

Senate

GOVERNMENT AFFAIRS COMMITTEE

Minutes of Meeting - May 12, 1975

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

Also Present: See attached Guest Register

Chairman Gibson opened the forty third meeting of the Government Affairs Committee at 4:15 p.m. with all members present.

SB-357 Authorizes the City of Reno to issue tax increment securities which may be also payable from other tax proceeds and other revenues and provides other provision concerning the foregoing. (BDR S-1318)

Due to a conflict in scheduling Mr. Jacobs gave testimony for the City of Reno by telephone from his Los Angeles office. Mr. Jacobs explained the complexities of the bill to the committee and answered questions by the committee members.

Mr. Bruno Menicucci, Reno counsel member, passed out a proposed amendment to SB-357 (see attached). He indicated to the committee that this bill is limited only to municipal buildings, and more specifically parking facilities.

Senator Walker asked about the type of restrictions put on the type of investments in other states that could be utilized in this bill.

Mr. Jacobs responded that in California their law is much broader than what we have in SB-357 and as was stated earlier this bill limits investments to only municipal buildings. It could, of course, be patterned after some of the California laws if the committee so desired.

Senator Dodge felt that the language regarding the pledging of funds for the revenue bonds be clearly stated in the bill.

Mr. Carl Soderblom, Nevada Railroad Association, stated that with the proposed amendment he would support SB-357.

Mr. Fred Davis, School District, also felt that the amendment would make SB-357 more favorable to them too.

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The committee felt that it would be best to hold action on this bill until Senator Gojack could get an opinion from the Reno delegation.

ACR-39 Directs legislative auditor to conduct operational audit of state treasurer's office. (BDR 711)

Mike Mirabelli, State Treasurer, felt that the operational audit will help them be more efficient and often times these audits will point out problems and help them correct the situations.

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

AB-593 Provides for planning and construction of health facilities to be carried out by appropriate division of department of human resources. (BDR 40-1648)

Mr. Trounday, Dept. of Human Resources, indicated that this bill broadens the reviewing from just the department of human resources to the other areas, i.e. mental health, mental retardation and rehabilitation. This will make it easier on the department of Human Resources as well as give them statutory authority when reporting to the federal authorities on the reviews.

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

AB-740 Provides compensation for members of board of directors of county fire protection districts. (BDR-42-1976)

Jim Koch, Lake Tahoe Fire District at South Shore, indicated that their districts have grown considerably since the board was formed and this bill provide adequate compensation. Mr. Koch indicated that they had the funds necessary for the increases requested.

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

AB-655 Changes voter eligibility and boundary requirements for conservation districts. (BDR 49-1610)

Joe Fradi, Conservation District, introduced Mr. Ted Bendure of the Conservation District to the committee. Mr. Fradi indicated that the delegation from Clark County requested the option of putting the election on the general ballot. The reasons were that they weren't getting the turnout at the polls and it was too large an area. Mr. Leonard Anker read a statement from the President of the Nevada Association of Conservation, "The Nevada Association of

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33 Conservation Districts fully supports AB-655. It was the unanimous decision of our 10 Directors and they assisted in the preparation of this bill. They feel it will do the following:

- (A) Provide Conservation Districts election alternatives best suited to their situation.
- (B) Let all District Supervisors elected take office at the same time. See enlarged voter eligibility through all qualified electors
- (C) Provide for biannual elections."

Mr. Anker feels that the above will allow for better leadership.

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

AB-687 Provides for payment of portion of unused sick leave to county officers and employees upon termination, retirement or death. (BDR 20-1742)

Jim Banner, for employees in Clark County, stated that the reason for having AB-687 drafted was due to the Attorney General's opinion stating that they can't allow pay for half of sick leave upon termination or retirement in Washoe County. This created a problem in Clark County and, therefore, the new language was added which is at the bottom on the second page, subsection 3.

Richard Bunker, Clark County, indicated that they were in favor of AB-687.

Bill Adams, City of Las Vegas, also indicated that they were in favor of AB-687.

Motion of "Do Pass" by Senator Hilbrecht, seconded by Senator Walker.
Motion carried with Senator Foote casting a "no vote".

AJR-22 Proposes to amend Nevada constitution by removing Fish and Game fines from state permanent school fund.

Assemblyman Bob Weise indicated that all this bill does is put the fines received from the fish and game fund back into the general fund.

The committee felt that it would be better to hold action on this bill until the school people could be present to state their views on this bill.

AB-528 Increases term of certain member of county fair and recreation board. (BDR 20-1464)

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Bob Broadbent, County Commissioners, indicated that this bill was requested by the Fair and Recreation Board. They feel that a one year term is not long enough to be familiar with the job and begin to handle the situations as they arise. They favor a two year term for this reason.

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

AP-581 Provides for punchcard voting systems. (BDR 24-1669)

David Howard, Washoe County Registrar of Voters, stated that this bill will make legal the punchcard voting system. This system is being used in Nevadas five most populous counties.

Chairman Gibson questioned if the bill had a provision for the malfunctioning of the punchcard system such as happened in Henderson.

Mr. Howard indicated that in section 64, page 7, line 38. there was a provision to handle these malfunctions.

The committee decided to hold action on this bill until they could confer with Assemblyman Demers about some language regarding malfunctions with this punchcard system.

AB-618 Permits boards of county commissioners to authorize expenditures for certain improvements without providing certain notices and hearings if majority of affected property owners consent to assessment for the improvements. (BDR 20-1365)

Richard Bunker, Clark County, feels that this bill addresses itself to the smaller districts. Feels that this method will save a good deal of time and all the affected property owners will be notified by mail. The people usually have petitioned the county anyway.

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

AB-737 Provides for financing of certain warehousing enterprises by county economic development revenue bonds. (BDR 20-1992)

Bob Warren, Nevada League of Cities, indicated that when this bill was first passed "warehousing" was somehow left out and AB-737 provides for the inclusion of "warehousing" in the bill.

The committee decided to hold action on this bill until Assemblyman Dini could be available for questions.

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)

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Bob Warren, Nevada League of Cities, stated that he had some input from three cities on AB-451, Henderson, Sparks and Boulder City. Henderson felt that since there would be a financial impact there should be further study done to see what the impact would be on their city. Boulder City is against AB-451 due to the fact that they will not know the financial impact on the city. Sparks was also against the bill due to the unknown financial impact and felt that if it should be a state law the costs should be born by the state also. Mr. Warren stated that no other cities responded.

Richard Bunker, Clark County, stated that the Board of County Commissioners don't hesitate each year to budget for the money to travel or whatever they need at the justice court but there should be some obligation on the part of the justices that the first cut from those funds should be for this type of request.

Senator Dodge stated that in talking with Bob Broadbent (County Commissioners) he indicated the supreme court must work within the budget for the costs of such a program. Possibly mandate the costs to be reviewed every 2 years. Also the Supreme court should justify the costs to the county and city.

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

Senator Dodge will prepare the amendment as suggested above.

Chairman Gibson had amendment no. 8658 for the committee's consideration to SB-546. (See the attached for details)

Motion to "concur and Do Pass" by Senator Hilbrecht, seconded by Senator Foote. Motion carried unanimously.

Chairman Gibson also had amendment no. 8588 to SB-479 for the committee's consideration. (See the attached for details)

Motion was "not to concur" with amendment prepared by Assembly Government Affairs Committee by Senator Hilbrecht, seconded by Senator Gojack. Motion carried unanimously.

Chairman Gibson also had amendment no. 8545 to SB-472 for the committee's consideration. (See the attached for details)

Motion was "not to concur" with amendment prepared by Assembly Government Affairs Committee by Senator Dodge, seconded by Senator Hilbrecht. Motion carried unanimously.

Chairman Gibson then went over the amendment to SB-595 prepared by Frank Daykin for the committee's consideration.

Motion of "Amend and Do Pass" by Senator Walker, seconded by Senator Hilbrecht. Motion carried with the records reflecting a "no vote" by Senator Gojack.

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Chairman Gibson had the amendments to SB-601 and SB-605 which were prepared by the Clark County Committee on Urban Matters for the committee's action.

SB-601

Motion to "Amend and Do Pass" by Senator Dodge, seconded by Senator Hilbrecht. Motion carried, Voting went as follows: Yea's - Sen. Gibson, Hilbrecht, Dodge, Schofield and Gojack. Na's - Senator Walker and Senator Foote.

SB-605

Motion to "Amend and Do Pass" by Senator Walker, seconded by Senator Hilbrecht. Motion carried with Senator Foote casting a vote against the motion.

Senator Gojack spoke to the committee on SB-357 stating that it was somewhat inconsistent and that action should be deferred until she can get some input from the delegation in Reno.

The committee discussed SCR-53 and Mr. Bob Guinn, representing the Nevada Franchised Auto Dealers, stated that if a committee was appointed to study this matter then certain funds should be set aside to support the costs of the study.

Daisey Travitie, representing Region 9 in southern Nevada, indicated that "good faith" must be shown to the federal government on this deferred action plan and that a committee to study this program will be beneficial. The people feel that the present system is not working and this interim study committee could come up with some good alternatives for control of emissions.

Assembly Mann felt that it should be clearly stated in the bill that the program will not go into effect for 2 years, otherwise the program will be enacted. It should also be clearly stated that there will be a study group appointed and their findings will be presented in the next session.

The committee deferred action on SCR-53 until the next meeting.

SB-501 was considered by the committee and Mr. Bob Broadbent, County Commissioners, pointed out that in paragraph 2 there is a change and this should be removed. Also in paragraph 3 add the following new language which would then be Section 3, "it is the intent of the Nevada Legislature that the supervision, maintenance and operation, administration of Southern Nevada Water Project be carried out by a local political subdivision of the state of Nevada acting as an agency of the state and with the Las Vegas Valley Water District, not later than July 1, 1982."

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

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The committee discussed AJR-15 and the following comments were made:

Senator Dodge felt that we should explore the nuclear waste storage aspect along with the solar energy field if the federal government favors this. Senator Dodge feels that we must explore all avenues of energy.

Senator Gojack indicated that it was her opinion that further study should be done before acting on this piece of legislation. She passed out a letter sent to her from Susan Orr of Foresta Institute. (see the attached)

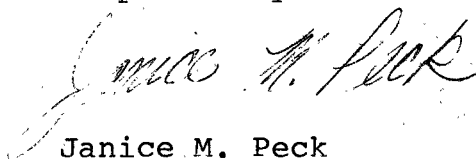
Senator Hilbrecht thought that the bill would be more favorable if the Governor's intervening action was placed back into AJR-15.

Assemblyman Hickey agreed with Senator Hilbrecht's suggestion although he indicated that even if this was not in the bill the Governor still had the authority to intervene.

Motion to "Amend and Do Pass" by Senator Schofield, seconded by Senator Hilbrecht. Motion carried - Voting went as follows: Yea's Senators Gibson, Walker, Dodge, Hilbrecht, and Schofield. Na's Senators Gojack and Foote.

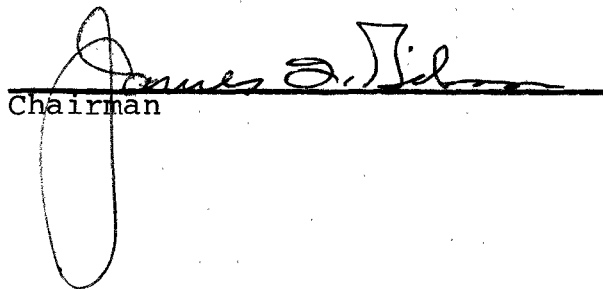
As there was no further business, meeting adjourned at 7:00 p.m.

Respectfully submitted,



Janice M. Peck
Committee Secretary

Approved:



Chairman

GOVERNMENT AFFAIRS COMMITTEE

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CHAIRMAN: Senator Gibson

DATE: 5-12

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PLEASE NOTE: IF YOU PLAN TO TESTIFY, IDENTIFY YOURSELF FOR RECORDS AND THE COMMITTEE AND WHO YOU ARE REPRESENTING. THANK YOU.

