

## GOVERNMENT AFFAIRS COMMITTEE

Minutes of Meeting - May 8, 1975

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

## Also Present:

Ed Pine, State of Nevada Board of Registered Professional Engineers  
John N. Butler, Same as above  
George C. Hastings, Nev. Society of Professional Engineers  
and American Society of Civil Engineers  
Jack Kenny Home Builders Association  
Henry Etchemendy, Carson City Manager  
Bill Adams, Nev. Society of Professional Engineers, Nat'l Director  
Bob Warren, Nevada League of Cities  
Richard W. Bunker, Clark County  
Thalia Dondero, County of Clark Commissioners  
Robert J. McNutt, Self  
William D. Swackhammer, Secretary of State

Chairman Gibson opened the forty second meeting of the Government Affairs committee at 3:55 p.m. with a quorum present.

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

Jack Kenny, Southern Nevada Home Builders Association, stated that he would like to see health standards be controlled at the local level in order to save on duplication of inspections. Mr. Kenny cited several examples where people have had to come to Carson City from Las Vegas for a ruling on a variance of the law.

Ernie Gregory, Environment Health Department stated that they have had little problem with the present system and most matters are handled on the local level. Mr. Gregory indicated that most hearings on a variance is done locally and is "rubber stamped" by the state office.

Thalia Dondero, Clark County Commissioners, stated that it should be on the local level in areas such as Clark and Washoe Counties. They have the expertise to check health standards in these subdivisions and should be given the authority to do it.

Richard Bunker, Clark County, feels that this bill was drafted due to the attitude of the building department in Clark County. They feel they have been harrassed by the state department of Environment and Health. Mr. Bunker gave an example to the committee of

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the type of harrassment experienced by the building department in the Las Vegas area.

Frank Daykin, Legislative Counsel Bureau, indicated that the changes to be made in this bill were quite extensive. Mr. Daykin wanted to be clear that Mrs. Dondero wanted more than the three issues mentioned in the bill given to the local authorities.

Mr. Daykin informed the committee that he would change the sections in Title 40 and this would eliminate changing other sections. This is quite extensive and, therefore, Chairman Gibson suggested that this bill be held until the amended version could be reviewed.

SB-597 Redefines inequity in computation of longevity pay for Carson City supervisors. (BDR 20-2039)

Henry Etchemendy, Carson City Manager, stated that the reasons for this act are mainly to give credit of 1/2 year for longevity purposes.

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

AB-498 Creates Washoe County Airport Authority. (BDR S-1300)

Assemblyman Al Wittenberg, stated that this bill creates a new authority for the Reno Airport. This would now make Reno, Sparks and Washoe County responsible for the management of the airport. There would be a board formed of five members. This board will be made up of people from the three areas mentioned above and will be responsible for all phases of the airport. Mr. Wittenberg felt that in the past the city of Reno has done a poor job of managing the airport and is responsible for the financial situation that the airport is in at the present time. Mr. Wittenberg indicated that the Washoe County delegation was in favor of the bill and that Sparks had no problem with it either. The city of Reno was against AB-498.

Senator Dodge questioned whether or not it would be good to mandate the rates for the airport through the taxes. He felt that it could possibly hinder some of the other governmental operations.

The committee felt it wasn't fair for the legislature to give the authority to mandate taxes for the Reno airport.

Frank Daykin, L.C.B., feels there is a safeguard in this bill as the County Commissioners would have authority to levy taxes and would approve such a mandatory tax before it could be effected.

Bob Warren, Nevada League of Cities, representing Reno, stated that the city counsel was not responsible for the management of the city up until the last five years and realizes that it was handled poorly. Mr. Warren indicated that there were only 2 years left in the contract

and at that time the city will increase their landing rates. Mr. Warren indicated that this alone will bring the financial status of the airport back into a paying concern. Suggests waiting until the city has an opportunity to prove itself.

The committee was concerned with the language in the bill regarding the leveling of taxes. It was decided that action on this bill would be held until further study could be made.

AB-543 Permits local governments to provide additional disability benefits for law enforcement officials and firemen. (BDR 20-1149)

Julius Conigliaro, representing the Joint Fire and Police Committee, stated that the reasoning behind the drafting of this bill is to protect the employee who is new on the force. The men who have worked less than 10 years have very little disability coverage and that is all this bill is concerned with. (See the attached testimony)

Bob Warren, Nevada League of Cities, stated that the cities had mixed feelings on this bill. Some of the cities favored the bill and others felt that the bill was too permissive and therefore were against the bill.

Bob Broadbent, County Commissioners, stated that they were against the bill for two reasons, (1) feels the disability compensation should be for everyone if there is to be any and (2) should be handled on the state level or by N.I.C. in the public employees retirement system.

The committee felt that this bill should be more definitive in stating that these benefits could not be "pyramided" and the man could not receive more when out of work on disability than he could working his regular job. Chairman Gibson stated that he would get an amendment made up and then bring the bill back to committee for action.

AB-570 Revises provisions relating to elections. (BDR 24-810)

Bill Swackhammer, Secretary of State, went over this bill for the committee explaining why the changes were needed. Many of the changes were to keep the laws current with the times and many were simply explanatory changes, to clarify the statutes.

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

AB-508 Makes various changes in state election laws. (BDR 24-1424)

After discussing the proponents of the bill, it was suggested that AB-508 conform with AB-570. Mr. Swackhammer indicated that he would

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like to have sections 2 through 6 and section 10 included in AB-570. Sections 7 and 11 could be deleted. With these sections added it would be possible to drop AR-508.

Motion to "Amend and Do Pass on AB-570" by Senator Dodge, seconded by Senator Gojack. Motion carried unanimously.

Chairman Gibson assigned Senator Hilbrecht to prepare the amendments.

- AB-571 Increases compensation and maximum traveling allowances of members of state board of registered professional engineers, redesignates one of its officers and requires appointment of executive secretary. (BDR 54-1564)
- AB-597 Redefines "responsible charge of work" in law regulating professional engineers and surveyors. (BDR 54-1561)
- AB-598 Allows registered professional civil engineer to be reference for person applying for registration as land surveyor. (BDR 54-1557)
- AB-602 Increases penalty for unlawful practice of engineering. (BDR 54-1555)
- AB-604 Authorizes state board of registered professional engineers to define the scope of each branch of professional engineering. (BDR 54-1563)
- AB-605 Limits exemption of certain persons from registration requirements for professional engineers and surveyors. (BDR 54-1558)
- AB-606 Increases renewal period and fees for registration of professional engineers and surveyors. (BDR 54-1560)

Ed Pine, State of Nev. Board of Registered Professional Engineers, spoke to the committee on behalf of the above bills noting the reasons for their being drafted.

Bill Adams, National Director for the Nevada Society of Professional Engineers, stated that they were in support of the above bills.

Motion of "Do Pass" by Senator Dodge, seconded by Senator Hilbrecht. Motion carried unanimously, affecting AB-571 thru AB-606.

AB-453 Places control of certain county hospitals in board of county commissioners and creates hospital advisory board. (BDR 40-1299)

Richard Bunker, representing the Board of County Commissioners and Clark County, indicated that they were in favor of this bill. This bill turns over the total control of the hospital to the County Commissioners with the option in line 4 of page 1 to appoint an advisory board of five members.

Chairman Gibson read an amendment to this bill and indicated that the Legislative Counsel Bureau felt that the amendment was constitutional.

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

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

Senator Dodge suggested leaving this bill in its original language in Section 3 and add new language, creating Section 4. The committee decided on the following for Section 4 "provided that they give notification directly to the Department of Commerce." With this new language it was felt that subsection 3 could be deleted.

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

Senator Dodge would be responsible for the amendments to AB-56.

AJR-15 Urges the Energy Research and Development Administration to choose the Nevada Test Site for disposal of nuclear wastes and for solar energy research under the Solar Energy Research, Development and Demonstration Act of 1974. (BDR 1030)

The committee felt that action on this bill should be postponed until all committee members were present.

AB-526 Limits possibility of consolidation of North Las Vegas. (BDR S-1501)

Motion to "Indefinitely Postpone" by Senator Hilbrecht, seconded by Senator Schofield. Voting as follows: Yea's - Senator Gibson, Sen. Dodge, Senator Schofield, Senator Hilbrecht, Senator Gojack. Na's, Senator Walker, Senator Foote. Motion carried.

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

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Motion to "Indefinitely Postpone" by Senator Foote, seconded by Senator Walker. Voting as follows: Yea's, Sen. Gibson, Walker, Dodge, Hilbrecht, Schofield and Foote. Na's, Senator Gojack. Motion carried.

Chairman Gibson read the proposed amendment to SB-387 to the committee for their consideration.

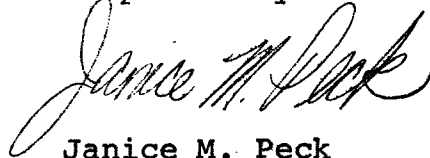
Motion of "Amend and Do Pass" by Senator Dodge, seconded by Senator Hilbrecht. Voting went as follows: Yea's Sen. Gibson, Walker, Dodge, Foote, Hilbrecht, and Schofield. Na's Senator Gojack. Motion carried.

Chairman Gibson informed the committee that Senator Herr had requested that the committee on Government Affairs handle S.C.R. 53. This bill deals with compulsory vehicle emission controls. This is part of the Motor Vehicle Inspection Control Program and will go into effect July 1, 1975 for Clark County.

The committee decided that they would take this bill under consideration on Monday, May 12th.

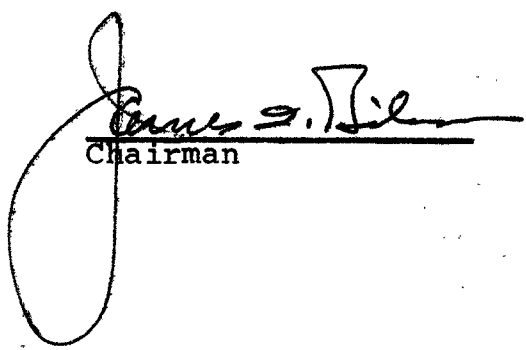
With no further business the meeting was adjourned at 7:00 p.m.

Respectfully submitted



Janice M. Peck  
Committee Secretary

Approved:



Chairman

## S E N A T E

## AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS

THURSDAY  
DATE April 8, 1975 TIME Approx. 2:45 PM ROOM 345

BILLS OR RESOLUTIONS  
TO BE CONSIDEREDCOUNSEL  
REQUESTED

- S. B. 357** SUMMARY—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. Fiscal Note: No. (BDR S-1318)  
Notify: City of Reno
- S. B. 595** SUMMARY—Permits certain counties to exercise control over health aspects of subdivisions in certain instances. Fiscal Note: No. (BDR 22-1754)  
Notify: Sen. Bryan, Ernie Gregory & Clark County
- S. B. 597** SUMMARY—Rectifies inequity in computation of longevity pay for Carson City supervisors. Fiscal Note: No. (BDR 20-2039)  
Notify: Sen. Sheerin
- A. B. 498** SUMMARY—Creates Washoe County Airport Authority.  
Fiscal Note: No. (BDR S-1300)  
Notify: Al Wittenberg, City of Reno  
Washoe County
- A. B. 543** SUMMARY—Permits local governments to provide additional disability benefits for law enforcement officers and firemen. Fiscal Note: No. (BDR 20-1149)  
Notify: Firefighters, Bob Kerns  
Bob Warren  
Bob Broadbent
- A. J. R. 15** SUMMARY—Urges the Energy Research and Development Administration to choose the Nevada Test Site for disposal of nuclear wastes and for solar energy research under the Solar Energy Research, Development and Demonstration Act of 1974. (BDR 1030)  
FOR COMMITTEE ACTION - NOT A HEARING
- A. B. 526** SUMMARY—Limits possibility of consolidation of North Las Vegas.  
Fiscal Note: No. (BDR S-1501)  
Notify: Assemblyman Price
- A. B. 587** SUMMARY—Entitles employees under state personnel system to obtain payment for portion of unused sick leave upon retirement. Fiscal Note: No. (BDR 23-1442)  
FOR COMMITTEE ACTION - NOT A HEARING
- A. B. 578** SUMMARY—Limits application of veterans' preference points under the state personnel system. Fiscal Note: No. (BDR 23-1617)  
SAME AS ABOVE
- A. B. 56** SUMMARY—Authorizes local governments to inspect factory-built housing and manufactured buildings. Fiscal Note: No. (BDR 40-428)  
SAME AS ABOVE

Over

- A. B. 453** / SUMMARY—Places control of certain county hospitals in board of county commissioners and creates hospital advisory board. Fiscal Note: No. (BDR 40-1299)  
Notify: Assm. Robinson & Dini
- A. B. 508** / SUMMARY—Makes various changes in state election laws. Fiscal Note: No. (BDR 24-1424)  
Notify: Assm. Demers, Bill Swackhammer
- A. B. 570** / SUMMARY—Revises provisions relating to elections. Fiscal Note: No. (BDR 24-810)  
Same as above
- A. B. 571** / SUMMARY—Increases compensation and maximum traveling allowances of members of state board of registered professional engineers, redesignates one of its officers and requires appointment of executive secretary. Fiscal Note: No. (BDR 54-1564)  
Notify: Assm. Dini & Barengo, Bill Adams  
State Board of Registered Engineers
- A. B. 597** / SUMMARY—Redefines "responsible charge of work" in law regulating professional engineers and surveyors. Fiscal Note: No. (BDR 54-1561)
- A. B. 598** / SUMMARY—Allows registered professional civil engineer to be reference for person applying for registration as land surveyor. Fiscal Note: No. (BDR 54-1562)
- A. B. 599** / SUMMARY—Revises provisions concerning discipline of registered professional engineers and land surveyors. Fiscal Note: No. (BDR 54-1557)
- A. B. 602** / SUMMARY—Increases penalty for unlawful practice of engineering. Fiscal Note: No. (BDR 54-1555)
- A. B. 604** / SUMMARY—Authorizes state board of registered professional engineers to define the scope of each branch of professional engineering. Fiscal Note: No. (BDR 54-1563)
- A. B. 605** / SUMMARY—Limits exemption of certain persons from registration requirements for professional engineers and surveyors. Fiscal Note: No. (BDR 54-1558)
- A. B. 606** / SUMMARY—Increases renewal period and fees for registration of professional engineers and surveyors. Fiscal Note: No. (BDR 54-1560)  
Notify: Same as above for AB-597 thru AB-606

\*PLEASE DO NOT ASK FOR COUNSEL UNLESS NECESSARY



TESTIMONY ON AB 543 SUBMITTED TO  
ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE ON APRIL 22, 1975

By

Julius Conigliaro  
Legislative Rep Nevada Joint Fire and Police Committee

There exists a fragmentation of disability plans available for Fire and Police and other governmental employees within the structure of State Government in Nevada, none of the plans are adequate to cover their needs. The Nevada Industrial Commission provides a plan whereby an employee who sustains a permanent and total injury arising out of and in the course of his or her employment may receive a benefit equal to  $\frac{2}{3}$  of the average salary paid to Nevada workers which is \$727.00 per month. The actual benefit would amount to \$485.00 per month. Under the present Public Employees Retirement Act, an employee must complete 10 years of service with a State or Local Government Agency to become eligible for disability benefits. An employee may then receive 25% of his average salary for that permanent and total disability.

