

ASSEMBLY BILL NO. 650—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF LEGISLATIVE COMMISSION (NRS 218.660))

MARCH 26, 2001

Referred to Committee on Government Affairs

SUMMARY—Makes changes to population basis for exercise of certain powers by local governments. (BDR 20-1074)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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

AN ACT relating to classifications based on population; changing the population basis for the exercise of certain powers by local governments; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1     **Section 1.** NRS 244.3673 is hereby amended to read as follows:  
2     244.3673 The board of county commissioners of any county whose  
3     population is ~~150,000~~ **100,000** or more or which has been converted into a  
4     consolidated municipality may provide by ordinance for the investigation  
5     of fires in which a death has occurred or which are of a suspicious origin,  
6     and for the enforcement of regulations adopted by the state fire marshal.  
7     **Sec. 2.** NRS 244A.599 is hereby amended to read as follows:  
8     244A.599 1. Whenever the board of county commissioners of any  
9     county or the board of supervisors of Carson City desires the powers  
10    granted in NRS 244A.597 to 244A.667, inclusive, to be exercised, it shall,  
11    by resolution, determine that the interest of the county and the public  
12    interest, necessity or desirability require the exercise of those powers and  
13    the creation of a county fair and recreation board therefor, pursuant to the  
14    provisions of NRS 244A.597 to 244A.667, inclusive. After approval of the  
15    resolution, the county or city clerk shall:  
16    (a) Cause a copy of the resolution to be published promptly once in a  
17    newspaper published in and of general circulation in the county or city; and  
18    (b) In the case of a county, cause a certified copy of the resolution to be  
19    mailed by registered or certified mail to the mayor or other chief executive  
20    officer of each incorporated city within the county.





1     2. In counties whose population is 100,000 or more, the county fair  
2 and recreation board must be selected as provided in NRS 244A.601 or  
3 244A.603. In counties whose population is ~~11,000~~ 15,000 or more and  
4 less than 100,000, and in which there is more than one incorporated city,  
5 each incorporated city, except an incorporated city which is the county  
6 seat, must be represented by one member and any incorporated city which  
7 is the county seat must be represented by four members. Within 30 days  
8 after the day of publication of the resolution or the day on which the last of  
9 the copies of the resolution was mailed, whichever day is later, the mayor  
10 or other chief executive officer shall, with the approval of the legislative  
11 body of the city, appoint a member or members of the city council or board  
12 of trustees to serve on the board for the remainder of his or their terms of  
13 office. The clerk or secretary of the city shall promptly certify the  
14 appointment by registered or certified mail to the county clerk.

15     3. In all other counties whose population is less than 100,000, any  
16 incorporated city which is the county seat must be represented by one  
17 member, who must be appointed and certified as provided in subsection 2,  
18 and the board of county commissioners shall appoint three representatives  
19 as follows:

- 20       (a) One member to represent the motel operators in the county.  
21       (b) One member to represent the hotel operators in the county.  
22       (c) One member to represent the other commercial interests in the  
23 county.

24     4. In all counties whose population is less than 100,000, one member  
25 of the board of county commissioners must be appointed by the county  
26 commissioners to serve on the board for the remainder of his term of  
27 office.

28     5. In all counties whose population is less than 100,000, and in which  
29 there is no incorporated city, the board of county commissioners shall  
30 appoint one member to represent the county at large.

31     6. In Carson City the board of supervisors shall appoint five  
32 representatives to the fair and recreation board established as provided in  
33 subsection 1 as follows:

- 34       (a) Two members to represent the hotel and motel operators in the city.  
35       (b) One member to represent the other commercial interests in the city.  
36       (c) One member who is a member of the board of supervisors.  
37       (d) One member to represent the city at large.

38     7. Members who are not elected officials shall serve for 2-year terms.

39     8. The terms of all elected officials are coterminous with their terms of  
40 office. Any such member may succeed himself.

41     **Sec. 3.** NRS 254.010 is hereby amended to read as follows:

42     254.010 The board of county commissioners of any county in this state  
43 whose population is ~~16,000~~ 5,000 or more may appoint a county engineer  
44 and fix his compensation.

45     **Sec. 4.** NRS 62.180 is hereby amended to read as follows:

46     62.180 1. Provision must be made for the temporary detention of  
47 children in a detention home to be conducted as an agency of the court or  
48 in some other appropriate public institution or agency, or the court may  
49 arrange for the care and custody of such children temporarily in private



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1 homes subject to the supervision of the court, or may arrange with any  
2 private institution or private agency to receive for temporary care and  
3 custody children within the jurisdiction of the court.

4 2. Except as provided in this subsection and subject to the provisions  
5 of this chapter, any county may provide, furnish and maintain at public  
6 expense a building suitable and adequate for the purpose of a detention  
7 home for the temporary detention of children. In a county whose  
8 population is ~~135,000~~ 50,000 or more, the board of county commissioners  
9 shall provide the detention facilities. Two or more counties, without regard  
10 to their respective populations, may provide a combined detention home  
11 under suitable terms agreed upon between the respective boards of county  
12 commissioners and the judges of the juvenile court regularly sitting in the  
13 judicial districts covering the counties.

14 3. Any detention home built and maintained under this chapter must be  
15 constructed and conducted as nearly like a home as possible, and must not  
16 be deemed to be or treated as a penal institution. In a county whose  
17 population is ~~135,000~~ 50,000 or more, a detention home built and  
18 maintained under this chapter must not be adjoining or on the same  
19 grounds as a prison, jail or lockup.

20 4. In addition to detention homes, a county may provide and maintain  
21 at public expense programs which provide alternatives to placing a child in  
22 a detention home.

23 **Sec. 5.** NRS 217.450 is hereby amended to read as follows:

24 217.450 1. The commission on mental health and developmental  
25 services shall advise the administrator of the division concerning the award  
26 of grants from the account for aid for victims of domestic violence.

27 2. The administrator of the division shall give priority to those  
28 applications for grants from the account for aid for victims of domestic  
29 violence submitted by organizations which offer the broadest range of  
30 services for the least cost within one or more counties. The administrator  
31 shall not approve the use of money from a grant to acquire any buildings.

32 3. The administrator of the division has the final authority to approve  
33 or deny an application for a grant. The administrator shall notify each  
34 applicant in writing of the action taken on its application within 45 days  
35 after the deadline for filing the application.

36 4. In determining the amount of money to be allocated for grants, the  
37 administrator of the division shall use the following formula:

38 (a) A basic allocation of \$7,000 must be made for each county whose  
39 population is less than 100,000. For counties whose population is 100,000  
40 or more, the basic allocation is \$35,000. These allocations must be  
41 increased or decreased for each fiscal year ending after June 30, 1990, by  
42 the same percentage that the amount deposited in the account during the  
43 preceding fiscal year, pursuant to NRS 122.060, is greater or less than the  
44 sum of \$791,000.

45 (b) Any additional revenue available in the account must be allocated to  
46 grants, on a per capita basis, for all counties whose population is ~~14,000~~  
47 20,000 or more.

48 (c) Money remaining in the account after disbursement of grants does  
49 not revert and may be awarded in a subsequent year.





1     **Sec. 6.** NRS 231.040 is hereby amended to read as follows:  
2     231.040 1. The commission on economic development is composed  
3 of the lieutenant governor, who is its chairman, and six members who are  
4 appointed by the governor.

5     2. The governor shall appoint as members of the commission persons  
6 who have proven experience in economic development which was acquired  
7 by them while engaged in finance, manufacturing, mining, agriculture, the  
8 field of transportation, or in general business other than tourism or gaming.

9     3. The governor shall appoint at least one member who is a resident of:

10    (a) Clark County.

11    (b) Washoe County.

12    (c) A county whose population is ~~135,000~~ 50,000 or less.

13     **Sec. 7.** NRS 231.067 is hereby amended to read as follows:

14     231.067 The commission on economic development shall:

15     1. Develop a state plan for industrial development and diversification.

16     2. Promote, encourage and aid the development of commercial,  
17 industrial, agricultural, mining and other vital economic interests of this  
18 state, except for travel and tourism, except that in a county whose  
19 population is less than ~~135,000~~ 50,000, the county may include  
20 community development and the development of the nongaming recreation  
21 and tourism industry in its economic development efforts.

22     3. Identify sources of financing and assist businesses and industries  
23 which wish to locate in Nevada in obtaining financing.

24     4. Provide and administer grants of money to political subdivisions of  
25 the state and to local or regional organizations for economic development  
26 to assist them in promoting the advantages of their communities and in  
27 recruiting businesses to relocate in those communities. Each recipient must  
28 provide an amount of money, at least equal to the grant, for the same  
29 purpose, except, in a county whose population is less than ~~135,000~~,  
30 50,000, the commission may, if convinced that the recipient is financially  
31 unable to do so, provide such a grant with less than equal matching money  
32 provided by the recipient.

33     5. Encourage and assist state, county and city agencies in planning and  
34 preparing projects for economic or industrial development and financing  
35 those projects with revenue bonds.

36     6. Coordinate and assist the activities of counties, cities, local and  
37 regional organizations for economic development and fair and recreation  
38 boards in the state which affect industrial development, except for travel  
39 and tourism, except that in a county whose population is less than ~~135,000~~,  
40 50,000, the county may include community development and the  
41 development of the nongaming recreation and tourism industry in its  
42 economic development efforts.

43     7. Arrange by cooperative agreements with local governments to serve  
44 as the single agency in the state where relocating or expanding businesses  
45 may obtain all required permits.

46     8. Promote close cooperation between public agencies and private  
47 persons who have an interest in industrial development and diversification  
48 in Nevada.



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1 9. Organize and coordinate the activities of a group of volunteers  
2 which will aggressively select and recruit businesses and industries,  
3 especially small industries, to locate their offices and facilities in Nevada.

4 **Sec. 8.** NRS 231.170 is hereby amended to read as follows:

5 231.170 1. The commission on tourism is composed of the lieutenant  
6 governor, who is its chairman, and eight members who are appointed by  
7 the governor.

8 2. The governor shall appoint as members of the commission persons  
9 who are informed on and have experience in travel and tourism, including  
10 the business of gaming.

11 3. The chief administrative officers of the county fair and recreation  
12 boards or, if there is no county fair and recreation board in the county, the  
13 chairman of the board of county commissioners, of the three counties that  
14 paid the largest amount of the proceeds from the taxes imposed on the  
15 revenue from the rental of transient lodging to the department of taxation  
16 for deposit with the state treasurer for credit to the fund for the promotion  
17 of tourism created by NRS 231.250 for the previous fiscal year are ex  
18 officio but nonvoting members of the commission. A change in any  
19 member of the commission who serves pursuant to the provisions of this  
20 subsection that is required because of a change in the amount of the  
21 proceeds paid to the department of taxation by each county must be  
22 effective on January 1 of the calendar year immediately following the  
23 fiscal year in which the proceeds were paid to the department of taxation.

24 4. In addition to the appointments made pursuant to subsection 3, the  
25 governor shall appoint:

26 (a) At least one member who is a resident of Clark County.

27 (b) At least one member who is a resident of Washoe County.

28 (c) At least two members who are residents of counties whose  
29 population is ~~150,000~~ 100,000 or less.

30 (d) One member who is a resident of any county in this state.

31 **Sec. 9.** NRS 231.260 is hereby amended to read as follows:

32 231.260 The commission on tourism, through its division of tourism,  
33 shall:

34 1. Promote this state so as to increase the number of domestic and  
35 international tourists.

