47 required to be filed by this section shall be in substantially the following  
48 form:

1 Declaration of Candidacy of ..... for the  
 2 Office of .....  
 3 State of Nevada }  
 4 } ss.  
 5 County of .....

6 For the purpose of having my name placed on the official primary  
 7 ballot as a candidate for the ..... Party nomination for the  
 8 office of ....., I, the undersigned ....., do swear  
 9 (or affirm) that I reside at No. .... Street, in the City  
 10 (or Town) of ....., County of ....., State of Nevada; that  
 11 I am a registered voter of the election precinct in which I reside; *that my*  
 12 *actual, as distinguished from constructive, residence therein began on a*  
 13 *date 30 days or more prior to the date of close of filing of declarations of*  
 14 *candidacy for this office;* that I am registered as a member of the .....  
 15 Party; that I have not changed the designation of my political party affilia-  
 16 tion on an official affidavit of registration in any state since September 1  
 17 prior to the closing filing date for this election; that I believe in and intend  
 18 to support the principles and policies of such political party in the coming  
 19 election; that if nominated as a nonpartisan candidate or as a candidate of  
 20 the ..... Party at the ensuing election I will accept such nomi-  
 21 nation and not withdraw; that I will not knowingly violate any election  
 22 law or any law defining and prohibiting corrupt and fraudulent practice  
 23 in campaigns and elections in this state; and that I will qualify for the  
 24 office if elected thereto; and my name shall appear on all ballots as here  
 25 designated.

26 .....  
 27 (Designation of name)  
 28 .....

29 (Signature of candidate for office)

30 Subscribed and sworn to before  
 31 me this ..... day of ....., 19.....

32 .....  
 33 Notary Public (or other officer  
 34 authorized to administer an oath)

35 3. A person may be a candidate under the name by which he is a  
 36 voter, or under any other name which he has borne and by which he is  
 37 known in the community where he resides.

38 4. The party designation in nonpartisan elections shall not be shown  
 39 on the declaration of candidacy.

A. B. 530

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ASSEMBLY BILL NO. 530—COMMITTEE ON  
GOVERNMENT AFFAIRS

APRIL 2, 1975

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Referred to Committee on Government Affairs

SUMMARY—Increases fees for photocopy services and permits certain other charges by the secretary of state. Fiscal Note: No. (BDR 18-813)



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

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AN ACT relating to the secretary of state; increasing certain photocopy fees; permitting charges to public agencies for certain 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. NRS 225.110 is hereby amended to read as follows:  
 2 225.110 1. The secretary of state is invested with all the duties,  
 3 powers, purposes, responsibilities and jurisdiction of the photocopy room.  
 4 He shall be responsible for its management and he shall administer all  
 5 of its activities.  
 6 2. The secretary of state may have such technical and operational  
 7 staff as the execution of the work in the photocopy room may require.  
 8 3. The secretary of state is authorized to collect such fees as may  
 9 be provided by law for photocopies, microfilming and other work per-  
 10 formed in the photocopy room, and such fees shall be deposited in the  
 11 general fund. He may accept contributions of photocopy paper, chemi-  
 12 cals, microfilm and other supplies from other state departments and  
 13 agencies and from the various political subdivisions [ ] and may charge  
 14 a reasonable fee for services performed for such departments, agencies  
 15 and subdivisions.  
 16 4. Funds to carry out the provisions of this section shall be provided  
 17 by legislative appropriation from the general fund, and shall be paid out  
 18 on claims against the fund of the office of the secretary of state as other  
 19 claims against the state are paid. All claims shall be approved by the  
 20 secretary of state before they are paid.  
 21 SEC. 2. NRS 78.785 is hereby amended to read as follows:  
 22 78.785 1. The fee for filing a certificate of change of location of  
 23 principal office or resident agent, or a new designation of resident agent  
 24 following resignation, death or removal from the state of the resident  
 25 agent previously designated, shall be \$5.

- 1     2. The fee for filing a designation of resident agent, other than as  
2 provided in NRS 78.160, shall be \$5.
- 3     3. The fee for certifying to articles of incorporation where a copy is  
4 provided shall be \$5.
- 5     4. The fee for certifying to a copy of amendment to articles of incor-  
6 poration, or to a copy of the articles as amended where a copy is fur-  
7 nished, shall be \$5.
- 8     5. The fee for certifying to an authorized printed copy of the general  
9 corporation law as compiled by the secretary of state shall be \$5.
- 10    6. The fee for certifying to the reservation of a corporate name shall  
11 be \$2.
- 12    7. The fee for executing any certificate not provided for in NRS  
13 78.760 to 78.785, inclusive, shall be \$5.
- 14    8. The fee for comparing any document or paper submitted for cer-  
15 tification, with the record thereof, to ascertain whether any corrections  
16 are required to be made therein before certifying thereto, shall be 20  
17 cents for each folio of 100 words of each document or paper so com-  
18 pared.
- 19    9. The fee for furnishing a photostatic copy of any document, pa-  
20 er or record on file or of record in the office of the secretary of state shall  
21 be [50 cents] \$1 per photostatic page where such page does not exceed  
22 8½ by 14 inches. For photostatic pages of larger size, the secretary of  
23 state may charge such fee as he may determine to be reasonable.
- 24    10. The fee for filing a list of officers and directors or trustees shall  
25 be as provided in NRS 78.150.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 434