In private employment the same Nevada Industrial Commission benefits are available for workers in conjunction with Social Security Disability Benefits which pay over \$400.00 monthly (for the average family of four (4)) for permanent and total disabilities sustained on or off the job.

Some governmental employees who have worked for 10 years or 40 quarters in private employment could qualify for minimum Social Security Disability Benefits.

Obviously many governmental employees and especially Fire and Police Personnel who enter public employment at a very young age may never qualify for Social Security Benefits at the time when they may need those benefits most.

I am sure the members of this committee are aware of the high risks involved in Fire and Police employment. The necessity of immediate and adequate disability pay coverage in this field is paramount. The results of a survey made by the International Association of Firefighters of 500 governmental disability plans in the United States and Canada demonstrates that Nevada's plan for firefighters is among the poorest.

AB 543, if passed, would allow firefighters and law enforcement officers the right to negotiate under Chapter 288 of Nevada Revised Statutes a disability plan or program supplemental or in addition to and not in conflict with the coverage, compensation benefits or procedure established by or adopted pursuant to Chapter 616 of Nevada Revised Statutes.

FOR DETAILS ON THE BILLS LISTED BELOW LOOK BEHIND THE  
MEETING NUMBER THAT IS NEXT TO THE BILL.

SB-357	See Meeting No. 24
AJR-15	See Meeting No. 36
AB-526	See Meeting No. 40
AB-587	See Meeting No. 39
AB-578	See Meeting No. 38
AB-56	See Meeting No. 39

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 453

ASSEMBLY BILL NO. 453—ASSEMBLYMEN ASHWORTH, ROBINSON, LOWMAN, MAY, BANNER, HICKEY, VERGIELS, FREMNER, JEFFREY, BROOKMAN, PRICE, MANN, HARMON, DEMERS, SCHOFIELD, CRADDOCK, HAYES, DREYER, FORD, CHANEY AND SENA

MARCH 21, 1975

Referred to Committee on Government Affairs

SUMMARY—Places control of certain county hospitals in board of county commissioners and creates hospital advisory board. Fiscal Note: No. (BDR 40-1299)

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

AN ACT relating to county hospitals; permitting certain boards of county commissioners to appoint a hospital advisory board; 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 450 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:

3 1. *In counties where the board of county commissioners is the board*  
4 *of hospital trustees, the board of county commissioners may appoint a*  
5 *hospital advisory board, consisting of five members, which shall exercise*  
6 *powers and duties delegated to such advisory board by the board of county*  
7 *commissioners.*

8 2. *Members of a hospital advisory board shall be appointed by a*  
9 *majority vote of the board of county commissioners and shall serve at*  
10 *the pleasure of such board of county commissioners.*

11 3. *Members of the hospital advisory board may receive compensation*  
12 *for their services of no more than \$100 per month.*

13 SEC. 2. NRS 450.070 is hereby amended to read as follows:

14 450.070 1. [The] *Except in counties where the board of county*  
15 *commissioners is the board of hospital trustees, the board of hospital trus-*  
16 *tees for the public hospital shall consist of five trustees, who shall:*

17 (a) *Be residents of the county or counties concerned. [ , except for*  
18 *trustees running for election in subdistricts provided in subsection 2, who*  
19 *shall be residents of such subdistrict.]*

1 (b) Be elected [from the hospital trustee districts] as provided in  
2 [subsections 2 and 3.

3 2. In any county whose population is 200,000 or more, as determined  
4 by the last preceding national census of the Bureau of the Census of the  
5 United States Department of Commerce, hospital trustee districts are  
6 hereby created as follows:

7 (a) Subdistrict A shall consist of assembly districts Nos. 7, 18 and 19;  
8 enumeration districts Nos. 242, 243B, 243D, 244, 247B, 248, 291, 292,  
9 293 and 294 in assembly district No. 17 and enumeration districts Nos.  
10 241, 249, 279, 280, 281, 282, 283, 284A, 284B, 285, 286, 288, 289,  
11 297, 299, 300, 301A, 301B and 302 in assembly district No. 20.

12 (b) Subdistrict B shall consist of assembly districts Nos. 1, 2, 3, 4 and  
13 enumeration districts Nos. 85, 87, 108 and 147 in assembly district No. 8.

14 (c) Subdistrict C shall consist of assembly districts Nos. 5, 10, 13, 15  
15 and enumeration districts Nos. 126, 127, 128, 129, 165A and 166 in  
16 assembly district No. 8.

17 (d) Subdistrict D shall consist of assembly districts Nos. 14, 16, 21  
18 and 22; enumeration districts Nos. 240, 277, 278, 296 and 298 in  
19 assembly district No. 17 and enumeration district No. 290 in assembly  
20 district No. 20.

21 (e) Subdistrict E shall consist of assembly districts Nos. 6, 9, 11, 12  
22 and enumeration districts Nos. 110, 111, 112, 113, 114, 115, 116, 117,  
23 118, 119, 120, 121 and 123 in assembly district No. 8.

24 3. In other counties: ] subsection 2.

25 2. *In any county:*

26 (a) Whose population is less than 100,000 as determined by the last  
27 preceding national census of the Bureau of the Census of the United  
28 States Department of Commerce, hospital trustees shall be elected for  
29 terms of 4 years in the same manner as other county officers are elected.

30 (b) [In any county whose] Whose population is 100,000 or more  
31 but less than 200,000, as determined by the last preceding national cen-  
32 sus of the Bureau of the Census of the United States Department of  
33 Commerce, hospital trustees shall be elected from the county at large  
34 for terms of 4 years.

35 SEC. 3. NRS 450.080 is hereby amended to read as follows:

36 450.080 *Except in counties where the board of county commis-*  
37 *sioners is the board of hospital trustees:*

38 1. The offices of hospital trustees are hereby declared to be non-  
39 partisan, and the names of candidates for such offices shall appear alike  
40 upon the ballots of all parties at all primary elections.

41 2. At the general election only the names of these candidates, not to  
42 exceed twice the number of hospital trustees to be elected, who received  
43 the highest numbers of votes at the primary election shall appear on the  
44 ballot.

45 SEC. 4. NRS 450.090 is hereby amended to read as follows:

46 450.090 1. *In any county having a population of 200,000 or more,*  
47 *as determined by the last preceding national census of the Bureau of*  
48 *the Census of the United States Department of Commerce, the board*  
49 *of county commissioners shall be, ex officio, the board of hospital*

1 trustees and shall serve during their terms of office as county commis-  
2 sioners.

3 2. In any county having [100,000 or more population,] a popula-  
4 tion of 100,000 or more but less than 200,000, as determined by the  
5 last preceding national census of the Bureau of the Census of the United  
6 States Department of Commerce, the board of hospital trustees for the  
7 public hospital shall be composed of the five regularly elected or  
8 appointed members, and, in addition, three county commissioners  
9 selected by the chairman of the board of county commissioners shall be  
10 voting members thereof, and shall serve during their terms of office as  
11 county commissioners.

12 [2.] 3. In any county having less than 100,000 population, as deter-  
13 mined by the last preceding national census of the Bureau of the Census of  
14 the United States Department of Commerce, the board of hospital trustees  
15 for the public hospital shall be composed of the five regularly elected or  
16 appointed members, and, in addition, the board of county commissioners  
17 may, by resolution, provide that one county commissioner selected by the  
18 chairman of the board of county commissioners shall be a voting member  
19 of the board of hospital trustees during his term of office as county com-  
20 missioner.

21 SEC. 5. NRS 450.110 is hereby amended to read as follows:

22 450.110 [Vacancies] Except in counties where the board of county  
23 commissioners is the board of hospital trustees, vacancies in the board of  
24 hospital trustees occasioned by resignations, removals or otherwise shall  
25 be reported to the board or boards of county commissioners and shall be  
26 filled in the same manner as the original appointments. Appointees shall  
27 hold office until the next following general election in the usual manner.

28 SEC. 6. NRS 450.120 is hereby amended to read as follows:

29 450.120 Except as provided in subsection 3:

30 1. Within 10 days after their appointment or election, the trustees  
31 shall organize as a board of hospital trustees by the election of one of their  
32 number as chairman, one as secretary, and by the election of such other  
33 officers as they may deem necessary.

34 2. The county treasurer of the county in which the hospital is located  
35 shall be the treasurer of the board of hospital trustees. The treasurer  
36 shall receive and pay out all the moneys under the control of the board,  
37 as ordered by it, but shall receive no compensation from the board of  
38 hospital trustees.

39 3. In counties where the board of county commissioners is the board  
40 of hospital trustees, the chairman of the board of county commissioners  
41 shall be chairman and the county clerk shall be the secretary of the board  
42 of hospital trustees. The county clerk shall receive no compensation from  
43 the board of hospital trustees.

44 SEC. 7. NRS 450.130 is hereby amended to read as follows:

45 450.130 1. In counties having less than 30,000 registered voters in  
46 the 1954 general election, or any subsequent general election, a hospital  
47 trustee may receive a salary as follows:

48 (a) The chairman and secretary of the board of hospital trustees may  
49 receive \$20 for each board meeting which they attend, which sum is not  
50 to exceed \$40 per month.

1 (b) The other trustees may receive \$15 for each board meeting they  
2 attend, which sum is not to exceed \$30 per month.

3 2. In any county or counties having 30,000 or more registered voters  
4 in the 1954 general election, or any subsequent general election, a hos-  
5 pital trustee may, subject to the provisions of subsection 3, receive a  
6 salary of \$50 per month and the chairman of the board of hospital trus-  
7 tees may receive a salary of \$100 per month.

8 3. Before any hospital trustee is entitled to any compensation as  
9 provided in subsection 2, he shall first have devoted a minimum of 1  
10 day during the month exclusively to the business and affairs of the  
11 hospital, exclusive of regular meetings of the board of hospital trustees.

12 4. Any trustee of any county hospital may receive reimbursement  
13 for any cash expenditures actually made for personal expenses incurred  
14 as such trustee. An itemized statement of all such expenses and money  
15 paid out shall be made under oath by each of such trustees and filed  
16 with the secretary. An itemized statement shall be allowed only by an  
17 affirmative vote of all trustees present at a meeting of the board.

18 5. *In counties where the county commissioners are the board of*  
19 *hospital trustees, they shall serve without compensation, but are allowed*  
20 *the per diem allowance and traveling expenses fixed by law.*

21 SEC. 8. NRS 450.075 is hereby repealed.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 508

## ASSEMBLY BILL NO. 508—COMMITTEE ON ELECTIONS

APRIL 1, 1975

Referred to Committee on Elections

SUMMARY—Makes various changes in state election laws. Fiscal Note: No. (BDR 24-1424)

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

AN ACT relating to elections; defining terms; requiring the secretary of state to provide copies of any attorney general opinions or any state or federal decisions which affect election laws to county clerks or voter registrars; establishing the principal factor to be considered by an election board when making a determination of whether a ballot cast should be rejected; requiring a candidate who demands a recount to pay the estimated costs of such recount in advance; clarifying the procedures to be followed when conducting a recount; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Chapter 293 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 7, inclusive, of this act.
- 3 SEC. 2. "*Abstract of votes*" means a compilation of votes cast for a  
4 particular candidate by office and precinct.
- 5 SEC. 3. "*Canvass*" means a review of the election results by the board  
6 of county commissioners or justices of the supreme court, by which any  
7 errors within the election results are officially noted and the official elec-  
8 tion results are declared.
- 9 SEC. 4. "*Certificate of election*" means a certificate prepared by the  
10 county clerk or governor, as the case may be, for the person having the  
11 highest number of votes for any district, county, township, state or state-  
12 wide office as official recognition of such person's election to office.
- 13 SEC. 5. "*Contest*" means an adversary proceeding between a candi-  
14 date for a public office who has received the greatest number of votes and  
15 any other candidate for that office or, in certain cases, any registered  
16 voter of the appropriate political subdivision, for the purpose of determin-  
17 ing the validity of an election.
- 18 SEC. 6. "*Punchcard ballot*" means a card-type ballot designed for  
19 use in election systems in which each ballot is counted by an electronic  
20 computer or tabulator.

1     SEC. 7. "Recount" means a retabulation of ballots cast in any pri-  
2     mary or general election in the same manner as such ballots were origi-  
3     nally tabulated or as provided in NRS 293.404.

4     SEC. 8. NRS 293.010 is hereby amended to read as follows:  
5     293.010 As used in this Title, unless the context otherwise requires,  
6     words shall have the meanings assigned in NRS 293.013 to 293.125,  
7     inclusive [1], and sections 2 to 7, inclusive, of this act.

8     SEC. 9. NRS 293.247 is hereby amended to read as follows:  
9     293.247 1. The secretary of state shall promulgate [rules and]  
10     regulations, not inconsistent with the election laws of this state, for the  
11     conduct of primary and general elections in all counties.

12     2. Such regulations shall prescribe:  
13     (a) The duties of election boards;  
14     (b) The type and amount of election supplies;  
15     (c) The manner of printing ballots and the number of such ballots to  
16     be distributed to precincts and districts;  
17     (d) The method to be used in distributing ballots to precincts and  
18     districts;  
19     (e) The method of inspection and the disposition of ballot boxes;  
20     (f) The form and placement of instructions to voters;  
21     (g) The recess periods for election boards;  
22     (h) The size, lighting and placement of voting booths;  
23     (i) The amount and placement of guardrails and other furniture and  
24     equipment at voting places;  
25     (j) The disposition of election returns; and  
26     (k) Such other matters as determined necessary by the secretary of  
27     state.