36 2. Promote special events which are designed to increase tourism.

37 3. Develop a state plan to promote travel and tourism in Nevada.

38 4. Develop a comprehensive program of marketing and advertising, for  
39 both domestic and international markets, which publicizes travel and  
40 tourism in Nevada in order to attract more visitors to this state or lengthen  
41 their stay.

42 5. Provide and administer grants of money or matching grants to  
43 political subdivisions of the state, to fair and recreation boards, and to local  
44 or regional organizations which promote travel and tourism, to assist them  
45 in:

46 (a) Developing local programs for marketing and advertising which are  
47 consistent with the state plan.

48 (b) Promoting specific events and attractions in their communities.



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1 (c) Evaluating the effectiveness of the local programs and  
2 events.

3 Each recipient must provide an amount of money, at least equal to the  
4 grant, for the same purpose, except, in a county whose population is less  
5 than ~~135,000,~~ **50,000**, the commission may, if convinced that the recipient  
6 is financially unable to do so, provide a grant with less than equal matching  
7 money provided by the recipient.

8 6. Coordinate and assist the programs of travel and tourism of  
9 counties, cities, local and regional organizations for travel and tourism, fair  
10 and recreation boards and transportation authorities in the state. Local  
11 governmental agencies which promote travel and tourism shall coordinate  
12 their promotional programs with those of the commission.

13 7. Encourage cooperation between public agencies and private persons  
14 who have an interest in promoting travel and tourism in Nevada.

15 8. Compile or obtain by contract, keep current and disseminate  
16 statistics and other marketing information on travel and tourism in Nevada.

17 9. Prepare and publish, with the assistance of the division of  
18 publications, brochures, travel guides, directories and other materials  
19 which promote travel and tourism in Nevada.

20 **Sec. 10.** NRS 268.048 is hereby amended to read as follows:

21 268.048 1. The governing body of a city located in a county whose  
22 population is less than ~~111,000,~~ **15,000**, upon making a finding pursuant to  
23 a public hearing that a city industrial park is necessary to meet the needs of  
24 the city, and that no private enterprise has presented an acceptable proposal  
25 for industrial development, may develop a plan and establish requirements  
26 for the:

27 (a) Acquisition, sale or lease of real property by the city for industrial  
28 development; and

29 (b) Design, engineering and construction of industrial developments.

30 2. The governing body shall:

31 (a) Give notice of its intention by publication at least once in a  
32 newspaper of general circulation published in the city, or if there is no such  
33 newspaper then in a newspaper of general circulation in the city published  
34 in the state; and

35 (b) Hold its public hearing not less than 10 nor more than 20 days after  
36 the date of publication of the notice.

37 3. The governing body may grant an option to purchase property  
38 designated for industrial development. The duration of the option must not  
39 exceed 3 years but afterward the governing body may extend it year by  
40 year. Any attempted assignment of the option, whether contractual or  
41 effected by operation of law, is void. Upon its execution, the option must  
42 immediately be recorded by the governing body with the county recorder.

43 4. After review by the planning commission, a member of the  
44 governing body or the purchaser or lessee of the property shall present the  
45 proposed plan for an industrial development to the governing body.

46 5. The governing body shall, after a public hearing, approve or reject  
47 the proposed plan.





1     **Sec. 11.** NRS 268.802 is hereby amended to read as follows:  
2     268.802 1. The governing body of an incorporated city whose  
3     population is ~~1200,000~~ 300,000 or more may by ordinance create a district.  
4     2. Not more than one district may be created in each such city.  
5     3. A district is not entitled to receive any distribution of supplemental  
6     city-county relief tax.

7     **Sec. 12.** NRS 268.811 is hereby amended to read as follows:  
8     268.811 As used in NRS 268.810 to 268.823, inclusive, unless the  
9     context otherwise requires:

10    1. "Governing body" means the governing body of a city whose  
11    population is ~~1200,000~~ 300,000 or more.

12    2. "Operating entity" means a public operating entity of a pedestrian  
13    mall or a private operating entity with whom a governing body has  
14    contracted for the acquisition, construction, improvement, operation,  
15    management or maintenance of a pedestrian mall, or any combination  
16    thereof.

17    3. "Pedestrian mall" means an area including portions of one or more  
18    streets or alleys that has been set aside for use primarily by pedestrians and  
19    to which access by motor vehicles is prohibited or restricted. The term  
20    includes all improvements and appurtenances thereto that are designed to  
21    be used primarily for the movement, safety, convenience, enjoyment,  
22    entertainment, recreation or relaxation of pedestrians.

23    4. "Redevelopment agency" means a governmental entity created  
24    pursuant to NRS 279.382 to 279.685, inclusive, or a legislative body which  
25    has elected to exercise the powers granted to an agency under NRS  
26    279.382 to 279.685, inclusive.

27    **Sec. 13.** NRS 268.812 is hereby amended to read as follows:

28    268.812 1. The governing body of an incorporated city whose  
29    population is ~~1200,000~~ 300,000 or more may by ordinance create a  
30    pedestrian mall.

31    2. Before adopting an ordinance creating a pedestrian mall, the  
32    governing body must find that it would be in the best interests of the city  
33    and beneficial to the owners of adjacent property to use the street or streets  
34    or other thoroughfare or thoroughfares primarily for pedestrians.

35    3. The ordinance must establish the boundaries of the pedestrian mall  
36    and the governing body may change the boundaries by ordinance. The area  
37    included within a pedestrian mall may be contiguous or noncontiguous.

38    4. In addition to other requirements for the consideration and adoption  
39    of an ordinance, at least 10 days before the date fixed for a public hearing  
40    on the adoption of the ordinance creating a pedestrian mall, a notice of the  
41    date, time and place of the hearing and a copy of the proposed ordinance,  
42    or notification that a copy is available in the office of the city clerk, must  
43    be mailed to the owners of record of the property included within the  
44    proposed boundaries of the pedestrian mall. The names and addresses of  
45    the owners of such property may be obtained from the records of the  
46    county assessor or from such other source or sources as the governing body  
47    deems reliable. Any such list of names and addresses appertaining to any  
48    pedestrian mall may be revised from time to time, but such a list need not  
49    be revised more frequently than at 12-month intervals.



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1 5. Unless otherwise provided by the governing body in the ordinance,  
2 all property of the city that is used in conjunction with or as a part of the  
3 pedestrian mall remains property of the city and must not be considered  
4 vacated for any purpose.

5 **Sec. 14.** NRS 278.02095 is hereby amended to read as follows:

6 278.02095 1. Except as otherwise provided in this section, in an  
7 ordinance relating to the zoning of land adopted or amended by a  
8 governing body, the definition of “single-family residence” must include a  
9 manufactured home.

10 2. Notwithstanding the provisions of subsection 1, a governing body  
11 shall adopt standards for the placement of a manufactured home that will  
12 not be affixed to a lot within a mobile home park which require that:

13 (a) The manufactured home:

14 (1) Be permanently affixed to a residential lot;

15 (2) Be manufactured within the 5 years immediately preceding the  
16 date on which it is affixed to the residential lot;

17 (3) Have exterior siding and roofing which is similar in color,  
18 material and appearance to the exterior siding and roofing primarily used  
19 on other single-family residential dwellings in the immediate vicinity of the  
20 manufactured home, as established by the governing body;

21 (4) Consist of more than one section; and

22 (5) Consist of at least 1,200 square feet of living area unless the  
23 governing body, by administrative variance or other expedited procedure  
24 established by the governing body, approves a lesser amount of square  
25 footage based on the size or configuration of the lot or the square footage  
26 of single-family residential dwellings in the immediate vicinity of the  
27 manufactured home; and

28 (b) If the manufactured home has an elevated foundation, the  
29 foundation is masked architecturally in a manner determined by the  
30 governing body.

31 The governing body of a local government in a county whose population is  
32 less than ~~125,000~~ 40,000 may adopt standards that are less restrictive than  
33 the standards set forth in this subsection.

34 3. Standards adopted by a governing body pursuant to subsection 2  
35 must be objective and documented clearly and must not be adopted to  
36 discourage or impede the construction or provision of affordable housing,  
37 including, without limitation, the use of manufactured homes for affordable  
38 housing.

39 4. The provisions of this section do not abrogate a recorded restrictive  
40 covenant prohibiting manufactured homes nor do the provisions apply  
41 within the boundaries of a historic district established pursuant to NRS  
42 384.005 or 384.100. An application to place a manufactured home on a  
43 residential lot pursuant to this section constitutes an attestation by the  
44 owner of the lot that the placement complies with all covenants, conditions  
45 and restrictions placed on the lot and that the lot is not located within a  
46 historic district.

47 5. As used in this section, “manufactured home” has the meaning  
48 ascribed to it in NRS 489.113.





1     **Sec. 15.** NRS 278.0262 is hereby amended to read as follows:  
2     278.0262 1. There is hereby created in each county whose  
3     population is 100,000 or more but less than 400,000, a regional planning  
4     commission consisting of:

5     (a) Three members from the local planning commission of each city in  
6     the county whose population is ~~140,000~~ 60,000 or more, appointed by the  
7     respective governing bodies of those cities;

8     (b) One member from the local planning commission of each city in the  
9     county whose population is less than ~~140,000~~ 60,000, appointed by the  
10    respective governing bodies of those cities; and

11    (c) Three members from the local planning commission of the county,  
12    appointed by the governing body of the county, at least two of whom must  
13    reside in unincorporated areas of the county.

14    2. Except for the terms of the initial members of the commission, the  
15    term of each member is 3 years and until the selection and qualification of  
16    his successor. A member may be reappointed. A member who ceases to be  
17    a member of the local planning commission of the jurisdiction from which  
18    he is appointed automatically ceases to be a member of the commission. A  
19    vacancy must be filled for the unexpired term by the governing body which  
20    made the original appointment.

21    3. The commission shall elect its chairman from among its members.  
22    The term of the chairman is 1 year. The member elected chairman must  
23    have been appointed by the governing body of the county or a city whose  
24    population is ~~140,000~~ 60,000 or more, as determined pursuant to a  
25    schedule adopted by the commission and made a part of its bylaws which  
26    provides for the annual rotation of the chairmanship among each of those  
27    governing bodies.

28    4. A member of the commission must be compensated at the rate of  
29    \$80 per meeting or \$400 per month, whichever is less.

30    5. Each member of the commission must successfully complete the  
31    course of training prescribed by the governing body pursuant to subsection  
32    2 of NRS 278.0265 within 1 year after the date on which his term of  
33    appointment commences. A member who fails to complete successfully the  
34    course of training as required pursuant to this subsection forfeits his  
35    appointment 1 year after the date on which his term of appointment  
36    commenced.

37    **Sec. 16.** NRS 278.0264 is hereby amended to read as follows:

38    278.0264 1. There is hereby created in each county whose  
39    population is 100,000 or more but less than 400,000, a governing board for  
40    regional planning consisting of:

41    (a) Three representatives appointed by the board of county  
42    commissioners, at least two of whom must represent or reside within  
43    unincorporated areas of the county. If the representative is:

44    (1) A county commissioner, his district must be one of the two  
45    districts in the county with the highest percentage of unincorporated area.

46    (2) Not a county commissioner, he must reside within an  
47    unincorporated area of the county.