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ASSEMBLY BILL NO. 434—ASSEMBLYMEN YOUNG, HOWARD,  
BENKOVICH, GETTO, POLISH, JACOBSEN, DINI AND  
DEMERS

MARCH 19, 1975

Referred to Committee on Elections

SUMMARY—Provides for election of members of state grazing boards.  
Fiscal Note: No. (BDR 50-1196)

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

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AN ACT relating to state grazing boards; providing for the election of members  
and terms of office; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 568.010 is hereby amended to read as follows:  
2 568.010 As used in NRS 568.010 to 568.210, inclusive, "Taylor  
3 Grazing Act" means the Act of Congress entitled "An act to stop injury  
4 to the public grazing lands by preventing overgrazing and soil deteriora-  
5 tion, to provide for their orderly use, improvement and development, to  
6 stabilize the livestock industry dependent upon the public range, and for  
7 other purposes," approved June 28, 1934, being c. 865, 48 Stat. 1269,  
8 also designated as 43 U.S.C. §§ 315 to 315r, inclusive [ ], *any amend-*  
9 *ment thereto and any replacement therefor, including provisions of the*  
10 *Code of Federal Regulations adopted and promulgated pursuant to any*  
11 *such act, amendment or replacement, providing for grazing districts or*  
12 *for payment of a portion of the moneys derived from grazing fees or*  
13 *grazing leases to the State of Nevada.*
- 14 SEC. 2. NRS 568.030 is hereby amended to read as follows:  
15 568.030 [1.] All moneys *derived from grazing fees and grazing*  
16 *leases* received by the state [prior to and after March 14, 1929,] under  
17 the provisions of the Taylor Grazing Act shall be deposited [at once]  
18 in the state treasury in a special fund [to be] designated the Nevada  
19 Taylor Grazing Act range improvement [fund].
- 20 2. Thereafter, without unnecessary delay, the proper state officers  
21 authorized by statute to administer, control and disburse state funds in  
22 general, shall take such steps and perform such acts as may be necessary

1 to determine what part of the funds were derived from grazing fee col-  
2 lections and what part were derived from grazing lease charges, from  
3 each grazing district or county concerned, and shall then apportion and  
4 distribute the Nevada Taylor Grazing Act range improvement fund as  
5 follows: ] *fund, to be allocated as follows:*

6 [(a)] 1. That part of the fund derived from grazing fee collections  
7 from each [Taylor Grazing Act] *Bureau of Land Management* grazing  
8 district [concerned] shall be [apportioned and] distributed to each  
9 county according to its proportionate acreage of such grazing district, and  
10 all such funds received by any county shall be placed [at once] in a spe-  
11 cial fund to be designated as the range improvement fund of grazing dis-  
12 trict No. .... Where more than one grazing district is situated in any  
13 one county, separate funds shall be kept by such county for each district.  
14 Such funds shall be subject to disposition only by the state grazing board  
15 for each grazing district concerned, in the manner provided in NRS  
16 568.010 to 568.210, inclusive.

17 [(b)] 2. That part of the fund derived from grazing lease charges  
18 from lands situated outside grazing districts shall be [apportioned and]  
19 distributed to each county according to its proportionate acreage of the  
20 lands from which such lease charges were derived, and all such funds  
21 received by any county shall be placed [at once] in a special fund to be  
22 designated as the range improvement fund of ..... County. All  
23 such funds shall be subject to disposition by the board of county commis-  
24 sioners of each county concerned for range improvements and related  
25 matters directly beneficial to the stockraising and ranching enterprises of  
26 the county; but any project involving range improvements undertaken by  
27 any board of county commissioners on *public* lands within a grazing dis-  
28 trict established under provisions of the Taylor Grazing Act shall be  
29 undertaken by such board only in cooperation with the federal officials in  
30 charge of such district as provided for in NRS 568.010 to 568.210, inclu-  
31 sive.

32 SEC. 2.5. NRS 568.040 is hereby amended to read as follows:

33 568.040 For the purpose of directing and guiding the disposition of  
34 the range improvement fund of each grazing district concerned, in those  
35 manners most beneficial to the stockraising payers of the grazing fees  
36 from which such funds are derived and to the counties concerned, there  
37 is hereby created a state board for each *Bureau of Land Management*  
38 grazing district established and existing in Nevada under the provisions  
39 of the Taylor Grazing Act.

40 SEC. 3. NRS 568.060 is hereby amended to read as follows:

41 568.060 1. The members and the chairman of each of the state graz-  
42 ing boards *for the year 1975* shall be the members and chairmen of each  
43 of the boards of district advisors of each grazing district elected, qualified  
44 and serving *on January 1, 1975*, under the provisions of the Taylor Graz-  
45 ing Act and the regulations promulgated under the provisions of that act.  
46 [ , except that membership on such state boards shall be limited to resi-  
47 dents of the State of Nevada. ] *Such members shall serve until their suc-*  
48 *cessors are elected and qualified as provided in this section.*



1       2. On and after January 1, 1976, each state grazing board shall con-  
2 sist of not less than five nor more than twelve stockmen who graze live-  
3 stock upon the public lands within the grazing district for which such state  
4 grazing board is created. Officers and directors of corporations and part-  
5 ners of partnerships which conduct such grazing are qualified to be elected  
6 to serve on such boards on behalf of such corporation or partnership. The  
7 term of each member is 3 years, beginning on January 1 next after his  
8 election.

