

ASSEMBLY BILL NO. 645—COMMITTEE ON JUDICIARY

(ON BEHALF OF LEGISLATIVE COMMISSION)

MARCH 22, 1999

Referred to Committee on Judiciary

SUMMARY—Makes various technical changes to provisions of Nevada Revised Statutes.
(BDR S-819)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~for omitted material~~ is material to be omitted.

AN ACT relating to Nevada Revised Statutes; making technical corrections to inappropriate or inaccurate provisions; clarifying ambiguous provisions; 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 1.390 is hereby amended to read as follows:
2 1.390 1. Each member of the commission ***on judicial selection*** who
3 is not a judicial officer is entitled to receive a salary of not more than \$80,
4 as fixed by the commission, for each day's attendance at each meeting of
5 the commission.
6 2. While engaged in the business of the commission, each member and
7 employee of the commission is entitled to receive the per diem allowance
8 and travel expenses provided for state officers and employees generally.
9 **Sec. 2.** NRS 104.9105 is hereby amended to read as follows:
10 104.9105 1. As used in this article, unless the context otherwise
11 requires:
12 (a) "Account debtor" means the person who is obligated on an account,
13 chattel paper or general intangible.
14 (b) "Chattel paper" means a writing or writings which evidence both a
15 monetary obligation and a security interest in or a lease of specific goods,
16 but a charter or other contract involving the use or hire of a vessel is not
17 chattel paper. When a transaction is evidenced both by such a security

1 agreement or a lease and by an instrument or a series of instruments, the
2 group of writings taken together constitutes chattel paper.

3 (c) "Collateral" means the property subject to a security interest, and
4 includes accounts and chattel paper which have been sold.

5 (d) "Debtor" means the person who owes payment or other
6 performance of the obligation secured, whether or not he owns or has
7 rights in the collateral, and includes the seller of accounts or chattel paper.
8 Where the debtor and the owner of the collateral are not the same person,
9 the term "debtor" means the owner of the collateral in any provision of the
10 article dealing with the collateral, the obligor in any provision dealing with
11 the obligation, and may include both where the context so requires.

12 (e) "Deposit account" means a demand, time, savings, passbook or like
13 account maintained with a bank, savings and loan association, credit union
14 or like organization, other than an account evidenced by a certificate of
15 deposit.

16 (f) "Document" means document of title as defined in the general
17 definitions of article 1 (NRS 104.1201), and a receipt of the kind described
18 in subsection 2 of NRS 104.7201.

19 (g) "Encumbrance" includes real estate mortgages and other liens on
20 real estate and all other rights in real estate that are not ownership interests.

21 (h) "Goods" includes all things which are movable at the time the
22 security interest attaches or which are fixtures (NRS 104.9313), but does
23 not include money, documents, instruments, investment property,
24 accounts, chattel paper, general intangibles or minerals or the like
25 (including oil and gas) before extraction. "Goods" also include standing
26 timber which is to be cut and removed under a conveyance or contract for
27 sale, the unborn young of animals and growing crops.

28 (i) "Instrument" means a negotiable instrument (defined in NRS
29 104.3104) or any other writing which evidences a right to the payment of
30 money and is not itself a security agreement or lease and is of a type which
31 is in ordinary course of business transferred by delivery with any necessary
32 endorsement or assignment. The term does not include investment
33 property.

34 (j) "Mortgage" means a consensual interest created by a real estate
35 mortgage, a trust deed on real estate or the like.

36 (k) An advance is made "pursuant to commitment" if the secured party
37 has bound himself to make it, whether or not a subsequent event of default
38 or other event not within his control has relieved or may relieve him from
39 his obligation.

40 (l) "Security agreement" means an agreement which creates or provides
41 for a security interest.

42 (m) "Secured party" means a lender, seller or other person in whose
43 favor there is a security interest, including a person to whom accounts or

1 chattel paper have been sold. When the holders of obligations issued under
2 an indenture of trust, equipment trust agreement or the like are represented
3 by a trustee or other person, the representative is the secured party.

4 2. Other definitions applying to this article and the sections in which
5 they appear are:

6
7 “Account.” NRS 104.9106.
8 “Attach.” NRS 104.9203.
9 “Commodity contract.” NRS 104.9115.
10 “Commodity customer.” NRS 104.9115.
11 “Commodity intermediary.” NRS 104.9115.
12 “Construction mortgage.” NRS 104.9313.
13 “Consumer goods.” Subsection 1 of NRS 104.9109.
14 “Control.” NRS 104.9115.
15 “Equipment.” Subsection 2 of NRS 104.9109.
16 “Farm products.” Subsection 3 of NRS 104.9109.
17 “Fixture.” NRS 104.9313.
18 “Fixture filing.” NRS 104.9313.
19 “General intangibles.” NRS 104.9106.
20 “Inventory.” Subsection 4 of NRS 104.9109.
21 “Investment property.” NRS 104.9115.
22 “Lien creditor.” Subsection ~~15~~ 3 of NRS 104.9301.
23 “Proceeds.” Subsection 1 of NRS 104.9306.
24 “Purchase money security interest.” NRS 104.9107.
25 “United States.” NRS 104.9103.