28     3. The secretary of state shall prepare and distribute to county  
29     clerks the election officer's digest and instructions for election boards.

30     4. The secretary of state shall distribute to the county clerks or  
31     registrars of voters, copies of any attorney general's opinions or any  
32     state or federal court decisions which affect state election laws or regula-  
33     tions whenever any such opinions or decisions become known to the  
34     secretary of state.

35     SEC. 10. NRS 293.367 is hereby amended to read as follows:  
36     293.367. 1. [No] The basic factor to be considered by an election  
37     board when making a determination of whether or not a particular ballot  
38     should be rejected is whether any identifying mark appears on the ballot  
39     which, in the opinion of the election board, constitutes an identifying mark  
40     such that there is a good faith and reasonable belief that the ballot has  
41     been tampered with and, as a result of such tampering, the outcome of the  
42     election would be affected.

43     2. Regulations for counting ballots shall include provisions that:  
44     (a) A ballot which lacks the proper [watermark] secretary of state's  
45     official mark may not be counted, but such ballots shall be preserved and  
46     returned with the other ballots.

47     [2.] (b) [No] A vote may not be counted unless indicated by a  
48     cross in the appropriate square.

49     [3.] (c) An error in marking one or more votes on a ballot shall  
50     not invalidate any votes properly marked on such ballot.



1     **[4.]** (d) If more choices than permitted by the instructions are  
2 marked for any office or question, the vote for such office or question  
3 may not be counted.

4     **[5.]** (e) If it is impossible to determine a voter's choice for any  
5 office or question, his vote or votes for such office or question may not  
6 be counted.

7     **[6.]** (f) A soiled or defaced ballot may not be rejected if it appears  
8 that the soiling or defacing was inadvertent and was not done purposely  
9 to identify the ballot.

10    **[7.]** (g) Only devices provided for in this chapter may be used in  
11 marking ballots.

12    **[8.]** (h) It is unlawful for any election board officer to place any  
13 mark upon any ballot other than a spoiled ballot.

14    **[9.]** (i) When an election board officer rejects a ballot for any  
15 alleged defect or illegality, such officer shall seal such ballot in an  
16 envelope and write upon the envelope a statement that it was rejected  
17 and the reason therefor.

18    *(j) In counties where punchcard ballots are utilized, a superfluous*  
19 *punch into any ballot card will not constitute grounds for rejection of*  
20 *the ballot unless the election board determines that the condition of the*  
21 *ballot justifies its exclusion pursuant to subsection 1.*

22    SEC. 11. NRS 293.403 is hereby amended to read as follows:

23    293.403 After the canvass of the vote in any election, any candidate  
24 defeated at such election may demand and receive a recount of the vote  
25 for the office for which he is a candidate if:

26    1. Such demand is made within 5 days after the [certification of the  
27 abstract of votes;] *canvass of votes by either the board of county com-*  
28 *missioners or by the justices of the supreme court, as the case may be; and*

29    2. Such candidate pays [a fee of \$50 to the county clerk or secretary  
30 of state.] *in advance the estimated costs of the recount to the county*  
31 *clerk or secretary of state. The estimated costs of the recount shall be*  
32 *determined by the county clerk or secretary of state based on regulations*  
33 *promulgated by the secretary of state defining the term "costs."*

34    SEC. 12. NRS 293.404 is hereby amended to read as follows:

35    293.404 1. Where a recount is demanded pursuant to the provisions  
36 of [NRS 293.403,] *this chapter*, the county clerk of each county affected  
37 by the recount shall employ a recount board to conduct the recount in  
38 the county, and shall act as chairman of the recount board unless the  
39 recount is for the office of county clerk, in which case the chairman of  
40 the board of county commissioners shall act as chairman of the recount  
41 board. At least one member of the board of county commissioners shall  
42 be present at the recount. Each candidate for the office affected by the  
43 recount may be present in person or by an authorized representative, but  
44 shall not be a member of the recount board.

45    2. [The] *Except in counties using a punchcard voting system, the*  
46 *recount shall include a count and inspection of all ballots, including*  
47 *rejected ballots, and shall determine whether such ballots are marked as*  
48 *required by law.*

49    3. *If a recount is demanded in a county using a punchcard voting sys-*  
50 *tem, the county clerk shall select at random the ballots for the office*

1 affected from 5 percent of the precincts, but in no case fewer than 3 pre-  
2 cincts, after consultation with each candidate for the office or his author-  
3 ized representative. The recount board shall examine the selected ballots,  
4 shall, after hearing any challenges, determine whether the ballots are  
5 marked as required by law and shall handcount the valid ballots. A com-  
6 puter recount shall be made of all the selected ballots. If the handcount of  
7 the selected ballots or the computer recount shows a discrepancy of 1 per-  
8 cent or more for either candidate from the original canvass of the returns,  
9 the county clerk shall order a handcount of all the ballots for that office.  
10 If there is not a discrepancy of 1 percent or more for any candidate, the  
11 county clerk shall not order a handcount, but shall order a computer  
12 recount of all the ballots for the office.

13 4. The county clerk shall have authority to unseal and give to the  
14 recount board all ballots to be counted.

15 **[3.]** 5. In the case of a demand for a recount affecting more than  
16 one county, the demand shall be made to the secretary of state, who shall  
17 notify the county clerks to proceed with the recount.

18 SEC. 13. NRS 293.405 is hereby amended to read as follows:

19 293.405 1. If the candidate who demanded the recount does not  
20 prevail, and it is found that the **[fee]** estimated cost paid was less than  
21 the cost of the recount, such candidate shall, upon demand, pay the  
22 deficiency to the county clerk or secretary of state, as the case may be.  
23 If the sum deposited is in excess of the cost, the excess shall be refunded  
24 to him. *If the candidate who demanded the recount wins the recount, the*  
25 *estimated costs paid pursuant to NRS 293.403 shall be refunded.*

26 2. Each recount shall be commenced within 3 days after demand,  
27 and shall be completed within 3 days after it is begun. Sundays and  
28 holidays shall not be excluded in determining each 3-day period.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 570

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ASSEMBLY BILL NO. 570—ASSEMBLYMEN DEMERS,  
CHANEY AND VERGIELS

APRIL 8, 1975

Referred to Committee on Elections

SUMMARY—Revises provisions relating to elections.  
Fiscal Note: No. (BDR 24-810)

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

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AN ACT relating to elections; requiring designation of supreme court seats for election purposes; changing certain deadlines; placing a condition on filing as an independent candidate; prohibiting certain relatives of candidates from serving as election board officers and certain candidates from serving as deputy registrars; changing polling hours and recount procedures for counties using a punchcard voting system; clarifying certain recount procedures; limiting sales of lists of voters and their addresses; prescribing a penalty; and providing other matters properly relating thereto.

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

1 SECTION 1. Chapter 293 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:

3 *For purposes of elections only, the secretary of state shall establish des-*  
4 *ignations which separately identify each office of justice of the supreme*  
5 *court. Before any person is allowed to file a declaration of candidacy for*  
6 *the office of justice of the supreme court, he shall designate the particular*  
7 *office for which he is declaring his candidacy.*

8 SEC. 2. NRS 293.128 is hereby amended to read as follows:

9 293.128 To qualify as a political party, any organization shall, under  
10 a common name or designation, file a petition with the secretary of state  
11 not less than 60 days prior to any primary election, signed by a number  
12 of registered voters equal to or more than 5 percent of the entire number  
13 of votes cast at the last preceding general election for Representative in  
14 Congress, declaring that they represent a political party or principle the  
15 name of which is stated in the petition, and that they desire to participate  
16 and nominate candidates in the primary election. The names of the voters  
17 need not all be on one petition, but each petition shall be verified by at  
18 least one signer thereof to the effect that the signers [are] were registered

1 voters of the state *as of the last general election* according to his best  
2 information and belief.

3 SEC. 3. NRS 293.200 is hereby amended to read as follows:

4 293.200 1. Independent candidates for partisan office shall qualify  
5 by filing with the proper filing officer a certificate of candidacy signed by a  
6 number of registered voters equal to at least 5 percent of the total number  
7 of ballots cast in the state or in the county, district or municipality electing  
8 such officer at the last preceding general election. The certificate may con-  
9 sist of more than one document.

10 2. Each signer shall add to his signature the address of the place at  
11 which he actually resides and the name of the county where he is regis-  
12 tered to vote for the purpose of determining whether he is a registered  
13 voter. One of the signers of each such certificate shall sign an affidavit  
14 attesting that the signatures on the certificate are genuine to the best of his  
15 knowledge and belief.

16 3. Such certificate of candidacy may state the principle, if any, which  
17 the person qualified represents.

18 4. Certificates of candidacy provided for in this section for officers to  
19 be voted for by the registered voters of the entire state or by districts  
20 composed of two or more counties shall be filed with the secretary of state  
21 and all other such certificates of candidacy shall be filed with the clerk  
22 of the county wherein the officers are to be voted for.

23 5. Certificates of candidacy provided for in this section shall be filed  
24 not earlier than the 2nd Monday in June and not later than 5 p.m. on the  
25 [2nd Friday in July.] *last Friday in June.*

26 6. No certificate of candidacy, provided for in this section, may con-  
27 tain the name of more than one candidate for each office to be filled.

28 7. [Each independent candidate shall be required to state under oath  
29 that he has not been registered as a member of any political party since  
30 the date of the last primary election immediately preceding the filing of  
31 the certificate.] *A person may not file as an independent candidate if he,  
32 in fact, is proposing to run as the candidate of a political party whose  
33 name includes the word "independent."*

34 8. The names of independent candidates shall be placed on the gen-  
35 eral election ballot and shall not appear on the primary election ballot.

36 9. If the candidacy of any person seeking to qualify under this section  
37 is challenged, all affidavits and documents in support of such challenge  
38 shall be filed not later than 5 p.m. on the 3rd Wednesday in July. Any  
39 court proceeding resulting from such challenge shall be set for hearing not  
40 less than 5 days and not more than 10 days after the 3rd Wednesday in  
41 July.

42 10. *Any challenge pursuant to subsection 9 shall be filed with:*

43 (a) *The supreme court if the certificate of candidacy was filed with the*  
44 *secretary of state.*

45 (b) *The district court of the county where the certificate of candidacy*  
46 *was filed if the certificate was filed with a county clerk.*

47 SEC. 4. NRS 293.205 is hereby amended to read as follows:

48 293.205 1. On or before the 1st Wednesday in July of every even-  
49 numbered year, the county clerk shall establish election precincts, define  
50 the boundaries thereof, abolish, alter, consolidate and designate precincts

1 as public convenience, necessity and economy may require in accordance  
2 with NRS 293.207 to 293.215, inclusive.

3 2. *On or before the 1st Wednesday in May in each year when a Presi-*  
4 *dent of the United States is to be nominated and elected, the county clerk*  
5 *shall establish and define the boundaries of presidential primary election*  
6 *districts as provided in NRS 298.145.*

7 SEC. 5. NRS 293.217 is hereby amended to read as follows:

8 293.217 The county clerk of each county shall appoint and notify  
9 registered voters to act as election board officers for the various precincts  
10 and districts in the county as provided in NRS 293.220 to 293.245, inclu-  
11 sive, and shall conclude such duties no later than 31 days preceding the  
12 election. Not all of the registered voters appointed as election board officers  
13 for any precinct or district shall be of the same political party. No  
14 candidate for nomination or election, [shall] or his relative within the  
15 second degree of consanguinity or affinity may be appointed as an election  
16 board officer. Immediately after election board officers are appointed, if  
17 requested by the county clerk, the sheriff shall:

18 1. Appoint a deputy sheriff for each polling place in the county and  
19 for the central election board or the absent ballot central counting board;  
20 or

21 2. Deputize as a deputy sheriff for the election an election board offi-  
22 cer of each polling place in the county and for the central election board  
23 or the absent ballot central counting board. The deputized election board  
24 officer shall receive no additional compensation for his services rendered  
25 as such deputy sheriff during the election for which he is deputized.

26 Deputy sheriffs so appointed and deputized shall preserve order during  
27 hours of voting and attend closing of the polls.

28 SEC. 6. NRS 293.247 is hereby amended to read as follows:

29 293.247 1. The secretary of state shall [promulgate rules and]  
30 adopt regulations, not inconsistent with the election laws of this state, for  
31 the conduct of primary and general elections in all counties.

32 2. Such regulations shall prescribe:

33 (a) The duties of election boards;

34 (b) The type and amount of election supplies;

35 (c) The manner of printing ballots and the number of such ballots to  
36 be distributed to precincts and districts;

37 (d) The method to be used in distributing ballots to precincts and  
38 districts;

39 (e) The method of inspection and the disposition of ballot boxes;

40 (f) The form and placement of instructions to voters;

41 (g) The recess periods for election boards;

42 (h) The size, lighting and placement of voting booths;

43 (i) The amount and placement of guardrails and other furniture and  
44 equipment at voting places;

45 (j) The disposition of election returns; [and]

46 (k) *The procedures to be used for canvasses, ties, recounts and con-*  
47 *tests; and*

48 (l) *Such other matters as determined necessary by the secretary of state.*

49 3. *The secretary of state may provide such interpretations and take*  
50 *such other actions as are necessary for the implementation and effective*

1 *administration of the statutes and regulations governing the conduct of*  
2 *primary and general elections in this state.*

3 4. The secretary of state shall prepare and distribute to county clerks  
4 the election officer's digest and instructions for election boards.

5 SEC. 7. NRS 293.253 is hereby amended to read as follows:

6 293.253 1. The secretary of state shall provide each county clerk  
7 with copies of any proposed constitution, constitutional amendment or  
8 question which will appear on the general election ballot.

9 2. Whenever feasible, he shall provide such copies on or before the  
10 1st Monday in August of the year in which such proposals will appear on  
11 the ballot. Copies of any additional proposals shall be provided as soon  
12 after their filing as feasible.

13 3. [On or before the 4th Friday in October, each county clerk shall  
14 post one such copy at each polling place in the county outside the limits  
15 of incorporated cities.