9       3. In November of 1975 and in November of each third year there-  
10 after, each state grazing board shall specify the number of members to  
11 serve on that state grazing board for the following term. Thereafter, the  
12 board shall conduct an election of the members to serve for that term.

13       4. If a new grazing district is established, the central committee of  
14 Nevada state grazing boards shall, within 90 days after the order estab-  
15 lishing the district, appears in the Federal Register, specify the number of  
16 members to serve on the state grazing board for the new district. There-  
17 after the central committee of the Nevada state grazing boards shall con-  
18 duct an election of the board members to serve for the balance of the  
19 current 3-year term.

20       5. If any vacancy occurs on a state grazing board for any reason,  
21 the remaining board members shall elect a qualified successor to fill the  
22 vacancy for the unexpired term.

23       6. A duly qualified person elected to serve as a member of a state  
24 grazing board shall assume office after taking the oath of office con-  
25 tained in NRS 282.020.

26       7. The persons, partnerships, associations or corporations holding  
27 licenses or permits to graze livestock on the public lands within the  
28 grazing district served by a state grazing board shall elect the members to  
29 serve on that state grazing board, except as otherwise provided in this  
30 section, and each such permittee is entitled to one vote. The particular  
31 state grazing board shall supply the names of eligible persons to be elected  
32 to serve on the board to each permittee within the district so that each  
33 permittee may cast his vote for a candidate of his choice. The secretary  
34 of the state grazing board for such grazing district shall certify the results  
35 of the election.

36       SEC. 4. NRS 568.070 is hereby amended to read as follows:

37       568.070 Each state grazing board [is authorized to] may select its  
38 own chairman, attorney and secretary [and to] and may determine [his]  
39 the secretary's and attorney's remuneration, and such remuneration shall  
40 be considered as administrative expenses of each board concerned, to be  
41 paid as provided for in NRS 568.010 to 568.210, inclusive.

42       SEC. 5. NRS 568.080 is hereby amended to read as follows:

43       568.080 [1.] The members of the state grazing boards shall serve  
44 without remuneration for their time and services, but [shall be] are  
45 entitled to [their actual necessary travel and subsistence expenses while  
46 performing their duties as prescribed in NRS 568.010 to 568.210, inclu-  
47 sive.

48       2. Such expenses shall be limited to not to exceed 5 cents per mile for  
49 necessary travel by personally-owned automobile, or actual train or bus  
50 fare, as the case may be, and not to exceed their actual necessary costs for

1 meals and lodging as supported by receipts covering payment for those  
2 costs.

3 3. In no case shall subsistence costs be charged or paid unless the  
4 member concerned is required by the business of the state grazing board  
5 to be absent from his home at least over 1 night. *the travel expenses and*  
6 *subsistence allowances provided for state officers and employees while*  
7 *performing their duties as prescribed in NRS 568.010 to 568.210, inclu-*  
8 *sive.*

9 SEC. 6. NRS 568.120 is hereby amended to read as follows:

10 568.120 Each state grazing board *is authorized to* may pay mon-  
11 eys out of the range improvement fund of its grazing district:

12 1. For the construction and maintenance of range improvements or  
13 any other purpose beneficial to the stockraising and ranching industries  
14 and, in turn, the counties situated within the grazing district concerned.  
15 None of the funds shall be *so disposed of* used for projects involving  
16 construction or maintenance, or both, of range improvements on public  
17 or state lands unless some legally constituted and authorized federal *or*  
18 state governmental, state, county or city department, division, bureau,  
19 service, board or commission is available for and authorized and willing  
20 to undertake direct management and supervision of the project concerned.

21 2. For the payment of proper administrative costs of the board,  
22 including travel *and subsistence costs* expenses and subsistence allow-  
23 ances of its members and for the payment of the services of its secretary  
24 and his necessary office *expenses.* expenses and for the services of its  
25 attorney.

26 3. For contributions to defray *expenses* costs and expenses for  
27 activities and projects incurred under its written authorization by the  
28 central committee of Nevada state grazing boards as provided for under  
29 NRS 568.170 to 568.200, inclusive.

30 SEC. 7. NRS 568.140 is hereby amended to read as follows:

31 568.140 1. *In the case of any* Any project involving construction  
32 and maintenance of range improvements as provided for in NRS 568.010  
33 to 568.210, inclusive, *and* on public lands within any grazing district  
34 established under the provisions of the Taylor Grazing Act, *such project*  
35 *or projects* shall be undertaken only under cooperative agreements  
36 entered into on the part either of the state grazing boards or the boards of  
37 county commissioners, as the case may be, and the federal officials in  
38 charge of the grazing district concerned.

39 2. *In the case of any project involving other than construction and*  
40 maintenance of range improvements, and in cases where the state grazing  
41 boards are empowered by NRS 568.120 to pay out moneys, such project  
42 shall be undertaken only under cooperative agreements entered into on  
43 the part of the state grazing boards and either the federal or state officials,  
44 as the state grazing boards concerned may decide, who are in charge of  
45 the governmental department, division, bureau, service, board or commis-  
46 sion in charge of and having jurisdiction over the kind of project con-  
47 cerned. *Any project mentioned in NRS 568.120 that is within the*  
48 *jurisdiction of a governmental entity and does not involve construction*  
49 *and maintenance of range improvements shall be undertaken only under*

1 cooperative agreements entered into by the state grazing boards and the  
2 appropriate governmental entities.