26
27 3. The following definitions in other articles apply to this article:

28
29 ***“Broker.” NRS 104.8102.***
30 ***“Certificated security.” NRS 104.8102.***
31 “Check.” NRS 104.3104.
32 “Contract for sale.” NRS 104.2106.
33 ***“Delivery.” NRS 104.8301.***
34 ***“Financial asset.” NRS 104.8102.***
35 “Holder in due course.” NRS 104.3302.
36 “Letter of credit.” NRS 104.5102.
37 “Note.” NRS 104.3104.
38 “Proceeds of a letter of credit.” NRS 104.5114.
39 “Sale.” NRS 104.2106.
40 ***“Securities intermediary.” NRS 104.8102.***
41 ***“Security.” NRS 104.8102.***
42 ***“Security certificate.” NRS 104.8102.***
43 ***“Security entitlement.” NRS 104.8102.***

1 ***“Uncertificated security.” NRS 104.8102.***

2 4. In addition, article 1 contains general definitions and principles of
3 construction and interpretation applicable throughout this article.

4 **Sec. 3.** NRS 176A.500 is hereby amended to read as follows:

5 176A.500 1. The period of probation or suspension of sentence may
6 be indeterminate or may be fixed by the court and may at any time be
7 extended or terminated by the court, but the period, including any
8 extensions thereof, must not be more than:

9 (a) Three years for a:

10 (1) Gross misdemeanor; or

11 (2) Suspension of sentence pursuant to NRS 453.3363; or

12 (b) Five years for a felony . ~~[-, except that for a felony involving a~~
13 ~~violation of the provisions of NRS 484.3795 the period must not be more~~
14 ~~than 10 years.]~~

15 2. At any time during probation or suspension of sentence, the court
16 may issue a warrant for violating any of the conditions of probation or
17 suspension of sentence and cause the defendant to be arrested. Except for
18 the purpose of giving a dishonorable discharge from probation, and except
19 as otherwise provided in this subsection, the time during which a warrant
20 for violating any of the conditions of probation is in effect is not part of the
21 period of probation. If the warrant is canceled or probation is reinstated,
22 the court may include any amount of that time as part of the period of
23 probation.

24 3. Any parole and probation officer or any peace officer with power to
25 arrest may arrest a probationer without a warrant, or may deputize any
26 other officer with power to arrest to do so by giving him a written
27 statement setting forth that the probationer has, in the judgment of the
28 parole and probation officer, violated the conditions of probation. Except
29 as otherwise provided in subsection 4, the parole and probation officer, or
30 the peace officer, after making an arrest shall present to the detaining
31 authorities, if any, a statement of the charges against the probationer. The
32 parole and probation officer shall at once notify the court which granted
33 probation of the arrest and detention or residential confinement of the
34 probationer and shall submit a report in writing showing in what manner
35 the probationer has violated the conditions of probation.

36 4. A parole and probation officer or a peace officer may immediately
37 release from custody without any further proceedings any person he arrests
38 without a warrant for violating a condition of probation if the parole and
39 probation officer or peace officer determines that there is no probable
40 cause to believe that the person violated the condition of probation.

41 **Sec. 4.** NRS 201.020 is hereby amended to read as follows:

42 201.020 1. A husband or wife who, without just cause, deserts,
43 willfully neglects or refuses to provide for the support and maintenance of

1 his spouse in destitute or necessitous circumstances, or any parent who
2 without lawful excuse deserts or willfully neglects or refuses to provide for
3 the support and maintenance of his legitimate or illegitimate minor child or
4 children, or any parent who without lawful excuse deserts or willfully
5 neglects or refuses to provide for the support and maintenance of his
6 legitimate or illegitimate child or children who upon arriving at the age of
7 majority are unable to provide themselves with support and maintenance
8 because of infirmity, incompetency or other legal disability contracted
9 before their reaching the age of majority, shall be punished:

10 (a) ~~He~~ *For the first offense, if* the conduct for which the defendant was
11 convicted persisted for less than 6 months, for a misdemeanor or, if such
12 conduct persisted for more than 6 months, for a gross misdemeanor or, if
13 for more than 1 year, for a category C felony by imprisonment in the state
14 prison for a minimum term of not less than 1 year and a maximum term of
15 not more than 5 years, or by a fine of not more than \$5,000, or by both fine
16 and imprisonment.

17 (b) For any subsequent offense for a category C felony as provided in
18 NRS 193.130.

19 2. In addition to other orders which the court may make relative to the
20 defendant's obligation to provide support to his spouse and children, the
21 court may impose an intermittent sentence on a person found guilty of a
22 violation of subsection 1 if it finds that such a sentence would be in the
23 best interest of the defendant's spouse and child or children.

24 **Sec. 5.** NRS 202.350 is hereby amended to read as follows:

25 202.350 1. It is unlawful for a person within this state to:

26 (a) Manufacture or cause to be manufactured, or import into the state,
27 or keep, offer or expose for sale, or give, lend or possess any knife which
28 is made an integral part of a belt buckle or any instrument or weapon of the
29 kind commonly known as a switchblade knife, blackjack, slung shot, billy,
30 sand-club, sandbag or metal knuckles; or

31 (b) Except as otherwise provided in subsection 4, carry concealed upon
32 his person any:

33 (1) Explosive substance, other than ammunition or any components
34 thereof;

35 (2) Dirk, dagger or machete;

36 (3) Pistol, revolver or other firearm, or other dangerous or deadly
37 weapon; or

38 (4) Knife which is made an integral part of a belt buckle.