16 4.] Each county clerk shall cause a copy of any such constitution,  
17 amendment or question to be published, in conspicuous display adver-  
18 tising format of not less than 10 column inches, in a newspaper of gen-  
19 eral circulation in the county three times at intervals of not less than 7  
20 days, the first publication to be on or before the 1st Monday in October.  
21 If no such newspaper is published in the county, then such publication  
22 may be made in a newspaper of general circulation published in the  
23 nearest Nevada county.

24 [5.] 4. When a copy is furnished by the secretary of state too late  
25 to be published at 7-day intervals, it shall be published three times at the  
26 longest intervals feasible in each county.

27 SEC. 8. NRS 293.255 is hereby amended to read as follows:

28 293.255 Each county clerk, as registrar of voters, *or his authorized*  
29 *representative* shall issue certificates of error to registered voters whose  
30 affidavits of registration have been misplaced or for some other reason  
31 do not appear in the election board register at the polling place on  
32 election day. The county clerk *or his authorized representative* shall seal  
33 the certificate in an envelope addressed to the appropriate precinct or  
34 district election board.

35 SEC. 9. NRS 293.268 is hereby amended to read as follows:

36 293.268 The offices for which there are candidates and the names of  
37 the candidates therefor shall be listed in the order in which they are  
38 certified by the secretary of state. Such offices and names shall be fol-  
39 lowed by the county and other offices for which there are candidates  
40 with the names of the candidates for such offices listed in alphabetical  
41 order. *The secretary of state may, by regulation, set standards for the*  
42 *placement of county and township offices.*

43 SEC. 10. NRS 293.273 is hereby amended to read as follows:

44 293.273 1. Except as provided in [subsection 2] *subsections 2 and 3*  
45 *and NRS 293.305, at all elections held under the provisions of this Title,*  
46 *the polls shall open at 8 a.m. and close at 7 p.m.*

47 2. In [Carson City and] counties where a *punchcard voting system*  
48 *or voting machines are used, the polls shall open at 7 a.m. and close at*  
49 *7 p.m.*

1     **[2.]** 3. Whenever at any election all the votes of the precinct or dis-  
 2     trict, as shown on the checklist and roster, have been cast, the election  
 3     board officers shall close the polls, and the counting of votes shall begin  
 4     and continue without unnecessary delay until the count is completed.

5     **[3.]** 4. Upon opening the polls one of the election board officers  
 6     shall cause a proclamation to be made that all present may be aware of  
 7     the fact that applications of registered voters to vote will be received.

8     **[4.]** 5. No person other than election board officers engaged in  
 9     receiving, preparing or depositing ballots, or issuing voting machines  
 10    admission authorities, may be permitted inside the guardrail during the  
 11    times the polls are open, except by authority of the election board as nec-  
 12    essary for the purpose of keeping order and carrying out the provisions of  
 13    this Title.

14    SEC. 11. NRS 293.309 is hereby amended to read as follows:

15    293.309 1. The county clerk of each county shall prepare an absent  
 16    ballot for the use of registered voters who will be unable to vote at the  
 17    polling place on election day. Such ballot shall be prepared and ready for  
 18    distribution not later than **[30]** 25 days prior to the election in which it  
 19    is to be used.

20    2. Any legal action which would prevent such ballot from being  
 21    issued **[30]** 25 days before the election for which it is to be used shall be  
 22    moot and of no effect.

23    SEC. 12. NRS 293.391 is hereby amended to read as follows:

24    293.391 1. The voted ballots, rejected ballots, spoiled ballots, tally  
 25    lists, challenge lists and stubs of the ballots used, enclosed and sealed,  
 26    shall, after canvass of the votes by the board of county commissioners, be  
 27    deposited in the vaults of the county clerk, and preserved **[until the next**  
 28    **election, after which they may be destroyed.]** *for at least 60 days. If a*  
 29    *statement of contest has been filed, the affected ballots must be preserved*  
 30    *for 2 years.*

31    2. The pollbooks and tally lists deposited with the board of county  
 32    commissioners shall be subject to the inspection of any elector who may  
 33    wish to examine the same at any time after their deposit with the county  
 34    clerk.

35    3. The ballots deposited with the county clerk shall not be subject to  
 36    the inspection of anyone, except in cases of contested election, and then  
 37    only by the judge, body or board before whom such election is being  
 38    contested.

39    SEC. 13. NRS 293.403 is hereby amended to read as follows:

40    293.403 1. After the canvass of the vote in any election, any candi-  
 41    date defeated at such election may demand and receive a recount of the  
 42    vote for the office for which he is a candidate if:

43    **[1.]** (a) Such demand is made within 5 days after the certification  
 44    of the abstract of votes; and

45    **[2.]** (b) Such candidate pays **[a fee of \$50]** *in advance the estimated*  
 46    *costs of the recount to the county clerk or secretary of state. The esti-*  
 47    *ated costs of the recount shall be determined by the county clerk or sec-*  
 48    *retary of state based on regulations promulgated by the secretary of state*  
 49    *defining the term "costs."*

50    2. *As used in this section, "canvass" means:*

1 (a) In any primary election, the canvass by the board of county com-  
2 missioners of the returns for a candidate voted for in one county or the  
3 canvass by the board of county commissioners last completing its canvass  
4 of the returns for a candidate voted for in more than one county.

5 (b) In any general election, the canvass of the supreme court.

6 SEC. 14. NRS 293.404 is hereby amended to read as follows:

7 293.404 1. Where a recount is demanded pursuant to the provisions  
8 of NRS 293.403, the county clerk of each county affected by the recount  
9 shall employ a recount board to conduct the recount in the county, and  
10 shall act as chairman of the recount board unless the recount is for the  
11 office of county clerk, in which case the chairman of the board of county  
12 commissioners shall act as chairman of the recount board. At least one  
13 member of the board of county commissioners shall be present at the  
14 recount. Each candidate for the office affected by the recount may be  
15 present in person or by an authorized representative, but shall not be  
16 a member of the recount board.

17 2. ~~【The】~~ Except in counties using a punchcard voting system, the  
18 recount shall include a count of all ballots, including rejected ballots,  
19 and shall determine whether such ballots are marked as required by law.

20 3. If a recount is demanded in a county using a punchcard voting  
21 system, the county clerk shall select at random the ballots for the office  
22 affected from 5 percent of the precincts, but in no case fewer than 3 pre-  
23 cincts, after consultation with each candidate for the office or his author-  
24 ized representative. The recount board shall examine the selected ballots,  
25 shall, after hearing any challenges, determine whether the ballots are  
26 marked as required by law and shall handcount the valid ballots. A com-  
27 puter recount shall be made of all the selected ballots. If the handcount of  
28 the selected ballots or the computer recount shows a discrepancy of 1 per-  
29 cent or more for either candidate from the original canvass of the returns,  
30 the county clerk shall order a handcount of all the ballots for that office. If  
31 there is not a discrepancy of 1 percent or more for any candidate, the  
32 county clerk shall not order a handcount, but shall order a computer  
33 recount of all the ballots for the office.

34 4. The county clerk shall have authority to unseal and give to the  
35 recount board all ballots to be counted.

36 ~~【3.】~~ 5. In the case of a demand for a recount affecting more than  
37 one county, the demand shall be made to the secretary of state, who shall  
38 notify the county clerks to proceed with the recount.

39 SEC. 15. NRS 293.437 is hereby amended to read as follows:

40 293.437 1. The county clerk may designate any building or build-  
41 ings, public or otherwise, or any portion of such building or buildings,  
42 as the site or sites for any polling place or any number of polling places  
43 for any or all of the precincts or districts in the county.

44 2. If, in the opinion of the county clerk, the convenience and com-  
45 fort of the voters and election officials will be best served by putting two  
46 or more polling places in any such building or buildings, or if, in the  
47 opinion of the county clerk, the expense to the county for polling places  
48 can be diminished by putting two or more polling places in any such  
49 building or buildings, he may so provide.



1 3. In precincts where there are no public buildings or other appro-  
2 priate locations owned by the state, county, township, city, town or  
3 precinct, privately owned locations [shall] may be rented at a rate not  
4 to exceed \$15 for each election [.] if only one precinct is involved and  
5 at a rate not to exceed \$25 for each election if more than one precinct  
6 is involved.

7 SEC. 16. NRS 293.440 is hereby amended to read as follows:

8 293.440 1. Any person desiring a copy of any precinct, district or  
9 county list of registered voters and their addresses, and providing an  
10 assurance that such list will be used only for purposes relating to elec-  
11 tions, may obtain such copy by applying at the office of the county clerk  
12 and paying therefor a sum of money equal to one cent per each name  
13 on such list, but one copy of each original and supplemental precinct,  
14 district or county list shall be provided to the county central committee  
15 of any political party, as defined in NRS 293.073, upon request, without  
16 charge.

17 2. A county may not pay more than 10 cents per folio or more than  
18 \$6 per thousand copies for printed precinct or district lists.

19 SEC. 17. NRS 293.505 is hereby amended to read as follows:

20 293.505 1. All justices of the peace, except those located in county  
21 seats, are ex officio deputy registrars for the purpose of carrying out the  
22 provisions of this chapter.

23 2. The county clerk may appoint registered voters as deputy regis-  
24 trars, who shall register voters within the county for which they are  
25 appointed. Except as provided in subsection 1, a candidate for any office  
26 may not be appointed or serve as a deputy registrar. Deputy registrars so  
27 appointed shall serve at the pleasure of the county clerk and shall perform  
28 their duties as the county clerk may direct.

29 3. Deputy registrars may demand of any person who applies for regis-  
30 tration all information required by the affidavit of registration, and may  
31 administer all oaths required by this chapter.

32 4. When a deputy registrar has in his possession five or more com-  
33 pleted affidavits of registration, he shall forward them to the county clerk,  
34 but in no case may he hold any number of such forms for more than 5  
35 days.

36 5. Immediately after the close of registration, each deputy registrar  
37 shall forward to the county clerk all completed affidavits in his possession.  
38 Within 5 days after the close of registration for a general election, a  
39 deputy registrar shall return all unused affidavits in his possession to the  
40 county clerk.

41 6. Deputy registrars shall submit to the county clerk an alphabetical  
42 list of names of electors registered by him, giving the serial number of the  
43 affidavit used for each named registrant.

44 7. Each deputy registrar shall post notices sent to him by the county  
45 clerk for posting in accordance with the election laws of this state.

46 8. Any person who violates any of the provisions of this section is  
47 guilty of a misdemeanor.

48 SEC. 18. NRS 293.507 is hereby amended to read as follows:

49 293.507 1. The secretary of state may prescribe a standard form for  
50 affidavits of registration.

1 2. County clerks shall provide original and duplicate forms for affi-  
 2 davits of registration to deputy registrars in form and number prescribed  
 3 by the secretary of state.

4 SEC. 19. NRS 293.523 is hereby amended to read as follows:

5 293.523 ~~1.~~ A naturalized citizen need not produce his certificate  
 6 of naturalization in order to qualify to be registered.

7 ~~2.~~ The county clerk shall propound, in addition to the questions on  
 8 the registration form, the following questions:

9 (a) In what year did you come to the United States?

10 (b) Where were you admitted to citizenship?

11 SEC. 20. NRS 293.547 is hereby amended to read as follows:

12 293.547 1. After the 30th day but not later than the ~~third~~  
 13 *seventh* day prior to any election, a written challenge may be filed with  
 14 the county clerk. Such challenge shall be signed and verified by a regis-  
 15 tered voter and name the person whose right to vote is challenged and  
 16 the ground of the challenge.

17 2. The county clerk shall file the challenge in the registrar of voters'  
 18 register and attach a copy thereof to the challenged registration in the  
 19 election board register.

20 SEC. 21. NRS 293.557 is hereby amended to read as follows:

21 293.557 1. The county clerk ~~may~~ shall cause to be published in  
 22 *counties having a population under 100,000 and may cause to be pub-*  
 23 *lished in counties having a population of 100,000 or more, as such popu-*  
 24 *lation is determined by the last preceding national census of the Bureau*  
 25 *of the Census of the United States Department of Commerce, once in*  
 26 *each of the newspapers circulated in different parts of the county a list*  
 27 *of all registered voters, segregated by precincts or districts, within the*  
 28 *circulation area of each newspaper, or cause to be published once in a*  
 29 *newspaper circulated in the county a segregated listing for the entire*  
 30 *county:*

31 (a) At least 75 days before any primary election.

32 (b) After each primary election and not less than 2 weeks before the  
 33 close of registration for the ensuing general election.

34 2. The county may not pay more than 10 cents per name for six-  
 35 point or seven-point type or 15 cents per name for eight-point type or  
 36 larger to each newspaper publishing the list.

37 3. The list of registered voters shall not be printed in type smaller  
 38 than six-point.

39 SEC. 22. NRS 293.560 is hereby amended to read as follows:

40 293.560 1. Registration shall close at 9 p.m. of the fifth Saturday  
 41 preceding any primary election and at 9 p.m. of the fifth Saturday pre-  
 42 ceding any general election.

43 2. Registration offices shall be open from 9 a.m. to 5 p.m. and from  
 44 7 p.m. to 9 p.m., including Saturdays, during the last days before registra-  
 45 tion, according to the following schedule:

46 (a) In counties which have a population less than 100,000, as deter-  
 47 mined by the last preceding national census of the Bureau of the Census  
 48 of the United States Department of Commerce, registration offices shall  
 49 be open during the last 3 days before registration closes;

1 (b) In all other counties, registration offices shall be open during the  
2 last 5 days before registration closes.

3 3. The county clerk of each county shall publish in a newspaper hav-  
4 ing a general circulation in the county a notice signed by him indicating  
5 the day that registration will be closed. If no such newspaper is published  
6 in the county, then such publication may be made in a newspaper of gen-  
7 eral circulation published in the nearest Nevada county.

8 4. Such notice shall be published once each week for 4 consecutive  
9 weeks next preceding the close of registration for any election.

10 [5. At least 15 days before the time when the registrar of voters'  
11 register is closed for any election, the county clerk shall mail a copy of  
12 such notice to deputy registrars, to be posted in a conspicuous place in  
13 each voting precinct outside incorporated cities and in which there is no  
14 newspaper of general circulation.]