NAME	DESIRE TO TESTIFY	BILL NO.	REPRESENTING
Earl Oliver		ACR 39	Legislative Audit
Nathan Reed		ACR 39	Treasurer's Office
Mike Marabelli		ACR 39	Treasurer's Office
Richard Bunker		AB 451, 528 618	County of Clark
Jim Koch		AB 740	Lake Tahoe Fire Protection District
Duane D. Newton		AB 740	Lake Tahoe Fire Protection District
John B. Dayton		AB 740	" "
ROGER TROUNDAY	yes	AB 593	Dept. Human Resources
Robert F. Gunn	yes	SCR-53	New Franchised Auto Dealers
DAVID L. HOWARD	YES	AB 581	WASHOE COUNTY
W. E. Adams	Yes	AB 451 AB 687	City of Las Vegas
JIM BANNER	YES	A. B. 687	CLARK COUNTY EMPLOYEES
Carl A. Arklund		AB-357	New R.R. Assn.

GUEST REGISTER

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GOVERNMENT AFFAIRS COMMITTEE

CHAIRMAN: Senator Gibson

DATE:

5-12

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PLEASE NOTE: IF YOU PLAN TO TESTIFY IDENTIFY YOURSELF FOR RECORDS AND THE COMMITTEE AND WHO YOU ARE REPRESENTING. THANK YOU.

NAME	DESIRE TO TESTIFY	BILL NO.	REPRESENTING
FRED DAVIS		SB 357	GREATER RENO COFC
Bob Warren	✓	AB 451	New League of Cities
Leonard Anker	✓	AB-655	Nevada Association of Conservation Districts
Joe Fode	✓	AB-655	NEVADA STATE COMMISSION
Ed Philip Bendure		AB-655	State Conservation Comm
Nick Smith	Yes	AB 357	Burruss Smith & Co
Geo W. BRIGHTON	YES	AB 357	Washoe Co Sch Dist
Joe Hatimore	No	SB 357	City of Reno
Orville B Johnston	NO	✓	RENO UNLIMITED, INC
Ed Carduinal		SB 357	" " "
Ed J. Bogart		SB 357	Reno City Council

Senate Bill No. 357

AMENDMENTS

- A. No right-of-way property of a railroad under the jurisdiction of the Interstate Commerce Commission may be included in a Tax Increment area formed under the provisions of this Act unless such increment is mutually agreed upon ^{by} the municipality and the railroad.
- B. Bonds under this Act shall be issued in a total amount of not to exceed \$17,500,000.

ASSEMBLY / ~~SENATE~~ AMENDMENT BLANKAmendments to ~~ASSEMBLY~~ / SenateBill / ~~XXXXXXX~~ No. 546 (BDR 48-1778)Proposed by Committee on Government AffairsAmendment N^o 8658

Amend sec. 3, page 2, line 31, inserting open bracket after "county" and before "having".

Amend sec. 3, page 2, line 32, delete "[200,000] 100,000" insert: "200,000".

Amend sec. 3, page 2, line 34, inserting closed bracket after "Commerce," and before "is".

Amend sec. 3, page 2, by deleting lines 40 through 42 and inserting:

"3. A district so created may include territory within another county,

with the consent of the board of county commissioners of such other county."

Amend the title, line 1, by deleting "additional" and insert: "all".

Amendments to ~~Assembly~~ / SenateBill / ~~XXXXXXXXXXXX~~ No. 479 (BDR 20-1626)Proposed by Committee on Government AffairsAmendment N^o 8588

Amend section 1, page 2, by deleting lines 1 through 11.

Amend section 1, page 2, line 12, by deleting "3." and inserting:
"4.]".

Amend section 1, page 2, line 19, by deleting "4." and inserting:
"3.".

Amend section 1, page 2, line 25, by deleting "5." and inserting:
"4.".

Amend section 1, page 2, line 28, by deleting "[5.] 6." and inserting
"5.".

Amend the title of the bill to read as follows:

"AN ACT relating to county comptrollers; revising certain provisions relating to the appointment of, and the assignment of duties to, county comptrollers.".

ASSEMBLY / ~~SENATE~~ AMENDMENT BLANK

Amendments to ~~SENATE~~ / Senate

Bill ~~Joint Resolution~~ No. 472 (BDR 42-1630) ¹⁶⁵³

Proposed by Committee on Government Affairs

Amendment N^o 8545

Amend the bill as a whole by deleting section 10 and renumbering sections 11 and 12, as sections 10 and 11.

Amend the title by deleting lines 4 through 7 and insert:

"four equal installments; and providing other matters properly relating thereto."



UNITED STATES
ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION
WASHINGTON, D.C. 20545

AJR-15

May 5, 1975

1654

Mrs. Susan Orr
620 Franktown Road
Carson City, Nevada 89701

Dear Mrs. Orr:

This is the confirmation of our telephone conversation that you requested. Please remember my words of caution in regard to the accuracy or officialness of my knowledge. I am really providing you with the information I am using as the basis for planning waste management projects. I will say, however, that I go to a considerable amount of trouble to get the best information available to me. This, of course, does not allow me to predict shifts in priority at higher levels of management or in the executive and legislative branches of the Government; neither does it allow me to predict actions to be taken by the Nuclear Regulatory Commission (NRC).

The only thing I am absolutely positive of is that the request for authorization for the construction of the Retrievable Surface Storage Facility (RSSF) has been withdrawn because we have withdrawn our environmental statement supporting the funding authorization (WASH-1539). This latter action was taken in response to comments by the Environmental Protection Agency (EPA) and the Natural Resources Defense Council (NRDC), which said that the scope of the environmental statement was too narrow. The decision to withdraw the environmental statement rather than to resist the pressures applied by these comments was in part based on a lack of a firm need for the facility at this time. There is no high-level waste to be shipped to ERDA in the near future; and I will discuss this later. In planning for the rewrite of the increased scope environmental impact statement and considering the complexities of the scope and the numbers of organizations involved, we are arriving at the conclusion that the entire process, including hearings, is more likely to delay us two years rather than one year.

We are, however, continuing with the design and analysis program of the RSSF which was begun in 1972. Because of the deliberate pace of the project, the design has progressed about as far as it can. We will continue analyses, particularly of unusual safety-related events like sabotage. A major effort will be the demonstration of electrically heated sealed storage cask units which are instrumented



to confirm the transfer calculations. We will do a demonstration with heat-producing radioactive material. We will continue site suitability studies, including gathering environmental data in Nevada, as well as at the other sites. We will have specific sites in all three locations inspected by NRC for an evaluation of their licensability.

I mentioned that we did not expect to receive high-level waste in the near future. Obviously, NRC is the best source of information on what it will do. However, the following is the information, or misinformation, on which I am basing our planning for waste management facilities. I understand that no licensing actions on any nuclear reprocessing plants will be taken until the issues associated with the generic environmental statement on the mixed-oxide fuel cycle are resolved. One issue which is helping to hold it up is that of safeguarding the plutonium, which will be separated in the reprocessing plant and used in the mixed-oxide fuel cycle. My personal guess is that it will be two years before any construction for a waste solidification facility at a reprocessing plant will be permitted. Design and construction of such a facility will take five years. With these assumptions, no commercial high-level waste will be solidified until 1981 or 1982. The reprocessors are then allowed to store the waste on site for another five years and waste storage/disposal, design and cost features will make it economical for them to do so. The funding, design and construction interval for the RSSF is about five years. Therefore, if it weren't for pressures from people who oppose nuclear power on the basis that we don't know what to do with the waste, we could possibly wait until the (FY 1981) budget to request construction authorization.

However, just in case things don't go as we have guessed, we are about to begin evaluations of the suitability of existing facilities for short-term storage. The E-MAD Building at the Nevada Test Site (NTS) seems to be ideal for this purpose. Facilities in Idaho and Washington also should have the required capability to store waste for the five years required to produce the RSSF.

There is another ironic factor operating. High-level waste has been of intense interest for the past five years. As a result, several research and development programs are far enough advanced to require actual waste. (We will be forced to use simulated waste for our own radioactive sealed storage cask demonstration.) So, people will be standing in line to get the first few hundred canisters of this valuable research material. In addition, by 1985 or so we may well be looking for a thousand or more canisters for one or more geologic pilot plants.

before
RSSF
highly
dangerous

May 5, 1975


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In our phone conversation, I also mentioned that Nevada had been considered for storage of the transuranic-contaminated waste covered in the environmental impact statement (WASH-1539). In my opinion, the decision on whether to require industry to ship such waste is also entangled in the two-year delay involved with increasing the scope of the environmental impact statement. I understand that EPA and NRDC are pressing to have the waste shipped to us, but I don't think they will get very far with that since they were the very people who forced us to withdraw the environmental impact statement and delay the actions contained therein. There is no real time involved in construction of temporary storage pads, and the waste generator is allowed to store on site for five years, so no preparations are required. At any rate, no significant quantities are likely to be shipped before 1982 (two years to untangle the environmental impact statement plus five years on-site storage). More importantly, the bulk of this waste is generated in reprocessing plants so perhaps we are really talking 1981 plus five years for that source. There is some low-level waste presently generated in nuclear fuel fabrication plants which would be shipped in 1982. This quantity is so low, however, that a new operation in Nevada would be hard to justify.

(plutonium)

I hope you will forgive me for not wishing you luck. Frankly, it would be nice to have somebody say they wanted us. A lot of planning, study, and field testing goes into site selection. It would be nice to have the threat of State political difficulties removed so we could concentrate all our efforts on the technical issues.

Sincerely,


Owen P. Gormley, Chief
Engineering Branch
Division of Waste Management
and Transportation

A. B. 451

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.*

ASSEMBLY BILL NO. 528—CLARK COUNTY DELEGATION

APRIL 2, 1975

Referred to Committee on Government Affairs

SUMMARY—Increases term of certain members of county fair and recreation board. Fiscal Note: No. (BDR 20-1464)

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

AN ACT relating to county government; increasing the term of one member of the county fair and recreation board of certain counties; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 244.647 is hereby amended to read as follows:
 2 244.647 1. In any county having a population of 200,000 or more,
 3 as determined by the last preceding national census of the Bureau of the
 4 Census of the United States Department of Commerce, the county fair
 5 and recreation board shall consist of nine members selected as follows:
 6 (a) Two members by the board of county commissioners from their
 7 own number.
 8 (b) Two members by the governing body of the largest incorporated
 9 city in the county from their own number.
 10 (c) One member by the governing body of one of the other incorpo-
 11 rated cities in the county from their own number.
 12 (d) Four members to be appointed by the members selected pursuant
 13 to paragraphs (a), (b) and (c). Such members shall be selected from a
 14 list of three nominees for each position submitted by the chamber of
 15 commerce of the largest incorporated city in the county. Such lists shall
 16 be composed of nominees respectively who are actively engaged in:
 17 (1) The resort hotel industry.
 18 (2) The motel industry.
 19 (3) The finance industry.
 20 (4) General business or commerce.
 21 2. In order to determine which of the incorporated cities in the county
 22 is entitled to the representative provided in paragraph (c) of subsection 1,
 23 the board of county commissioners shall at its first meeting after May 1,
 24 1967, draw lots to determine which city shall be first represented, which
 25 next, and so on. The city first drawn is entitled to representation until

— 2 —

1 July 1, 1968, and each city is entitled thereafter to representation for 1
2 year, in its proper turn as determined by the original drawing [.] , until
3 July 1, 1975. Commencing July 1, 1975, the city then entitled to repre-
4 sentation on the board is entitled to representation for 2 years, and there-
5 after each city is entitled to representation for 2 years in its proper turn
6 as determined by the original drawing.

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

10 4. Upon the expiration of the terms of those members appointed pur-
11 suant to paragraph (d) of subsection 1, on January 1, 1974, four new
12 members shall be appointed as provided in that paragraph as follows:

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

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

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

20 5. The terms of members appointed pursuant to paragraphs (a) and
21 (b) of subsection 1 shall be coterminous with their terms of office. Any
22 such member may succeed himself.