3 SEC. 8. NRS 568.150 is hereby amended to read as follows:

4 568.150 1. ~~Either the~~ The boards of county commissioners ~~or~~  
5 and the state grazing boards ~~concerned, as the case may be, are author-~~  
6 ized to ~~may~~ enter into ~~such~~ cooperative agreements ~~and to take~~  
7 such steps as may be necessary, ~~under the provisions of NRS 568.010~~  
8 to 568.210, inclusive, ~~to~~ and ~~may~~ contribute from their respective  
9 funds to the projects under the terms of the cooperative agreements.

10 2. Such cooperative agreements shall:

11 (a) Prescribe the manner, terms and conditions of cooperation and  
12 the amounts to be contributed from the range improvement fund of the  
13 grazing district or county concerned, as the case may be.

14 (b) Provide that the direct management and supervision of the proj-  
15 ects shall be exercised by the officials in charge of the federal ~~or state~~  
16 governmental ~~, state, county or city~~ department, division, bureau, serv-  
17 ice, board or commission designated in the cooperative agreements as  
18 the agency cooperating with the state grazing board.

19 SEC. 9. NRS 568.160 is hereby amended to read as follows:

20 568.160 1. Any ~~funds~~ moneys coming into or remaining in the  
21 possession of any federal ~~or state~~, ~~state or local governmental~~ agency  
22 as a result of cooperation between any such agency and any of the state  
23 grazing boards, as provided in NRS 568.140 and 568.150, may be  
24 restored to or placed in the range improvement fund of the grazing district  
25 concerned.

26 2. ~~In the case of any such restoration or placement, the state grazing~~  
27 board concerned shall first advise the federal or state agency concerned,  
28 by resolution, as to the amounts in which the restoration or placements  
29 shall be made in the case of each county within such district, whereupon  
30 the restoration or placement shall be made directly to the county con-  
31 cerned by the federal or state agency concerned in accordance with such  
32 resolution. ~~The state grazing board shall, by resolution, request the fed-~~  
33 ~~eral, state or local governmental agency to pay to each county within the~~  
34 ~~district moneys to be restored or placed in the particular range improve-~~  
35 ~~ment fund. Such moneys shall thereafter be paid to each county within the~~  
36 ~~district by the federal, state or local governmental agency.~~

37 3. Any such funds received by any county shall be placed ~~at once~~  
38 in the range improvement fund of the district concerned and shall imme-  
39 diately become subject to ~~all~~ the provisions of NRS 568.010 to  
40 568.210, inclusive. ~~, applying to the fund.~~

41 SEC. 10. NRS 568.170 is hereby amended to read as follows:

42 568.170 1. To provide a means whereby they may act together in  
43 matters of common interest and of general rather than local concern in  
44 carrying out the provisions of NRS 568.010 to 568.210, inclusive, state  
45 grazing boards ~~are authorized and empowered to~~ shall establish a com-  
46 mittee which shall be known as the central committee of Nevada state  
47 grazing boards.

48 2. The committee shall consist of either one or two members selected  
49 by and from the membership of each of the state grazing boards. ~~In all~~

1 cases where two members are selected, one shall be representative of the  
2 cattle business and one shall be representative of the sheep business. ]

3 3. The members so selected shall serve at the pleasure of their respec-  
4 tive state grazing boards and whenever a majority of the state grazing  
5 boards shall have selected their member or members of the central com-  
6 mittee, and authorized them so to do, those selected may meet and orga-  
7 nize.

8 SEC. 11. NRS 568.190 is hereby amended to read as follows:

9 568.190 Within the limitations contained in NRS 568.200, the cen-  
10 tral committee may:

11 1. Select its own officers, *secretary*, *attorney* and such subcommittees  
12 as it may deem necessary.

13 2. Adopt its own rules for the calling and holding of meetings and the  
14 carrying out of such instructions as may be received from time to time  
15 from a majority of the state grazing boards.

## ASSEMBLY BILL NO. 451—COMMITTEE ON JUDICIARY

MARCH 20, 1975

Referred to Committee on Judiciary

SUMMARY—Requires counties and cities to pay pro rata share of costs of instruction arranged by supreme court for justices of peace and municipal judges. Fiscal Note: No. (BDR 1-1171)

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

AN ACT relating to justices of the peace and municipal judges; providing for assessment by supreme court of projected costs of instruction therefor; requiring each county and city to pay its pro rata share of the costs of the instruction; 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 4.035 is hereby amended to read as follows:  
 2 4.035 The clerk of the supreme court shall, at the direction of the  
 3 chief justice, arrange for the giving of instruction, at the National College  
 4 of State Trial Judges in Reno, Nevada, or elsewhere:  
 5 1. In court procedure, record-keeping and the elements of substantive  
 6 law appropriate to a justice's court, to each justice of the peace who is  
 7 first elected or appointed to office after July 1, 1971, and to other justices  
 8 of the peace who so desire and who can be accommodated, between each  
 9 general election and January 1 next following.  
 10 2. In statutory amendments and other developments in the law appro-  
 11 priate to a justice's court, to all justices of the peace at convenient inter-  
 12 vals.  
 13 3. *Each county shall pay to the supreme court the county's pro rata*  
 14 *share of the projected costs of such instruction as calculated and assessed*  
 15 *semiannually by the supreme court.*  
 16 SEC. 2. NRS 5.025 is hereby amended to read as follows:  
 17 5.025 The clerk of the supreme court of Nevada shall, at the direction  
 18 of the chief justice, arrange for the giving of instruction, at the National  
 19 College of State Trial Judges in Reno, Nevada, or elsewhere:  
 20 1. In court procedure, record-keeping and the elements of substantive  
 21 law appropriate to a municipal court, to each police judge or municipal  
 22 judge who is first elected or appointed to office after July 1, 1971, and to  
 23 other such judges who so desire and who can be accommodated, between