48    (b) Four representatives appointed by the governing body of the largest  
49    incorporated city in the county.



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1 (c) Three representatives appointed by the governing body of every  
2 other incorporated city in the county whose population is ~~140,000~~ 60,000  
3 or more.

4 (d) One representative appointed by the governing body of each  
5 incorporated city in the county whose population is less than ~~140,000~~  
6 60,000.

7 2. Except for the terms of the initial members of the governing board,  
8 the term of each member is 3 years and until the selection and qualification  
9 of his successor. A member may be reappointed. A vacancy must be filled  
10 for the unexpired term by the governing body which made the original  
11 appointment.

12 3. The governing bodies may appoint representatives to the governing  
13 board from within their respective memberships. A member of a local  
14 governing body who is so appointed and who subsequently ceases to be a  
15 member of that body, automatically ceases to be a member of the  
16 governing board. The governing body may also appoint alternative  
17 representatives who may act in the respective absences of the principal  
18 appointees.

19 4. The governing board shall elect its chairman from among its  
20 members. The term of the chairman is 1 year. The member elected  
21 chairman must have been appointed by the governing body of the county or  
22 a city whose population is more than ~~140,000~~ 60,000, as determined  
23 pursuant to a schedule adopted by the governing board and made a part of  
24 its bylaws which provides for the annual rotation of the chairmanship  
25 among each of those governing bodies.

26 5. A member of the governing board who is also a member of the  
27 governing body which appointed him shall serve without additional  
28 compensation. All other members must be compensated at the rate of \$40  
29 per meeting or \$200 per month, whichever is less.

30 6. The governing board may appoint such employees as it deems  
31 necessary for its work and may contract with city planners, engineers,  
32 architects and other consultants for such services as it requires.

33 7. The local governments represented on the governing board shall  
34 provide the necessary facilities, equipment, staff, supplies and other usual  
35 operating expenses necessary to enable the governing board to carry out its  
36 functions. The local governments shall enter into an agreement whereby  
37 those costs are shared by the local governments in proportion to the  
38 number of members that each appoints to the governing board. The  
39 agreement must also contain a provision specifying the responsibility of  
40 each local government, respectively, of paying for legal services needed by  
41 the governing board or by the regional planning commission.

42 8. The governing board may sue or be sued in any court of competent  
43 jurisdiction.

44 9. The governing board shall prepare and adopt an annual budget and  
45 transmit it as a recommendation for funding to each of the local  
46 governments.

47 **Sec. 17.** NRS 278.030 is hereby amended to read as follows:

48 278.030 1. The governing body of each city ~~and of each county~~  
49 whose population is 25,000 or more *and of each county whose population*





1 *is 40,000 or more* shall create by ordinance a planning commission to  
2 consist of seven members.

3 2. Cities ~~and counties~~ whose population is less than 25,000 *and*  
4 *counties whose population is less than 40,000* may create by ordinance a  
5 planning commission to consist of seven members. If the governing body  
6 of any city ~~for of any county~~ whose population is less than 25,000 *or of*  
7 *any county whose population is less than 40,000* deems the creation of a  
8 planning commission unnecessary or inadvisable, the governing body may,  
9 in lieu of creating a planning commission as provided in this subsection,  
10 perform all the functions and have all of the powers which would otherwise  
11 be granted to and be performed by the planning commission.

12 **Sec. 18.** NRS 278.330 is hereby amended to read as follows:

13 278.330 1. The initial action in connection with the making of any  
14 subdivision is the preparation of a tentative map.

15 2. The subdivider shall file copies of such map with the planning  
16 commission or its designated representative, or with the clerk of the  
17 governing body if there is no planning commission, together with a filing  
18 fee in an amount determined by the governing body.

19 3. The commission, its designated representative, the clerk or other  
20 designated representative of the governing body or, when authorized by the  
21 governing body, the subdivider or any other appropriate agency shall  
22 distribute copies of the map and any accompanying data to all state and  
23 local agencies charged with reviewing the proposed subdivision.

24 4. If there is no planning commission, the clerk of the governing body  
25 shall submit the tentative map to the governing body at its next regular  
26 meeting.

27 5. Except as otherwise provided by subsection 6, if there is a planning  
28 commission, it shall:

29 (a) In a county whose population is ~~40,000~~ *50,000* or more, within 45  
30 days; or

31 (b) In a county whose population is less than ~~40,000~~ *50,000*, within  
32 60 days,

33 after accepting as a complete application a tentative map, recommend  
34 approval, conditional approval or disapproval of the map in a written report  
35 filed with the governing body.

36 6. If the governing body has authorized the planning commission to  
37 take final action on a tentative map, the planning commission shall:

38 (a) In a county whose population is ~~40,000~~ *50,000* or more, within 45  
39 days; or

40 (b) In a county whose population is less than ~~40,000~~ *50,000*, within  
41 60 days,

42 after accepting as a complete application a tentative map, approve,  
43 conditionally approve or disapprove the tentative map in the manner  
44 provided for in NRS 278.349. It shall file its written decision with the  
45 governing body.

46 **Sec. 19.** NRS 278.349 is hereby amended to read as follows:

47 278.349 1. Except as otherwise provided in subsection 2, the  
48 governing body, if it has not authorized the planning commission to take  
49 final action, shall, by a majority vote of the members present, approve,



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1 conditionally approve, or disapprove a tentative map filed pursuant to NRS  
2 278.330:

3 (a) In a county whose population is ~~40,000~~ 50,000 or more, within 45  
4 days; or

5 (b) In a county whose population is less than ~~40,000~~ 50,000, within  
6 60 days,  
7 after receipt of the planning commission's recommendations.

8 2. If there is no planning commission, the governing body shall  
9 approve, conditionally approve or disapprove a tentative map:

10 (a) In a county whose population is ~~40,000~~ 50,000 or more, within 45  
11 days; or

12 (b) In a county whose population is less than ~~40,000~~ 50,000, within  
13 60 days,  
14 after the map is filed with the clerk of the governing body.

15 3. The governing body, or planning commission if it is authorized to  
16 take final action on a tentative map, shall consider:

17 (a) Environmental and health laws and regulations concerning water  
18 and air pollution, the disposal of solid waste, facilities to supply water,  
19 community or public sewage disposal and, where applicable, individual  
20 systems for sewage disposal;

21 (b) The availability of water which meets applicable health standards  
22 and is sufficient in quantity for the reasonably foreseeable needs of the  
23 subdivision;

24 (c) The availability and accessibility of utilities;

25 (d) The availability and accessibility of public services such as schools,  
26 police protection, transportation, recreation and parks;

27 (e) Conformity with the zoning ordinances and master plan, except that  
28 if any existing zoning ordinance is inconsistent with the master plan, the  
29 zoning ordinance takes precedence;

30 (f) General conformity with the governing body's master plan of streets  
31 and highways;

32 (g) The effect of the proposed subdivision on existing public streets and  
33 the need for new streets or highways to serve the subdivision;

34 (h) Physical characteristics of the land such as flood plain, slope and  
35 soil;

36 (i) The recommendations and comments of those entities reviewing the  
37 tentative map pursuant to NRS 278.330 to 278.348, inclusive; and

38 (j) The availability and accessibility of fire protection, including, but not  
39 limited to, the availability and accessibility of water and services for the  
40 prevention and containment of fires, including fires in wild lands.

41 4. The governing body or planning commission shall, by a majority  
42 vote of the members present, make a final disposition of the tentative map.  
43 Any disapproval or conditional approval must include a statement of the  
44 reason for that action.

45 **Sec. 20.** NRS 278.464 is hereby amended to read as follows:

46 278.464 1. Except as otherwise provided in subsection 2, if there is a  
47 planning commission, it shall:

48 (a) In a county whose population is ~~40,000~~ 50,000 or more, within 45  
49 days; or





1 (b) In a county whose population is less than ~~40,000~~ 50,000, within  
2 60 days,  
3 after accepting as a complete application a parcel map, recommend  
4 approval, conditional approval or disapproval of the map in a written  
5 report. The planning commission shall submit the parcel map and the  
6 written report to the governing body.  
7 2. If the governing body has authorized the planning commission to  
8 take final action on a parcel map, the planning commission shall:  
9 (a) In a county whose population is ~~40,000~~ 50,000 or more, within 45  
10 days; or  
11 (b) In a county whose population is less than ~~40,000~~ 50,000, within  
12 60 days,  
13 after accepting as a complete application the parcel map, approve,  
14 conditionally approve or disapprove the map. It shall file its written  
15 decision with the governing body. Unless the time is extended by mutual  
16 agreement, if the planning commission is authorized to take final action  
17 and it fails to take action within the period specified in this subsection, the  
18 parcel map shall be deemed approved.  
19 3. If there is no planning commission or if the governing body has not  
20 authorized the planning commission to take final action, the governing  
21 body or, by authorization of the governing body, the director of planning or  
22 other authorized person or agency shall:  
23 (a) In a county whose population is ~~40,000~~ 50,000 or more, within 45  
24 days; or  
25 (b) In a county whose population is less than ~~40,000~~ 50,000, within  
26 60 days,  
27 after acceptance of the parcel map as a complete application by the  
28 governing body pursuant to subsection 1 or pursuant to subsection 2 of  
29 NRS 278.461, review and approve, conditionally approve or disapprove the  
30 parcel map. Unless the time is extended by mutual agreement, if the  
31 governing body, the director of planning or other authorized person or  
32 agency fails to take action within the period specified in this subsection,  
33 the parcel map shall be deemed approved.  
34 4. Except as otherwise provided in NRS 278.463, if unusual  
35 circumstances exist, a governing body or, if authorized by the governing  
36 body, the planning commission may waive the requirement for a parcel  
37 map. Before waiving the requirement for a parcel map, a determination  
38 must be made by the county surveyor, city surveyor or professional land  
39 surveyor appointed by the governing body that a survey is not required.  
40 Unless the time is extended by mutual agreement, a request for a waiver  
41 must be acted upon:  
42 (a) In a county whose population is ~~40,000~~ 50,000 or more, within 45  
43 days; or  
44 (b) In a county whose population is less than ~~40,000~~ 50,000, within  
45 60 days,  
46 after the date of the request for the waiver, or, in the absence of action, the  
47 waiver shall be deemed approved.  
48 5. A governing body may consider or may, by ordinance, authorize the  
49 consideration of the criteria set forth in subsection 3 of NRS 278.349 in





1 determining whether to approve, conditionally approve or disapprove a  
2 second or subsequent parcel map for land that has been divided by a parcel  
3 map which was recorded within the 5 years immediately preceding the  
4 acceptance of the second or subsequent parcel map as a complete  
5 application.

6 6. An applicant or other person aggrieved by a decision of the  
7 governing body's authorized representative or by a final act of the planning  
8 commission may appeal to the governing body within a reasonable period  
9 to be determined, by ordinance, by the governing body. The governing  
10 body shall render its decision:

11 (a) In a county whose population is ~~40,000~~ 50,000 or more, within 45  
12 days; or

13 (b) In a county whose population is less than ~~40,000~~ 50,000, within  
14 60 days,  
15 after the date the appeal is filed.