A. B. 581**ASSEMBLY BILL NO. 581—ASSEMBLYMEN DEMERS,
JACOBSEN, VERGIELS, JEFFREY AND BANNER**

APRIL 9, 1975

Referred to Committee on Elections

SUMMARY—Provides for punchcard voting systems. Fiscal Note:
No. (BDR 24-1669)EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.AN ACT relating to elections; providing for punchcard voting systems;
and providing other matters properly relating thereto.*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1 SECTION 1. Title 24 of NRS is hereby amended by adding thereto
2 a new chapter to consist of the provisions set forth as sections 2 to 83,
3 inclusive, of this act.
- 4 SEC. 2. The purpose of this chapter is to provide a system whereby
5 at any election and in any precinct to which the provisions of this chapter
6 are applicable the vote of each voter for each candidate and on each
7 measure may be indicated by punching or slotting a single card or a
8 number of cards which are so designed and constructed that they may
9 be counted by automatic mechanical or electrical devices or electronic
10 computers so that the vote for each candidate and on each measure in
11 the precinct is determined.
- 12 SEC. 3. As used in this chapter, the words and terms defined in
13 sections 4 to 9, inclusive, of this act have the meanings ascribed to them
14 in those sections.
- 15 SEC. 4. "Ballot card" means a ballot which, by reference to a ballot
16 page assembly or a sample ballot, is voted by the process of punching
17 chips out of the card.
- 18 SEC. 5. "Ballot page assembly" means a page or pages upon which
19 are printed the names of candidates and the statements of measures to
20 be voted on by punching a ballot card.
- 21 SEC. 6. "Clerk" means the county clerk or other officer having charge
22 of elections in any county or city in this state.
- 23 SEC. 7. "Header card" or "precinct identification header card" means
24 an information control card used in a counting device or computer to

1 enable the counting device or computer to tabulate votes according to pre-
2 cinct.

3 SEC. 8. "Punchcard vote recording device" means a device to which a
4 ballot page assembly may be affixed and into which a ballot card may be
5 inserted and which is designed and constructed so that the vote for any
6 candidate or for and against any measure may be indicated by punching
7 the ballot card with reference to the ballot page assembly.

8 SEC. 9. "Punchcard voting system" means a system of voting whereby
9 voters may cast their ballots by punching ballot cards and whereby such
10 ballot cards are subsequently counted on an electronic tabulator, counting
11 device or computer.

12 SEC. 10. At all statewide, county, city and district elections of any
13 kind held in this state, ballots or votes may be cast, registered, recorded
14 and counted by means of punchcard voting systems.

15 SEC. 11. The provisions of all state laws relating to elections and of
16 any city charter or ordinance not inconsistent with the provisions of this
17 chapter apply to all elections in districts or precincts where punchcard
18 vote recording devices are used and to all elections where punchcard bal-
19 lots are counted at a central counting place.

20 SEC. 12. Any provision of law or of any city charter or ordinance
21 which conflicts with the provisions of this chapter shall not apply to the
22 districts or precincts in which punchcard vote recording devices are used,
23 nor to conduct at a central counting place. All acts, parts of acts, city
24 charters or ordinances, in conflict with any of the provisions of this chap-
25 ter are of no force or effect in election districts or precincts where punch-
26 card vote recording devices are used, nor with respect to conduct at a
27 central counting place.

28 SEC. 13. A punchcard voting system shall secure to the voter secrecy
29 in the act of voting.

30 SEC. 14. A punchcard vote recording device shall provide facilities for
31 voting for the candidates of as many political parties or organizations as
32 may make nominations, and for or against measures.

33 SEC. 15. A punchcard voting system shall permit the voter to vote for
34 any person for any office for which he has the right to vote, but none
35 other.

36 SEC. 16. A punchcard voting system shall, except at primary elections,
37 permit the voter to vote for all the candidates of one party or in part for
38 the candidates of one party and in part for the candidates of one or more
39 other parties.

40 SEC. 17. A punchcard voting system shall permit the voter to vote for
41 as many persons for an office as he is lawfully entitled to vote for, but no
42 more. If a voter casts more votes for an office than he is lawfully entitled,
43 the counting device or electronic computer shall be programmed so that
44 no such votes are counted. The remainder of such voter's ballot shall be
45 counted if it is otherwise lawfully voted.

46 SEC. 18. A punchcard voting system shall prevent the voter from
47 voting for the same person more than once for the same office.

48 SEC. 19. A punchcard voting system shall permit the voter to vote
49 for or against any measure he may have the right to vote on, but none
50 other.

1 SEC. 20. A punchcard vote recording device shall correctly register
2 or record, on the voter's punchcard ballot, all votes cast for any and all
3 persons and for or against any and all measures.

4 SEC. 21. A copy of each election computer program duly certified
5 by the accuracy certification board for an election in the state shall be
6 filed with the secretary of state at least 1 week before the election. Copies
7 of any subsequent alterations in the program shall be filed in the same
8 manner prior to the election.

9 SEC. 22. The board of county commissioners of any county or city
10 council or other governing body of any city may adopt for use at elec-
11 tions any kind of punchcard voting system approved by the secretary
12 of state or the use of which has been specifically authorized by law. The
13 punchcard voting system may be used at any or all elections held in such
14 county or city, for voting, registering and counting votes cast.

15 SEC. 23. A punchcard system may be adopted for some of the pre-
16 cincts or districts in the same county or city, while the remainder of the
17 precincts or districts in such county or city may be equipped with voting
18 machines or paper ballots.

19 SEC. 24. The board of county commissioners or city council or other
20 governing body of any city which adopts a punchcard voting system, as
21 soon as practicable after adopting it, shall provide for each polling place
22 one or more punchcard vote recording devices in complete working order.
23 When the devices are not in use at an election, such board, council or gov-
24 erning body shall have the custody of them and of the furniture and
25 equipment of the polling place.

26 SEC. 25. The board of county commissioners or city council or other
27 governing body of any city, without formally adopting a punchcard voting
28 system which it might lawfully adopt, may provide for its experimental use
29 at an election in one or more precincts. Its use at the election is as valid
30 for all purposes as if it were lawfully adopted.

31 SEC. 26. The cost of a punchcard voting system is a county charge
32 upon the county adopting it.

33 SEC. 27. The board of county commissioners or city council or other
34 governing body of any city may provide for the payment of the costs of a
35 punchcard voting system in such manner and by such method as they con-
36 sider in the best local interests, and also may for that purpose issue bonds,
37 certificates of indebtedness, or other obligations which shall be a charge on
38 the county or city. The bonds, certificates or other obligations may be
39 issued with or without interest, payable at such time as the authorities may
40 determine, but shall not be issued or sold at less than par.

41 SEC. 28. The list of offices and candidates and the statements of meas-
42 ures printed on the pages of the ballot page assembly in combination with
43 the ballot card is an official ballot.

44 SEC. 29. The laws relating to punchcard voting systems and paper
45 ballots generally, so far as applicable, shall apply respectively to that part
46 voted upon punchcard vote recording devices and that part voted upon
47 paper.

48 SEC. 30. Where both punchcard vote recording devices and paper
49 ballots are used, the names of candidates shall as far as possible be placed
50 upon the punchcard vote recording devices.

1 SEC. 31. If the ballot is larger than the punchcard vote recording
2 device can accommodate, the clerk may place the ballot upon more than
3 one device or place part of the ballot upon the punchcard vote recording
4 device and the remainder upon paper.

5 SEC. 32. The sample ballots of punchcard voting systems shall be
6 open to public inspection at the polling place during the election day.

7 SEC. 33. The sample ballots shall be either in full or reduced size and
8 shall contain suitable illustrated directions for voting on the punchcard
9 vote recording device.

10 SEC. 34. The officers charged with the duty of providing ballots for
11 any polling place shall provide the polling place with two sample ballots,
12 which shall be arranged in the form of a booklet or full sheet of paper
13 printed to display a facsimile of the page or several pages which constitute
14 the ballot page assembly on the punchcard vote recording device which
15 will be in use at that election.

16 SEC. 35. The clerk shall furnish sufficient ballot page assemblies for
17 the punchcard voting devices used at any election.

18 SEC. 36. When used in primary elections, the ballot page assembly
19 of each punchcard vote recording device, except those devices intended
20 solely for nonpartisan voters, shall be so arranged that it contains a page
21 or pages setting forth the ballot of one party only, followed by a page
22 or pages setting forth the nonpartisan ballot and so that the voter may
23 cast his partisan and nonpartisan votes on a single ballot card but may not
24 cast his partisan vote for a candidate of another political party.

25 SEC. 37. 1. In a primary election, a member of the election board
26 for a precinct shall issue each partisan voter a ballot card which is of a
27 distinctive color associated with such voter's political party, in which
28 is punched a distinctive code associated with such party and on which
29 is clearly printed the name of such party.

30 2. The election board member shall then direct the partisan voter
31 to a punchcard vote recording device containing a ballot page assembly
32 arranged for such voter's political party in the manner provided in sec-
33 tion 36 of this act.

34 SEC. 38. 1. In a primary election, a member of the election board
35 for a precinct shall issue each nonpartisan voter a ballot card of a dis-
36 tinctive color, punch code and printed designation identifying such ballot
37 card as a nonpartisan ballot card.

38 2. At the direction of the clerk, the election board member shall
39 then:

40 (a) Direct the nonpartisan voter to a punchcard vote recording device
41 containing a ballot page assembly setting forth only the nonpartisan
42 ballot;

43 (b) Direct the nonpartisan voter to a punchcard vote recording device
44 containing a ballot page assembly arranged for a partisan ballot, instruct
45 such voter to vote only the nonpartisan section of the ballot page assem-
46 bly and advise such voter that any votes he may cast in the partisan sec-
47 tion will not be counted; or

48 (c) Issue a nonpartisan ballot card attached to a sheet of foam plastic
49 or similar backing material, a punching instrument, a sample nonpartisan

1 ballot and an instruction sheet to the nonpartisan voter and instruct such
2 voter to punch his ballot card by reference to the sample ballot.

3 SEC. 39. In a primary election, the clerk may require those partisan
4 voters in a precinct or district whose political parties each comprise less
5 than 5 percent of the registered voters for such precinct or district to
6 vote in the manner prescribed for nonpartisan voters in section 38 of
7 this act.

8 SEC. 40. Prior to any election where a punchcard voting system is to
9 be used, the clerk shall prepare or cause to be prepared a computer pro-
10 gram on cards, tape or other material suitable for use with the computer
11 or counting device to be employed for counting the votes cast. Such pro-
12 gram shall cause the computer or counting device to operate in the follow-
13 ing manner:

14 1. All lawful votes cast by each voter shall be counted.

15 2. All unlawful votes, including but not limited to overvotes or, in
16 a primary election, votes cast for a candidate of a political party other
17 than the party, if any, of the voter's registration, shall not be counted.

18 3. Total votes shall be accumulated.

19 4. The computer or counting device shall halt or indicate by appro-
20 priate signal if a ballot card is encountered which lacks a code identifying
21 the precinct in which the ballot was voted and, in a primary election,
22 identifying the political party of the voter.

23 SEC. 41. Prior to conducting the test required under section 43 of this
24 act, the clerk shall appoint two persons who are not of the same political
25 party to serve as an accuracy certification board.

26 SEC. 42. 1. The accuracy certification board shall observe the con-
27 duct of the tests prescribed by sections 43 and 46 of this act.

28 2. Representatives of the various political parties, candidates, the
29 press and the public may also observe the conduct of such tests.

30 SEC. 43. 1. No sooner than 2 weeks prior to the election day, the
31 clerk shall test the automatic tabulating equipment and programs to ascer-
32 tain that the equipment and programs will correctly count the votes cast
33 for all offices and on all measures.

34 2. The clerk shall give public notice of the time and place of the test
35 at least 48 hours prior thereto by publication in a newspaper of general
36 circulation.

37 SEC. 44. 1. The tests prescribed by sections 43 and 46 of this act
38 shall be conducted by processing a preaudited group of logic and accuracy
39 test ballots so punched or marked as to record a predetermined number of
40 valid votes for each candidate and on each measure, and shall include for
41 each office one or more ballots which have votes in excess of the number
42 allowed by law in order to test the ability of the automatic tabulating
43 equipment and programs to reject such votes.

44 2. If any error is detected, the cause therefor shall be ascertained
45 and corrected and an errorless count shall be made before the automatic
46 tabulating equipment and programs are approved.

47 3. When satisfied with the accuracy of the computer program, the
48 accuracy certification board and the clerk shall date and sign all reports,
49 seal the program, the reports, and all test material in an appropriate
50 container. The container shall be kept in a sealed condition by the clerk.

1 SEC. 45. The computer program and the program card deck used for
2 the test prescribed by section 43 of this act shall be used to count the
3 ballots for the election.