39 2. It is unlawful for a person to possess or use a:

40 (a) Nunchaku or trefoil with the intent to inflict harm upon the person
41 of another; or

42 (b) Machine gun or a silencer.

1 3. Except as otherwise provided in NRS 202.275 and 212.185, a
2 person who violates any of the provisions of subsection 1 or 2 is guilty:

3 (a) For the first offense, of a gross misdemeanor.

4 (b) For any subsequent offense, of a category D felony, and shall be
5 punished as provided in NRS 193.130.

6 4. Except as otherwise provided in this subsection and NRS 202.3653
7 to 202.369, inclusive, the sheriff of any county may, upon written
8 application by a resident of that county showing the reason or the purpose
9 for which a concealed ~~weapon~~ **firearm** is to be carried, issue a permit
10 authorizing the applicant to carry in this state the concealed ~~weapon~~
11 **firearm** described in the permit. The sheriff shall not issue a permit to a
12 person to carry a switchblade knife.

13 5. This section does not apply to:

14 (a) Sheriffs, constables, marshals, peace officers, special police officers,
15 police officers of this state, whether active or honorably retired, or other
16 appointed officers.

17 (b) Any person summoned by any peace officer to assist in making
18 arrests or preserving the peace while the person so summoned is actually
19 engaged in assisting such an officer.

20 (c) Any full-time paid peace officer of an agency of the United States or
21 another state or political subdivision thereof when carrying out official
22 duties in the State of Nevada.

23 (d) Members of the Armed Forces of the United States when on duty.

24 6. The exemptions provided in subsection 5 do not include a former
25 peace officer who is retired for disability unless his former employer has
26 approved his fitness to carry a concealed ~~weapon~~ **firearm**.

27 7. The provisions of paragraph (b) of subsection 2 do not apply to any
28 person who is licensed, authorized or permitted to possess or use a
29 machine gun or silencer pursuant to federal law. The burden of
30 establishing federal licensure, authorization or permission is upon the
31 person possessing the license, authorization or permission.

32 8. As used in this section:

33 (a) "Concealed ~~weapon~~ **firearm**" has the meaning ascribed to it in
34 subsection 1 of NRS 202.3653.

35 (b) "Honorably retired" means retired in Nevada after completion of 10
36 years of creditable service as a member of the public employees'
37 retirement system. A former peace officer is not "honorably retired" if he
38 was discharged for cause or resigned before the final disposition of
39 allegations of serious misconduct.

40 (c) "Machine gun" means any weapon which shoots, is designed to
41 shoot or can be readily restored to shoot more than one shot, without
42 manual reloading, by a single function of the trigger.

(d) "Nunchaku" means an instrument consisting of two or more sticks, clubs, bars or rods connected by a rope, cord, wire or chain used as a weapon in forms of Oriental combat.

(e) "Silencer" means any device for silencing, muffling or diminishing the report of a firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a silencer or muffler, and any part intended only for use in such assembly or fabrication.

(f) "Switchblade knife" means a spring-blade knife, snap-blade knife or any other knife having the appearance of a pocket knife, any blade of which is 2 or more inches long and which can be released automatically by a flick of a button, pressure on the handle or other mechanical device, or is released by any type of mechanism.

(g) "Trefoil" means an instrument consisting of a metal plate having three or more radiating points with sharp edges, designed in the shape of a star, cross or other geometric figure and used as a weapon for throwing.

Sec. 6. NRS 239.010 is hereby amended to read as follows:

239.010 1. All public books and public records of a governmental entity, the contents of which are not otherwise declared by law to be confidential, must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

2. A governmental entity may not reject a book or record which is copyrighted solely because it is copyrighted.

3. A person may request a copy of a public record in any medium in which the public record is readily available. An officer, employee or agent of a governmental entity who has custody of a public record shall not refuse to provide a copy of that public record in a readily available medium because he has already prepared or would prefer to provide the copy in a different medium.

~~[4. — As used in this section:~~

~~—(a) "Educational foundation" has the meaning ascribed to it in subsection 3 of NRS 388.750.~~

~~—(b) "University foundation" has the meaning ascribed to it in subsection 3 of NRS 396.405.]~~

Sec. 7. NRS 271.515 is hereby amended to read as follows:

271.515 1. Any assessment bonds:

- 1 (a) Must bear such date or dates;
- 2 (b) Must mature in such denomination or denominations at such time or
3 times, but in no event commencing later than 1 year nor exceeding 20
4 years from their date;
- 5 (c) Must bear interest which may be evidenced by one or two sets of
6 coupons, payable annually or semiannually, except that the first coupon or
7 coupons on any bond may represent interest for any period not in excess of
8 1 year;
- 9 (d) Must be payable in such medium of payment at such place or places
10 within and without the state, including , but not limited to , the office of the
11 county treasurer; and
- 12 (e) At the option of the governing body, may be made subject to prior
13 redemption in advance of maturity, in such order or by lot or otherwise, at
14 such time or times, without or with the payment of a premium or premiums
15 not exceeding 9 percent of the principal amount of each bond so
16 redeemed,
17 as provided by ordinance.
- 18 2. Bonds may be issued with privileges for registration for payment as
19 to principal, or both principal and interest, and where interest accruing on
20 the bonds is not represented by interest coupons, the bonds may provide
21 for the endorsing of payments of interest thereon; and the bonds generally
22 must be issued in such manner, in such form, with such recitals, terms,
23 covenants and conditions, with such provisions for conversion into bonds
24 of other denominations, and with such other details, as may be provided by
25 the governing body in the ordinance or ordinances authorizing the bonds,
26 except as herein otherwise provided.
- 27 3. Pending preparations of the definitive bonds, interim or temporary
28 bonds, in such form and with such provisions as the governing body may
29 determine, may be issued.
- 30 4. Except for payment provisions herein expressly provided, the
31 bonds, any interest coupons thereto attached, and such interim or
32 temporary bonds must be fully negotiable within the meaning of and for all
33 the purposes of the ~~{Negotiable Instruments Law}~~ **Uniform Commercial**
34 **Code—Negotiable Instruments** and the Uniform Commercial Code—
35 Investment Securities.
- 36 5. Notwithstanding any other provisions of law, the governing body, in
37 any proceedings authorizing bonds hereunder, may:
 - 38 (a) Provide for the initial issuance of one or more bonds (in this
39 subsection 5 called “bond”) aggregating the amount of the entire issue or
40 any portion thereof.
 - 41 (b) Make such provision for installment payments of the principal
42 amount of any such bond as it may consider desirable.

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

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

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

15 7. Any bond must be executed in the name of and on behalf of the
16 municipality and signed by the mayor, chairman, or other presiding officer
17 of the governing body, countersigned by the treasurer of the municipality,
18 with the seal of the municipality affixed thereto and attested by the clerk.

19 8. Except for such bonds which are registrable for payment of interest,
20 interest coupons payable to bearer must be attached to the bonds and bear
21 the original or facsimile signature of the treasurer.

22 9. Any bond may be executed as provided in the Uniform Facsimile
23 Signatures of Public Officials Act . ~~{(and compliance)}~~ **Compliance**
24 therewith is not a condition precedent to the execution of any coupon with
25 a facsimile signature . ~~{}~~

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

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

37 **Sec. 8.** NRS 422.2352 is hereby amended to read as follows:

38 422.2352 As used in NRS 422.2352 to 422.2374, inclusive, 422.301 to
39 422.306, inclusive, **and** 422.380 to 422.390, inclusive, ~~{and 422.580,}~~
40 unless the context otherwise requires, “administrator” means the
41 administrator of the division of health care financing and policy.

42 **Sec. 9.** NRS 459.3816 is hereby amended to read as follows:

459.3816 1. The following substances are designated as highly hazardous, if present in the quantity designated after each substance or a greater quantity:

Number Assigned by Chemical	Quantity Abstract Service(In pounds)
Chemical Name of Substance	
Acetaldehyde	75-07-0 2500
Acrolein (2-Propenal)	107-02-8 150
Acrylyl Chloride	814-68-6 250
Allyl Chloride	107-05-1 1000
Allylamine	107-11-9 1500
Alkylaluminums.....	None 5000
Ammonia, Anhydrous.....	7664-41-7 5000
Ammonia solutions (44% ammonia by weight).....	7664-41-7 10000
Ammonium Perchlorate.....	7790-98-9 7500
Ammonium Permanganate	7787-36-2 7500
Arsine (also called Arsenic Hydride).....	7784-42-1 100
Bis (Chloromethyl) Ether.....	542-88-1 100
Boron Trichloride	10294-34-5 2500
Boron Trifluoride.....	7637-07-2 250
Bromine	7726-95-6 1500
Bromine Chloride	13863-41-7 1500
Bromine Pentafluoride.....	7789-30-2 2500
Bromine Trifluoride.....	7787-71-5 15000
3-Bromopropyne (also called Propargyl Bromide).....	106-96-7 7500
Butyl Hydroperoxide (Tertiary).....	75-91-2 5000
Butyl Perbenzoate (Tertiary).....	614-45-9 7500
Carbonyl Chloride (see Phosgene) ...	75-44-5 100
Carbonyl Fluoride.....	353-50-4 2500
Cellulose Nitrate (concentration 12.6% Nitrogen)	9004-70-0 2500
Chlorine	7782-50-5 1500
Chlorine Dioxide	10049-04-4 1000
Chlorine Pentafluoride.....	13637-63-3 1000
Chlorine Trifluoride.....	7790-91-2 1000
Chlorodiethylaluminum (also called Diethylaluminum Chloride).....	96-10-6 5000
1-Chloro-2,4-Dinitrobenzene.....	97-00-7 5000
Chloromethyl Methyl Ether	107-30-2 500
Chloropicrin.....	76-06-2 500