16 7. If a parcel map and the associated division of land are approved or  
17 deemed approved pursuant to this section, the approval must be noted on  
18 the map in the form of a certificate attached thereto and executed by the  
19 clerk of the governing body, the governing body's designated  
20 representative or the chairman of the planning commission. A certificate  
21 attached to a parcel map pursuant to this subsection must indicate, if  
22 applicable, that the governing body or planning commission determined  
23 that a public street, easement or utility easement which will not remain in  
24 effect after a merger and resubdivision of parcels conducted pursuant to  
25 NRS 278.4925, has been vacated or abandoned in accordance with NRS  
26 278.480.

27 **Sec. 21.** NRS 278.4725 is hereby amended to read as follows:

28 278.4725 1. Except as otherwise provided in this section, if the  
29 governing body has authorized the planning commission to take final  
30 action on a final map, the planning commission shall approve,  
31 conditionally approve or disapprove the final map, basing its action upon  
32 the requirements of NRS 278.472:

33 (a) In a county whose population is ~~40,000~~ 50,000 or more, within 45  
34 days; or

35 (b) In a county whose population is less than ~~40,000~~ 50,000, within  
36 60 days,

37 after accepting the final map as a complete application. The planning  
38 commission shall file its written decision with the governing body. Except  
39 as otherwise provided in subsection 5, or unless the time is extended by  
40 mutual agreement, if the planning commission is authorized to take final  
41 action and it fails to take action within the period specified in this  
42 subsection, the final map shall be deemed approved unconditionally.

43 2. If there is no planning commission or if the governing body has not  
44 authorized the planning commission to take final action, the governing  
45 body or its authorized representative shall approve, conditionally approve  
46 or disapprove the final map, basing its action upon the requirements of  
47 NRS 278.472:

48 (a) In a county whose population is ~~40,000~~ 50,000 or more, within 45  
49 days; or





1 (b) In a county whose population is less than ~~40,000~~ 50,000, within  
2 60 days,  
3 after the final map is accepted as a complete application. Except as  
4 otherwise provided in subsection 5 or unless the time is extended by  
5 mutual agreement, if the governing body or its authorized representative  
6 fails to take action within the period specified in this subsection, the final  
7 map shall be deemed approved unconditionally.

8 3. An applicant or other person aggrieved by a decision of the  
9 authorized representative of the governing body or by a final act of the  
10 planning commission may appeal to the governing body within a  
11 reasonable period to be determined, by ordinance, by the governing body.  
12 The governing body shall render its decision:

13 (a) In a county whose population is ~~40,000~~ 50,000 or more, within 45  
14 days; or

15 (b) In a county whose population is less than ~~40,000~~ 50,000, within  
16 60 days,  
17 after the date on which the appeal is filed.

18 4. If the map is disapproved, the governing body or its authorized  
19 representative or the planning commission shall return the map to the  
20 person who proposes to divide the land, with the reason for its action and a  
21 statement of the changes necessary to render the map acceptable.

22 5. If the final map divides the land into 16 lots or more, the governing  
23 body or its authorized representative or the planning commission shall not  
24 approve a map, and a map shall not be deemed approved, unless:

25 (a) Each lot contains an access road that is suitable for use by  
26 emergency vehicles; and

27 (b) The corners of each lot are set by a professional land surveyor.

28 6. If the final map divides the land into 15 lots or less, the governing  
29 body or its authorized representative or the planning commission may, if  
30 reasonably necessary, require the map to comply with the provisions of  
31 subsection 5.

32 7. Upon approval, the map must be filed with the county recorder.  
33 Filing with the county recorder operates as a continuing:

34 (a) Offer to dedicate for public roads the areas shown as proposed roads  
35 or easements of access, which the governing body may accept in whole or  
36 in part at any time or from time to time.

37 (b) Offer to grant the easements shown for public utilities, which any  
38 public utility may similarly accept without excluding any other public  
39 utility whose presence is physically compatible.

40 8. The map filed with the county recorder must include:

41 (a) A certificate signed and acknowledged by each owner of land to be  
42 divided consenting to the preparation of the map, the dedication of the  
43 roads and the granting of the easements.

44 (b) A certificate signed by the clerk of the governing body or authorized  
45 representative of the governing body or the secretary to the planning  
46 commission that the map was approved, or the affidavit of the person  
47 presenting the map for filing that the time limited by subsection 1 or 2 for  
48 action by the governing body or its authorized representative or the  
49 planning commission has expired and that the requirements of subsection 5



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1 have been met. A certificate signed pursuant to this paragraph must also  
2 indicate, if applicable, that the governing body or planning commission  
3 determined that a public street, easement or utility easement which will not  
4 remain in effect after a merger and resubdivision of parcels conducted  
5 pursuant to NRS 278.4925, has been vacated or abandoned in accordance  
6 with NRS 278.480.

7 (c) A written statement signed by the treasurer of the county in which  
8 the land to be divided is located indicating that all property taxes on the  
9 land for the fiscal year have been paid.

10 9. A governing body may by local ordinance require a final map to  
11 include:

12 (a) A report from a title company which lists the names of:

13 (1) Each owner of record of the land to be divided; and

14 (2) Each holder of record of a security interest in the land to be  
15 divided, if the security interest was created by a mortgage or a deed of  
16 trust.

17 (b) The signature of each owner of record of the land to be divided.

18 (c) The written consent of each holder of record of a security interest  
19 listed pursuant to subparagraph (2) of paragraph (a), to the preparation and  
20 recordation of the final map. A holder of record may consent by signing:

21 (1) The final map; or

22 (2) A separate document that is filed with the final map and declares  
23 his consent to the division of land.

24 10. After a map has been filed with the county recorder, any lot shown  
25 thereon may be conveyed by reference to the map, without further  
26 description.

27 11. The county recorder shall charge and collect for recording the map  
28 a fee of not more than \$35 per page set by the board of county  
29 commissioners.

30 **Sec. 22.** NRS 279.685 is hereby amended to read as follows:

31 279.685 1. Except as otherwise provided in this section, an agency of  
32 a city whose population is ~~1200,000~~ **300,000** or more that receives revenue  
33 from taxes pursuant to paragraph (b) of subsection 1 of NRS 279.676 shall  
34 set aside not less than 15 percent of that revenue received on or before  
35 October 1, 1999, and 18 percent of that revenue received after October 1,  
36 1999, to increase, improve and preserve the number of dwelling units in the  
37 community for low-income households.

38 2. The obligation of an agency to set aside not less than 15 percent of  
39 the revenue from taxes allocated to and received by the agency pursuant to  
40 paragraph (b) of subsection 1 of NRS 279.676 is subordinate to any  
41 existing obligations of the agency. As used in this subsection, "existing  
42 obligations" means the principal and interest, when due, on any bonds,  
43 notes or other indebtedness whether funded, refunded, assumed or  
44 otherwise incurred by the agency before July 1, 1993, to finance or  
45 refinance in whole or in part, the redevelopment of a redevelopment area.  
46 For the purposes of this subsection, obligations incurred by an agency after  
47 July 1, 1993, shall be deemed existing obligations if the net proceeds are  
48 used to refinance existing obligations of the agency.





1       3. The obligation of an agency to set aside an additional 3 percent of  
2 the revenue from taxes allocated to and received by the agency pursuant to  
3 paragraph (b) of subsection 1 of NRS 279.676 is subordinate to any  
4 existing obligations of the agency. As used in this subsection, "existing  
5 obligations" means the principal and interest, when due, on any bonds,  
6 notes or other indebtedness whether funded, refunded, assumed or  
7 otherwise incurred by the agency before October 1, 1999, to finance or  
8 refinance in whole or in part, the redevelopment of a redevelopment area.  
9 For the purposes of this subsection, obligations incurred by an agency after  
10 October 1, 1999, shall be deemed existing obligations if the net proceeds  
11 are used to refinance existing obligations of the agency.

12       4. The agency may expend or otherwise commit money for the  
13 purposes of subsection 1 outside the boundaries of the redevelopment area.

14       **Sec. 23.** NRS 283.040 is hereby amended to read as follows:

15       283.040 1. Every office becomes vacant upon the occurring of any of  
16 the following events before the expiration of the term:

17       (a) The death or resignation of the incumbent.

18       (b) The removal of the incumbent from office.

19       (c) The confirmed insanity of the incumbent, found by a court of  
20 competent jurisdiction.

21       (d) A conviction of the incumbent of any felony or offense involving a  
22 violation of his official oath or bond or a violation of NRS 241.040,  
23 293.1755 or 293C.200.

24       (e) A refusal or neglect of the person elected or appointed to take the  
25 oath of office, as prescribed in NRS 282.010, or, when a bond is required  
26 by law, his refusal or neglect to give the bond within the time prescribed by  
27 law.

28       (f) Except as otherwise provided in NRS 266.400, the ceasing of the  
29 incumbent to be an actual, as opposed to constructive, resident of the state,  
30 district, county, city, ward or other unit prescribed by law in which the  
31 duties of his office are to be exercised, or from which he was elected or  
32 appointed, or in which he was required to reside to be a candidate for office  
33 or appointed to office.

34       (g) The neglect or refusal of the incumbent to discharge the duties of his  
35 office for a period of 30 days, except when prevented by sickness or  
36 absence from the state or county, as provided by law. In a county whose  
37 population is less than ~~110,000~~ 15,000, after an incumbent, other than a  
38 state officer, has been prevented by sickness from discharging the duties of  
39 his office for at least 6 months, the district attorney, either on his own  
40 volition or at the request of another person, may petition the district court  
41 to declare the office vacant. If the incumbent holds the office of district  
42 attorney, the attorney general, either on his own volition or at the request of  
43 another person, may petition the district court to declare the office vacant.  
44 The district court shall hold a hearing to determine whether to declare the  
45 office vacant and, in making its determination, shall consider evidence  
46 relating to:

47       (1) The medical condition of the incumbent;



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(2) The extent to which illness, disease or physical weakness has rendered the incumbent unable to manage independently and perform the duties of his office; and

(3) The extent to which the absence of the incumbent has had a detrimental effect on the applicable governmental entity.

(h) The decision of a competent tribunal declaring the election or appointment void or the office vacant.

2. Upon the happening of any of the events described in subsection 1, if the incumbent fails or refuses to relinquish his office, the attorney general shall, if the office is a state office or concerns more than one county, or the district attorney shall, if the office is a county office or concerns territory within one county, commence and prosecute, in a court of competent jurisdiction, any proceedings for judgment and decree declaring that office vacant.

**Sec. 24.** NRS 289.380 is hereby amended to read as follows:

289.380 1. Except as otherwise provided in NRS 289.383, the governing body of a city or county may create a review board by ordinance to advise the governing body on issues concerning peace officers, school police officers, constables and deputies of constables within the city or county.

2. A review board created pursuant to subsection 1 must consist of:

(a) In a city *whose population is 150,000 or more* or a county whose population is 100,000 or more, 25 members; and

(b) In a city *whose population is less than 150,000* or a county whose population is less than 100,000, 12 members.

3. Such a review board must be appointed by the governing body from a list of names submitted by interested persons. If an insufficient number of names of interested persons ~~are~~ *is* submitted, the governing body shall appoint the remaining members in the manner it deems appropriate.

4. A person appointed to the review board must:

(a) Be a resident of the city or county for which the review board was created, except no member of the review board may be currently employed as a peace officer, school police officer, constable or deputy of a constable.

(b) Complete training relating to law enforcement before serving as a member of the review board, including, without limitation, training in the policies and procedures of law enforcement agencies, police of school districts and offices of constables, the provisions of NRS 289.010 to 289.120, inclusive, and the employment contracts of the peace officers, school police officers, constables or deputies of constables.