4 SEC. 46. 1. A test conducted in the manner prescribed in subsections
5 1 and 2 of section 44 of this act shall be conducted immediately before
6 the start of the official count of the ballots and again immediately after
7 the official count of the ballots.

8 2. Such tests shall also be open to the public and shall be certified
9 by the accuracy certification board.

10 SEC. 47. After the completion of the last logic and accuracy test, the
11 programs used, the logic and accuracy test ballots and the official ballots
12 shall be sealed, retained and disposed of in the manner provided in NRS
13 293.391 for other ballots.

14 SEC. 48. The officers charged with the duty of creating election pre-
15 cincts, at any time on or before the 30th day preceding any election, may
16 create, unite, divide or combine the election precincts in which punch-
17 card vote recording devices are to be used. No such combined precinct
18 may be comprised of more than 1,000 registered voters.

19 SEC. 49. The clerk shall place the proper ballot labels on the punch-
20 card vote recording devices, corresponding with the sample ballots pro-
21 vided for in this chapter, and shall put the punchcard vote recording
22 device in order, ready for use in voting.

23 SEC. 50. For the purpose of labeling, putting in order, setting and
24 arranging the punchcard vote recording device, the clerk shall employ
25 competent persons, who shall be sworn to perform their duties honestly
26 and faithfully.

27 SEC. 51. The clerk shall not appoint any person to label, put in order,
28 set or arrange any punchcard vote recording device, unless he is fully
29 qualified to perform his duties in connection with the complete prepara-
30 tion of the devices for the election and the instruction of the election
31 officers and voters.

32 SEC. 52. The assistants referred to in sections 50 and 51 of this act
33 shall, under the direction of the clerk, label, put in order, set, arrange
34 and deliver the devices to the polling places of the election district in
35 which the election is to be held, or to the custody of the election board
36 chairman, together with all furniture and appliances necessary for the
37 proper conduct of the election, at least 5 hours before the time set for
38 the opening of the polls on election day.

39 SEC. 53. In preparing a punchcard vote recording device for an elec-
40 tion, the clerk shall, according to the printed directions furnished,
41 thoroughly test the punchcard vote recording device and arrange the
42 punchcard vote recording device and the ballot page assembly so that
43 the punchcard vote recording device will in every particular meet with the
44 requirements for voting and counting at the election.

45 SEC. 54. 1. Before preparing a punchcard vote recording device for
46 any election, the clerk shall mail written notices to the chairmen of the
47 county central committees of at least two of the principal political parties,
48 stating the time and place where such punchcard vote recording devices
49 will be prepared. At the specified time, one representative of each such

1 political party shall be afforded an opportunity to see that the punchcard
2 vote recording devices are in proper condition for use in the election. Such
3 representatives shall not interfere with the persons assigned to prepare the
4 punchcard vote recording devices or assume any of their duties.

5 2. After such examination, the clerk shall seal the punchcard voting
6 device, or the ballot page assembly, or the container or containers in
7 which they are transported, or all or more than one of such items in such
8 a way as to prevent access to the device or ballot page assembly without
9 visible evidence that the seal has been broken or tampered with. The clerk
10 shall, in a similar manner, seal the containers in which official ballot cards
11 are to be transported.

12 SEC. 55. If the voting booth in which a punchcard voting device is to
13 be installed is not equipped with a light, the clerk may provide a light and
14 direct that it be affixed to the booth or to the voting device.

15 SEC. 56. The booth in which a vote recording device is installed shall
16 be so constructed that the rear and sides of the booth in combination
17 with the person of the voter hide the device from the view of persons
18 other than the voter.

19 SEC. 57. Within a reasonable time before each election, the clerk
20 shall instruct the election board in the use of the punchcard voting system
21 and in their duties in connection therewith.

22 SEC. 58. An election board shall not serve in any election at which
23 a punchcard voting system is used unless they have received instruction
24 and are fully qualified to perform their duties in connection with the
25 system.

26 SEC. 59. For the purpose of giving instruction in the punchcard vot-
27 ing system, the clerk shall call any meeting of the election board which
28 may be necessary. The election board of each election precinct in which
29 a punchcard voting system is used shall attend any meeting called for the
30 purpose of receiving instruction concerning their duties and necessary
31 for the proper conduct of the election.

32 SEC. 60. 1. The clerk shall keep an attendance record of those elec-
33 tion officials receiving instruction in their duties in connection with the
34 punchcard voting system. The clerk shall certify that the attendance
35 record is a list of election officers who have been instructed pursuant to
36 section 57 of this act.

37 2. The list, when so certified, is prima facie evidence that the election
38 officials have been properly instructed in their duties.

39 SEC. 61. Sections 49 to 62, inclusive, of this act do not prevent the
40 appointment and service of an election board to fill a vacancy in an
41 emergency.

42 SEC. 62. 1. Before the polls are open for election, the election board
43 shall:

44 (a) Examine all punchcard vote recording devices to ascertain that no
45 seals previously affixed by the clerk have been broken or tampered with;

46 (b) Break such seals and prepare the devices for voting; and

47 (c) Test every voting device by inserting a demonstration, unofficial
48 ballot card into each device and fully voting it.

49 2. If any seals previously affixed by the county clerk have been

1 broken or tampered with the device shall not be used until the device
2 has been examined by the clerk and its use is approved by him.

3 SEC. 63. The open part of the booth containing the punchcard vote
4 recording device and every part of the polling place shall be in plain
5 view of the election officials and watchers. The booth shall be placed at
6 least 4 feet from the poll clerk's table.

7 SEC. 64. The election officials shall inspect the vote recording devices
8 periodically during the day to see that the ballot page assembly is intact,
9 and that the device is otherwise in good working order.

10 SEC. 65. After the opening of the polls, the election board shall not
11 issue any voter a ballot card nor allow him to enter the booth until they
12 ascertain that he is entitled to vote.

13 SEC. 66. Before each voter enters the voting booth, the election board
14 shall, so far as possible, inform him how to operate the punchcard vote
15 recording device and illustrate its operation upon the demonstration model
16 of the device. If any voter, after entering the voting booth, asks for infor-
17 mation, the election board shall give him the necessary information.

18 SEC. 67. A voter shall not remain within the voting booth longer than
19 2 minutes. If he refuses to leave it after the lapse of 2 minutes, he may
20 be removed by the election board.

21 SEC. 68. Upon closing of the polls, the election board shall:

22 1. Secure all vote recording devices against further voting.
23 2. Open the ballot box, remove all ballots and count them.
24 3. Account for all ballots on the ballot statement and on a certificate
25 to accompany the voted ballots.

26 4. Place all official ballots, the certificate and any other records,
27 reports and materials as directed by the clerk into the container provided
28 by him for the purpose of transporting such items to a central counting
29 place and seal such container.

30 SEC. 69. 1. The chairman and at least one other member of the elec-
31 tion board shall deliver the sealed container to a receiving center or to the
32 central counting place, as directed by the clerk. Insofar as is practicable,
33 the other board member shall be of a different political party than the
34 chairman. When available, such election board members shall be escorted
35 by a deputy sheriff or police officer.

36 2. The chairman shall provide for the transportation or other disposi-
37 tion of all other supplies and election materials as directed by the clerk.

38 SEC. 70. The clerk may provide that an intermediate point other than
39 the central counting place be designated as a receiving center for ballots
40 in transit. In such case, he shall appoint officials to inspect seals, issue
41 receipts, maintain logs and effect the final transportation of ballots to the
42 central counting place.

43 SEC. 71. The election board has no further responsibility for the care,
44 custody, security, tabulation or counting of ballots after the official ballots
45 have been delivered to a receiving center or to the central counting place
46 and a receipt has been issued for such ballots.

47 SEC. 72. The clerk shall supervise the operation of the central count-
48 ing place.

49 SEC. 73. When a computer or counting device owned or leased by the
50 State of Nevada or by any political subdivision of the State of Nevada is

1 used to count ballots, the clerk shall determine that such use complies with
2 the provisions of this chapter. The clerk shall exercise his authority in a
3 manner consistent with established procedures for the operation and use
4 of the computer, so far as is practicable.

5 SEC. 74. No later than 1 week before an election, the clerk shall
6 appoint a seal and container inspection board, a ballot inspection board, a
7 ballot duplicating board, a ballot processing board, a packaging and seal-
8 ing board and an absent ballot processing board. Each such board shall
9 consist of not less than two properly deputized persons and such other
10 necessary personnel required for the conduct of the central count. A per-
11 son may serve on more than one such board, but all persons serving on
12 such boards must be able to make the required certification or certifica-
13 tions required of members of each such board.

14 SEC. 75. The seal and container inspection board shall examine each
15 sealed container containing ballots presented to it. All members of the
16 board shall sign a certificate showing the precinct number, description of
17 each container and a description of the condition of the seal, with partic-
18 ular note of any defects observed. When any seal or container appears
19 to have been tampered with, such condition shall be brought to the atten-
20 tion of the clerk, who shall then ascertain the reason for such condition.
21 Upon fulfilling its duties, the seal and container board shall deliver the
22 containers to the ballot inspection board.

23 SEC. 76. The ballot inspection board shall:

- 24 1. Receive the inspected containers.
- 25 2. Open the inspected containers and remove the required contents as
26 directed by the clerk.
- 27 3. Attach a sheet of paper indicating the number of ballot cards
28 voted in each precinct as reported on the certificate of packaging and
29 sealing to the cards of such precinct for transfer along with the ballot
30 cards for each precinct throughout the counting process.
- 31 4. Deliver any damaged ballot cards to the ballot duplicating board.
- 32 5. Receive the duplicates of damaged cards from the ballot duplicat-
33 ing board and place them with the voted ballot cards of the appropriate
34 precinct.
- 35 6. If precinct identification header cards are used in conjunction with
36 a computer program, place the proper header card or cards with the
37 voted ballot cards of that precinct, and secure the header cards to the
38 ballot cards in a container or by other suitable means. A member of
39 the board shall examine the precinct header cards to verify that they are
40 the proper header cards for the precinct and shall certify thereto by
41 stamping or initialing each header card.
- 42 7. Certify, by the signatures of all members of the board, to the
43 identity of the precincts whose ballots it has inspected, the number of
44 damaged ballots received from each precinct, that such damaged ballot
45 cards were duplicated or transferred unduplicated to the ballot process-
46 ing board, that duplicate ballot cards were included with the ballot cards
47 of the appropriate precinct, that a sheet of paper showing number of
48 voted ballot cards received from each precinct was attached to such
49 cards and that the appropriate header card was secured to each precinct's
50 voted ballot cards.

1 SEC. 77. The ballot duplicating board shall:

- 2 1. Receive damaged ballot cards, including cards which have been
- 3 torn, bent or mutilated;
- 4 2. Receiving incompletely punched ballot cards;
- 5 3. Prepare on a distinctively colored, serially numbered card marked
- 6 "duplicate" an exact copy, with respect to punching, of each damaged
- 7 card;
- 8 4. In the case of an incompletely punched ballot card, remove the
- 9 incompletely punched chip or duplicate the ballot card, as provided in
- 10 subsection 3 without punching the location of the incompletely punched
- 11 chip, according to the clerk's determination of the probable intent of the
- 12 voter;
- 13 5. Record the serial number of the duplicate ballot card on the dam-
- 14 aged ballot card, mark the damaged ballot card "void," place the voided
- 15 cards in a separate container and record each such transaction in a log;
- 16 and
- 17 6. Return the duplicate ballot cards to the ballot inspection board
- 18 or the ballot processing board as described by the clerk.

19 SEC. 78. In his discretion, the clerk may:

- 20 1. Consolidate the ballot inspection and ballot duplicating boards.
- 21 2. Establish a procedure whereby duplicate ballot cards are held
- 22 aside and counted after all other ballot cards are counted.

23 SEC. 79. The ballot processing board shall:

- 24 1. Prepare and operate the counting device or computer.
- 25 2. Maintain precinct grouping of ballot cards for delivery to the
- 26 storage packaging board.
- 27 3. Check the number of voted ballot cards counted against the count
- 28 forwarded by the ballot inspection board and explain any discrepancies.
- 29 4. Maintain a log of the sequence in which precincts were processed
- 30 and explain any irregularities in processing.
- 31 5. Individually certify that they fulfilled their duties required by this
- 32 section and that all ballot cards were counted according to precinct.