1	Chloropicrin and Methyl Bromide mixture	None
2	1500	
3	Chloropicrin and Methyl Chloride mixture	None
4	1500	
5	Cumene Hydroperoxide.....	80-15-9 5000
6	Cyanogen	460-19-5 2500
7	Cyanogen Chloride	506-77-4 500
8	Cyanuric Fluoride	675-14-9 100
9	Diacetyl Peroxide (concentration 70%)	110-22-5
10	5000	
11	Diazomethane	334-88-3 500
12	Dibenzoyl Peroxide.....	94-36-0 7500
13	Diborane	19287-45-7 100
14	Dibutyl Peroxide (Tertiary).....	110-05-4 5000
15	Dichloro Acetylene.....	7572-29-4 250
16	Dichlorosilane.....	4109-96-0 2500
17	Diethylzinc.....	557-20-0 10000
18	Diisopropyl Peroxydicarbonate	105-64-6 7500
19	Dilauroyl Peroxide.....	105-74-8 7500
20	Dimethyl Sulfide.....	75-18-3 100
21	Dimethyldichlorosilane.....	75-78-5 1000
22	Dimethylhydrazine, 1.1-	57-14-7 1000
23	Dimethylamine, Anhydrous.....	124-40-3 2500
24	Ethyl Methyl Ketone Peroxide (also Methyl	
25	Ethyl Ketone Peroxide; concentration	
26	60%)	1338-23-4 5000
27	Ethyl Nitrite	109-95-5 5000
28	Ethylamine.....	75-04-7 7500
29	Ethylene Fluorohydrin	371-62-0 100
30	Ethylene Oxide	75-21-8 5000
31	Ethyleneimine	151-56-4 1000
32	Fluorine.....	7782-41-4 1000
33	Formaldehyde (concentration 90%)..	50-00-0 1000
34	Furan	110-00-9 500
35	Hexafluoroacetone.....	684-16-2 5000
36	Hydrochloric Acid, Anhydrous.....	7647-01-0 5000
37	Hydrofluoric Acid, Anhydrous	7664-39-3 1000
38	Hydrogen Bromide	10035-10-6 5000
39	Hydrogen Chloride	7647-01-0 5000
40	Hydrogen Cyanide, Anhydrous.....	74-90-8 1000
41	Hydrogen Fluoride.....	7664-39-3 1000
42	Hydrogen Peroxide (52% by weight or more)	
43	7722-84-1	7500
44	Hydrogen Selenide.....	7783-07-5 150
45	Hydrogen Sulfide.....	7783-06-4 1500
46	Hydroxylamine	7803-49-8 2500
47	Iron, Pentacarbonyl-.....	13463-40-6 250

1	Isopropyl Formate.....	625-55-8	500
2	Isopropylamine	75-31-0	5000
3	Ketene	463-51-4	100
4	Methacrylaldehyde.....	78-85-3	1000
5	Methacryloyl Chloride	920-46-7	150
6	Methacryloyloxyethyl Isocyanate	30674-80-7	100
7	Methyl Acrylonitrile	126-98-7	250
8	Methylamine, Anhydrous	74-89-5	1000
9	Methyl Bromide.....	74-83-9	2500
10	Methyl Chloride.....	74-87-3	15000
11	Methyl Chloroformate	79-22-1	500
12	Methyl Disulfide.....	624-92-0	100
13	Methyl Ethyl Ketone Peroxide		
14	[(concentration)] (also Ethyl Methyl		
15	Ketone Peroxide; concentration		
16	60%)	1338-23-4	5000
17	Methyl Fluoroacetate	453-18-9	100
18	Methyl Fluorosulfate	421-20-5	100
19	Methyl Hydrazine	60-34-4	100
20	Methyl Iodide.....	74-88-4	7500
21	Methyl Isocyanate.....	624-83-9	250
22	Methyl Mercaptan.....	74-93-1	5000
23	Methyl Vinyl Ketone	78-94-4	100
24	Methyltrichlorosilane.....	75-79-6	500
25	Nickel Carbonyl (Nickel Tetracarbonyl)	13463-39-3	
26	150		
27	Nitric Acid (94.5% by weight or greater)	7697-37-2	
28	500		
29	Nitric Oxide	10102-43-9	250
30	Nitroaniline (para Nitroaniline)	100-01-6	5000
31	Nitromethane	75-52-5	2500
32	Nitrogen Dioxide	10102-44-0	250
33	Nitrogen Oxides (NO; NO ₂ ; N ₂ O ₄ ; N ₂ O ₃)		
34	10102-44-0	250	
35	Nitrogen Tetroxide (also called Nitrogen		
36	Peroxide)	10544-72-6	250
37	Nitrogen Trifluoride	7783-54-2	5000
38	Nitrogen Trioxide	10544-73-7	250
39	Oleum (65% or greater by weight of sulfur		
40	trioxide; also called Fuming Sulfuric		
41	Acid).....	8014-95-7	1000
42	Osmium Tetroxide	20816-12-0	100
43	Oxygen Difluoride (Fluorine Monoxide)	7783-41-7	
44	100		
45	Ozone	10028-15-6	100
46	Pentaborane.....	19624-22-7	100