- 1 each election designated for the election of such judges and the date of  
 2 entering office.  
 3 2. In statutory amendments and other developments in the law appro-  
 4 priate to a municipal court, to all such judges at convenient intervals.  
 5 3. *Each city shall pay to the supreme court the city's pro rata share of*  
 6 *the projected costs of such instruction as calculated and assessed semi-*  
 7 *annually by the supreme court.*

**A. B. 526**

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**ASSEMBLY BILL NO. 526—ASSEMBLYMEN PRICE,  
MAY, CHANEY AND HICKEY**

APRIL 2, 1975

Referred to Committee on Government Affairs

SUMMARY—Limits possibility of consolidation of North Las Vegas.  
Fiscal Note: No. (BDR S-1501)EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is  
material to be omitted.

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AN ACT relating to local government; limiting the possibility of consolidation of  
government or services of City of North Las Vegas.

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

- 1 SECTION 1. The government of the City of North Las Vegas shall  
2 not be consolidated with or into any other local government without the  
3 approval of a majority of the residents of the city voting upon the ques-  
4 tion in a state wide general election, municipal general election or special  
5 election held for that purpose. A city service or function shall not be  
6 transferred to another local government or agency except by a majority  
7 vote of the city council or of the people at an election.  
8 SEC. 2. This act shall become effective upon passage and approval.

A. B. 527

## ASSEMBLY BILL NO. 527—CLARK COUNTY DELEGATION

APRIL 2, 1975

Referred to Committee on Government Affairs

SUMMARY—Permits alternative method of defraying costs of collecting license taxes for county fair and recreation boards. Fiscal Note: No. (BDR 20-1465)

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

AN ACT relating to county fair and recreation boards; permitting an alternative method of paying collection fees; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 244.743 is hereby amended to read as follows:  
 2 244.743 In connection with any license taxes assigned or appropri-  
 3 ated by any city, town or county, or any combination thereof, for use in  
 4 connection with NRS 244.640 to 244.780, inclusive, the county fair and  
 5 recreation board of any county, upon behalf of the county, in addition to  
 6 powers elsewhere conferred, is authorized and empowered (but is not  
 7 required):  
 8 1. To collect the proceeds of such taxes from time to time, to receive,  
 9 control, invest and order the expenditure of any and all moneys and funds  
 10 pertaining thereto, to prescribe a procedure therefor, including (but not  
 11 limited to) enforcing the collection of any delinquent taxes and providing  
 12 penalties in connection therewith, and to create an office and hire person-  
 13 nel therefor.  
 14 2. To defray the reasonable costs of collecting and otherwise admin-  
 15 istering such taxes from not exceeding 10 percent of the gross revenues so  
 16 collected (excluding from this limitation and from such gross revenues  
 17 any costs of collecting any delinquent taxes borne by any delinquent tax-  
 18 payer). *The incorporated cities collectively and any county may enter*  
 19 *into an agreement with the board for the payment of collection fees which*  
 20 *may be more or less than 10 percent of the gross revenues collected by a*  
 21 *particular city or the county, except that the total payment of collection*  
 22 *fees to all the cities and the county shall not exceed 10 percent of the*  
 23 *combined gross revenues so collected.*  
 24 3. To defray further with the proceeds of any such tax the costs of  
 25 the county fair and recreation board and of officers, agents and employees

1 hired thereby, and of incidentals incurred thereby, of operating and main-  
2 taining recreational facilities under the jurisdiction of the board, includ-  
3 ing, without limiting the generality of the foregoing, the payment of  
4 reasonable promotional expenses pertaining thereto, payment of rea-  
5 sonable expenses pertaining to the promotion of tourism generally, both  
6 individually and through grants to the chambers of commerce of the  
7 incorporated cities of the county or other nonprofit groups or associa-  
8 tions, and of improving, extending and bettering any recreational facilities  
9 authorized by NRS 244.640 to 244.780, inclusive, including but not lim-  
10 ited to making annual grants to the state, the county and incorporated  
11 cities in the county for capital improvements for recreational facilities,  
12 and of constructing, purchasing or otherwise acquiring any such recrea-  
13 tional facilities.

14 4. To redeem any general obligation bonds of the county issued pur-  
15 suant to NRS 244.640 to 244.780, inclusive, principal, interest and any  
16 prior redemption premium, regardless of whether such taxes are pledged  
17 as additional security for their payment.

18 5. To make contracts from time to time concerning any such license  
19 taxes, notwithstanding any such contract may limit the exercise of powers  
20 pertaining thereto, including, without limiting the generality of the fore-  
21 going, the right of any city, town or the county from time to time to  
22 increase, decrease or otherwise modify the tax; but no such change shall  
23 be made which shall prejudicially affect any pledge of tax proceeds as  
24 additional security for the payment of bonds issued pursuant to NRS  
25 244.640 to 244.780, inclusive, and each other political subdivision  
26 assigning or appropriating such taxes pertaining thereto shall consent to  
27 any such modification.