33 SEC. 80. The storage packaging board shall, in the following order:

- 34 1. Receive all of the ballot cards and any appropriate header card
- 35 or cards from the ballot processing board;
- 36 2. Place the processed ballot cards and appropriate header card or
- 37 cards of each precinct or district in temporary storage under constant sur-
- 38 veillance until the satisfactory completion of the final accuracy test;
- 39 3. Place the ballot cards and any appropriate header card or cards in
- 40 a container and seal the container;
- 41 4. Individually sign across the seal of such container; and
- 42 5. Transfer such container to the clerk for storage.

43 SEC. 81. The clerk may order deputized officials to pick up all voted

44 ballot cards from any or all of the precincts or districts after the polls have

45 been opened for 5 hours. At least two such officials who are not members

46 of the same political party shall deliver any ballot cards which are picked

47 up early to the central counting place. The various boards operating the

48 central counting place may begin to process such ballot cards upon receipt,

49 but no reports may be printed by the counting device or computer until

50 the polls have closed.

1 SEC. 82. The absent ballot processing board shall, in the following
2 order:

3 1. Convene on election day at the central counting place; and
4 2. Prepare the absent voter and mailing precinct ballot cards for
5 counting on a counting device or computer by performing the duties
6 otherwise assigned to the ballot inspection and the ballot duplicating
7 boards in sections 76 and 77 of this act.

8 SEC. 83. In addition to the duties prescribed in sections 42, 44 and
9 46 of this act, the accuracy certification board shall certify as to whether
10 in their judgment the ballot cards were accurately counted. If they deter-
11 mine an inaccuracy exists, they shall furnish a written explanation for
12 such determination.

13 SEC. 84. NRS 293.237 is hereby amended to read as follows:

14 293.237 1. In each county where voting machines are used, the elec-
15 tion board for each precinct or district with one voting machine shall
16 consist of not less than three members, two of whom shall act as clerks
17 to record the application and polling of registered voters. The third shall
18 act as an attendant to admit registered voters to vote on the machine.
19 Where more than one voting machine is used, there shall be appointed
20 an additional attendant for each additional machine.

21 2. *In each county where a punchcard voting system is used, the elec-
22 tion board for each precinct or district shall consist of not less than three
23 members, two of whom shall act as clerks to record the application and
24 polling of registered voters. The third shall issue ballots, direct voters
25 to the punchcard vote recording device and deposit voted ballots in the
26 ballot box. Additional officers may be appointed by the county clerk to
27 demonstrate the use of punchcard vote recording devices to voters and
28 to perform other duties at the direction of the chairman. Duties of all
29 officers are interchangeable at the direction of the chairman.*

30 SEC. 85. NRS 293.323 is hereby amended to read as follows:

31 293.323 1. If the request for an absent ballot is made by mail or tele-
32 gram, the county clerk shall, as soon as the official absent ballot for the
33 precinct or district in which the applicant resides has been printed, send to
34 such absent ballot voter by the most expeditious mail, postage pre-
35 paid: **[.]**

36 (a) *Except as provided in paragraph (b), an absent ballot, a return envel-
37 ope, a ballot-marking stamp, a stamp pad and instructions.*

38 (b) *In those counties using a punchcard voting system, a ballot card
39 attached to a sheet of foam plastic or similar backing material, a return
40 envelope, a punching instrument, a sample ballot, and instructions.*

41 2. Nothing may be enclosed or sent with such ballot except as
42 required by subsection 1.

43 3. Before depositing such ballot in the mails, the county clerk shall
44 record the date such ballot is issued, the name of the registered voter to
45 whom issued, his precinct or district, political affiliation, if any, the ballot
46 number and any remarks he finds appropriate.

47 SEC. 86. NRS 293.325 is hereby amended to read as follows:

48 293.325 1. Except as provided in **[subsection 2,]** *subsections 2 and*
49 *3, when an absent ballot is returned by a registered voter to the county*

1 clerk through the mails, and record thereof is made in the absent ballot
 2 record book, the county clerk shall deliver, or cause to be delivered, such
 3 ballot to the precinct or district election board.

4 2. If the county clerk has appointed an absent ballot central counting
 5 board, the county clerk shall, upon receipt of each absent voter's ballot,
 6 make a record of the return and check the signature on the return enve-
 7 lope against the original signature of the voter on the county clerk's regis-
 8 ter.

9 **[3.]** If the county clerk determines that the absent voter is entitled to
 10 cast his ballot, he shall deposit the ballot in the proper ballot box.

11 **[4.]** On election day the county clerk shall deliver such ballot box to
 12 the absent ballot counting board to be counted.

13 3. *If the county uses a punchcard voting system, the county clerk*
 14 *shall, upon receipt of each absent voter's ballot card, make a record of the*
 15 *return and check the signature on the return envelope against the origina-*
 16 *signature of the county clerk's register. If the county clerk determines that*
 17 *the absent voter is entitled to cast his ballot, he shall deposit the ballot in*
 18 *the proper ballot box. On election day the county clerk shall deliver such*
 19 *ballot box to the central counting place.*

20 SEC. 87. NRS 293.327 is hereby amended to read as follows:

21 293.327 1. If the request for an absent ballot is made by a registered
 22 voter in person, the county clerk shall, in counties where voting machines
 23 are used for voting absent ballots:

24 (a) Issue a ballot to the voter to be voted on the premises of such
 25 clerk's office and shall follow the same procedure as in the case of absent
 26 ballots received in the mail; or

27 (b) Issue to such voter an admission authority to the voting machine
 28 which has the proper ballot listing required for such voter. When such
 29 voter has indicated his vote on the voting machine, the proper record
 30 shall be made in the pollbook and roster, or the record book incorporating
 31 poll and roster book, showing that such voter has voted an absent ballot.

32 2. In all other counties, the county clerk shall issue an absent ballot
 33 *or an absent ballot punchcard* to the registered voter, and such ballot shall
 34 be voted on the premises of such clerk's office and returned to the clerk.
 35 The clerk shall follow the same procedure as in the case of absent ballots
 36 received by mail.

37 SEC. 88. NRS 293.350 is hereby amended to read as follows:

38 293.350 1. The county clerk shall:

39 (a) Make certain of the names and addresses of all voters registered to
 40 vote in mailing precincts and absent ballot mailing precincts;

41 (b) Enroll the name and address of each voter found eligible to vote in
 42 such precincts in the mailing precinct record book;

43 (c) Mark the number of the ballot on the return envelope; and

44 (d) Mail the ballot to the registered voter.

45 2. **[The]** *Except as provided in subsection 3, the ballot shall be*
 46 *accompanied by:*

47 (a) A stamp and stamp pad;

48 (b) A return envelope; **[and]**

49 (c) *A sample ballot; and*

1 (d) Instructions regarding the manner of stamping and returning the
2 ballot.

3 3. *In those counties using a punchcard voting system, the ballot shall*
4 *be accompanied by:*

5 (a) *A sheet of foam plastic or similar backing material attached to the*
6 *ballot card;*

7 (b) *A punching instrument;*

8 (c) *A return envelope;*

9 (d) *A sample ballot; and*

10 (e) *Instructions regarding the manner of punching and returning the*
11 *ballot card.*

12 SEC. 89. NRS 293.353 is hereby amended to read as follows:

13 293.353 Upon receipt of a mailing ballot from the county clerk, the
14 registered voter shall:

15 1. *Except as provided in subsection 2:*

16 (a) *Immediately after opening the envelope, mark and fold the ballot;*

17 [2.] (b) *Place the ballot in the return envelope;*

18 [3.] (c) *Affix his signature on the back of the envelope; and*

19 [4.] (d) *Mail or deliver the envelope to the county clerk.*

20 2. *In those counties using a punchcard voting system:*

21 (a) *Immediately after opening the envelope, punch the ballot;*

22 (b) *Place the unfolded ballot card in the return envelope;*

23 (c) *Affix his signature on the back of the envelope; and*

24 (d) *Mail or deliver the envelope to the county clerk.*

25 SEC. 90. NRS 293.383 is hereby amended to read as follows:

26 293.383 1. Except as provided in subsection 2, each counting board,
27 before it adjourns, shall post a copy of the voting results in a conspicuous
28 place on the outside of the place where the votes were counted.

29 2. When votes are cast on ballots which are electronically tabulated in
30 accordance with [NRS 293.295, the counting board] *the provisions of*
31 *sections 2 to 83, inclusive, of this act, the county clerk shall, as soon as*
32 *possible, post copies of the tabulated voting results in a conspicuous place*
33 *on the outside of:*

34 (a) *The county courthouse;*

35 (b) *The city hall of each incorporated city from which votes were so*
36 *counted; and*

37 (c) *Each polling place, located outside the limits of any incorporated*
38 *city and more than 10 miles from the courthouse, from which votes were*
39 *so counted.*

40 3. Each copy of the voting results posted in accordance with subsections
41 1 and 2 shall state the precinct or precincts from which the votes
42 were counted and shall be signed by the members of the counting board
43 [.] *or the accuracy certification board.*

44 SEC. 91. NRS 293.295 is hereby repealed.

A. B. 655**ASSEMBLY BILL NO. 655—COMMITTEE ON AGRICULTURE**

APRIL 16, 1975

Referred to Committee on Agriculture

SUMMARY—Changes voter eligibility and boundary requirements for conservation districts. Fiscal Note: No. (BDR 49-1610)

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

AN ACT relating to conservation districts; changing the basis of voter eligibility from land occupier to registered voter; changing the boundary requirement of districts to coincide with established political townships; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 548.055 is hereby amended to read as follows:
 2 548.055 "Nominating petition" means a petition [filed under the
 3 provisions of NRS 5-8.250 and paragraph (b) of subsection 6 of 548.285]
 4 to nominate candidates for the office of supervisor of a conservation dis-
 5 trict.
- 6 SEC. 2. NRS 548.185 is hereby amended to read as follows:
 7 548.185 1. Any 10 occupiers of land lying within the limits of the
 8 territory proposed to be organized into a district may file a petition with
 9 the state conservation commission asking that a conservation district be
 10 organized to function in the territory described in the petition.
- 11 2. The petition shall set forth:
 12 (a) The proposed name of the district.
 13 (b) That there is need, in the interest of public health, safety and wel-
 14 fare, for a conservation district to function in the territory described in the
 15 petition.
 16 (c) A description of the territory proposed to be organized as a district,
 17 which [description shall not be required to be given by metes and bounds
 18 or by legal subdivisions, but shall be deemed sufficient if generally accu-
 19 rate.
 20 (d) A request that the state conservation commission duly define the
 21 boundaries for such district.
 22 (e) [] shall consist of one or more townships created pursuant to chap-
 23 ter 257 of NRS.
 24 (d) A request that a referendum be held within the territory so defined

1 on the question of the creation of a conservation district in such territory,
2 and that the commission determine that such a district be created.

3 3. Where more than one petition is filed covering parts of the same
4 territory, the state conservation commission may consolidate all or any
5 such petitions.

6 SEC. 3. NRS 548.195 is hereby amended to read as follows:

7 548.195 1. After such hearing, if the commission ~~shall determine,~~
8 *determines*, upon the facts presented at such hearing and upon such other
9 relevant facts and information as may be available, that there is need, in
10 the interest of the public health, safety and welfare, for a conservation
11 district to function in the territory considered at the hearing, the commis-
12 sion shall make and record such determination, and shall ~~define by~~
13 *metes and bounds or by legal subdivisions the boundaries of such* ~~deter-~~
14 *mine the township or townships to be included in the district.*

15 2. In making such determination, ~~and in defining such boundaries,~~
16 the commission shall give due weight and consideration to:

17 (a) The topography of the area considered and of the state.

18 (b) The composition of soils therein.

19 (c) The distribution of erosion.

20 (d) The prevailing land use practices.

21 (e) The desirability and necessity of including within the boundaries
22 the particular lands under consideration and the benefits such lands may
23 receive from being included within such boundaries.

24 (f) The relation of the proposed area to existing watersheds and agri-
25 cultural regions, and to other conservation districts already organized or
26 proposed for organization under the provisions of this chapter.

27 (g) Such other physical, geographical and economic factors as are rele-
28 vant, having due regard to the legislative determinations set forth in NRS
29 548.095 to 548.110, inclusive.