**Sec. 25.** NRS 293.464 is hereby amended to read as follows:

293.464 1. If a court of competent jurisdiction orders a county to extend the deadline for voting beyond the statutory deadline in a particular election, the county clerk shall, as soon as practicable after he receives notice of the court's decision:

(a) Cause notice of the extended deadline to be published in a newspaper of general circulation in the county; and

(b) Transmit a notice of the extended deadline to each registered voter who requested an absent voter's ballot for the election and has not returned the ballot before the date on which the notice will be transmitted.



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1       2. The notice required pursuant to paragraph (a) of subsection 1 must  
2 be published:  
3       (a) In a county whose population is ~~130,000~~ 45,000 or more, on at least  
4 3 successive days.  
5       (b) In a county whose population is less than ~~130,000~~ 45,000, at least  
6 twice in successive issues of the newspaper.  
7       **Sec. 26.** NRS 295.121 is hereby amended to read as follows:  
8       295.121 1. In a county whose population is ~~150,000~~ 100,000 or  
9 more, for each initiative, referendum or other question to be placed on the  
10 ballot by the board or county clerk, including, without limitation, pursuant  
11 to NRS 293.482, 295.115 or 295.160, the board shall, in consultation with  
12 the county clerk, pursuant to subsection 2, appoint a committee of six  
13 persons, three of whom are known to favor approval by the voters of the  
14 initiative, referendum or other question and three of whom are known to  
15 oppose approval by the voters of the initiative, referendum or other  
16 question. A person may serve on more than one committee. Members of  
17 the committee serve without compensation. The term of office for each  
18 member commences upon appointment and expires upon the publication of  
19 the sample ballot containing the initiative, referendum or other question.  
20       2. Before the board appoints a committee pursuant to subsection 1, the  
21 county clerk shall:  
22       (a) Recommend to the board persons to be appointed to the committee;  
23 and  
24       (b) Consider recommending pursuant to paragraph (a):  
25       (1) Any person who has expressed an interest in serving on the  
26 committee; and  
27       (2) A person who is a member of an organization that has expressed  
28 an interest in having a member of the organization serve on the committee.  
29       3. If the board of a county whose population is ~~150,000~~ 100,000 or  
30 more fails to appoint a committee as required by subsection 1, the county  
31 clerk shall appoint the committee.  
32       4. A committee appointed pursuant to this section:  
33       (a) Shall elect a chairman for the committee;  
34       (b) Shall meet and conduct its affairs as necessary to fulfill the  
35 requirements of this section;  
36       (c) May seek and consider comments from the general public;  
37       (d) Shall prepare an argument advocating approval by the voters of the  
38 initiative, referendum or other question, and prepare a rebuttal to that  
39 argument;  
40       (e) Shall prepare an argument opposing approval by the voters of the  
41 initiative, referendum or other question, and prepare a rebuttal to that  
42 argument; and  
43       (f) Shall submit the arguments and rebuttals prepared pursuant to  
44 paragraphs (d) and (e) to the county clerk not later than the date prescribed  
45 by the county clerk pursuant to subsection 5.  
46       5. The county clerk of a county whose population is ~~150,000~~ 100,000  
47 or more shall provide, by rule or regulation:  
48       (a) The maximum permissible length of an argument or rebuttal  
49 prepared pursuant to this section; and





1 (b) The date by which an argument or rebuttal prepared pursuant to this  
2 section must be submitted by the committee to the county clerk.

3 6. Upon receipt of an argument or rebuttal prepared pursuant to this  
4 section, the county clerk shall reject each statement in the argument or  
5 rebuttal that he believes is libelous or factually inaccurate. Not later than 5  
6 days after the county clerk rejects a statement pursuant to this subsection,  
7 the committee may appeal that rejection to the district attorney. The district  
8 attorney shall review the statement and the reasons for its rejection and  
9 may receive evidence, documentary or testimonial, to aid him in his  
10 decision. Not later than 3 business days after the appeal by the committee,  
11 the district attorney shall issue his decision rejecting or accepting the  
12 statement. The decision of the district attorney is a final decision for the  
13 purposes of judicial review.

14 7. The county clerk shall place in the sample ballot provided to the  
15 registered voters of the county each argument and rebuttal prepared  
16 pursuant to this section, containing all statements that were not rejected  
17 pursuant to subsection 6. The county clerk may revise the language  
18 submitted by the committee so that it is clear, concise and suitable for  
19 incorporation in the sample ballot, but shall not alter the meaning or effect  
20 without the consent of the committee.

21 8. In a county whose population is less than ~~150,000~~ 100,000:

22 (a) The board may appoint a committee pursuant to subsection 1.

23 (b) If the board appoints a committee, the county clerk shall provide for  
24 rules or regulations pursuant to subsection 5.

25 **Sec. 27.** NRS 295.217 is hereby amended to read as follows:

26 295.217 1. In a city whose population is ~~150,000~~ 60,000 or more, for  
27 each initiative, referendum or other question to be placed on the ballot by  
28 the council, including, without limitation, pursuant to NRS 293.482 or  
29 295.215, the council shall, in consultation with the city clerk, pursuant to  
30 subsection 2, appoint a committee of six persons, three of whom are known  
31 to favor approval by the voters of the initiative, referendum or other  
32 question and three of whom are known to oppose approval by the voters of  
33 the initiative, referendum or other question. A person may serve on more  
34 than one committee. Members of the committee serve without  
35 compensation. The term of office for each member commences upon  
36 appointment and expires upon the publication of the sample ballot  
37 containing the initiative, referendum or other question.

38 2. Before the council appoints a committee pursuant to subsection 1,  
39 the city clerk shall:

40 (a) Recommend to the council persons to be appointed to the  
41 committee; and

42 (b) Consider recommending pursuant to paragraph (a):

43 (1) Any person who has expressed an interest in serving on the  
44 committee; and

45 (2) A person who is a member of an organization that has expressed  
46 an interest in having a member of the organization serve on the committee.

47 3. If the council of a city whose population is ~~150,000~~ 60,000 or more  
48 fails to appoint a committee as required by subsection 1, the city clerk shall  
49 appoint the committee.





- 1 4. A committee appointed pursuant to this section:  
2 (a) Shall elect a chairman for the committee;  
3 (b) Shall meet and conduct its affairs as necessary to fulfill the  
4 requirements of this section;  
5 (c) May seek and consider comments from the general public;  
6 (d) Shall prepare an argument advocating approval by the voters of the  
7 initiative, referendum or other question, and prepare a rebuttal to that  
8 argument;  
9 (e) Shall prepare an argument opposing approval by the voters of the  
10 initiative, referendum or other question, and prepare a rebuttal to that  
11 argument; and  
12 (f) Shall submit the arguments and rebuttals prepared pursuant to  
13 paragraphs (d) and (e) to the city clerk not later than the date prescribed by  
14 the city clerk pursuant to subsection 5.  
15 5. The city clerk of a city whose population is ~~150,000~~ 60,000 or more  
16 shall provide, by rule or regulation:  
17 (a) The maximum permissible length of an argument or rebuttal  
18 prepared pursuant to this section; and  
19 (b) The date by which an argument or rebuttal prepared pursuant to this  
20 section must be submitted by the committee to the city clerk.  
21 6. Upon receipt of an argument or rebuttal prepared pursuant to this  
22 section, the city clerk shall reject each statement in the argument or rebuttal  
23 that he believes is libelous or factually inaccurate. Not later than 5 days  
24 after the city clerk rejects a statement pursuant to this subsection, the  
25 committee may appeal that rejection to the city attorney. The city attorney  
26 shall review the statement and the reasons for its rejection and may receive  
27 evidence, documentary or testimonial, to aid him in his decision. Not later  
28 than 3 business days after the appeal by the committee, the city attorney  
29 shall issue his decision rejecting or accepting the statement. The decision  
30 of the city attorney is a final decision for the purposes of judicial review.  
31 7. The city clerk shall place in the sample ballot provided to the  
32 registered voters of the city each argument and rebuttal prepared pursuant  
33 to this section, containing all statements that were not rejected pursuant to  
34 subsection 6. The city clerk may revise the language submitted by the  
35 committee so that it is clear, concise and suitable for incorporation in the  
36 sample ballot, but shall not alter the meaning or effect without the consent  
37 of the committee.  
38 8. In a city whose population is less than ~~150,000~~ 60,000:  
39 (a) The council may appoint a committee pursuant to subsection 1.  
40 (b) If the council appoints a committee, the city clerk shall provide for  
41 rules or regulations pursuant to subsection 5.  
42 **Sec. 28.** NRS 350.002 is hereby amended to read as follows:  
43 350.002 1. There is hereby created in each county whose population  
44 is 400,000 or more, a debt management commission, to be composed of:  
45 (a) Three representatives of the board of county commissioners from its  
46 membership;  
47 (b) One representative of each governing body of the five largest  
48 incorporated cities in the county from its membership;



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- 1 (c) One representative of the board of trustees of the county school  
2 district from its membership; and  
3 (d) Two representatives of the public at large.
- 4 2. There is hereby created in each county whose population is less than  
5 400,000, a debt management commission, to be composed of one  
6 representative of the county, one representative of the school district and  
7 the following additional representatives:
- 8 (a) In each such county which contains more than one incorporated city:  
9 (1) One representative of the city in which the county seat is located;  
10 (2) One representative of the other incorporated cities jointly; and  
11 (3) One representative of the public at large.
- 12 (b) In each such county which contains one incorporated city:  
13 (1) One representative of the incorporated city; and  
14 (2) Two representatives of the public at large.
- 15 (c) In each such county which contains no incorporated city, one  
16 representative of the public at large.
- 17 (d) In each such county which contains one or more general  
18 improvement districts, one representative of the district or districts jointly  
19 and one additional representative of the public at large.
- 20 3. In Carson City, there is hereby created a debt management  
21 commission, to be composed of one representative of the board of  
22 supervisors, one representative of the school district and three  
23 representatives of the public at large. The representative of the board of  
24 supervisors and the representative of the school district shall select the  
25 representatives of the public at large and, for that purpose only, constitute a  
26 quorum of the debt management commission. Members of the commission  
27 serve for a term of 2 years beginning on January 1, or until their successors  
28 are chosen.
- 29 4. Except as otherwise provided in subsection 1, each representative of  
30 a single local government must be chosen by its governing body. Each  
31 representative of two or more local governments must be chosen by their  
32 governing bodies jointly, each governing body having one vote. Each  
33 representative of the general improvement districts must be chosen by their  
34 governing bodies jointly, each governing body having one vote. Each  
35 representative of the public at large must be chosen by the other members  
36 of the commission from residents of the county, or Carson City, as the case  
37 may be, who have a knowledge of its financial structure. A tie vote must be  
38 resolved by lot.
- 39 5. A person appointed as a member of the commission in a county  
40 whose population is ~~150,000~~ 100,000 or more who is not an elected officer  
41 or a person appointed to an elective office for an unexpired term must have  
42 at least 5 years of experience in the field of public administration, public  
43 accounting or banking.
- 44 6. A person appointed as a member of the commission shall not have a  
45 substantial financial interest in the ownership or negotiation of securities  
46 issued by this state or any of its political subdivisions.
- 47 7. Except as otherwise provided in this subsection, members of the  
48 commission or their successors must be chosen in January of each odd-  
49 numbered year and hold office for a term of 2 years beginning January 1.