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



## A. B. 531

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 ASSEMBLY BILL NO. 531—COMMITTEE ON  
 GOVERNMENT AFFAIRS

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 APRIL 2, 1975
 

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## Referred to Committee on Government Affairs

SUMMARY—Provides that division of state, county and municipal archives in office of secretary of state be notified before certain obsolete records are destroyed. Fiscal Note: No. (BDR 19-814)

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

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AN ACT relating to public records; requiring notification of the division of state, county and municipal archives in the office of the secretary of state before certain obsolete records are destroyed.

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

- 1 SECTION 1. NRS 239.120 is hereby amended to read as follows:  
 2 239.120 The district courts of the several judicial districts are author-  
 3 ized to direct the sheriff of any county within their respective judicial dis-  
 4 tricts to destroy, by burning in the presence of the court, ballots, notes  
 5 taken by official reporters, county warrants and such other obsolete papers  
 6 and records of no further legal force or effect as the court may designate  
 7 after a period of 6 years after the filing thereof. Before any papers or  
 8 records mentioned herein are destroyed by burning, the [Nevada histor-  
 9 ical society] *division of state, county and municipal archives in the office*  
 10 *of the secretary of state* shall be notified and a representative thereof shall  
 11 have the privilege of selecting for retention by the [Nevada historical  
 12 society] *division* any such papers or records.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 550

## ASSEMBLY BILL NO. 550—ASSEMBLYMAN MAY

APRIL 4, 1975

Referred to Committee on Government Affairs

SUMMARY—Exempts public works contractors from responsibility for extra costs incurred as result of errors or omissions of public agency in drafting specifications. Fiscal Note: No. (BDR 28-1459)

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

AN ACT relating to public works; exempting public works contractors from responsibility for extra costs incurred as a result of errors or omissions of the public agency in drafting the contract documents.

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

- 1 SECTION 1. NRS 338.140 is hereby amended to read as follows:  
 2 338.140 1. No agency of this state nor any political subdivision,  
 3 municipal corporation or district, nor any public officer or person charged  
 4 with the letting of contracts for the construction, alteration or repair of  
 5 public works shall draft or cause to be drafted specifications for bids, in  
 6 connection with the construction, alteration or repair of public works:  
 7 (a) In such a manner as to limit the bidding, directly or indirectly, to  
 8 any one specific concern; or  
 9 (b) Except in those instances where the product is designated to  
 10 match others in use on a particular public improvement either completed  
 11 or in the course of completion, calling for a designated material, product,  
 12 thing or service by specific brand or trade name unless the specification  
 13 lists at least two brands or trade names of comparable quality or utility  
 14 and is followed by the words "or equal" so that bidders may furnish any  
 15 equal material, product, thing or service.  
 16 (c) *In such a manner as to hold the bidder to whom such contract is*  
 17 *awarded responsible for extra costs incurred as a result of errors or*  
 18 *omissions by the public agency in the contract documents.*  
 19 2. In those cases involving a unique or novel product application  
 20 required to be used in the public interest, or where only one brand or  
 21 trade name is known to the specifying agency, it may list only one.  
 22 3. Specifications shall provide a period of time of at least 7 days  
 23 after award of the contract for submission of data substantiating a  
 24 request for a substitution of "an equal" item.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 582

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ASSEMBLY BILL NO. 582—COMMITTEE ON WAYS  
AND MEANS

APRIL 9, 1975

Referred to Committee on Government Affairs

SUMMARY—Requires review by state board of examiners of certain  
state contracts. Fiscal Note: No. (BDR 27-1643)EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is  
material to be omitted.

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AN ACT relating to state contracts for services of independent contractors; requiring approval of certain contracts by the state board of examiners; 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 284.173 is hereby amended to read as follows:  
2 284.173 1. Elective officers and heads of department, boards, com-  
3 missions or institutions may contract for the services of persons as inde-  
4 pendent contractors.  
5 2. An independent contractor is a person, firm or corporation who  
6 agrees to perform services for a fixed price according to his or its own  
7 methods and without subjection to the supervision or control of the other  
8 contracting party, except as to the results of the work, and not as to the  
9 means by which the services are accomplished.  
10 3. For the purposes of this section:  
11 (a) Travel, subsistence and other personal expenses may be paid to an  
12 independent contractor, if provided for in the contract, in such amounts  
13 as provided for in the contract. Such expenses shall not be paid under the  
14 provisions of NRS 281.160.  
15 (b) There shall be no:  
16 (1) Withholding of income taxes by the state;  
17 (2) Industrial insurance coverage provided by the state;  
18 (3) Participation in group insurance plans which may be available to  
19 employees of the state;  
20 (4) Participation or contributions by either the independent contrac-  
21 tor or the state to the public employees' retirement system;  
22 (5) Accumulation of vacation leave or sick leave.  
23 4. An independent contractor is not in the classified or unclassified

1 service of the state, and shall have none of the rights or privileges available  
2 to officers or employees of the State of Nevada.