1	Peracetic Acid (also called Peroxyacetic	
2	Acid) 79-21-0	5000
3	Perchloric Acid (concentration 60%)	7601-90-3 5000
4	Perchloromethyl Mercaptan.....	594-42-3 150
5	Perchloryl Fluoride	7616-94-6 5000
6	Peroxyacetic Acid (concentration 60%; also	
7	called Peracetic Acid).....	79-21-0 5000
8	Phosgene (also called Carbonyl Chloride)	75-44-5
9	100	
10	Phosphine (Hydrogen Phosphide)	7803-51-2 100
11	Phosphorus Oxychloride (also called	
12	Phosphoryl Chloride).....	10025-87-3 1000
13	Phosphorus Trichloride.....	7719-12-2 1000
14	Phosphoryl Chloride (also called Phosphorus	
15	Oxychloride).....	10025-87-3 1000
16	Propargyl Bromide (<i>also called</i>	
17	<i>3-Bromopropyne</i>).....	106-96-7 7500
18	Propyl Nitrate.....	627-13-4 2500
19	Sarin 107-44-8	100
20	Selenium Hexafluoride	7783-79-1 1000
21	Stibine (Antimony Hydride)	7803-52-3 500
22	Sulfur Dioxide (liquid)	7446-09-5 1000
23	Sulfur Pentafluoride.....	5714-22-7 250
24	Sulfur Tetrafluoride	7783-60-0 250
25	Sulfur Trioxide (also called Sulfuric	
26	Anhydride).....	7446-11-9 1000
27	Sulfuric Anhydride (also called Sulfur	
28	Trioxide).....	7446-11-9 1000
29	Tellurium Hexafluoride	7783-80-4 250
30	Tetrafluoroethylene.....	116-14-3 5000
31	Tetrafluorohydrazine	10036-47-2 5000
32	Tetramethyl Lead.....	75-74-1 7500
33	Thionyl Chloride.....	7719-09-7 250
34	Titanium Tetrachloride	7550-45-0 2500
35	Trichloro(chloromethyl) Silane	1558-25-4 100
36	Trichloro(dichlorophenyl) Silane	27137-85-5 2500
37	Trichlorosilane.....	10025-78-2 5000
38	Trifluorochloroethylene.....	79-38-9 10000
39	Trimethoxysilane	2487-90-3 1500

40
41 2. The division, in consultation with the health districts created
42 pursuant to NRS 439.370, the health division of the department of human
43 resources and the division of industrial relations of the department of
44 business and industry, shall regularly examine the sources of information

1 available to it with regard to potentially highly hazardous substances. The
2 division shall, by regulation, add to the list of highly hazardous substances
3 any chemical that is identified as being used, manufactured, stored, or
4 capable of being produced, at a facility, in sufficient quantities at a single
5 site, that its release into the environment would produce a significant
6 likelihood that persons exposed would suffer death or substantial bodily
7 harm as a consequence of the exposure.

8 **Sec. 10.** NRS 482.181 is hereby amended to read as follows:

9 482.181 1. Except as otherwise provided in subsection 4, the
10 department shall certify monthly to the state board of examiners the
11 amount of the basic and supplemental privilege taxes collected for each
12 county by the department and its agents during the preceding month, and
13 that money must be distributed monthly as provided in this section.

14 2. Any supplemental privilege tax collected for a county must be
15 distributed only to the county, to be used as provided in NRS 371.045 and
16 371.047.

17 3. The distribution of the basic privilege tax within a county must be
18 made to local governments, special districts and enterprise districts
19 pursuant to the provisions of NRS 360.680 and 360.690. The distribution
20 of the basic privilege tax must be made to the county school district within
21 the county before the distribution of the basic privilege tax pursuant to the
22 provisions of NRS 360.680 and 360.690 and in the same ratio as all
23 property taxes were levied in the county in the previous fiscal year, but the
24 State of Nevada is not entitled to share in that distribution. For the purpose
25 of calculating the amount of basic privilege tax to be distributed to the
26 county school district, the taxes levied by each local government, special
27 district and enterprise district are the product of its certified valuation,
28 determined pursuant to subsection 2 of NRS 361.405, and its tax rate,
29 established pursuant to NRS 361.455 for the fiscal year beginning on July
30 1, 1980, except that the tax rate for school districts, including the rate
31 attributable to a district's debt service, is the rate established pursuant to
32 NRS 361.455 for the fiscal year beginning on July 1, 1978, but if the rate
33 attributable to a district's debt service in any fiscal year is greater than its
34 rate for the fiscal year beginning on July 1, 1978, the higher rate must be
35 used to determine the amount attributable to debt service.

36 4. An amount equal to any basic privilege tax distributed to a
37 redevelopment agency in the fiscal year 1987-1988 must continue to be
38 distributed to that agency ~~for area~~ as long as it exists but must not be
39 increased.

40 5. The department shall make distributions of basic privilege tax
41 directly to county school districts.

42 6. As used in this section:

43 (a) "Enterprise district" has the meaning ascribed to it in NRS 360.620.

- 1 (b) “Local government” has the meaning ascribed to it in NRS 360.640.
- 2 (c) “Special district” has the meaning ascribed to it in NRS 360.650.

1 **Sec. 11.** NRS 483.495 is hereby amended to read as follows:

2 483.495 The department shall by regulation:

3 1. Except as otherwise provided in paragraph (h) of subsection 1 of
4 NRS 62.211, ~~subsection 7 of NRS 62.224,~~ and NRS 62.2263 and 62.227,
5 set forth any tests and other requirements which are a condition for the
6 reinstatement of a license after any suspension, revocation, cancellation or
7 voluntary surrender of the license. The tests and requirements:

8 (a) Must provide for a fair evaluation of a person's ability to operate a
9 motor vehicle; and

10 (b) May allow for the waiver of certain tests or requirements as the
11 department deems necessary.