1 The representatives of incorporated cities must be chosen after elections  
2 are held in the cities, but before the annual meeting of the commission in  
3 July. The term of a representative who serves pursuant to paragraph (a), (b)  
4 or (c) of subsection 1 is coterminous with the term of his elected office,  
5 unless the public entity that appointed him revokes his appointment.

6 8. Any vacancy must be filled in the same manner as the original  
7 choice was made for the remainder of the unexpired term.

8 **Sec. 29.** NRS 350.0033 is hereby amended to read as follows:

9 350.0033 1. The commission in a county whose population is less  
10 than ~~30,000~~ 45,000 may request technical assistance from the department  
11 of taxation to carry out the duties of the commission. Upon such a request,  
12 the department of taxation shall provide to that commission such technical  
13 assistance to the extent that resources are available.

14 2. The board of county commissioners of a county whose population is  
15 ~~30,000~~ 45,000 or more shall provide the commission in that county with  
16 such staff as is necessary to carry out the duties of the commission. The  
17 staff provided to the commission pursuant to this subsection shall provide  
18 such technical assistance to the commission as the commission requires,  
19 except the staff shall not render an opinion on the merits of any proposal or  
20 other matter before the commission.

21 **Sec. 30.** NRS 355.178 is hereby amended to read as follows:

22 355.178 1. The governing body of a city *whose population is*  
23 *150,000 or more* or a county whose population is 100,000 or more may  
24 lend securities from its investment portfolio if:

- 25 (a) The investment portfolio has a value of at least \$100,000,000;  
26 (b) The treasurer of the city or county:

27 (1) Establishes a policy for investment that includes provisions which  
28 set forth the procedures to be used to lend securities pursuant to this  
29 section; and

30 (2) Submits the policy established pursuant to subparagraph (1) to the  
31 city or county manager and prepares and submits to the city or county  
32 manager a monthly report that sets forth the securities that have been lent  
33 pursuant to this section and any other information relating thereto,  
34 including, without limitation, the terms of each agreement for the lending  
35 of those securities; and

36 (c) The governing body receives collateral from the borrower in the  
37 form of cash or marketable securities that are:

38 (1) Authorized pursuant to NRS 355.170, if the collateral is in the  
39 form of marketable securities; and

40 (2) At least 102 percent of the value of the securities borrowed.

41 2. The governing body of a city or consolidated municipality whose  
42 population is ~~50,000~~ 60,000 or more but less than ~~100,000~~ 150,000 may  
43 lend securities from its investment portfolio if:

- 44 (a) The investment portfolio has a value of at least \$50,000,000;  
45 (b) The governing body is currently authorized to lend securities  
46 pursuant to subsection 5;

47 (c) The treasurer of the city or consolidated municipality:





1 (1) Establishes a policy for investment that includes provisions which  
2 set forth the procedures to be used to lend securities pursuant to this  
3 section; and

4 (2) Submits the policy established pursuant to subparagraph (1) to the  
5 manager of the city or consolidated municipality and prepares and submits  
6 to the manager of the city or consolidated municipality a monthly report  
7 that sets forth the securities that have been lent pursuant to this section and  
8 any other information relating thereto, including, without limitation, the  
9 terms of each agreement for the lending of those securities; and

10 (d) The governing body receives collateral from the borrower in the  
11 form of cash or marketable securities that are:

12 (1) Authorized pursuant to NRS 355.170, if the collateral is in the  
13 form of marketable securities; and

14 (2) At least 102 percent of the value of the securities borrowed.

15 3. The governing body of a city, county or consolidated municipality  
16 may enter into such contracts as are necessary to extend and manage loans  
17 pursuant to this section.

18 4. Any investments made with collateral received pursuant to  
19 subsection 1 or 2 must mature not later than 90 days after the date on  
20 which the securities are lent.

21 5. The governing body of a city or consolidated municipality whose  
22 population is ~~150,000~~ 60,000 or more but less than ~~100,000~~ 150,000  
23 shall not lend securities from its investment portfolio unless it has been  
24 authorized to do so by the state board of finance. The state board of finance  
25 shall adopt regulations that establish minimum standards for granting  
26 authorization pursuant to this subsection. Such an authorization is valid for  
27 2 years and may be renewed by the state board of finance for additional 2-  
28 year periods.

29 **Sec. 31.** NRS 360.750 is hereby amended to read as follows:

30 360.750 1. A person who intends to locate or expand a business in  
31 this state may apply to the commission on economic development for a  
32 partial abatement of one or more of the taxes imposed on the new or  
33 expanded business pursuant to chapter 361, 364A or 374 of NRS.

34 2. The commission on economic development shall approve an  
35 application for a partial abatement if the commission makes the following  
36 determinations:

37 (a) The business is consistent with:

38 (1) The state plan for industrial development and diversification that  
39 is developed by the commission pursuant to NRS 231.067; and

40 (2) Any guidelines adopted pursuant to the state plan.

41 (b) The applicant has executed an agreement with the commission  
42 which states that the business will, after the date on which a certificate of  
43 eligibility for the abatement is issued pursuant to subsection 5, continue in  
44 operation in this state for a period specified by the commission, which  
45 must be at least 5 years, and will continue to meet the eligibility  
46 requirements set forth in this subsection. The agreement must bind the  
47 successors in interest of the business for the specified period.





- 1 (c) The business is registered pursuant to the laws of this state or the  
2 applicant commits to obtain a valid business license and all other permits  
3 required by the county, city or town in which the business operates.
- 4 (d) Except as otherwise provided in NRS 361.0687, if the business is a  
5 new business in a county *whose population is 100,000 or more* or a city  
6 whose population is ~~150,000~~ 60,000 or more, the business meets at least  
7 two of the following requirements:
- 8 (1) The business will have 75 or more full-time employees on the  
9 payroll of the business by the fourth quarter that it is in operation.
- 10 (2) Establishing the business will require the business to make a  
11 capital investment of at least \$1,000,000 in this state.
- 12 (3) The average hourly wage that will be paid by the new business to  
13 its employees in this state is at least 100 percent of the average statewide  
14 hourly wage as established by the employment security division of the  
15 department of employment, training and rehabilitation on July 1 of each  
16 fiscal year and:
- 17 (I) The business will provide a health insurance plan for all  
18 employees that includes an option for health insurance coverage for  
19 dependents of the employees; and
- 20 (II) The cost to the business for the benefits the business provides  
21 to its employees in this state will meet the minimum requirements for  
22 benefits established by the commission by regulation pursuant to  
23 subsection 9.
- 24 (e) Except as otherwise provided in NRS 361.0687, if the business is a  
25 new business in a county *whose population is less than 100,000* or a city  
26 whose population is less than ~~150,000~~ 60,000, the business meets at least  
27 two of the following requirements:
- 28 (1) The business will have 25 or more full-time employees on the  
29 payroll of the business by the fourth quarter that it is in operation.
- 30 (2) Establishing the business will require the business to make a  
31 capital investment of at least \$250,000 in this state.
- 32 (3) The average hourly wage that will be paid by the new business to  
33 its employees in this state is at least 100 percent of the average statewide  
34 hourly wage as established by the employment security division of the  
35 department of employment, training and rehabilitation on July 1 of each  
36 fiscal year and:
- 37 (I) The business will provide a health insurance plan for all  
38 employees that includes an option for health insurance coverage for  
39 dependents of the employees; and
- 40 (II) The cost to the business for the benefits the business provides  
41 to its employees in this state will meet the minimum requirements for  
42 benefits established by the commission by regulation pursuant to  
43 subsection 9.
- 44 (f) If the business is an existing business, the business meets at least two  
45 of the following requirements:
- 46 (1) The business will increase the number of employees on its payroll  
47 by 10 percent more than it employed in the immediately preceding fiscal  
48 year or by six employees, whichever is greater.



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1 (2) The business will expand by making a capital investment in this  
2 state in an amount equal to at least 20 percent of the value of the tangible  
3 property possessed by the business in the immediately preceding fiscal  
4 year. The determination of the value of the tangible property possessed by  
5 the business in the immediately preceding fiscal year must be made by the:

6 (I) County assessor of the county in which the business will  
7 expand, if the business is locally assessed; or

8 (II) Department, if the business is centrally assessed.

9 (3) The average hourly wage that will be paid by the existing  
10 business to its new employees in this state is at least 100 percent of the  
11 average statewide hourly wage as established by the employment security  
12 division of the department of employment, training and rehabilitation on  
13 July 1 of each fiscal year and:

14 (I) The business will provide a health insurance plan for all new  
15 employees that includes an option for health insurance coverage for  
16 dependents of the employees; and

17 (II) The cost to the business for the benefits the business provides  
18 to its new employees in this state will meet the minimum requirements for  
19 benefits established by the commission by regulation pursuant to  
20 subsection 9.

21 3. Notwithstanding the provisions of subsection 2, the commission on  
22 economic development may:

23 (a) Approve an application for a partial abatement by a business that  
24 does not meet the requirements set forth in paragraph (d), (e) or (f) of  
25 subsection 2;

26 (b) Make the requirements set forth in paragraph (d), (e) or (f) of  
27 subsection 2 more stringent; or

28 (c) Add additional requirements that a business must meet to qualify for  
29 a partial abatement,  
30 if the commission determines that such action is necessary.

31 4. If a person submits an application to the commission on economic  
32 development pursuant to subsection 1, the commission shall provide notice  
33 to the governing body of the county and the city or town, if any, in which  
34 the person intends to locate or expand a business. The notice required  
35 pursuant to this subsection must set forth the date, time and location of the  
36 hearing at which the commission will consider the application.

37 5. If the commission on economic development approves an  
38 application for a partial abatement, the commission shall immediately  
39 forward a certificate of eligibility for the abatement to:

40 (a) The department;

41 (b) The Nevada tax commission; and

42 (c) If the partial abatement is from the property tax imposed pursuant to  
43 chapter 361 of NRS, the county treasurer.

44 6. An applicant for a partial abatement pursuant to this section or an  
45 existing business whose partial abatement is in effect shall, upon the  
46 request of the executive director of the commission on economic  
47 development, furnish the executive director with copies of all records  
48 necessary to verify that the applicant meets the requirements of  
49 subsection 2.