30 3. ~~The territory to be included within such boundaries need not be~~
31 *contiguous.*

32 4. ~~After consideration of the petition and of any other evidence of~~
33 *interest in the organization of a district, and of the relevant factors regard-*
34 *ing the need for a district to function in the territory being considered,*
35 *the state conservation commission may make the determination of such*
36 *need without holding a hearing.*

37 SEC. 4. NRS 548.205 is hereby amended to read as follows:

38 548.205 1. After the commission has made and recorded a determi-
39 nation that there is need, in the interest of the public health, safety and
40 welfare, for the organization of a district in a particular territory and has
41 ~~defined the boundaries thereof,~~ *determined the township or townships*
42 *to be included,* the commission shall consider the question whether the
43 operation of a district within such ~~boundaries~~ *territory* with the powers
44 conferred upon conservation districts in this chapter is administratively
45 practicable and feasible.

46 2. To assist the commission in the determination of such administra-
47 tive practicability and feasibility, the commission shall, within a reasonable
48 time after entry of the finding that there is need for the organization of the
49 proposed district and the determination of ~~the boundaries thereof,~~ *its*

1 territory, hold a referendum within the proposed district upon the proposi-
2 tion of the creation of the district, and shall cause due notice of such ref-
3 erendum to be given.

4 3. The question shall be submitted by ballots upon which the words
5 "For creation of a conservation district [of the lands below described and
6 lying in the county(ies) of and]" consist-
7 ing of the township (or townships) of in the county (or
8 counties) of" and "Against creation of a conservation dis-
9 trict [of the lands below described and lying in the county(ies) of
10 and]" consisting of the township (or
11 townships) of in the county (or counties) of"
12 shall be printed, with a square before each proposition and a direction to
13 insert an X mark in the square before one or the other of the propositions,
14 as the voter may favor or oppose creation of such district. [The ballot
15 shall set forth the boundaries of such proposed district as determined by
16 the commission.]

17 4. All [occupiers of lands lying within the boundaries of the territory,
18 as determined by the state conservation commission,] persons determined
19 by the county clerk or clerks to be registered voters residing within the
20 boundaries of the proposed conservation district shall be eligible to vote in
21 such referendum. [Only such land occupiers shall be eligible to vote.]

22 SEC. 5. NRS 548.215 is hereby amended to read as follows:

23 548.215 1. The commission shall publish the result of the referen-
24 dum and shall thereafter consider and determine whether the operation of
25 the district [within the defined boundaries] is administratively practicable
26 and feasible.

27 2. If the commission [shall determine] determines that the operation
28 of such district is not administratively practicable and feasible, the com-
29 mission shall record such determination and deny the petition.

30 3. If the commission [shall determine] determines that the operation
31 of the district is administratively practicable and feasible, the commission
32 shall record such determination and shall proceed with the organization
33 of the district in the manner provided in this chapter. The commission
34 shall not [have authority to] determine that the operation of the proposed
35 district [within the defined boundaries] is administratively practicable and
36 feasible unless at least a majority of the votes cast in the referendum
37 upon the [proposition of] creation of the district [shall have been] are
38 cast in favor of the creation of such district.

39 4. In making such determination, the commission shall give due
40 regard and weight to:

41 (a) The attitudes of the occupiers of lands lying within the defined
42 boundaries.

43 (b) The number of [land occupiers eligible to vote in such referendum
44 who shall have voted.] eligible registered voters who voted in the referen-
45 dum.

46 (c) The proportion of the votes cast in such referendum in favor of the
47 creation of the district to the total number of votes cast.

48 (d) The approximate wealth and income of the land occupiers of the
49 proposed district.

1 (e) The probable expense of carrying on erosion-control operations
2 within such district.

3 (f) Such other economic and social factors as may be relevant to such
4 determination, having due regard to the legislative determinations set
5 forth in NRS 548.095 to 548.110, inclusive.

6 SEC. 6. NRS 548.225 is hereby amended to read as follows:

7 548.225 1. If the commission determines that the operation of the
8 proposed district within the defined boundaries is administratively prac-
9 ticable and feasible, the commission shall appoint ~~two~~ five supervisors
10 to act as the governing body of the district until the time of the election
11 of five supervisors by the qualified electors of the district, at which time
12 such appointments shall be terminated. *The number of supervisors elected*
13 *to 2-year and 4-year terms shall correspond to the respective numbers so*
14 *elected in all other districts at that particular election.*

15 2. The ~~two~~ five supervisors appointed by the commission shall be
16 persons who are by training and experience qualified to perform the spe-
17 cialized, skilled services which will be required of them in the perform-
18 ance of their duties hereunder.

19 SEC. 7. NRS 548.235 is hereby amended to read as follows:

20 548.235 1. The ~~two~~ five appointed supervisors shall present to
21 the secretary of state an application signed by them, which shall set forth
22 (and such application need contain no detail other than the mere recit-
23 als):

24 (a) That a petition for the creation of the district was filed with the
25 state conservation commission pursuant to the provisions of this chapter,
26 and that the proceedings specified in this chapter were taken pursuant to
27 such petition.

28 (b) That the application is being filed in order to complete the orga-
29 nization of the district as a governmental subdivision and a public body,
30 corporate and politic, under this chapter.

31 (c) That the commission has appointed them as supervisors.

32 (d) The name and official residence of each of the supervisors, together
33 with a certified copy of the appointments evidencing their right to office.

34 (e) The term of office of each of the supervisors.

35 (f) The name which is proposed for the district.

36 (g) The location of the principal office of the supervisors of the district.

37 2. The application shall be subscribed and sworn to by each of the
38 supervisors before an officer authorized by the laws of this state to take
39 and certify oaths, who shall certify upon the application that he personally
40 knows the supervisors and knows them to be the officers as affirmed in the
41 application, and that each has subscribed thereto in the officer's presence.

42 3. The application shall be accompanied by a statement by the state
43 conservation commission, which shall certify (and such statement need
44 contain no detail other than the mere recitals):

45 (a) That a petition was filed, notice issued and hearing held as required
46 by this chapter.

47 (b) That the commission did duly determine that there is need, in the
48 interest of the public health, safety and welfare, for a conservation district
49 to function in the proposed territory and did define the ~~boundaries~~
50 thereof. *township or townships to be included.*

1 (c) That notice was given and a referendum held on the question of
2 the creation of such district, and that [the result of such referendum
3 showed] a majority of the votes cast in such referendum [to be] were
4 in favor of the creation of the district.

5 (d) That thereafter the commission did duly determine that the opera-
6 tion of the proposed district is administratively practicable and feasible.

7 4. The statement shall set forth the [boundaries of the district as they
8 have been defined by the commission.] township or townships to be
9 included.

10 SEC. 8. NRS 548.250 is hereby amended to read as follows:

11 548.250 1. Within 30 days after the date of issuance by the secretary
12 of state of a certificate of organization of a conservation district, nominat-
13 ing petitions may be filed with the state conservation commission to nomi-
14 nate candidates for supervisors at large of such district.

15 2. The commission shall have authority to extend the time within
16 which nominating petitions may be filed.

17 3. No such nominating petition shall be accepted by the commission
18 unless it shall be subscribed by three or more [occupiers of land lying
19 within the boundaries of] registered voters residing within such district.

20 4. [Land occupiers] Registered voters of the district may sign more
21 than one such nominating petition to nominate more than one candidate
22 for supervisor.

23 SEC. 9. NRS 548.265 is hereby amended to read as follows:

24 548.265 All [owners of record and all occupiers of land lying] reg-
25 istered voters residing within the district [shall be] are eligible to vote
26 in such election.

27 SEC. 10. NRS 548.270 is hereby amended to read as follows:

28 548.270 The commission shall:

29 1. Supervise the conduct of such election.

30 2. Prescribe regulations governing the conduct of such election. [and
31 the determination of the eligibility of voters therein.]

32 3. Publish the results thereof.

33 SEC. 11. NRS 548.275 is hereby amended to read as follows:

34 548.275 1. In the [initial election,] election held in 1976, two terms
35 of 4 years each and [single] three terms of [3 years,] 2 years [and
36 1 year respectively] each shall be allocated among the candidates in
37 descending order of number of votes received.

38 2. Supervisors who receive an equal number of votes shall draw lots
39 to determine their terms.

40 3. After [the initial] that election, [one supervisor] supervisors shall
41 be elected [each year] for [a term] terms of 4 years.

42 SEC. 12. NRS 548.285 is hereby amended to read as follows:

43 548.285 1. The county clerk of the county in which a conservation
44 district is situated, or his designee, shall conduct [an annual] a biennial
45 nonpartisan election for the replacing of any supervisors whose terms are
46 about to expire [or have expired] and shall pay all costs of such election
47 from county funds.

48 2. Such an election shall be held [within a period of 30 days before
49 or after the date of expiration of a supervisor's term.] either at a mass

- 1 *meeting of electors, held in a centrally located public meeting place within*
2 *the district, or as part of the general election.*
- 3 3. [The county clerk shall give public notice of such election by pub-
4 lication in a newspaper of general circulation, or by written notice, individ-
5 ually mailed to all qualified electors, not less than 10 days in advance of
6 the date of election.
- 7 4. The election shall be held either at a mass meeting of electors held
8 in a centrally located public meeting place within the district, or at one or
9 more public polling places conveniently located within the district and
10 available at no cost.
- 11 5.] *If a mass meeting is held for the election, it shall be held within*
12 *the district on one of the first 10 days of November in each even-*
13 *numbered year.*
- 14 4. If the election is held at a mass meeting:
- 15 (a) The chairman of the district supervisors shall preside at this meet-
16 ing and the secretary of the district shall keep a record of transactions at
17 the meeting.
- 18 (b) Nominations of candidates shall be made verbally from the floor.
- 19 (c) Voting shall be by secret ballot. The chairman of the district super-
20 visors shall appoint three electors present to act, without pay, as judges
21 and tellers to count the votes at the conclusion of voting.
- 22 [6.] 5. If the election is held [at public polling places:] *as part of*
23 *the general election:*
- 24 (a) [Each such place shall be open to electors for a period of at least
25 6 hours between the hours of 9:00 a.m. and 6:00 p.m. on the day of elec-
26 tion. The locations and the hours the polls will be open shall be included
27 in the public notice of the election. An attendant, serving without pay, and
28 a sealed ballot box shall be provided at each polling place during the
29 period the polls are open.
- 30 (b) The chairman of the district supervisors shall appoint a nominating
31 committee which shall present to the chairman the name or names of qual-
32 ified candidates. Any qualified elector of the district desiring to be a candi-
33 date for supervisor may file with the district a nomination petition at least
34 10 days prior to the election, subscribed by at least three occupiers of land
35 lying within the boundaries of the district. Names of all such qualified candi-
36 dates shall be included on the ballot.
- 37 (c)] *Candidates are bound by the election laws governing county*
38 *elections.*
- 39 (b) Ballots shall be provided bearing the names of candidates in alpha-
40 betical order by surnames with a square before each name and a direction
41 to insert an "X" mark in the square before the name or names of the vot-
42 er's choice.
- 43 [(d)] (c) At the close of polling, the sealed ballot boxes shall be
44 delivered unopened to the county clerk or his designee, who shall appoint
45 three electors to act, without pay, as judges and tellers to open the boxes
46 and count the votes.
- 47 [7.] 6. The result of the election shall be certified to the state con-
48 servation commission and to the secretary of state by the county clerk or
49 his designee, within 1 week following the date of election.
- 50 [8.] 7. If a conservation district embodies land lying in more than

1 one county, the county clerks of the respective counties shall confer and
2 delegate to the clerk of the county having the greatest number of qualified
3 conservation district electors the duty of carrying out the provisions of this
4 section and shall reimburse such county on a pro rata basis for their
5 respective counties' shares of the expenses of conducting the election.

6 [9. At the first annual election in a district after July 1, 1973, five
7 supervisors shall be elected in accordance with the provisions of this sec-
8 tion and NRS 548.290 in order to accomplish the transition to five elected
9 supervisors with staggered terms.]

10 SEC. 13. NRS 548.290 is hereby amended to read as follows:

11 548.290 1. [The term of office of each elected supervisor shall be
12 4 years, except the shorter initial terms provided in NRS 548.275.

13 2.] Each supervisor who is appointed under the provisions of NRS
14 548.283 shall serve for a term of 2 years.