15 SEC. 23. NRS 298.145 is hereby amended to read as follows:

16 298.145 1. Insofar as is practicable, and where the provisions of  
17 NRS 298.095 to 298.165, inclusive, do not specifically indicate other-  
18 wise, the presidential preference primary shall be conducted in the same  
19 manner as a state primary, but the secretary of state certifies the names  
20 of the candidates to the respective county clerks on or before the 4th  
21 Tuesday in April of each presidential year.

22 2. County clerks [may combine and consolidate two or more pre-  
23 cincts] shall establish presidential primary election districts for the pur-  
24 pose of conducting this election. Such districts may consist of single  
25 election precincts or combinations of two or more precincts as public  
26 convenience, necessity and economy may require.

27 SEC. 24. NRS 293.237 and 293.240 are hereby repealed.

28 SEC. 25. Section 10 of this act shall become effective at 12:01 a.m.  
29 on July 1, 1975.

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 571

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 ASSEMBLY BILL NO. 571—COMMITTEE ON  
 GOVERNMENT AFFAIRS

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 APRIL 8, 1975
 

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Referred to Committee on Government Affairs

**SUMMARY**—Increases compensation and maximum traveling allowances of members of state board of registered professional engineers, redesignates one of its officers and requires appointment of executive secretary. Fiscal Note: No. (BDR 54-1564)

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

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AN ACT relating to the state board of registered professional engineers; changing the designation of one of its officers; increasing the compensation and maximum traveling allowances of members; requiring the board to appoint an executive secretary; 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 625.110 is hereby amended to read as follows:  
 2 625.110 1. The board shall elect one of its members as chairman and  
 3 one of its members as [secretary. The chairman and secretary shall each  
 4 serve 2 years.] *vice-chairman, each of whom shall hold office for 2 years*  
 5 *and until a successor is elected and qualified.*  
 6 2. At any meeting, four members shall constitute a quorum.  
 7 3. Each member shall receive:  
 8 (a) A salary of not more than [\$25] \$40 per day, as fixed by the  
 9 board, while engaged in the business of the board.  
 10 (b) Actual expenses for subsistence and lodging, not to exceed [\$25]  
 11 \$40 per day, and actual expenses for transportation, while traveling on  
 12 business of the board.  
 13 4. Any state employee who may be appointed to serve on the board  
 14 shall receive compensation as herein provided for such service in addition  
 15 to any other salary or compensation he receives from the state for other  
 16 services.  
 17 5. *The board shall appoint an executive secretary who shall serve at*  
 18 *the pleasure of the board and receive such compensation as may be fixed*  
 19 *by the board.*  
 20 SEC. 2. This act shall become effective at 12:01 a.m. on July 1, 1975.

**A. B. 597****ASSEMBLY BILL NO. 597—COMMITTEE ON JUDICIARY**

APRIL 10, 1975

Referred to Committee on Commerce

**SUMMARY**—Redefines "responsible charge of work" in law regulating professional engineers and surveyors. Fiscal Note: No. (BDR 54-1561)**EXPLANATION**—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT to amend NRS 625.080, relating to professional engineers and surveyors, by redefining the phrase "responsible charge of work."

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

- 1 SECTION 1. NRS 625.080 is hereby amended to read as follows:
- 2 625.080 As used in this chapter, "responsible charge of work" means
- 3 the [direct control and personal supervision] *independent control and*
- 4 *direction, by the use of initiative, skill and independent judgment, of the*
- 5 *investigation o. design of professional engineering or land surveying*
- 6 *work [.] or the supervision of such work.*

## A. B. 598

## ASSEMBLY BILL NO. 598—COMMITTEE ON JUDICIARY

APRIL 10, 1975

Referred to Committee on Commerce

SUMMARY— Allows registered professional civil engineer to be reference for person applying for registration as land surveyor. Fiscal Note: No. (BDR 54-1562)

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

AN ACT relating to professional engineers and surveyors; allowing registered professional civil engineers to be used as references for persons applying for registration as land surveyors.

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

- 1 SECTION 1. NRS 625.390 is hereby amended to read as follows:  
 2 625.390 1. Application for registration as a professional engineer or  
 3 land surveyor or for certification as an engineer in training shall:  
 4 (a) Be on a form furnished and prescribed by the board;  
 5 (b) Contain statements made under oath, showing the applicant's edu-  
 6 cation and a detailed summary of his technical experience; and  
 7 (c) Contain the names of not less than three:  
 8 (1) Registered professional engineers if applying for registration as a  
 9 professional engineer or engineer-in-training; or  
 10 (2) Registered land surveyors or *registered professional engineers*  
 11 *qualified in the branch of civil engineering* if applying for registration as a  
 12 land surveyor.  
 13 who may be residents of this or any other state who have knowledge of the  
 14 background, character and technical competence of the applicant, but  
 15 none of whom may be members of the board.  
 16 2. The application and registration fee for professional engineers and  
 17 land surveyors shall be established by the board in an amount not to  
 18 exceed \$50 and shall accompany the application.  
 19 3. Should the board deny issuance of a certificate to any applicant, or  
 20 should an applicant fail to appear for examination, the fee paid shall be  
 21 retained as an application fee.  
 22 4. The board shall charge and collect from each applicant for registra-  
 23 tion as an engineer-in-training a fee of \$10, which shall include the cost of  
 24 examination and the issuance of a certificate as an engineer-in-training.  
 25 The registration as an engineer-in-training shall be valid for 8 years, at

- 1 which time the registration shall expire and be renewed as in the case of  
 2 any original applicant.  
 3 5. A nonresident applying for registration as a professional engineer  
 4 or land surveyor is subject to the same fees as a resident.  
 5 6. The board shall require the annual renewal of each certificate  
 6 except as provided in subsection 4 and collect therefor an annual fee as  
 7 established by the board, but not to exceed \$25.

## A. B. 599

## ASSEMBLY BILL NO. 599—COMMITTEE ON JUDICIARY

APRIL 10, 1975

Referred to Committee on Commerce

SUMMARY—Revises provisions concerning discipline of registered professional engineers and land surveyors. Fiscal Note: No. (BDR 54-157)

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

AN ACT relating to professional engineers and surveyors; providing for judicial review of final decisions of the state board of registered professional engineers; expanding the period in which the board must hear charges brought against a registrant; increasing the number of board member votes required to find a registrant guilty of a charge; 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 625 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:

3 *Any registrant who is aggrieved by a final decision of the board is*  
4 *entitled to judicial review thereof in the manner prescribed in NRS*  
5 *233B.130 to 233B.150, inclusive.*

6 SEC. 2. NRS 625.420 is hereby amended to read as follows:

7 625.420 1. Any person may prefer charges of fraud, deceit, gross  
8 negligence, incompetency or misconduct against any registrant. Charges  
9 shall be in writing, sworn to by the person making them, and shall be filed  
10 with the [secretary of the] board.

11 2. All charges, unless dismissed by the board as unfounded or trivial,  
12 shall be heard by the board within [3] *a reasonable time, but not more*  
13 *than 6 months after the date on which [they shall have been] such*  
14 *charges were preferred.*

15 SEC. 3. NRS 625.460 is hereby amended to read as follows:

16 625.460 If, after a hearing, [three or more] *a majority of the mem-*  
17 *bers of the board vote in favor of finding the accused registrant guilty, the*  
18 *board [shall:] may:*

19 1. Revoke the certificate of registration of such registered professional  
20 engineer or registered land surveyor; or

21 2. [At its discretion, suspend] *Suspend* the license or place the regis-  
22 *trant on probation for such periods as it deems necessary.*

— 2 —

1 SEC. 4. NRS 625.470 is hereby amended to read as follows:  
2 625.470 The board, for reasons which it may deem sufficient, may  
3 reissue a certificate of registration to any person whose certificate has been  
4 revoked [, providing three or more] *if a majority of the members of the*  
5 *board vote in favor of such reissuance.*

## ASSEMBLY BILL NO. 602—COMMITTEE ON JUDICIARY

APRIL 10, 1975

Referred to Committee on Commerce

SUMMARY—Increases penalty for unlawful practice of engineering.  
Fiscal Note: No. (BDR 54-1555)

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

AN ACT relating to professional engineers and surveyors; increasing the penalty for the unlawful practice of engineering.

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

- 1 SECTION 1. NRS 625.520 is hereby amended to read as follows:  
2 625.520 1. It is unlawful for:  
3 (a) Any person, firm, partnership or corporation not properly licensed  
4 or exempted under the provisions of this chapter to:  
5 (1) Practice, continue to practice, offer to practice or attempt to  
6 practice engineering or any branch thereof;  
7 (2) Employ, use or cause to be used any of the following terms or  
8 any combination, variation or abbreviation thereof as a professional or  
9 commercial identification, representation, claim, asset or means of advantage or benefit, namely, "engineer," "professional engineer," "licensed  
10 engineer," "engineered" or "engineering"; or  
11 (3) Directly or indirectly employ any means which in any manner  
12 whatsoever tends or is likely to create the impression on the public or  
13 any member thereof that any person is qualified or authorized to practice  
14 engineering.  
15 (b) Any registered professional engineer to practice or offer to practice  
16 a branch of professional engineering in which the board has not qualified  
17 him.  
18 (c) Any person to present or attempt to use, as his own, the certificate  
19 of registration or the seal of another.  
20 (d) Any person to give any false or forged evidence of any kind to the  
21 board or any member thereof in obtaining a certificate of registration.  
22 (e) Any person to impersonate falsely any other registrant of like or  
23 different name.  
24 (f) Any person to attempt to use an expired or revoked certificate of  
25 registration.  
26

— 2 —

- 1 (g) Any person to violate any of the provisions of this chapter.  
2 2. Whenever any person is engaging or is about to engage in any acts  
3 or practices which constitute a violation of this chapter, the district court  
4 in any county, if such court would have jurisdiction over the violation,  
5 may, upon application of the board, issue an injunction or restraining  
6 order against such acts or practices pursuant to Rule 65 of the Nevada  
7 Rules of Civil Procedure.  
8 3. Nothing in this section shall be construed to prevent a contractor  
9 licensed under the provisions of chapter 624 of NRS from using the term  
10 "engineer" or "engineering" if such term is used by the state contractors'  
11 board in describing a specific classification.  
12 4. Any person who violates any of the provisions of subsection 1  
13 [shall be] is guilty of a gross misdemeanor.



## ASSEMBLY BILL NO. 604—COMMITTEE ON JUDICIARY

APRIL 10, 1975

Referred to Committee on Commerce

**SUMMARY**—Authorizes state board of registered professional engineers to define the scope of each branch of professional engineering. Fiscal Note: No. (BDR 54-1563)

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

AN ACT relating to professional engineers; authorizing the state board of registered professional engineers to define the scope of each branch of professional engineering; requiring the appropriate branch to be included with the name of each registered professional engineer in the annual roster; 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 625 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 *The board may by regulation define the scope of each branch of pro-*  
4 *fessional engineering for which registration is required under this chapter.*  
5 SEC. 2. NRS 625.170 is hereby amended to read as follows:  
6 625.170 The secretary of the board shall prepare once each year, or  
7 at intervals as established by the board, a roster showing the names  
8 [and], last-known addresses *and branches of engineering* of all regis-  
9 tered professional engineers [.] *and the names and last-known addresses*  
10 *of all land surveyors and engineers-in-training.* Copies of the roster shall  
11 be:  
12 1. Mailed to each person so registered.  
13 2. Placed on file with the secretary of state and county and city  
14 clerks.  
15 3. Distributed or sold to the public.  
16 SEC. 3. NRS 625.200 is hereby amended to read as follows:  
17 625.200 1. The written examinations for registration as a profes-  
18 sional engineer will consist of a 2-day test (four 4-hour periods) divided  
19 into two parts:  
20 (a) Part 1 will cover the subject matter of a general engineering edu-  
21 cation or training. If the applicant is a graduate from an engineering  
22 school which the board, in its discretion, may approve, part 1 may be  
23 waived.

- 1 (b) Part 2 will cover that branch of engineering in the practice of  
2 which the applicant is engaged, as indicated by his experience record  
3 [.] *and as to which he has applied for registration.*  
4 Where possible, the usually recognized branches of engineering will  
5 be considered in the preparation of the examination. The board may  
6 reserve the right to conform the nature and extent of the examination to  
7 the particular qualifications of the applicant.  
8 2. The board may prescribe or limit the use of notes, texts and ref-  
9 erence materials, but shall allow each applicant to use any standard table  
10 of mathematical or physical data of his own selection within the pre-  
11 scribed or limited categories.  
12 3. Oral examinations shall be given in the manner prescribed by  
13 the board.  
14 4. To qualify for registration, the applicant must receive a grade of  
15 not less than 70 percent on his examination.

## A. B. 605

## ASSEMBLY BILL NO. 605—COMMITTEE ON JUDICIARY

APRIL 10, 1975

Referred to Committee on Commerce

SUMMARY—Limits exemption of certain persons from registration requirements for professional engineers and surveyors. Fiscal Note: No. (BDR 54-1558)

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

AN ACT relating to professional engineers and surveyors; limiting the exemption for certain classes of persons from the registration requirements prescribed for professional engineers and surveyors; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 625.480 is hereby amended to read as follows:  
 2 625.480 The following persons are exempt from the provisions of this  
 3 chapter [concerning the practice of professional engineering:] *which*  
 4 *require registration:*  
 5 1. A person not a resident of and having no established place of busi-  
 6 ness in this state, or who has recently become a resident of this state, prac-  
 7 ticing or offering to practice the profession of engineering in this state for  
 8 more than 30 days in any calendar year, if:  
 9 (a) He shall have filed an application with the board for a certificate of  
 10 registration and paid the fee required by this chapter, or filed an applica-  
 11 tion with and received from the board a permit for a definite period of  
 12 time for each job on which he works, and paid the fee required by this  
 13 chapter; and  
 14 (b) He is legally qualified to practice the profession in his own state or  
 15 country in which the requirements and qualifications for obtaining a cer-  
 16 tificate of registration are not lower than those specified in this chapter.  
 17 The exemption shall continue only for such time as the board requires for  
 18 the consideration of the application for registration.  
 19 2. Any subordinate of a registered professional engineer of this state  
 20 insofar as he acts as a subordinate.  
 21 3. Officers and employees of the United States Government who have  
 22 qualified under federal regulations and have been authorized to do engi-  
 23 neering for the Federal Government, but no such governmental officer or  
 24 employee may engage in private engineering practice in Nevada unless he  
 25 is duly registered under the law.  
 26 SEC. 2. This act shall become effective at 12:01 a.m. on July 1, 1975.