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1     7. If a business whose partial abatement has been approved pursuant to  
2 this section and is in effect ceases:  
3     (a) To meet the requirements set forth in subsection 2; or  
4     (b) Operation before the time specified in the agreement described in  
5 paragraph (b) of subsection 2,  
6 the business shall repay to the department or, if the partial abatement was  
7 from the property tax imposed pursuant to chapter 361 of NRS, to the  
8 county treasurer, the amount of the exemption that was allowed pursuant to  
9 this section before the failure of the business to comply unless the Nevada  
10 tax commission determines that the business has substantially complied  
11 with the requirements of this section. Except as otherwise provided in NRS  
12 360.232 and 360.320, the business shall, in addition to the amount of the  
13 exemption required to be paid pursuant to this subsection, pay interest on  
14 the amount due at the rate most recently established pursuant to NRS  
15 99.040 for each month, or portion thereof, from the last day of the month  
16 following the period for which the payment would have been made had the  
17 partial abatement not been approved until the date of payment of the tax.  
18     8. A county treasurer:  
19     (a) Shall deposit any money that he receives pursuant to subsection 7 in  
20 one or more of the funds established by a local government of the county  
21 pursuant to NRS 354.611, 354.6113 or 354.6115; and  
22     (b) May use the money deposited pursuant to paragraph (a) only for the  
23 purposes authorized by NRS 354.611, 354.6113 and 354.6115.  
24     9. The commission on economic development:  
25     (a) Shall adopt regulations relating to:  
26         (1) The minimum level of benefits that a business must provide to its  
27 employees if the business is going to use benefits paid to employees as a  
28 basis to qualify for a partial abatement; and  
29         (2) The notice that must be provided pursuant to subsection 4.  
30     (b) May adopt such other regulations as the commission on economic  
31 development determines to be necessary to carry out the provisions of this  
32 section.  
33     10. The Nevada tax commission:  
34     (a) Shall adopt regulations regarding:  
35         (1) The capital investment that a new business must make to meet the  
36 requirement set forth in paragraph (d) or (e) of subsection 2; and  
37         (2) Any security that a business is required to post to qualify for a  
38 partial abatement pursuant to this section.  
39     (b) May adopt such other regulations as the Nevada tax commission  
40 determines to be necessary to carry out the provisions of this section.  
41     11. An applicant for an abatement who is aggrieved by a final decision  
42 of the commission on economic development may petition for judicial  
43 review in the manner provided in chapter 233B of NRS.  
44     **Sec. 32.** NRS 361.0687 is hereby amended to read as follows:  
45     361.0687 1. A person who intends to locate or expand a business in  
46 this state may, pursuant to NRS 360.750, apply to the commission on  
47 economic development for a partial abatement from the taxes imposed by  
48 this chapter.





2. For a business to qualify pursuant to NRS 360.750 for a partial abatement from the taxes imposed by this chapter, the commission on economic development must determine that, in addition to meeting the other requirements set forth in subsection 2 of that section:

(a) If the business is a new business in a county *whose population is 100,000 or more* or a city whose population is ~~150,000~~ 60,000 or more:

(1) The business will make a capital investment in the county of at least \$50,000,000 if the business is an industrial or manufacturing business or at least \$5,000,000 if the business is not an industrial or manufacturing business; and

(2) The average hourly wage that will be paid by the new business to its employees in this state is at least 100 percent of the average statewide hourly wage as established by the employment security division of the department of employment, training and rehabilitation on July 1 of each fiscal year.

(b) If the business is a new business in a county *whose population is less than 100,000* or a city whose population is less than ~~150,000~~ 60,000:

(1) The business will make a capital investment in the county of at least \$5,000,000 if the business is an industrial or manufacturing business or at least \$500,000 if the business is not an industrial or manufacturing business; and

(2) The average hourly wage that will be paid by the new business to its employees in this state is at least 100 percent of the average statewide hourly wage as established by the employment security division of the department of employment, training and rehabilitation on July 1 of each fiscal year.

3. If a partial abatement from the taxes imposed by this chapter is approved by the commission on economic development pursuant to NRS 360.750:

(a) The partial abatement must:

(1) Be for a duration of at least 1 year but not more than 10 years;

(2) Not exceed 50 percent of the taxes payable by a business each year pursuant to this chapter; and

(3) Be administered and carried out in the manner set forth in NRS 360.750.

(b) The executive director of the commission on economic development shall notify the county assessor of the county in which the business is located of the approval of the partial abatement, including, without limitation, the duration and percentage of the partial abatement that the commission granted. The executive director shall, on or before April 15 of each year, advise the county assessor of each county in which a business qualifies for a partial abatement during the current fiscal year as to whether the business is still eligible for the partial abatement in the next succeeding fiscal year.

**Sec. 33.** NRS 361.340 is hereby amended to read as follows:

361.340 1. Except as otherwise provided in subsection 2, the board of equalization of each county consists of:

(a) Five members, only two of whom may be elected public officers, in counties having a population of ~~110,000~~ 15,000 or more; and



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1 (b) Three members, only one of whom may be an elected public officer,  
2 in counties having a population of less than ~~10,000~~ 15,000.

3 2. The board of county commissioners may by resolution provide for  
4 an additional panel of like composition to be added to the board of  
5 equalization to serve for a designated fiscal year. The board of county  
6 commissioners may also appoint alternate members to either panel.

7 3. A district attorney, county treasurer or county assessor or any of  
8 their deputies or employees may not be appointed to the county board of  
9 equalization.

10 4. The chairman of the board of county commissioners shall nominate  
11 persons to serve on the county board of equalization who are sufficiently  
12 experienced in business generally to be able to bring knowledge and sound  
13 judgment to the deliberations of the board or who are elected public  
14 officers. The nominees must be appointed upon a majority vote of the  
15 board of county commissioners. The chairman of the board of county  
16 commissioners shall designate one of the appointees to serve as chairman  
17 of the county board of equalization.

18 5. Except as otherwise provided in this subsection, the term of each  
19 member is 4 years and any vacancy must be filled by appointment for the  
20 unexpired term. The term of any elected public officer expires upon the  
21 expiration of the term of his elected office.

22 6. The county clerk or his designated deputy is the clerk of each panel  
23 of the county board of equalization.

24 7. Any member of the county board of equalization may be removed  
25 by the board of county commissioners if, in its opinion, the member is  
26 guilty of malfeasance in office or neglect of duty.

27 8. The members of the county board of equalization are entitled to  
28 receive per diem allowance and travel expenses as provided for state  
29 officers and employees. The board of county commissioners of any county  
30 may by resolution provide for compensation to members of the board of  
31 equalization in their county who are not elected public officers as they  
32 deem adequate for time actually spent on the work of the board of  
33 equalization. In no event may the rate of compensation established by a  
34 board of county commissioners exceed \$40 per day.

35 9. A majority of the members of the county board of equalization  
36 constitutes a quorum, and a majority of the board determines the action of  
37 the board.

38 10. The county board of equalization of each county shall hold such  
39 number of meetings as may be necessary to care for the business of  
40 equalization presented to it. Every appeal to the county board of  
41 equalization must be filed not later than January 15. Each county board  
42 shall cause to be published, in a newspaper of general circulation published  
43 in that county, a schedule of dates, times and places of the board meetings  
44 at least 5 days before the first meeting. The county board of equalization  
45 shall conclude the business of equalization on or before February 28 of  
46 each year except as to matters remanded by the state board of equalization.  
47 The state board of equalization may establish procedures for the county  
48 boards, including setting the period for hearing appeals and for setting  
49 aside time to allow the county board to review and make final



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1 determinations. The district attorney or his deputy shall be present at all  
2 meetings of the county board of equalization to explain the law and the  
3 board's authority.

4 11. The county assessor or his deputy shall attend all meetings of each  
5 panel of the county board of equalization.

6 **Sec. 34.** NRS 361.453 is hereby amended to read as follows:

7 361.453 1. Except as otherwise provided in this section and NRS  
8 354.705, 354.723 and 450.760, the total ad valorem tax levy for all public  
9 purposes must not exceed \$3.64 on each \$100 of assessed valuation, or a  
10 lesser or greater amount fixed by the state board of examiners if the state  
11 board of examiners is directed by law to fix a lesser or greater amount for  
12 that fiscal year.

13 2. Any levy imposed by the legislature for the repayment of bonded  
14 indebtedness or the operating expenses of the State of Nevada and any levy  
15 imposed by the board of county commissioners pursuant to NRS 387.195  
16 that is in excess of 50 cents on each \$100 of assessed valuation of taxable  
17 property within the county must not be included in calculating the  
18 limitation set forth in subsection 1 on the total ad valorem tax levied within  
19 the boundaries of the county, city or unincorporated town, if, in a county  
20 whose population is ~~125,000~~ 40,000 or less, or in a city or unincorporated  
21 town located within that county:

22 (a) The combined tax rate certified by the Nevada tax commission was  
23 at least \$3.50 on each \$100 of assessed valuation on June 25, 1998;

24 (b) The governing body of that county, city or unincorporated town  
25 proposes to its registered voters an additional levy ad valorem above the  
26 total ad valorem tax levy for all public purposes set forth in subsection 1;

27 (c) The proposal specifies the amount of money to be derived, the  
28 purpose for which it is to be expended and the duration of the levy; and

29 (d) The proposal is approved by a majority of the voters voting on the  
30 question at a general election or a special election called for that purpose.

31 3. The duration of the additional levy ad valorem levied pursuant to  
32 subsection 2 must not exceed 5 years. The governing body of the county,  
33 city or unincorporated town may discontinue the levy before it expires and  
34 may not thereafter reimpose it in whole or in part without following the  
35 procedure required for its original imposition set forth in subsection 2.

36 4. A special election may be held pursuant to subsection 2 only if the  
37 governing body of the county, city or unincorporated town determines, by  
38 a unanimous vote, that an emergency exists. The determination made by  
39 the governing body is conclusive unless it is shown that the governing  
40 body acted with fraud or a gross abuse of discretion. An action to challenge  
41 the determination made by the governing body must be commenced within  
42 15 days after the governing body's determination is final. As used in this  
43 subsection, "emergency" means any unexpected occurrence or combination  
44 of occurrences which requires immediate action by the governing body of  
45 the county, city or unincorporated town to prevent or mitigate a substantial  
46 financial loss to the county, city or unincorporated town or to enable the  
47 governing body to provide an essential service to the residents of the  
48 county, city or unincorporated town.





1     **Sec. 35.** NRS 371.107 is hereby amended to read as follows:  
2     371.107 The county assessor of each county whose population is  
3     ~~135,000~~ **50,000** or more is designated as an agent to assist the department  
4     in administering the exemptions provided in this chapter, and shall, after  
5     establishing the validity of an application for an exemption, issue a  
6     certificate for use by the department to allow a claimant the appropriate  
7     exemption on his vehicle.

8     **Sec. 36.** NRS 371.125 is hereby amended to read as follows:  
9     371.125 The county assessor of each county whose population is less  
10    than ~~135,000~~ **50,000** is designated as agent to assist in the collection of the  
11    tax required to be levied under this chapter. The county assessor of each  
12    county is designated as agent to assist the department in administering the  
13    exemptions provided in this chapter.

14    **Sec. 37.** NRS 373.028 is hereby amended to read as follows:  
15    373.028 "Project" means:

16    1. In a county whose population is ~~135,000~~ **50,000** or more, street and  
17    highway construction, including, without limitation, the acquisition and  
18    improvement of any street, avenue, boulevard, alley, highway or other  
19    public right of way used for any vehicular traffic, and including a sidewalk  
20    designed primarily for use by pedestrians, and also, including, without  
21    limitation, grades, regrades, gravel, oiling, surfacing, macadamizing,  
22    paving, crosswalks, sidewalks, pedestrian rights of way, driveway  
23    approaches, curb cuts, curbs, gutters, culverts, catch basins, drains, sewers,  
24    manholes, inlets, outlets, retaining walls, bridges, overpasses, tunnels,  
25    underpasses, approaches, sprinkling facilities, artificial lights and lighting  
26    equipment, parkways, grade separators, traffic separators, and traffic  
27    control equipment, and all appurtenances and incidentals, or any  
28    combination thereof, including, without limitation, the acquisition and  
29    improvement of all types of property therefor.