15 [3. A supervisor shall hold office until his successor has been elected
16 or appointed and has qualified.]

17 2. *Elected supervisors shall take office on the 1st Monday in January,*
18 *following their election.*

19 SEC. 14. NRS 548.415 is hereby amended to read as follows:

20 548.415 If a referendum is to be held:

21 1. The proposed regulations shall be embodied in a proposed ordi-
22 nance.

23 2. Copies of such proposed ordinance shall be available for the
24 inspection of all eligible voters during the period between publication
25 of such notice and the date of the referendum.

26 3. The notices of the referendum shall recite the contents of such
27 proposed ordinance, or shall state where copies of such proposed ordi-
28 nance can be examined.

29 4. The question shall be submitted by ballots, upon which the words
30 "For approval of proposed ordinance No., prescribing land
31 use regulations for conservation of soil and prevention of erosion" and
32 "Against approval of proposed ordinance No., prescribing
33 land use regulations for conservation of soil and prevention of erosion"
34 shall be printed, with a square before each proposition and a direction
35 to insert an X mark in the square before one or the other of the proposi-
36 tions as the voter may favor or oppose approval of such proposed ordi-
37 nance.

38 5. The commission shall supervise such referendum, shall prescribe
39 appropriate regulations governing the conduct thereof, and shall publish
40 the result thereof.

41 6. [All occupiers of lands within the district shall be eligible to vote in
42 such referendum. Only such land occupiers shall be eligible to vote.] *All*
43 *persons determined by the county clerk or clerks to be registered voters*
44 *residing within the district are eligible to vote in such referendum.*

45 7. No informalities in the conduct of such referendum or in any mat-
46 ters relating thereto [shall] invalidate the referendum or the result thereof
47 if notice thereof [shall have been] was given substantially as provided in
48 this chapter and the referendum [shall have been] was fairly conducted.

1 SEC. 15. NRS 548.530 is hereby amended to read as follows:

2 548.530 1. Within 60 days after a petition for discontinuance has
3 been received by the state conservation commission, it shall give due
4 notice of the holding of the referendum [.] if one is to be held.

5 2. The commission shall supervise the referendum and issue appropriate
6 regulations governing the conduct thereof.

7 3. The question shall be submitted by ballots upon which the words
8 "For terminating the existence of the (name of the
9 conservation district to be here inserted)" and "Against terminating the
10 existence of the (name of the conservation district to
11 be here inserted)" shall be printed, with a square before each proposition
12 and a direction to insert an X mark in the square before one or the other
13 of the propositions, as the voter may favor or oppose discontinuance of
14 such district.

15 4. [All occupiers of lands lying within the boundaries of the district
16 shall be eligible to vote in such referendum. Only such land occupiers
17 shall be eligible to vote.] All persons determined by the county clerk or
18 clerks to be registered voters residing within the district are eligible to vote
19 in such referendum.

20 5. No informalities in the conduct of such referendum or in any matters
21 relating thereto [shall] invalidate the referendum or the result thereof
22 if notice thereof [shall have been] was given substantially as provided in
23 this chapter and the referendum [shall have been] was fairly conducted.

24 6. The commission shall publish the result of the referendum.

25 SEC. 16. NRS 548.535 is hereby amended to read as follows:

26 548.535 1. The commission shall consider the information and facts
27 presented in the petition and brought out in any public hearings that may
28 be held and the result of the referendum if one is held, and shall thereafter
29 determine whether the continued operation of the district [within the
30 defined boundaries] is administratively practicable and feasible.

31 2. If the commission [shall determine] determines that the continued
32 operation of such district is administratively practicable and feasible, the
33 commission shall record such determination and deny the petition. The
34 commission shall not [have authority to] determine that the continued
35 operation of the district is administratively practicable and feasible unless
36 the number of petitioners comprises less than a majority of the [occupiers
37 of land] registered voters in the district or unless at least a majority of the
38 votes cast in the referendum [shall have been] were cast in favor of the
39 continuance of such district.

40 3. If the commission [shall determine] determines that the continued
41 operation of the district is not administratively practicable and feasible, the
42 commission shall record such determination and shall certify such deter-
43 mination to the supervisors of the district.

44 4. In making such determination the commission shall give due regard
45 and weight to:

- 46 (a) The attitudes of the occupiers of the lands lying within the district.
- 47 (b) The number of [land occupiers eligible to vote in the referendum
48 who shall have voted.] eligible registered voters who voted in the refer-
49 endum.
- 50 (c) The proportion of petitioners to the total number of land occupiers

- 1 in the district, and the proportion of the votes cast in [the referendum
2 in] favor of the discontinuance of the district to the total number of votes
3 cast.
- 4 (d) The approximate wealth and income of the land occupiers of the
5 district.
- 6 (e) The probable expense of carrying on erosion-control operations
7 within such district.
- 8 (f) Such other economic and social factors as may be relevant to such
9 determination, having due regard to the legislative findings as set forth
10 in NRS 548.095 to 548.110, inclusive.
- 11 SEC. 17. NRS 548.517 is hereby repealed.

A. B. 593

 ASSEMBLY BILL NO. 593—COMMITTEE ON
 GOVERNMENT AFFAIRS

 APRIL 10, 1975

Referred to Committee on Government Affairs

SUMMARY—Provides for planning and construction of health facilities to be carried out by appropriate division of department of human resources. Fiscal Note: No. (BDR 40-1648)


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

AN ACT relating to health facilities; providing for the planning and construction of health facilities to be carried out by an appropriate division of the department of human resources; 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 449.260 is hereby amended to read as follows:
 2 449.260 As used in NRS 449.250 to 449.430, inclusive:
 3 1. "Community mental health center" means a facility providing
 4 services for the prevention or diagnosis of mental illness, or care and
 5 treatment of mentally ill patients, or rehabilitation of such persons,
 6 which services are provided principally for persons residing in a particu-
 7 lar community or communities in or near which the facility is situated.
 8 2. "Construction" includes construction of new buildings, modern-
 9 ization, expansion, remodeling and alteration of existing buildings, and
 10 initial equipment of such buildings (including medical transportation
 11 facilities), including architects' fees, but excluding the cost of offsite
 12 improvements and, except with respect to public health centers, the cost
 13 of the acquisition of the land.
 14 3. "Facility for the mentally retarded" means a facility specially
 15 designed for the diagnosis, treatment, education, training or custodial
 16 care of the mentally retarded, including facilities for training specialists
 17 and sheltered workshops for the mentally retarded, but only if such
 18 workshops are part of facilities which provide or will provide compre-
 19 hensive services for the mentally retarded.
 20 4. "Federal Act" means the Hospital Survey and Construction Act,
 21 as amended, being Title VI of the Public Health Service Act (42 U.S.C.
 22 §§ 291 et seq.) with respect to hospitals and medical facilities, the
-

- 1 Mental Retardation Facilities and Community Mental Health Centers
2 Construction Act of 1963 (42 U.S.C. §§ 2661 et seq.) with respect to
3 facilities for the mentally retarded and community mental health centers
4 and any other federal law providing for or applicable to the provision of
5 assistance for health facilities now or hereafter enacted.
- 6 5. "Federal agency" means the federal department, agency or official
7 designated by law, regulation or delegation of authority to administer
8 the Federal Act.
- 9 6. "Health division" means the health division of the department of
10 human resources.
- 11 7. "Health facility" includes hospitals, medical facilities, facilities
12 for the mentally retarded, community mental health centers, and other
13 facilities for the provision of diagnosis, treatment, care, rehabilitation,
14 training or related services to individuals with physical or mental impair-
15 ments, but except for facilities for the mentally retarded does not include
16 any facility furnishing primarily domiciliary care.
- 17 8. "Hospital" includes public health centers and general, tubercu-
18 losis, mental, chronic disease, and other types of hospitals, and related
19 facilities such as laboratories, out-patient departments, nurses' home
20 and training facilities, and central service facilities operated in connec-
21 tion with hospitals, but does not include any hospital furnishing primar-
22 ily domiciliary care.
- 23 9. "Medical facility" means diagnostic or diagnostic and treatment
24 centers, rehabilitation facilities and nursing homes, as those terms are
25 defined in the Federal Act, and such other medical facilities for which
26 federal aid may be authorized under the Federal Act.
- 27 10. "Nonprofit health facility" means any health facility owned and
28 operated by a corporation or association, no part of the net earnings
29 of which inures or may lawfully inure to the benefit of any private
30 shareholder or individual.
- 31 11. "Public health center" means a publicly owned facility for the
32 provision of public health services, including related facilities such as
33 laboratories, clinics and administrative offices operated in connection
34 with public health centers.
- 35 12. "State department" means the department of human resources,
36 acting through [the health division.] *its appropriate divisions.*

A. C. R. 39

**ASSEMBLY CONCURRENT RESOLUTION NO. 39—
COMMITTEE ON GOVERNMENT AFFAIRS**
MARCH 26, 1975

Referred to Committee on Government Affairs
**SUMMARY—Directs legislative auditor to conduct operational audit of
state treasurer's office. (BDR 711)**

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

**ASSEMBLY CONCURRENT RESOLUTION—Directing the legislative auditor to
conduct an operational audit of the state treasurer's office.**

- 1 **WHEREAS, The responsibilities of the state treasurer's office have grown**
2 **in volume and complexity; and**
3 **WHEREAS, Modern systems applications available to other state agen-**
4 **cies and not to the state treasurer's office enables those agencies to place**
5 **heavier workloads on the office; and**
6 **WHEREAS, The productivity of the state treasurer's office is of para-**
7 **mount importance to the financial operations of the state and especially**
8 **to the state's investment program; and**
9 **WHEREAS, An evaluation of modern systems techniques and equipment**
10 **will identify ways to increase the productivity of the state treasurer's**
11 **office; and**
12 **WHEREAS, On October 16, 1974, the legislative commission author-**
13 **ized the legislative auditor to conduct a financial compliance audit of the**
14 **state treasurer's office during the ensuing biennium and it would be**
15 **appropriate, efficient and economical for the legislative auditor to accom-**
16 **plish at the same time an evaluation of the present and future operations**
17 **of the state treasurer's office; now, therefore, be it**
18 ***Resolved by the Assembly of the State of Nevada, the Senate concur-***
19 ***ring, That the legislative auditor is hereby directed to:***
20 **1. Conduct an operational audit of the state treasurer's office in addi-**
21 **tion to, but concurrent with, the financial compliance audit authorized**
22 **by the legislative commission; and**
23 **2. Report his findings, conclusions and recommendations to the leg-**
24 **islative commission and the interim finance committee prior to the con-**
25 **vening of the 59th session of the legislature.**

A. J. R. 2

**ASSEMBLY JOINT RESOLUTION NO. 2—ASSEMBLYMEN
HOWARD, JACOBSEN, BROOKMAN AND YOUNG**

JANUARY 27, 1975

Referred to Committee on Elections

SUMMARY—Memorializes Congress to propose Constitutional amendment to clarify law relating to apportionment of Representatives to Congress. (BDR 473)



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

ASSEMBLY JOINT RESOLUTION—Memorializing the Congress of the United States to propose and submit to the states an amendment to the Constitution declaring that Representatives to Congress shall be apportioned among the states according to the total number of persons residing within each state.

1 WHEREAS, Section 2 of the 14th Amendment to the Constitution of the
2 United States declares that Representatives to Congress shall be appor-
3 tioned according to the whole number of persons in each state, excluding
4 "Indians not taxed"; and
5 WHEREAS, The Supreme Court of the United States has held that all
6 Indians are subject to federal income taxes without deciding what the
7 phrase "Indians not taxed" was intended to mean; and
8 WHEREAS, The national census tabulated by the Bureau of the Census
9 of the United States Department of Commerce includes all Indians living
10 within each state; and
11 WHEREAS, The apportionment of Representatives to Congress is based
12 upon the national census; and
13 WHEREAS, It appears that the phrase "Indians not taxed" is no longer
14 significant in determining the number of persons residing within each state
15 for apportionment of Representatives to Congress; and
16 WHEREAS, The continued inclusion of the phrase "Indians not taxed"
17 in the Constitution of the United States is derogatory and potentially dis-
18 criminatory against all Indians; now, therefore, be it
19 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*
20 That the 94th Congress of the United States is hereby memorialized to
21 adopt and submit to the states for ratification an amendment to the Con-
22 stitution of the United States to clarify the law relating to apportionment
23 of Representatives to Congress by declaring that apportionment of Repre-
24 sentatives to Congress shall, without exclusion of any race or nationality,
25 be determined by the total number of persons residing within the state;
26 and be it further

1 *Resolved*, That copies of this resolution be prepared and transmitted
2 forthwith by the legislative counsel to the Speaker of the House of Repre-
3 sentatives, the President of the Senate and the members of the Nevada
4 congressional delegation; and be it further
5 *Resolved*, That this resolution shall become effective upon passage and
6 approval.