## ASSEMBLY BILL NO. 606—COMMITTEE ON JUDICIARY

APRIL 10, 1975

Referred to Committee on Commerce

SUMMARY—Increases renewal period and fees for registration of professional engineers and surveyors. Fiscal Note: No. (BDR 54-1560)

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

AN ACT relating to professional engineers and surveyors; increasing the renewal period and fees for certificates of registration; 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 625.390 is hereby amended to read as follows:  
 2 625.390 1. Application for registration as a professional engineer or  
 3 land surveyor or for certification as an engineer in training shall:  
 4 (a) Be on a form furnished and prescribed by the board;  
 5 (b) Contain statements made under oath, showing the applicant's edu-  
 6 cation and a detailed summary of his technical experience; and  
 7 (c) Contain the names of not less than three:  
 8 (1) Registered professional engineers if applying for registration as a  
 9 professional engineer or engineer-in-training; or  
 10 (2) Registered land surveyors if applying for registration as a land  
 11 surveyor,  
 12 who may be residents of this or any other state who have knowledge of the  
 13 background, character and technical competence of the applicant, but  
 14 none of whom may be members of the board.  
 15 2. The application and registration fee for professional engineers and  
 16 land surveyors shall be established by the board in an amount not to  
 17 exceed \$50 and shall accompany the application.  
 18 3. Should the board deny issuance of a certificate to any applicant, or  
 19 should an applicant fail to appear for examination, the fee paid shall be  
 20 retained as an application fee.  
 21 4. The board shall charge and collect from each applicant for regis-  
 22 tration as an engineer-in-training a fee of \$10, which shall include the cost  
 23 of examination and the issuance of a certificate as an engineer-in-training.  
 24 The registration as an engineer-in-training shall be valid for 8 years, at

— 2 —

- 1 which time the registration shall expire and be renewed as in the case of  
 2 any original applicant.  
 3 5. A nonresident applying for registration as a professional engineer  
 4 or land surveyor is subject to the same fees as a resident.  
 5 6. The board shall require the [annual] *biennial* renewal of each cer-  
 6 tificate except as provided in subsection 4 and collect therefor [an  
 7 annual] *a biennial* fee as established by the board, but not to exceed  
 8 [~~\$25.~~] \$75.

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S. B. 595

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SENATE BILL NO. 595—COMMITTEE ON  
GOVERNMENT AFFAIRS

APRIL 30, 1975

Referred to Committee on Government Affairs

SUMMARY—Permits certain counties to exercise control over health aspects of subdivisions in certain instances. Fiscal Note: No. (BDR 22-1754)

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

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AN ACT relating to subdivisions; permitting certain counties to exercise control over the health aspects of subdivisions in certain instances; and providing other matters properly relating thereto.

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

1 . SECTION 1. NRS 116.040 is hereby amended to read as follows:  
2 116.040 1. The map or plat shall be certified by the surveyor making  
3 the same, which certificate shall be substantially as follows:  
4 I, ..... (surveyor's name), do hereby certify that this plat  
5 is a true and accurate map of the land surveyed by me and laid out into  
6 blocks, lots, streets, alleys and public places at the instance of .....  
7 ..... (give name of owner or trustee); that the location of the blocks,  
8 lots, streets, alleys and public places has been definitely established and  
9 perpetuated in strict accordance with the law and as shown hereon; that  
10 the blocks, lots and public places shown hereon are situate wholly within  
11 ..... (give description by metes and bounds or by legal subdivi-  
12 sion); that the survey was completed on the ..... day of .....  
13 (give date).  
14 2. The map or plat shall:  
15 (a) Be acknowledged by the owner or owners, or trustee, before some  
16 officer authorized by law to take the acknowledgment of conveyances of  
17 real property; and  
18 (b) Contain signed and acknowledged evidence by the owner or own-  
19 ers of their grant of permanent easements for utility installations and  
20 access, as designated on the map, together with a statement approving  
21 such easements, signed by each public utility company or agency in whose  
22 favor the easements are granted or whose utility services are to be  
23 required for the platted parcels.  
24 (c) If the land is situated in any city or town, or outside any city or

1 town, but within 3 miles of the limits of the same, be approved by the  
2 legislative authority of the city or town in which the land is situated, and  
3 in the absence of such legislative authority, by the legislative authority of  
4 the county in which the city or town is situated; and

5 (d) If the land is situated more than 1 mile from the limits of any city  
6 or town, be approved by the board of county commissioners of the county  
7 in which the land is situated; and

8 (e) Be approved by the health division of the department of human  
9 resources concerning sewage disposal, water pollution, water quality and,  
10 subject to review by the state engineer, water quantity [.] , unless such  
11 approval has been waived by the legislative authority of the city, town or  
12 county in any county having a population of 100,000 or more, as deter-  
13 mined by the last preceding national census of the Bureau of the Census  
14 of the United States Department of Commerce.

15 3. A copy of the review of the state engineer required by subsection  
16 2(e) shall be furnished to the subdivider who in turn shall provide a copy  
17 of such review to each purchaser of land in the subdivision prior to the  
18 time the sale is completed. No statement of approval or review as required  
19 in subsection 2(e) is a warranty or representation in favor of any person  
20 as to the safety or quantity of such water.

21 4. When so acknowledged, certified and approved, the original and  
22 one copy of the map or plat shall be filed in the office of the county  
23 recorder of the county in which the lands so platted and laid out are situ-  
24 ated and one copy of the map or plat shall be filed, without charge, in the  
25 office of the county assessor of the county where the lands are situated.

26 5. No city or town or county legislative authority shall approve or  
27 accept for filing any map or plat under this chapter that does not conform  
28 to the requirements of this chapter.

29 SEC. 2. NRS 117.027 is hereby amended to read as follows:

30 117.027 At the time any condominium map or plan is presented to  
31 the county recorder for recording the following certificates shall be pre-  
32 sented to be recorded immediately prior to such map or plan:

33 1. A subdivision report from a reputable title company showing the  
34 names of the parties who may be required to sign the map or plan and  
35 guaranteeing that the names of the parties contained therein are the only  
36 parties who are required to sign such map or plan.

37 2. A certificate from a reputable title company showing that there are  
38 no liens against the condominium or any part thereof for delinquent state,  
39 county, municipal, federal or local taxes or assessments collected as taxes  
40 or special assessments.

41 3. A certificate from the health division of the department of human  
42 resources showing that the health division has approved the map or plan  
43 concerning sewage disposal, water pollution, water quality and, subject to  
44 review by the state engineer, water quantity [.] , unless such approval has  
45 been waived by the governing body in any county having a population of  
46 100,000 or more, as determined by the last preceding national census of  
47 the Bureau of the Census of the United States Department of Commerce.

48 4. A copy of the review of the state engineer required by subsection 3  
49 shall be furnished to the condominium subdivider who in turn shall pro-  
50 vide a copy of such review to each purchaser of a condominium unit prior

1 to the time the sale is completed. No statement of approval or review  
2 as required in subsection 3 is a warranty or representation in favor of any  
3 person as to the safety or quantity of such water.

4 SEC. 3. NRS 278.420 is hereby amended to read as follows:

5 278.420 The following certificates and acknowledgments shall appear  
6 on the final map and may be combined where appropriate:

7 1. A certificate signed and acknowledged by all parties having any  
8 record title interest in the land subdivided, consenting to the prepara-  
9 tion and recordation of the map. A lien for state, county, municipal or  
10 local taxes and for special assessments or beneficial interest under trust  
11 deeds or trust interests under bond indentures shall not be deemed to  
12 be an interest in land for the purpose of this section. Any map including  
13 territory originally patented by the United States or the State of Nevada,  
14 under patent reserving interest to either or both of the entities, may be  
15 recorded under the provisions of NRS 278.010 to 278.630, inclusive,  
16 without the consent of the United States or the State of Nevada thereto,  
17 or to dedications made thereon. Signatures required by this section of  
18 parties owning rights-of-way, easements or reversions which by reason  
19 of changed conditions, long disuse or laches appear to be no longer of  
20 practical use or value, and which signatures it is impossible or imprac-  
21 ticable to obtain, may be omitted if the names of such parties and the  
22 nature of their interest is endorsed on the map, together with a reasonable  
23 statement of the circumstances preventing the procurement of such sig-  
24 natures.

25 2. A certificate, signed and acknowledged as above, offering for  
26 dedication for certain specified public uses (subject to such reservations  
27 as may be contained in any such offer of dedication) those certain parcels  
28 of land which the parties desire so to dedicate. The certificate may state  
29 that any certain parcel or parcels are not offered for dedication; but a  
30 local ordinance may require as a condition precedent to the approval of  
31 any final map that any or all of the parcels of land shown thereon and  
32 intended for any public use shall be offered for dedication for public use  
33 except those parcels other than streets intended for the exclusive use of  
34 the lot owners in such subdivision, their licensees, visitors, tenants and  
35 servants.

36 3. A certificate for execution by the clerk of each approving govern-  
37 ing body stating that the body approved the map and accepted or rejected  
38 on behalf of the public any parcels of land offered for dedication for public  
39 use in conformity with the terms of the offer of dedication.

40 4. A certificate signed and acknowledged by all parties having any  
41 record title in the land subdivided, evidencing their grant of permanent  
42 easements for utility installations and access, as designated on the map,  
43 together with a statement approving such easements, signed by each pub-  
44 lic utility company or agency in whose favor the easements are created or  
45 whose utility services are to be required for the platted parcels.

46 5. A certificate by the engineer or surveyor responsible for the survey  
47 and final map, giving the date of the survey and stating that the survey was  
48 made by him or under his direction, and that the survey is true and com-  
49 plete as shown. The certificate shall also state that the monuments are of  
50 the character and occupy the positions indicated, or that they will be set in

**S. B. 597****SENATE BILL NO. 597—SENATOR SHEERIN**

MAY 5, 1975

Referred to Committee on Government Affairs

**SUMMARY**—Rectifies inequity in computation of longevity pay for Carson City supervisors. Fiscal Note: No. (BDR 20-2039)**EXPLANATION**—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to county officers; providing specialty for the computation of longevity pay for certain members of the board of supervisors of Carson City; 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 245.044 is hereby amended to read as follows:  
2     245.044 1. On and after July 1, 1973, if an elected county officer has  
3 served in his office for more than 4 years, he shall receive an additional  
4 salary of 1 percent of his base salary provided in NRS 245.043 for each  
5 full calendar year he has served in his office. The additional longevity sal-  
6 ary provided in this section shall not exceed 20 percent of the base salary  
7 provided in NRS 245.043.  
8     2. Longevity pay under the provisions of this section shall be com-  
9 puted on the basis of full calendar years of service and, with the exception  
10 of those persons initially eligible on July 1, 1973, shall be computed only  
11 at the beginning of their terms of office. Those persons who would have  
12 been eligible to receive longevity pay at the beginning of their current  
13 terms shall receive such increment on July 1, 1973.  
14     3. *Service on the board of supervisors of Carson City for the initial*  
15 *term which began on July 1, 1969, and ended on the 1st Monday of Jan-*  
16 *uary, 1973, shall be deemed to constitute 4 full calendar years of service*  
17 *for the purposes of this section.*

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 498

ASSEMBLY BILL NO. 498—WASHOE COUNTY DELEGATION

MARCH 27, 1975

Referred to Committee on Government Affairs

SUMMARY—Creates Washoe County Airport Authority.  
Fiscal Note: No. (BDR S-1300)

—o—

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

AN ACT contingently creating the Washoe County Airport Authority; making legislative findings and declarations; defining certain words and terms; providing for the appointment, number, terms, compensation, duties and powers of a board of trustees; specifying the powers of the authority, including the power to levy and collect general (ad valorem) taxes, borrow money and issue securities to evidence such borrowing; requiring the transfer of airport properties, functions and outstanding obligations of the City of Reno to the authority; providing for an election; 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. This act shall be known and may be cited as the Washoe  
2 County Airport Authority Act of 1975.
- 3 SEC. 2. 1. The legislature finds that:
- 4 (a) The airport of the City of Reno has traditionally been operated  
5 by the city as a municipal function and originally served primarily the  
6 city residents.
- 7 (b) With the development of multiple contiguous communities, sub-  
8 urban living and rapid increases in recreational pursuits by the traveling  
9 public, the airport of the City of Reno is now serving the inhabitants of  
10 a large geographical area and ever-increasing numbers of tourists.
- 11 (c) What was once a municipal airport in both name and fact is  
12 now a regional airport.
- 13 (d) The financial problems of the airport have become more complex  
14 and administrative activities are required to be more responsive to the  
15 community at large and the directly paying airport tenants and users.
- 16 (e) The City of Reno is unable to operate the airport effectively within  
17 the traditional framework of local government, evidencing the need to  
18 create a special governmental corporation to provide specific facilities and  
19 services to the public.
- 20 (f) Development of the modern airport requires the expenditure of vast



1 sums of money for land acquisitions and capital improvements not avail-  
2 able to the City of Reno through the issuance of municipal securities  
3 secured by general obligation tax receipts.

4 (g) Because of special circumstances and conditions a general law can-  
5 not be made applicable, and this special act will allow the tax burden to  
6 spread over Washoe County rather than coming to rest solely upon the  
7 principal municipality of Washoe County.

8 (h) This act will accommodate the expanding urban population pat-  
9 terns, provide adequate funding and establish the administrative machinery  
10 necessary to insure adequate air service to the region.

11 2. It is hereby declared as a matter of legislative determination that:

12 (a) The organization of the Washoe County Airport Authority having  
13 the purposes, powers, rights, privileges and immunities provided in this  
14 act will serve a public use and will promote the general welfare by faci-  
15 litating safe and convenient air travel and transport to and from the Reno  
16 area.

17 (b) The acquisition, operation and financing of airports and related  
18 facilities by the Washoe County Airport Authority is for a public and gov-  
19 ernmental purpose and a matter of public necessity.

20 (c) The Washoe County Airport Authority is a body corporate and  
21 politic and a quasi-municipal corporation, the geographical boundaries of  
22 which are coterminous with the boundaries of Washoe County.