12 2. Set forth the circumstances under which the administrator may, for
13 good cause shown, rescind the revocation, suspension or cancellation of a
14 license, or shorten the period for the suspension of a license.

15 **Sec. 12.** NRS 581.500 is hereby amended to read as follows:

16 581.500 1. The ~~council,~~ *advisory council on the metric system*,
17 consisting of seven members appointed by the governor, is hereby created
18 within the division of agriculture of the department of business and
19 industry.

20 2. The governor shall appoint:

21 (a) One member from business.

22 (b) One member from the engineering profession.

23 (c) One member from a trade organization.

24 (d) One member from industry.

25 (e) One member from a labor organization.

26 (f) One member from the faculty of a university in the University and
27 Community College System of Nevada.

28 (g) One member from the faculty of a public elementary or secondary
29 school.

30 **Sec. 13.** NRS 612.090 is hereby amended to read as follows:

31 612.090 1. "Employment" includes agricultural labor if:

32 (a) The services are performed in the employ of a person who:

33 (1) Paid cash wages of \$20,000 or more during any calendar quarter
34 of the current calendar year or preceding calendar year to persons
35 employed in agricultural labor; or

36 (2) Employed 10 or more persons in agricultural labor some portion
37 of the day for at least 20 days, each day being in a different calendar week,
38 during the current calendar year or preceding calendar year whether or not
39 the weeks were consecutive or the persons were employed at the same
40 moment of time; and

41 (b) The services are performed:

42 (1) On a farm, in the employ of any person, in connection with
43 cultivating the soil, or in connection with raising or harvesting any

1 agricultural or horticultural commodity, including the raising, shearing,
2 feeding, caring for, training and management of livestock, bees, poultry
3 and fur-bearing animals and wildlife.

4 (2) In the employ of the owner or tenant or other operator of a farm,
5 in connection with the operation, management, conservation, improvement
6 or maintenance of the farm and its tools and equipment, or in salvaging
7 timber or clearing land of brush and other debris left by a hurricane, if the
8 major part of the service is performed on a farm.

9 (3) In connection with the production or harvesting of any
10 commodity defined as an agricultural commodity in section 15(g) of the
11 Agricultural Marketing Act, 12 U.S.C. § 1141j, or in connection with the
12 ginning of cotton, or in connection with the operation or maintenance of
13 ditches, canals, reservoirs or waterways, not owned or operated for profit,
14 used exclusively for supplying and storing water for farming purposes.

15 (4) ~~¶¶~~ *Except as otherwise provided in subsection 2, in* the employ
16 of the operator of a farm in handling, planting, drying, packing, packaging,
17 processing, freezing, grading, storing or delivering to storage or to market,
18 or to a carrier for transportation to market, in its unmanufactured state, any
19 agricultural or horticultural commodity, but only if the operator produced
20 more than one-half of the commodity with respect to which such service is
21 performed.

22 (5) ~~¶¶~~ *Except as otherwise provided in subsection 2, in* the employ
23 of a group of operators of farms, or a cooperative organization of which
24 such operators are members, in the performance of service described in
25 subparagraph (4), but only if such operators produced more than one-half
26 of the commodity with respect to which such service is performed.

27 ~~{The provisions of subparagraphs (4) and (5) do not apply to service~~
28 ~~performed in connection with commercial canning or commercial freezing~~
29 ~~or in connection with any agricultural or horticultural commodity after its~~
30 ~~delivery to a terminal market for distribution for consumption.}~~

31 (6) On a farm operated for profit although the service is not in the
32 course of the employer's trade or business.

33 2. *The provisions of subparagraphs (4) and (5) of paragraph (b) of*
34 *subsection 1 do not apply to service performed in connection with*
35 *commercial canning or commercial freezing or in connection with any*
36 *agricultural or horticultural commodity after its delivery to a terminal*
37 *market for distribution for consumption.*

38 3. As used in this section, the term "farm" includes stock, dairy,
39 poultry, fruit, fur-bearing animal and truck farms, plantations, ranches,
40 nurseries, ranges, greenhouses or other similar structures used primarily for
41 raising agricultural or horticultural commodities, and orchards.

42 ~~{3.}~~ 4. The provisions of this section do not apply to services
43 performed before January 1, 1980, by an alien admitted to the United

1 States to perform agricultural labor pursuant to sections 214(c) and
2 101(a)(15)(H) of the Immigration and Nationality Act, 8 U.S.C. §§
3 1184(c) and 1101(a)(15)(H) respectively.

4 **Sec. 14.** Chapter 645D of NRS is hereby amended by adding thereto
5 the provisions set forth as sections 15 and 16 of this act.