ASSEMBLY JOINT RESOLUTION NO. 22—ASSEMBLYMEN
WEISE, HOWARD, JACOBSEN, YOUNG, MOODY, GETTO,
DINI, MELLO AND FORD

APRIL 1, 1975

Referred to Committee on Government Affairs

SUMMARY—Proposes to amend Nevada constitution by removing fish and game fines from state permanent school fund. (BDR C-1496)

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

ASSEMBLY JOINT RESOLUTION—Proposing to amend section 3 of article 11 of the constitution of the State of Nevada, relating to the state permanent school fund, by excepting fines collected for fish and game law violations from moneys otherwise pledged for educational purposes.

1 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*
2 That section 3 of article 11 of the constitution of the State of Nevada be
3 amended to read as follows:
4 [Section] Sec. 3. All lands, including the sixteenth and thirty-sixth
5 sections in any township donated for the benefit of public schools in the
6 act of the Thirty-eighth Congress, to enable the people of Nevada Terri-
7 tory to form a state government, the thirty thousand acres of public lands
8 granted by an act of Congress, approved July second, A.D. eighteen hun-
9 dred and sixty-two, for each senator and representative in Congress, and
10 all proceeds of lands that have been or may hereafter be granted or appro-
11 priated by the United States to this state, and also the five hundred thou-
12 sland acres of land granted to the new states under the act of Congress
13 distributing the proceeds of the public lands among the several states of
14 the union, approved A.D. eighteen hundred and forty-one; provided, that
15 Congress make provision for or authorize such diversion to be made for
16 the purpose herein contained; all estates that may escheat to the state; all
17 of such per centum as may be granted by Congress on the sale of lands;
18 all fines collected under the penal laws of the state [;] , *except fines col-*
19 *lected for violations of the laws relating to fish and game;* all property
20 given or bequeathed to the state for educational purposes, and all pro-
21 ceeds derived from any or all of said sources shall be and the same are
22 hereby solemnly pledged for educational purposes, and shall not be trans-
23 ferred to any other funds for other uses; and the interest thereon shall,
24 from time to time, be apportioned among the several counties as the leg-
25 islature may provide by law; and the legislature shall provide for the sale

1 of floating land warrants to cover the aforesaid lands, and for the invest-
2 ment of all proceeds derived from any of the above-mentioned sources, in
3 United States bonds, or the bonds of this state, or the bonds of other
4 states of the union, or the bonds of any county in the State of Nevada; or
5 in loans at a rate of interest of not less than six percent per annum,
6 secured by mortgage on agricultural lands in this state of not less than
7 three times the value of the amount loaned, exclusive of perishable
8 improvements, of unexceptional title and free from all encumbrances, said
9 loans to be under such further restrictions and regulations as may be pro-
10 vided by law; provided, that the interest only of the aforesaid proceeds
11 shall be used for educational purposes, and any surplus interest shall be
12 added to the principal sum; and provided further, that such portion of said
13 interest as may be necessary may be appropriated for the support of the
14 state university.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 618

ASSEMBLY BILL NO. 618—COMMITTEE ON
GOVERNMENT AFFAIRS

APRIL 11, 1975

Referred to Committee on Government Affairs

SUMMARY—Permits boards of county commissioners to authorize expenditures for certain improvements without providing certain notices and hearings if majority of affected property owners consent to assessment for the improvements. Fiscal Note: No. (BDR 20-1365)

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

AN ACT relating to county government; permitting boards of county commissioners to authorize certain improvements after hearings if two-thirds of the affected property owners consent in writing to assessment for the proposed improvements; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Chapter 244 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *The board of county commissioners may authorize an improve-*
4 *ment, the cost of which will be defrayed pursuant to NRS 244.556 to*
5 *244.558, inclusive, if:*
6 (a) *The expenditure will not require an expenditure greater than*
7 *\$100,000;*
8 (b) *Owners of at least two-thirds of the tracts to be assessed consent to*
9 *such improvement;*
10 (c) *The owners of tracts to be assessed which represent at least two-*
11 *thirds of the total amount of the assessment consent to such improvement;*
12 *and*
13 (d) *The board of county commissioners holds a hearing and levies the*
14 *assessment in the manner provided in NRS 244.501 to 244.507, inclu-*
15 *sive.*
16 2. *The consent required pursuant to subsection 1 shall be solicited*
17 *by the board of county commissioners by sending to the owner of each*
18 *tract to be assessed, by certified mail, documents containing:*
19 (a) *A description of the proposed improvement and its expected cost.*
20 (b) *The costs to be assessed against the owner to whom the document*
21 *was addressed.*
22 (c) *A form to be signed by such property owner if he desires to consent*
23 *to such improvement.*

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 737

ASSEMBLY BILL NO. 737—COMMITTEE ON
GOVERNMENT AFFAIRS

APRIL 28, 1975

Referred to Committee on Government Affairs

SUMMARY—Provides for financing of certain warehousing enterprises by county economic development revenue bonds. Fiscal Note: No. (BDR 20-1992)

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

AN ACT relating to county economic development revenue bonds; enlarging their permitted uses; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Chapter 244 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 "Warehousing" means the consignment of personal property from out-
4 side this state to a private warehouse within this state for temporary stor-
5 age during the transit of the property to a final destination outside the
6 state.
- 7 SEC. 2. NRS 244.9192 is hereby amended to read as follows:
8 244.9192 Whenever used in NRS 244.9191 to 244.9219, inclusive,
9 unless a different meaning clearly appears from the context, the [follow-
10 ing] words and terms defined in NRS 244.9193 to 244.9196, inclusive,
11 [and], sections 2 to 5, inclusive, of [this act,] *Senate Bill 364 of the*
12 *58th session of the Nevada legislature, and section 1 of this act* have the
13 meanings ascribed to them in [such] those sections.
- 14 SEC. 3. NRS 244.9196 is hereby amended to read as follows:
15 244.9196 "Project" means:
16 1. Any land, building or other improvement and all real and personal
17 properties necessary in connection therewith, whether or not in existence,
18 suitable for manufacturing, industrial, *warehousing* or research and devel-
19 opment enterprises.
20 2. Any land, building, structure, facility, system, fixture, improve-
21 ment, appurtenance, machinery, equipment, or any combination thereof
22 or any interest therein, used by any individual, partnership, firm, com-
23 pany, corporation (including a public utility), association, trust, estate,

1 political subdivision, state agency or any other legal entity, or its legal
2 representative, agent or assigns:

3 (a) For the reduction, abatement or prevention of pollution or for the
4 removal or treatment of any substance in a processed material which
5 otherwise would cause pollution when such material is used.

6 (b) In connection with furnishing of water if available on reasonable
7 demand to members of the general public.

8 SEC. 4. NRS 244.9197 is hereby amended to read as follows:

9 244.9197 1. It is the intent of the legislature to authorize counties
10 to finance, acquire, own, lease, improve and dispose of properties to the
11 end that such counties may be able to promote industry and develop trade
12 by inducing manufacturing, industrial, *warehousing* and research and
13 development enterprises to locate in or remain in this state, in order to
14 assist in relieving the serious threat of extensive unemployment in parts of
15 this state, in securing and maintaining a balanced and stable economy in
16 all parts of this state and in furthering the use of its agricultural products
17 and natural resources. It is, therefore, the intention of the legislature to
18 vest such counties with all powers that may be necessary to enable them
19 to accomplish such purposes, which powers shall in all respects be exer-
20 cised for the benefit of the inhabitants of this state for the promotion of
21 their safety, welfare, convenience and prosperity.

22 2. It is also the intent of the legislature to authorize counties to
23 finance, acquire, own, lease or sell projects or interests therein for the pur-
24 pose of:

25 (a) Reducing, abating or preventing pollution or removing or treating
26 any substance in processed material which otherwise would cause pollution
27 when such material is used, to protect and promote the health, welfare and
28 safety of the citizens of this state and to retain and promote private indus-
29 try and commerce with the resultant higher level of employment and eco-
30 nomic activity and stability.

31 (b) Promoting the furnishing of water if available on reasonable
32 demand to members of the general public in order to protect and promote
33 the health, welfare and safety of the citizens of this state and to retain and
34 promote private industry and commerce with the resultant higher level of
35 employment and economic activity and stability.

36 3. It is not intended hereby that any county shall itself be authorized
37 to operate any such manufacturing, industrial, *warehousing* or research
38 and development enterprise.

39 4. No county may by virtue of NRS 244.9191 to 244.9219, inclu-
40 sive, assist any manufacturing, industrial, *warehousing* or research and
41 development enterprise to locate in the county which would offer sub-
42 stantial competition to an existing enterprise within the county whose
43 intrastate markets are substantially the same.

44 5. NRS 244.9191 to 244.9219, inclusive, shall be liberally construed
45 in conformity with this declaration of purpose.

A. B. 687

ASSEMBLY BILL NO. 687—ASSEMBLYMAN BANNER

APRIL 21, 1975

Referred to Committee on Government Affairs

SUMMARY—Provides for payment of portion of unused sick leave to county officers and employees upon termination, retirement or death. Fiscal Note: No. (BDR 20-1742)

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

AN ACT relating to county officers and employees; providing for the payment of one-half of the unused sick leave to county officers and employees upon their termination, retirement or death; 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 245.210 is hereby amended to read as follows:
 2 245.210 1. The board of county commissioners of each of the
 3 several counties shall enact an ordinance providing for annual, sick and
 4 disability leave for elected and appointed county officers and county
 5 employees. The provisions of such ordinance may be more restrictive but
 6 not more extensive than the provisions set forth in subsection 2.
 7 2. Such an ordinance shall include provisions in substance as follows:
 8 (a) A provision that all elected and appointed officers and employees
 9 shall be entitled to annual leave with pay of 1¼ working days for each
 10 month of service, which may be cumulative from year to year not to
 11 exceed 30 working days.
 12 (b) A provision that the board of county commissioners may by order
 13 provide for additional annual leave for long-term appointed officers and
 14 employees and for prorated annual leave for part-time employees.
 15 (c) A provision that if an appointed officer or employee dies and was
 16 entitled to accumulated annual leave under the provisions of the ordi-
 17 nance, the heirs of such deceased officer or employee who are given
 18 priority to succeed to his assets under the laws of intestate succession of
 19 this state, or the executor or administrator of his estate, upon submitting
 20 satisfactory proof to the board of county commissioners of their entitle-
 21 ment, shall be paid an amount of money equal to the number of days
 22 earned or accrued annual leave multiplied by the daily salary or wages
 23 of such deceased officer or employee.

1 (d) A provision that no elected county officer shall be paid for
2 accumulated annual leave upon termination of his service.

3 (e) A provision that during the first 6 months of employment of any
4 appointed officer or employee, annual leave shall accrue as provided in
5 paragraph (a), but no annual leave shall be taken during such period.

6 (f) A provision that no appointed officer or employee shall be paid
7 for accumulated annual leave upon termination of employment unless he
8 has been employed for 6 months or more.

9 (g) A provision that all elected and appointed officers and employees
10 [shall be] are entitled to sick and disability leave with pay of 1¼ work-
11 ing days for each month of service, which may be cumulative from year
12 to year not to exceed 90 working days.

13 (h) A provision that the board of county commissioners may by
14 order provide for additional sick and disability leave for long-term
15 employees and for prorated sick and disability leave for part-time
16 employees.

17 (i) A provision that any appointed officer or employee may be granted
18 a leave of absence without pay.

19 3. *Such an ordinance may include a provision that upon termination*
20 *of employment, retirement or death all elected and appointed officers*
21 *and employees are entitled to payment for one-half of their unused sick*
22 *leave at their salary rate at the time of termination, retirement or death.*