23 (d) For the accomplishment of the purposes stated in this subsection,  
24 the provisions of this act shall be broadly construed.

25 SEC. 3. As used in this act the following words or phrases are defined  
26 as follows:

27 1. "Airport" means any one or more airports or heliports and  
28 related facilities, including but not limited to land and interests in land,  
29 facilities for storage of air and space craft, navigation and landing aids,  
30 taxiways, pads, aprons, control towers, passenger and cargo terminal  
31 buildings, hangars, administration and office buildings, garages, parking  
32 lots and such other structures, facilities and improvements as are neces-  
33 sary or convenient to the development and maintenance of airports and  
34 heliports and for the promotion and accommodation of air and space  
35 travel, commerce and navigation.

36 2. "Authority" means the Washoe County Airport Authority created  
37 pursuant to the provisions of this act.

38 3. "Board of trustees" and "board" each means the board of trustees  
39 of the authority.

40 4. "Carrier" means any person or corporation engaged in the air or  
41 space transportation of passengers or cargo.

42 5. "City of Reno" means the municipal corporation in Washoe  
43 County, Nevada, created and existing pursuant to the provisions of  
44 chapter 662, Statutes of Nevada 1971, as amended.

45 6. "City of Sparks" means the municipal corporation in Washoe  
46 County, Nevada, created and existing pursuant to the provisions of  
47 chapter 180, Statutes of Nevada 1949, as amended, or a new charter  
48 enacted by the 58th session of the Nevada legislature.

49 7. "Washoe County" means the county created by and described in  
50 NRS 243.340.

1 SEC. 4. 1. The Washoe County Airport Authority is hereby created.

2 2. The property and revenues of the authority, or any interest therein,  
3 are exempt from all state, county and municipal taxation.

4 SEC. 5. 1. The authority shall be directed and governed by a board  
5 of trustees comprised of nine persons.

6 2. The City of Reno shall be represented on the board by one mem-  
7 ber, the City of Sparks by one member and Washoe County by two mem-  
8 bers, appointed as specified in this section. Within 30 days after November  
9 15, 1976, the city councils of the cities of Reno and Sparks and the board  
10 of county commissioners of Washoe County shall appoint their representa-  
11 tives to serve on the board of trustees.

12 3. The remaining five members of the board shall be residents of  
13 Washoe County elected at large by the registered voters of Washoe  
14 County. At the general election in 1978, five members shall be elected,  
15 of whom the two receiving the largest and next largest numbers of votes  
16 shall serve for terms of 4 years and the others for terms of 2 years from  
17 the 1st Monday of January, 1979. At each general election thereafter,  
18 members shall be elected for terms of 4 years to succeed those members  
19 whose terms will expire on the ensuing 1st Monday of January.

20 4. The terms of office of the appointive members of the board are at  
21 the pleasure of the appointing authority in each case, but each appoint-  
22 ment shall be reviewed no less often than every 4 years.

23 5. The position of a member of the board of trustees shall be consid-  
24 ered vacated upon his loss of any of the qualifications required for his  
25 appointment or election. The appointing authority shall appoint the suc-  
26 cessor of an appointive member. The remaining members of the board  
27 shall appoint the successor of an elective member for the unexpired  
28 term.

29 6. Within 30 days after December 15, 1976, the first appointive  
30 members of the board shall appoint five members from the county at  
31 large whose terms shall expire on the 1st Monday of January, 1979.

32 SEC. 6. 1. Each member of the board shall file with the county clerk:

33 (a) His oath of office.

34 (b) A corporate surety bond furnished at authority expense, in an  
35 amount not to exceed \$5,000, and conditioned for the faithful perform-  
36 ance of his duties as a member of the board.

37 2. No member of the board, during his term thereon, shall have any  
38 financial interest in the aviation industry or be interested as a private  
39 purveyor in any contract or transaction with the board or the authority.

40 3. Each member of the board shall receive \$100 per month or \$25  
41 for each regular board meeting attended, whichever is less.

42 SEC. 7. 1. The board shall choose one of its members as chairman  
43 and one of its members as vice chairman, and shall elect a secretary and a  
44 treasurer, who may be members of the board. The secretary and the treas-  
45 urer may be one person.

46 2. The secretary shall keep, in a well-bound book, a record of all of  
47 the proceedings of the board, minutes of all meetings, certificates, con-  
48 tracts, bonds given by employees, and all other acts of the board. The  
49 minute book and records shall be open to the inspection of all interested  
50 persons, at all reasonable times and places.

1 3. The treasurer shall keep, in permanent records, strict and accurate  
2 accounts of all money received by and disbursed for and on behalf of the  
3 board and the authority. He shall file with the county clerk, at authority  
4 expense, a corporate fidelity bond in an amount not less than \$25,000,  
5 conditioned for the faithful performance of his duties.

6 SEC. 8. 1. The board shall meet regularly at a time and in a place to  
7 be designated by the board. Special meetings may be held as often as the  
8 needs of the board require, on notice to each board member.

9 2. A majority of the members shall constitute a quorum at any  
10 meeting. Every motion and resolution of the board shall be adopted by  
11 at least a majority of the members present and constituting the quorum  
12 at such meeting.

13 3. The board shall adopt a seal.

14 SEC. 9. The board shall comply with the provisions of the Local  
15 Government Purchasing Act and the Local Government Budget Act.

16 SEC. 10. The authority may do all things necessary to accomplish the  
17 purposes of this act. The authority may, by reason of example and not  
18 of limitation:

19 1. Have perpetual succession and sue and be sued.

20 2. Plan, establish, acquire, construct, improve and operate one or  
21 more airports within Washoe County.

22 3. Acquire real or personal property or any interest therein by gift,  
23 lease or purchase for any of the purposes provided in this section, includ-  
24 ing the elimination, prevention or marking of airport hazards.

25 4. Sell, lease or otherwise dispose of any real property.

26 5. Acquire real property or any interest therein in areas most affected  
27 by aircraft noise for the purpose of resale or lease thereof, subject to  
28 restrictions limiting its use to industrial or other purposes least affected by  
29 aircraft noise.

30 6. Enter into agreements with Washoe County and the cities of Reno  
31 and Sparks to acquire, by lease, gift, purchase or otherwise, any airport of  
32 such county or municipality and to operate such airport.

33 7. Exercise the power of eminent domain and dominant eminent  
34 domain in the manner provided by law for the condemnation by a city of  
35 private property for public use to take any property necessary to the exer-  
36 cise of the powers granted, within Washoe County.

37 8. Apply directly to the proper federal, state, county and municipal  
38 officials and agencies or to any other source, public or private, for loans,  
39 grants, guarantees or other financial assistance in aid of airports operated  
40 by it, and accept the same.

41 9. Study and recommend to the board of county commissioners of  
42 Washoe County and the city councils of the cities of Reno and Sparks  
43 zoning changes in the area of any airport operated by the authority with  
44 respect to height and aviation obstructions in order to enable the authority  
45 to meet the requirements of any Federal Aviation Administration regula-  
46 tions.

47 10. Have control of its airport with the right and duty to establish  
48 and charge fees, rentals, rates and other charges, and collect revenues  
49 therefrom, not inconsistent with the rights of the holders of its bonds, and

1 enter into agreements with carriers for the payment of landing fees, rental  
2 rates and other charges.

3 11. Use in the performance of its functions the officers, agents,  
4 employees, services, facilities, records and equipment of Washoe County  
5 or the cities of Reno and Sparks, with the consent of any such county or  
6 municipality, and subject to such terms and conditions as may be agreed  
7 upon.

8 12. Enter upon such lands, waters or premises as in the judgment of  
9 the authority may be necessary for the purpose of making surveys, sound-  
10 ings, borings and examinations to accomplish any purpose authorized by  
11 this act. The authority is liable for actual damage done.

12 13. Provide its own fire protection, police and crash and rescue serv-  
13 ice.

14 14. Contract with carriers with regard to the landing, accommodation  
15 of the employees and passengers of such carriers.

16 15. Contract with persons or corporations to provide goods and serv-  
17 ices for the use of the employees and passengers of the carriers and the  
18 employees of the authority, and necessary and incidental to the operation  
19 of the airport.

20 16. Hire and retain officers, agents and employees, including a fiscal  
21 advisor, engineers, attorneys or other professional or specialized person-  
22 nel.

23 SEC. 11. The board shall have and exercise all rights and powers nec-  
24 essary or incidental to or implied from the specific powers granted in this  
25 act. Such specific powers shall not be considered as a limitation upon any  
26 power necessary or appropriate to carry out the purposes and intent of  
27 this act.

28 SEC. 12. In addition to the other means for providing revenue for the  
29 authority, the board shall have power and authority to levy and collect  
30 general (ad valorem) taxes on and against all taxable property within the  
31 geographical boundaries of the authority, such levy and collection to be  
32 made by the board in conjunction with the county and its officers as set  
33 forth in this act.

34 SEC. 13. 1. To levy and collect taxes, the board shall determine, in  
35 each year, the amount of money necessary to be raised by taxation, tak-  
36 ing into consideration other sources of revenue of the authority, and  
37 shall fix a rate of levy which, when levied upon every dollar of assessed  
38 valuation of taxable property within the geographical boundaries of the  
39 authority, and together with other revenues, will raise the amount required  
40 by the authority annually to supply funds for paying the costs of acquir-  
41 ing, operating and maintaining the airports of the authority, and promptly  
42 to pay in full, when due, all interest on and principal of general obligation  
43 bonds and other general obligations of the authority. In the event of  
44 accruing defaults or deficiencies, an additional levy may be made as pro-  
45 vided in section 14 of this act.

46 2. The board shall certify to the board of county commissioners of  
47 Washoe County, at the same time as fixed by law for certifying thereto  
48 tax levies of incorporated cities, the rate so fixed with directions that at  
49 the time and in the manner required by law for levying taxes for county  
50 purposes such board of county commissioners shall levy such tax upon

1 the assessed valuation of all taxable property within the geographical  
2 boundaries of the authority, in addition to such other taxes as may be  
3 levied by such board of county commissioners at the rate so fixed and  
4 determined.

5 SEC. 14. 1. The board, in certifying annual levies, shall take into  
6 account the maturing general obligation indebtedness for the ensuing year  
7 as provided in its contracts, maturing general obligation bonds and inter-  
8 est on such bonds, and deficiencies and defaults of prior years, and shall  
9 make ample provision for the payment thereof.

10 2. In case the moneys produced from such levies, together with other  
11 revenues of the authority, are not sufficient punctually to pay the annual  
12 installments on such obligations, and interest thereon, and to pay defaults  
13 and deficiencies, the board shall make such additional levies of taxes as  
14 may be necessary for such purposes, and, notwithstanding any limitations,  
15 such taxes shall be made and continue to be levied until the general obli-  
16 gation indebtedness of the authority is fully paid.

17 SEC. 15. 1. The body having authority to levy taxes within each  
18 county shall levy the taxes provided in this act.

19 2. All officials charged with the duty of collecting taxes shall collect  
20 such taxes at the time and in the same form and manner, and with like  
21 interest and penalties, as other taxes are collected and when collected shall  
22 pay the same to the authority. The payment of such collections shall be  
23 made monthly to the treasurer of the authority and paid into the depository  
24 thereof to the credit of the authority.

25 3. All taxes levied under this act, together with interest thereon and  
26 penalties for default in payment thereof, and all costs of collecting the  
27 same, shall constitute, until paid, a perpetual lien on and against the prop-  
28 erty taxed; and such lien shall be on a parity with the tax lien of other  
29 general taxes.

30 SEC. 16. If the taxes levied are not paid as provided in this act, the  
31 property subject to the tax lien shall be sold and the proceeds thereof shall  
32 be paid over to the authority according to the provisions of the laws appli-  
33 cable to tax sales and redemptions.

34 SEC. 17. Whenever any indebtedness or other obligations have been  
35 incurred by the authority, it shall be lawful for the board to levy taxes  
36 and collect revenue for the purpose of creating funds in such amount as  
37 the board may determine, which may be used to meet the obligations of  
38 the authority, for maintenance and operating charges and depreciation,  
39 and provide extension of and betterments to the airports of the authority.

40 SEC. 18. Upon the conditions and under the circumstances set forth  
41 in this act, the authority may borrow money and issue the following secu-  
42 rities to evidence such borrowing:

- 43 1. Short-term notes, warrants and interim debentures.
- 44 2. General obligation bonds.
- 45 3. Revenue bonds.

46 SEC. 19. The authority may borrow money and incur or assume  
47 indebtedness therefor, as provided in this act, so long as the total of all  
48 such indebtedness (but excluding revenue bonds and other securities  
49 constituting special obligations which are not debts) does not exceed an  
50 amount equal to 5 percent of the total of the last assessed valuation of

1 taxable property (excluding motor vehicles) situated within the geo-  
2 graphical boundaries of the authority.

3 SEC. 20. 1. The authority, upon the affirmative vote of four trustees, is  
4 authorized to borrow money without an election in anticipation of the  
5 collection of taxes or other revenues and to issue short-term notes, war-  
6 rants and interim debentures to evidence the amount so borrowed.

7 2. Such short-term notes, warrants and interim debentures:

8 (a) Shall be payable from the fund for which the money was bor-  
9 rowed.

10 (b) Shall mature before the close of the fiscal year in which the money  
11 is so borrowed, except for interim debentures.

12 (c) Shall not be extended or funded except in compliance with the  
13 Local Government Securities Law.

14 SEC. 21. 1. Subject to the provisions of NRS 350.001 to 350.006,  
15 inclusive, whenever the board determines, by resolution, that the interest  
16 of the authority and the public interest or necessity demand the acquisi-  
17 tion, construction, installation or completion of any airport, or the making  
18 of any contract with the United States or other persons or corporations, to  
19 carry out the objects or purposes of the authority, requiring the creation  
20 of an indebtedness of \$5,000 or more, the board shall order the submis-  
21 sion of the proposition of issuing such obligations or bonds or creating  
22 other indebtedness to the registered voters of the authority at an election  
23 held for that purpose in the manner provided by NRS 350.020 to  
24 350.070, inclusive.

25 2. Any such election may be held separately, or may be consolidated  
26 or held concurrently with any other election authorized by law.