6 **Sec. 15. 1.** *A person who applies for the issuance or renewal of a*
7 *certificate shall submit to the administrator the statement prescribed by*
8 *the welfare division of the department of human resources pursuant to*
9 *NRS 425.520. The statement must be completed and signed by the*
10 *applicant.*

11 **2.** *The administrator shall include the statement required pursuant to*
12 *subsection 1 in:*

13 *(a) The application or any other forms that must be submitted for the*
14 *issuance or renewal of the certificate; or*

15 *(b) A separate form prescribed by the administrator.*

16 **3.** *A certificate may not be issued or renewed by the administrator if*
17 *the applicant:*

18 *(a) Fails to submit the statement required pursuant to subsection 1; or*

19 *(b) Indicates on the statement submitted pursuant to subsection 1 that*
20 *he is subject to a court order for the support of a child and is not in*
21 *compliance with the order or a plan approved by the district attorney or*
22 *other public agency enforcing the order for the repayment of the amount*
23 *owed pursuant to the order.*

24 **4.** *If an applicant indicates on the statement submitted pursuant to*
25 *subsection 1 that he is subject to a court order for the support of a child*
26 *and is not in compliance with the order or a plan approved by the district*
27 *attorney or other public agency enforcing the order for the repayment of*
28 *the amount owed pursuant to the order, the administrator shall advise the*
29 *applicant to contact the district attorney or other public agency enforcing*
30 *the order to determine the actions that the applicant may take to satisfy*
31 *the arrearage.*

32 **Sec. 16. 1.** *If the administrator receives a copy of a court order*
33 *issued pursuant to NRS 425.540 that provides for the suspension of all*
34 *professional, occupational and recreational licenses, certificates and*
35 *permits issued to a certified inspector, the administrator shall deem the*
36 *certificate issued to that person to be suspended at the end of the 30th*
37 *day after the date on which the court order was issued unless the*
38 *administrator receives a letter issued to the certified inspector by the*
39 *district attorney or other public agency pursuant to NRS 425.550 stating*
40 *that the certified inspector has complied with the subpoena or warrant or*
41 *has satisfied the arrearage pursuant to NRS 425.560.*

42 **2.** *The administrator shall reinstate a certificate that has been*
43 *suspended by a district court pursuant to NRS 425.540 if the*

1 *administrator receives a letter issued by the district attorney or other*
2 *public agency pursuant to NRS 425.550 to the person whose certificate*
3 *was suspended stating that the person whose certificate was suspended*
4 *has complied with the subpoena or warrant or has satisfied the arrearage*
5 *pursuant to NRS 425.560.*

6 **Sec. 17.** NRS 645D.170 is hereby amended to read as follows:

7 645D.170 An application for a certificate must be in writing upon a
8 form prepared and furnished by the division. The application must include
9 the following information:

10 1. The name, age, ~~and~~ address *and social security number* of the
11 applicant.

12 2. The place or places, including the street number, city and county, at
13 which the applicant intends to maintain an office to conduct business as an
14 inspector.

15 3. The business, occupation or other employment of the applicant
16 during the 5 years immediately preceding the date of the application, and
17 the location thereof.

18 4. The applicant's education and experience to qualify for a certificate.

19 5. Whether the applicant has ever been convicted of, is under
20 indictment for, or has entered a plea of guilty or nolo contendere to:

21 (a) A felony, and if so, the nature of the felony.

22 (b) Forgery, embezzlement, obtaining money under false pretenses,
23 larceny, extortion, conspiracy to defraud or any crime involving moral
24 turpitude.

25 6. If the applicant is a member of a partnership or association or is an
26 officer of a corporation, the name and address of the principal office of the
27 partnership, association or corporation.

28 7. Any other information relating to the qualifications or background
29 of the applicant that the division requires.

30 **Sec. 18.** NRS 645D.200 is hereby amended to read as follows:

31 645D.200 1. The administrator shall issue a certificate to any person
32 who:

33 (a) Is of good moral character, honesty and integrity;

34 (b) Has the education and experience prescribed in the regulations
35 adopted pursuant to NRS 645D.120; ~~and~~

36 (c) Has submitted proof that he or his employer holds a policy of
37 insurance that complies with the requirements of subsection 1 of NRS
38 645D.190 ~~H~~; *and*

39 *(d) Has submitted the statement required pursuant to section 15 of this*
40 *act.*

41 2. The administrator may deny an application for a certificate to any
42 person

who:

1 (a) Has been convicted of, or entered a plea of guilty or nolo contendere
2 to, forgery, embezzlement, obtaining money under false pretenses, larceny,
3 extortion, conspiracy to defraud or any crime involving moral turpitude;

4 (b) Makes a false statement of a material fact on his application;

5 (c) Has had a certificate suspended or revoked pursuant to this chapter
6 within the 10 years immediately preceding the date of his application; or

7 (d) Has not submitted proof that he or his employer holds a policy of
8 insurance that complies with the requirements of subsection 1 of NRS
9 645D.190.

10 **Sec. 19.** The amendatory provisions of sections 15 to 18, inclusive, of
11 this act expire by limitation on the date on which the provisions of 42
12 U.S.C. § 666 requiring each state to establish procedures under which the
13 state has authority to withhold or suspend, or to restrict the use of
14 professional, occupational and recreational licenses of persons who:

15 1. Have failed to comply with a subpoena or warrant relating to a
16 proceeding to determine the paternity of a child or to establish or enforce
17 an obligation for the support of a child; or

18 2. Are in arrears in the payment for the support of one or more
19 children,

20 are repealed by the Congress of the United States.

21 **Sec. 20.** This act becomes effective upon passage and approval.