3 5. Each contract for the services of an independent contractor shall  
4 be in writing. The form of the contract shall be first approved by the  
5 attorney general, and, except as provided in subsection [6.] 7, an exe-  
6 cuted copy of each contract shall be filed with the *research and fiscal anal-*  
7 *ysis division of the legislative counsel bureau and the clerk of the state*  
8 *board of examiners.*

9 6. *Except as provided in subsection 7, and excepting contracts entered*  
10 *into by the University of Nevada, each proposed contract with an inde-*  
11 *pendent contractor shall be submitted to the state board of examiners.*  
12 *Such contracts shall not become effective without the prior approval of the*  
13 *state board of examiners. The state board of examiners shall adopt regu-*  
14 *lations implementing the provisions of this section.*

15 7. Copies of the following types of contracts need not be filed or  
16 approved as provided in [subsection 5:] subsections 5 and 6:

17 (a) Contracts executed by the department of highways for any work  
18 of construction or reconstruction of highways.

19 (b) Contracts executed by the state public works board or any other  
20 state department or agency for any work of construction or major repairs  
21 of state buildings.

22 (c) Contracts executed with companies, corporations or groups of indi-  
23 viduals for any work of maintenance or repair of office machines and  
24 equipment.

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

**S. B. 592**

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**SENATE BILL NO. 592—SENATOR HILBRECHT**

APRIL 29, 1975

Referred to Committee on Government Affairs

SUMMARY—Requires candidates for partisan elective offices to indicate party affiliation on campaign materials. Fiscal Note: No. (BDR 24-2020)

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

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AN ACT relating to elections; requiring candidates for any partisan elective office to indicate their party affiliation on all campaign materials distributed to the public.

*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 *Candidates for any partisan elective office shall indicate the political*  
4 *party they are affiliated with on all campaign signs and on all campaign*  
5 *literature distributed to the public.*

S. B. 595

SENATE BILL NO. 595—COMMITTEE ON  
GOVERNMENT AFFAIRS

APRIL 30, 1975

Referred to Committee on Government Affairs

SUMMARY—Permits certain counties to exercise control over health aspects of subdivisions in certain instances. Fiscal Note: No. (BDR 22-1754)

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

AN ACT relating to subdivisions; permitting certain counties to exercise control over the health aspects of subdivisions in certain instances; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 116.040 is hereby amended to read as follows;  
2 116.040 1. The map or plat shall be certified by the surveyor making  
3 the same, which certificate shall be substantially as follows:  
4 I, ..... (surveyor's name), do hereby certify that this plat  
5 is a true and accurate map of the land surveyed by me and laid out into  
6 blocks, lots, streets, alleys and public places at the instance of .....  
7 ..... (give name of owner or trustee); that the location of the blocks,  
8 lots, streets, alleys and public places has been definitely established and  
9 perpetuated in strict accordance with the law and as shown hereon; that  
10 the blocks, lots and public places shown hereon are situate wholly within  
11 ..... (give description by metes and bounds or by legal subdivi-  
12 sion); that the survey was completed on the ..... day of .....  
13 (give date).  
14 2. The map or plat shall:  
15 (a) Be acknowledged by the owner or owners, or trustee, before some  
16 officer authorized by law to take the acknowledgment of conveyances of  
17 real property; and  
18 (b) Contain signed and acknowledged evidence by the owner or own-  
19 ers of their grant of permanent easements for utility installations and  
20 access, as designated on the map, together with a statement approving  
21 such easements, signed by each public utility company or agency in whose  
22 favor the easements are granted or whose utility services are to be  
23 required for the platted parcels.  
24 (c) If the land is situated in any city or town, or outside any city or

1 town, but within 3 miles of the limits of the same, be approved by the  
2 legislative authority of the city or town in which the land is situated, and  
3 in the absence of such legislative authority, by the legislative authority of  
4 the county in which the city or town is situated; and

5 (d) If the land is situated more than 1 mile from the limits of any city  
6 or town, be approved by the board of county commissioners of the county  
7 in which the land is situated; and

8 (e) Be approved by the health division of the department of human  
9 resources concerning sewage disposal, water pollution, water quality and,  
10 subject to review by the state engineer, water quantity [.] , *unless such*  
11 *approval has been waived by the legislative authority of the city, town or*  
12 *county in any county having a population of 100,000 or more, as deter-*  
13 *mined by the last preceding national census of the Bureau of the Census*  
14 *of the United States Department of Commerce.*

15 3. A copy of the review of the state engineer required by subsection  
16 2(e) shall be furnished to the subdivider who in turn shall provide a copy  
17 of such review to each purchaser of land in the subdivision prior to the  
18 time the sale is completed. No statement of approval or review as required  
19 in subsection 2(e) is a warranty or representation in favor of any person  
20 as to the safety or quantity of such water.

21 4. When so acknowledged, certified and approved, the original and  
22 one copy of the map or plat shall be filed in the office of the county  
23 recorder of the county in which the lands so platted and laid out are situ-  
24 ated and one copy of the map or plat shall be filed, without charge, in the  
25 office of the county assessor of the county where the lands are situated.

26 5. No city or town or county legislative authority shall approve or  
27 accept for filing any map or plat under this chapter that does not conform  
28 to the requirements of this chapter.

29 SEC. 2. NRS 117.027 is hereby amended to read as follows:

30 117.027 At the time any condominium map or plan is presented to  
31 the county recorder for recording the following certificates shall be pre-  
32 sented to be recorded immediately prior to such map or plan:

33 1. A subdivision report from a reputable title company showing the  
34 names of the parties who may be required to sign the map or plan and  
35 guaranteeing that the names of the parties contained therein are the only  
36 parties who are required to sign such map or plan.

37 2. A certificate from a reputable title company showing that there are  
38 no liens against the condominium or any part thereof for delinquent state,  
39 county, municipal, federal or local taxes or assessments collected as taxes  
40 or special assessments.