27 3. The declaration of public interest or necessity required by this sec-  
28 tion and the provision for the holding of such election may be included  
29 within one and the same resolution, which resolution, in addition to such  
30 declaration of public interest or necessity, shall:

31 (a) Recite the objects and purposes for which the indebtedness is pro-  
32 posed to be incurred, the estimated cost of the works or improvements,  
33 as the case may be, the maximum amount of principal of the indebted-  
34 ness to be incurred therefor, and the maximum rate of interest to be paid  
35 on such indebtedness.

36 (b) Fix the date upon which such election shall be held and the man-  
37 ner of holding the same and the method of voting for or against the  
38 incurring of the proposed indebtedness.

39 (c) Fix the compensation to be paid the officers of the election and  
40 shall designate the polling place or places and shall appoint, for each  
41 polling place from the electors of the authority, three officers of such  
42 election, one of whom shall act as clerk.

43 SEC. 22. 1. The election board or boards shall conduct the election  
44 in the manner prescribed by law for the holding of general elections, and  
45 shall make their returns to the secretary of the authority.

46 2. At any regular or special meeting of the board held within 5 days  
47 following the date of such election, the returns thereof shall be canvassed  
48 and the results thereof declared.

1     Sec. 23. 1. If it appears from the returns that the registered voters of  
2 the authority approved the proposition submitted in the manner provided  
3 by NRS 350.070, the authority shall thereupon be authorized to incur  
4 such indebtedness or obligations, enter into such contract or issue and sell  
5 such bonds of the authority, as the case may be, all for the purpose or pur-  
6 poses and object or objects provided for in the proposition submitted and  
7 in the resolution therefor, and in the amount so provided and at a rate of  
8 interest not exceeding the rate of interest recited in such resolution.

9     2. Submission of the proposition of incurring such obligation or  
10 bonded or other indebtedness at such an election shall not prevent or pro-  
11 hibit submission of the same or other propositions at subsequent election  
12 or elections called for such purpose.

13     Sec. 24. The authority may issue bonds (without the necessity of  
14 holding an election and as an alternative or in addition to other forms of  
15 borrowing authorized in this act) for the purpose of acquiring or improv-  
16 ing airports, and such bonds shall be made payable solely out of the net  
17 revenues derived from the operation of such airports or the furnishing of  
18 services, or from both such revenue sources of the authority; but a single  
19 bond issue may be had for more than one of such airports or services and  
20 the revenues for any and all of the income-producing airports and services  
21 provided by the authority may be pledged to pay for any other such air-  
22 port or service. To that end, a single utility fund for all or any number of  
23 such airports and services may be established and maintained.

24     Sec. 25. 1. Subject to the limitations and other provisions in this act,  
25 the board may issue on its behalf and in its name at any time or from  
26 time to time, as the board may determine, the following types of securi-  
27 ties in accordance with the provisions of the Local Government Securi-  
28 ties Law, except as otherwise provided in subsection 3:

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

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

34     (c) Revenue bonds and other securities constituting special obligations  
35 and payable from net revenues, but excluding the proceeds of any gen-  
36 eral (ad valorem) property taxes, which payment is secured by a pledge  
37 of and lien on such net revenues; or

38     (d) Any combination of such securities.

39     2. Nothing in this act shall be construed as preventing the authority  
40 from funding, refunding or reissuing any outstanding securities of the  
41 authority of a type designated in subsection 1 as provided in the Local  
42 Government Securities Law.

43     3. General obligation or revenue bonds may be sold for not less than  
44 90 percent of their face amount and for an interest coupon rate of not to  
45 exceed 9 percent per annum, without regard to effective interest rate.  
46 If no bids are received or if the bid or bids received are not satisfactory  
47 as to price or responsibility of the bidder, the bonds may be readvertised  
48 or sold at private sale.

- 1 SEC. 26. The board may provide for the appointment of a paying or  
2 fiscal agency within or without the state, in relation to any general obliga-  
3 tion or revenue bonds of the authority, which shall be a bank possessing  
4 trust powers and which shall act in a fiduciary capacity and not as a  
5 depository, and may:
- 6 1. Provide for the powers, duties, functions and compensation of the  
7 agent.
  - 8 2. Limit the liabilities of the agent.
  - 9 3. Prescribe a method for his resignation and removal, and the mer-  
10 ger or consolidation of agents.
  - 11 4. Prescribe a method for the appointment of a successor agent and  
12 the transfer of rights and properties to the successor.
- 13 SEC. 27. 1. Bonds issued pursuant to this act, and the income there-  
14 from, are exempt from all state, county and municipal taxation.
- 15 2. All public officers and bodies of the state, municipal corporations,  
16 political subdivisions, all insurance companies and associations, all sav-  
17 ings banks and savings institutions, including savings and loan associa-  
18 tions, all executors, administrators, guardians, trustees and all other  
19 fiduciaries in the state may legally invest funds within their control in  
20 bonds of the authority.
- 21 SEC. 28. The authority is a public employer within the meaning of  
22 NRS 286.070, and the provisions of chapter 286 of NRS (Public  
23 Employees' Retirement Act) shall apply to the authority and its  
24 employees.
- 25 SEC. 29. The authority by action of the board may adopt its own civil  
26 service plan to be administered by the board, which plan shall include  
27 but need not be limited to the following provisions:
- 28 1. Entry into the service on the basis of open competition.
  - 29 2. Service, promotions and remuneration on the basis of merit, effi-  
30 ciency and fitness.
  - 31 3. Classifications of the positions in the service.
  - 32 4. The rating of candidates on the basis of publicly announced com-  
33 petitive examinations and the maintenance of lists of eligible candidates.
  - 34 5. Employment of candidates from the eligible lists in the highest  
35 qualified rating.
  - 36 6. Probationary periods not to exceed 6 months.
  - 37 7. Disciplinary action, suspension or discharge of employees for  
38 cause only with the right of notice and review.
  - 39 8. Schedules of compensation and pay increases prepared by the  
40 board.
  - 41 9. Promotion on the basis of ascertained merit, seniority in service  
42 and competitive examinations.
  - 43 10. Provision for keeping service records on all employees.
  - 44 11. Regulations for hours of work, attendance, holidays, leaves of  
45 absence and transfers.
  - 46 12. Procedures for layoffs, discharge, suspension, discipline and rein-  
47 statement.
  - 48 13. The exemption from civil service of persons employed to render  
49 professional, scientific, technical or expert service of a temporary or



1 exceptional character, persons employed on projects paid from the pro-  
2 ceeds of bonds issued by the authority and persons employed for a period  
3 of less than 3 months in any 12-month period.

4 14. Review by the board, at the request of the employee in question  
5 and after notice and public hearing of any disciplinary action, suspension  
6 or discharge of any employee, which action, suspension or discharge may  
7 be affirmed, modified or reversed by the board. Findings of fact by the  
8 board are subject to review by any court except for illegality or want of  
9 jurisdiction.

10 SEC. 30. Nothing contained in this act shall be construed to limit any  
11 power of the cities of Reno and Sparks and Washoe County to regulate  
12 airport hazards by zoning.

13 SEC. 31. 1. At the general election in 1976 there shall be submitted  
14 to the registered voters of Washoe County the question: "Shall an airport  
15 authority be created in Washoe County?" Ballot labels to be used on vot-  
16 ing machines and paper ballots shall contain the question substantially in  
17 that form and shall provide for the voter to answer "Yes" or "No." Paper  
18 ballots shall additionally contain an explanation substantially as follows:  
19 "The proposed airport authority would manage the existing Reno airport,  
20 be governed by a board of four appointed and five elected trustees, have  
21 authority to levy taxes at a uniform rate throughout the county, and could  
22 issue general obligation bonds if approved by vote of the people."

23 2. The effect of the votes cast upon the question shall be ascertained  
24 from the official returns as canvassed by the board of county commission-  
25 ers without reference to any informalities, defects or omissions in the pub-  
26 lication or election procedure which do not prevent the ascertainment with  
27 reasonable certainty of the intent of the voters.

28 SEC. 32. 1. If a majority of the votes cast on the question is "Yes,"  
29 it shall be the mandatory duty of the board of trustees of the authority and  
30 the city council of the City of Reno, prior to April 1, 1977, to enter into  
31 an agreement for the orderly transfer to the authority of the airport prop-  
32 erties, functions and outstanding obligations of the City of Reno, not  
33 inconsistent with the rights of existing bondholders, effective July 1, 1977.

34 2. Such agreement may include provisions for:

35 (a) Reimbursement of the City of Reno for its obligations issued for  
36 airport purposes.

37 (b) The transfer of the City of Reno airport employees to the authority  
38 with the retention by such employees of any civil service status.

39 3. The agreement shall provide that on July 1, 1977, any funds on  
40 hand or to become available to the City of Reno for airport purposes shall  
41 be paid directly to the authority.

42 4. During the fiscal year ending June 30, 1977, the City of Reno shall  
43 continue the operation and maintenance of its airport but such operation  
44 and maintenance shall cease on July 1, 1977. Thereafter the cities of  
45 Reno and Sparks shall not exercise any powers relating to airports vested  
46 in their city councils or the cities by special or general law.

47 5. The full board of trustees of the authority first appointed pursuant  
48 to the provisions of this act shall:

49 (a) Meet promptly after their appointment and organize.

1 (b) Execute the mandatory agreement specified in subsection 1 of this  
2 section.

3 (c) Prepare the necessary budgets for the authority for the fiscal year  
4 ending June 30, 1978, pursuant to law.

5 (d) Assume full and complete control, operation and maintenance of  
6 the Reno municipal airport on July 1, 1977, and exercise fully thereafter  
7 all of the powers and assume all of the duties granted to and imposed  
8 upon the board by this act.

9 SEC. 33. If any provision of this act or the application thereof to  
10 any person or circumstances is held invalid, such invalidity shall not  
11 affect other provisions or applications of the act which can be given  
12 effect without the invalid provision or application, and to this end the  
13 provisions of this act are declared to be severable.

14 SEC. 34. This act shall become effective on July 1, 1975, for the pur-  
15 pose of submitting the question required by section 31 of this act. For all  
16 other purposes, this act shall become effective on the day next after the  
17 canvass of the vote upon this question by the board of county commission-  
18 ers of Washoe County, and then only if a majority of the votes cast upon  
19 the question is "Yes."

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**A. B. 543**


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**ASSEMBLY BILL NO. 543—ASSEMBLYMEN BREMNER, JEFFREY, DREYER, BARENGO, BROOKMAN AND MURPHY**

APRIL 3, 1975

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Referred to Committee on Government Affairs

SUMMARY—Permits local governments to provide additional disability benefits for law enforcement officers and firemen. Fiscal Note: No. (BDR 20-1149)



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

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AN ACT relating to disability benefits for law enforcement officers and firemen; authorizing counties, cities and metropolitan police departments to provide additional benefits; 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 245 of NRS is hereby amended by adding  
 2 thereto a new section which shall read as follows:  
 3 1. *The board of county commissioners of any county may establish,*  
 4 *by contract or otherwise, and administer a disability pension plan or disa-*  
 5 *bility insurance program for the benefit of the county sheriff, any sheriff's*  
 6 *deputy or fireman who is disabled, to any degree, by an injury arising out*  
 7 *of and in the course of his employment.*  
 8 2. *The board of county commissioners may adopt ordinances, rules,*  
 9 *regulations, policies and procedures necessary to establish and administer*  
 10 *the plan or program specified in subsection 1.*  
 11 3. *If a county elects to consider implementation of a plan or program*  
 12 *specified in subsection 1, or to change the benefits provided by an existing*  
 13 *plan or program, the persons affected by the proposed plan or program,*  
 14 *or proposed change, may negotiate with the county concerning the nature*  
 15 *and extent of such plan, program or change. Chapter 288 of NRS shall*  
 16 *apply to negotiations for this purpose.*  
 17 4. *The plan or program authorized by this section shall be supple-*  
 18 *mental or in addition to and not in conflict with the coverage, compensa-*  
 19 *tion, benefits or procedure established by or adopted pursuant to chapter*  
 20 *616 of NRS.*  
 21 SEC. 2. Chapter 268 of NRS is hereby amended by adding thereto  
 22 a new section which shall read as follows:  
 23 1. *The governing board of any incorporated city may establish, by*

1 contract or otherwise, and administer a disability pension plan or disa-  
2 bility insurance program for the benefit of any city police officer or  
3 fireman who is disabled, to any degree, by an injury arising out of and in  
4 the course of his employment.

5 2. The governing board may adopt ordinances, rules, regulations,  
6 policies and procedures necessary to establish and administer the plan  
7 or program specified in subsection 1.

8 3. If an incorporated city elects to consider implementation of a  
9 plan or program specified in subsection 1, or to change the benefits pro-  
10 vided by an existing plan or program, the persons affected by the pro-  
11 posed plan or program, or proposed change, may negotiate with the city  
12 concerning the nature and extent of such plan, program or change.  
13 Chapter 288 of NRS shall apply to negotiations for this purpose.

14 4. The plan or program authorized by this section shall be supple-  
15 mental or in addition to and not in conflict with the coverage, compen-  
16 sation, benefits or procedure established by or adopted pursuant to  
17 chapter 616 of NRS.

18 SEC. 3. Chapter 280 of NRS is hereby amended by adding thereto  
19 a new section which shall read as follows:

20 1. The police commission may establish, by contract or otherwise,  
21 and administer a disability pension plan or disability insurance program  
22 for the benefit of any department police officer who is disabled, to any  
23 degree, by an injury arising out of and in the course of his employment.  
24 The cost of such plan or program may be charged, in whole or in part,  
25 against the annual operating budget for the department.

26 2. The police commission may adopt rules, regulations, policies and  
27 procedures necessary to establish and administer the plan or program  
28 specified in subsection 1.

29 3. If the police commission elects to consider implementation of a  
30 plan or program specified in subsection 1, or to change the benefits pro-  
31 vided by an existing plan or program, the persons affected by the proposed  
32 plan or program, or proposed change, may negotiate with the commission  
33 concerning the nature and extent of such plan, program or change. Chap-  
34 ter 288 of NRS shall apply to negotiations for this purpose.

35 4. The plan or program authorized by this section shall be supple-  
36 mental or in addition to and not in conflict with the coverage, compensa-  
37 tion, benefits or procedure established by or adopted pursuant to chapter  
38 616 of NRS.