41 3. A certificate from the health division of the department of human  
42 resources showing that the health division has approved the map or plan  
43 concerning sewage disposal, water pollution, water quality and, subject to  
44 review by the state engineer, water quantity [.] , *unless such approval has*  
45 *been waived by the governing body in any county having a population of*  
46 *100,000 or more, as determined by the last preceding national census of*  
47 *the Bureau of the Census of the United States Department of Commerce.*

48 4. A copy of the review of the state engineer required by subsection 3  
49 shall be furnished to the condominium subdivider who in turn shall pro-  
50 vide a copy of such review to each purchaser of a condominium unit prior

1 to the time the sale is completed. No statement of approval or review  
2 as required in subsection 3 is a warranty or representation in favor of any  
3 person as to the safety or quantity of such water.

4 SEC. 3. NRS 278.420 is hereby amended to read as follows:

5 278.420 The following certificates and acknowledgments shall appear  
6 on the final map and may be combined where appropriate:

7 1. A certificate signed and acknowledged by all parties having any  
8 record title interest in the land subdivided, consenting to the prepara-  
9 tion and recordation of the map. A lien for state, county, municipal or  
10 local taxes and for special assessments or beneficial interest under trust  
11 deeds or trust interests under bond indentures shall not be deemed to  
12 be an interest in land for the purpose of this section. Any map including  
13 territory originally patented by the United States or the State of Nevada,  
14 under patent reserving interest to either or both of the entities, may be  
15 recorded under the provisions of NRS 278.010 to 278.630, inclusive,  
16 without the consent of the United States or the State of Nevada thereto,  
17 or to dedications made thereon. Signatures required by this section of  
18 parties owning rights-of-way, easements or reversions which by reason  
19 of changed conditions, long disuse or laches appear to be no longer of  
20 practical use or value, and which signatures it is impossible or imprac-  
21 ticable to obtain, may be omitted if the names of such parties and the  
22 nature of their interest is endorsed on the map, together with a reasonable  
23 statement of the circumstances preventing the procurement of such sig-  
24 natures.

25 2. A certificate, signed and acknowledged as above, offering for  
26 dedication for certain specified public uses (subject to such reservations  
27 as may be contained in any such offer of dedication) those certain parcels  
28 of land which the parties desire so to dedicate. The certificate may state  
29 that any certain parcel or parcels are not offered for dedication; but a  
30 local ordinance may require as a condition precedent to the approval of  
31 any final map that any or all of the parcels of land shown thereon and  
32 intended for any public use shall be offered for dedication for public use  
33 except those parcels other than streets intended for the exclusive use of  
34 the lot owners in such subdivision, their licensees, visitors, tenants and  
35 servants.

36 3. A certificate for execution by the clerk of each approving govern-  
37 ing body stating that the body approved the map and accepted or rejected  
38 on behalf of the public any parcels of land offered for dedication for public  
39 use in conformity with the terms of the offer of dedication.

40 4. A certificate signed and acknowledged by all parties having any  
41 record title in the land subdivided, evidencing their grant of permanent  
42 easements for utility installations and access, as designated on the map,  
43 together with a statement approving such easements, signed by each pub-  
44 lic utility company or agency in whose favor the easements are created or  
45 whose utility services are to be required for the platted parcels.

46 5. A certificate by the engineer or surveyor responsible for the survey  
47 and final map, giving the date of the survey and stating that the survey was  
48 made by him or under his direction, and that the survey is true and com-  
49 plete as shown. The certificate shall also state that the monuments are of  
50 the character and occupy the positions indicated, or that they will be set in



1 such positions and at such time as is agreed upon under the provisions of  
2 NRS 278.400.

3 6. A certificate by the county surveyor if a subdivision lies within an  
4 unincorporated area, and if a subdivision lies within a city, a certificate  
5 by the city engineer or by the county surveyor when for that purpose  
6 appointed by the governing body of the city, stating that he has exam-  
7 ined the final map, that the subdivision as shown thereon is substantially  
8 the same as it appeared on the tentative map, and any approved altera-  
9 tions thereof, that all provisions of NRS 278.010 to 278.630, inclusive,  
10 and of any local ordinance applicable at the time of approval of the tenta-  
11 tive map have been complied with, and that he is satisfied that the map  
12 is technically correct and that the monuments as shown are of the char-  
13 acter and occupy the positions indicated or that the monuments have not  
14 been set and that a proper performance bond has been deposited guar-  
15 anteeing their setting on or before a day certain. The certificate shall be  
16 dated and signed by the county surveyor or city surveyor, or by an author-  
17 ized deputy.

18 7. A certificate by the health division of the department of human  
19 resources showing that the health division approved the final map con-  
20 cerning sewage disposal, water pollution, water quality and, subject to  
21 review by the state engineer, water quantity [.] , *unless such approval is*  
22 *waived by the governing body in any county having a population of*  
23 *100,000 or more, as determined by the last preceding national census*  
24 *of the Bureau of the Census of the United States Department of Com-*  
25 *merce.*

26 8. A copy of the review of the state engineer required by subsection  
27 7 shall be furnished to the subdivider who in turn shall provide a copy  
28 of such review to each purchaser of land prior to the time the sale is  
29 completed. No statement of approval or review as required in subsection  
30 7 is a warranty or representation in favor of any person as to the safety  
31 or quantity of such water.