30    2. In a county whose population is less than ~~135,000~~ **50,000**, street  
31    and highway construction, maintenance or repair, or any combination  
32    thereof, including, without limitation, the acquisition, maintenance, repair  
33    and improvement of any street, avenue, boulevard, alley, highway or other  
34    public right of way used for any vehicular traffic, and including a sidewalk  
35    designed primarily for use by pedestrians, and also, including, without  
36    limitation, grades, regrades, gravel, oiling, surfacing, macadamizing,  
37    paving, crosswalks, sidewalks, pedestrian rights of way, driveway  
38    approaches, curb cuts, curbs, gutters, culverts, catch basins, drains, sewers,  
39    manholes, inlets, outlets, retaining walls, bridges, overpasses, tunnels,  
40    underpasses, approaches, sprinkling facilities, artificial lights and lighting  
41    equipment, parkways, grade separators, traffic separators, and traffic  
42    control equipment, and all appurtenances and incidentals, or any  
43    combination thereof, including, without limitation, the acquisition,  
44    maintenance, repair and improvement of all types of property therefor.

45    **Sec. 38.** NRS 379.050 is hereby amended to read as follows:  
46    379.050 1. Whenever a new county library is provided for in any  
47    county whose population is ~~125,000~~ **40,000** or more, the trustees of any  
48    district library in the county previously established may transfer all books,





1 funds, equipment or other property in the possession of such trustees to the  
2 new library upon the demand of the trustees of the new library.

3 2. Whenever there are two or more county library districts in any  
4 county whose population is ~~125,000~~ 40,000 or more, the districts may  
5 merge into one county library district upon approval of the library trustees  
6 of the merging districts.

7 3. Whenever there is a city or a town library located adjacent to a  
8 county library district, the city or town library may:

9 (a) Merge with the county library district upon approval of the trustees  
10 of the merging library and district; or

11 (b) Subject to the limitations in NRS 379.0221, consolidate with the  
12 county library district.

13 4. All expenses incurred in making a transfer or merger must be paid  
14 out of the general fund of the new library.

15 **Sec. 39.** NRS 380.010 is hereby amended to read as follows:

16 380.010 1. The board of county commissioners of any county may  
17 establish by ordinance a law library to be governed and managed by a  
18 board of law library trustees in accordance with the provisions of this  
19 chapter.

20 2. The board of county commissioners of any county whose population  
21 is less than ~~135,000~~ 50,000 may establish by ordinance a law library to be  
22 governed and managed as prescribed by the board of county  
23 commissioners of that county. The board of county commissioners of any  
24 county whose population is less than ~~135,000~~ 50,000 may exercise or  
25 delegate the exercise of any power granted to a board of law library  
26 trustees under this chapter.

27 3. Any law library established pursuant to subsection 2 is subject to the  
28 provisions of NRS 380.065, 380.110 and 380.130 to 380.190, inclusive.

29 **Sec. 40.** NRS 387.331 is hereby amended to read as follows:

30 387.331 1. The tax on residential construction authorized by this  
31 section is a specified amount which must be the same for each:

32 (a) Lot for a mobile home;

33 (b) Residential dwelling unit; and

34 (c) Suite in an apartment house,

35 imposed on the privilege of constructing apartment houses and residential  
36 dwelling units and developing lots for mobile homes.

37 2. The board of trustees of any school district whose population is less  
38 than ~~140,000~~ 50,000 may request that the board of county commissioners  
39 of the county in which the school district is located impose a tax on  
40 residential construction in the school district to construct, remodel and  
41 make additions to school buildings. Whenever the board of trustees takes  
42 that action it shall notify the board of county commissioners and shall  
43 specify the areas of the county to be served by the buildings to be erected  
44 or enlarged.

45 3. If the board of county commissioners decides that the tax should be  
46 imposed, it shall notify the Nevada tax commission. If the commission  
47 approves, the board of county commissioners may then impose the tax,  
48 whose specified amount must not exceed \$1,600.





1 4. The board shall collect the tax so imposed, in the areas of the county  
2 to which it applies, and may require that administrative costs, not to exceed  
3 1 percent, be paid from the amount collected.

4 5. The money collected must be deposited with the county treasurer in  
5 the school district's fund for capital projects to be held and expended in the  
6 same manner as other money deposited in that fund.

7 **Sec. 41.** NRS 396.892 is hereby amended to read as follows:

8 396.892 1. Each student who receives a loan made pursuant to NRS  
9 396.890 to 396.898, inclusive, shall repay the loan and accrued interest  
10 pursuant to the terms of the loan unless:

11 (a) He practices nursing in a rural area of Nevada or as an employee of  
12 the state for 6 months for each academic year for which he received a loan;  
13 or

14 (b) He practices nursing in any other area of Nevada for 1 year for each  
15 academic year for which he received a loan.

16 2. The board of regents may adopt regulations:

17 (a) Extending the time for completing the required practice beyond 5  
18 years for persons who are granted extensions because of hardship; and

19 (b) Granting prorated credit towards repayment of a loan for time a  
20 person practices nursing as required, for cases in which the period for  
21 required practice is only partially completed,  
22 and such other regulations as are necessary to carry out the provisions of  
23 NRS 396.890 to 396.898, inclusive.

24 3. As used in this section, "practices nursing in a rural area" means  
25 that the person practices nursing in an area located in a county whose  
26 population is less than ~~30,000~~ 45,000 at least half of the total time the  
27 person spends in the practice of nursing, and not less than 20 hours per  
28 week.

29 **Sec. 42.** NRS 439B.420 is hereby amended to read as follows:

30 439B.420 1. A hospital or related entity shall not establish a rental  
31 agreement with a physician or entity that employs physicians that requires  
32 any portion of his medical practice to be referred to the hospital or related  
33 entity.

34 2. The rent required of a physician or entity which employs physicians  
35 by a hospital or related entity must not be less than 75 percent of the rent  
36 for comparable office space leased to another physician or other lessee in  
37 the building, or in a comparable building owned by the hospital or entity.

38 3. A hospital or related entity shall not pay any portion of the rent of a  
39 physician or entity which employs physicians within facilities not owned or  
40 operated by the hospital or related entity, unless the resulting rent is no  
41 lower than the highest rent for which the hospital or related entity rents  
42 comparable office space to other physicians.

43 4. A health facility shall not offer any provider of medical care any  
44 financial inducement, excluding rental agreements subject to the provisions  
45 of subsection 2 or 3, whether in the form of immediate, delayed, direct or  
46 indirect payment to induce the referral of a patient or group of patients to  
47 the health facility. This subsection does not prohibit bona fide gifts under  
48 \$100, or reasonable promotional food or entertainment.





1 5. The provisions of subsections 1 to 4, inclusive, do not apply to  
2 hospitals in a county whose population is less than ~~135,000~~ **50,000**.

3 6. A hospital, if acting as a billing agent for a medical practitioner  
4 performing services in the hospital, shall not add any charges to the  
5 practitioner's bill for services other than a charge related to the cost of  
6 processing the billing.

7 7. A hospital or related entity shall not offer any financial inducement  
8 to an officer, employee or agent of an insurer, a person acting as an insurer  
9 or self-insurer or a related entity. A person shall not accept such offers.  
10 This subsection does not prohibit bona fide gifts of under \$100 in value, or  
11 reasonable promotional food or entertainment.

12 8. A hospital or related entity shall not sell goods or services to a  
13 physician unless the costs for such goods and services are at least equal to  
14 the cost for which the hospital or related entity pays for the goods and  
15 services.

16 9. Except as otherwise provided in this subsection, a practitioner or  
17 health facility shall not refer a patient to a health facility or service in  
18 which the referring party has a financial interest unless the referring party  
19 first discloses the interest to the patient. This subsection does not apply to  
20 practitioners subject to the provisions of NRS 439B.425.

21 10. The director may, at reasonable intervals, require a hospital or  
22 related entity or other party to an agreement to submit copies of operative  
23 contracts subject to the provisions of this section after notification by  
24 registered mail. The contracts must be submitted within 30 days after  
25 receipt of the notice. Contracts submitted pursuant to this subsection are  
26 confidential, except in cases in which an action is brought pursuant to  
27 subsection 11.

28 11. A person who willfully violates any provision of this section is  
29 liable to the State of Nevada for:

30 (a) A civil penalty in an amount of not more than \$5,000 per  
31 occurrence, or 100 percent of the value of the illegal transaction, whichever  
32 is greater.

33 (b) Any reasonable expenses incurred by the state in enforcing this  
34 section.

35 Any money recovered pursuant to this subsection as a civil penalty must be  
36 deposited in a separate account in the state general fund and used for  
37 projects intended to benefit the residents of this state with regard to health  
38 care. Money in the account may only be withdrawn by act of the  
39 legislature.

40 12. As used in this section, "related entity" means an affiliated person  
41 or subsidiary as those terms are defined in NRS 439B.430.

42 **Sec. 43.** NRS 444A.040 is hereby amended to read as follows:

43 444A.040 1. The board of county commissioners in a county whose  
44 population is ~~more than 100,000~~ **100,000 or more**, or its designee, shall  
45 make available for use in that county a program for:

46 (a) The separation at the source of recyclable material from other solid  
47 waste originating from the residential premises and public buildings where  
48 services for the collection of solid waste are provided.



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1 (b) The establishment of recycling centers for the collection and  
2 disposal of recyclable material where existing recycling centers do not  
3 carry out the purposes of the program.

4 (c) The disposal of hazardous household products which are capable of  
5 causing harmful physical effects if inhaled, absorbed or ingested. This  
6 program may be included as a part of any other program made available  
7 pursuant to this subsection.

8 2. The board of county commissioners of a county whose population is  
9 ~~{more than 25,000 but not more than 100,000,}~~ *40,000 or more but less*  
10 *than 100,000*, or its designee:

11 (a) May make available for use in that county a program for the  
12 separation at the source of recyclable material from other solid waste  
13 originating from the residential premises and public buildings where  
14 services for the collection of solid waste are provided.

15 (b) Shall make available for use in that county a program for:

16 (1) The establishment of recycling centers for the collection and  
17 disposal of recyclable material where existing recycling centers do not  
18 carry out the purposes of the program established pursuant to paragraph  
19 (a).

20 (2) The disposal of hazardous household products which are capable  
21 of causing harmful physical effects if inhaled, absorbed or ingested. This  
22 program may be included as a part of any other program made available  
23 pursuant to this subsection.

24 3. The board of county commissioners of a county whose population is  
25 ~~{not more than 25,000,}~~ *less than 40,000*, or its designee, may make  
26 available for use in that county a program for:

27 (a) The separation at the source of recyclable material from other solid  
28 waste originating from the residential premises and public buildings where  
29 services for the collection of solid waste are provided.

30 (b) The establishment of recycling centers for the collection and  
31 disposal of recyclable material where existing recycling centers do not  
32 carry out the purposes of the program.

33 (c) The disposal of hazardous household products which are capable of  
34 causing harmful physical effects if inhaled, absorbed or ingested. This  
35 program may be included as a part of any other program made available  
36 pursuant to this subsection.

37 4. Any program made available pursuant to this section:

38 (a) Must not:

39 (1) Conflict with the standards adopted by the state environmental  
40 commission pursuant to NRS 444A.020; and

41 (2) Become effective until approved by the department.

42 (b) May be based on the model plans adopted pursuant to NRS  
43 444A.030.

44 5. The governing body of a municipality may adopt and carry out  
45 within the municipality such programs made available pursuant to this  
46 section as are deemed necessary and appropriate for that municipality.

47 6. Any municipality may, with the approval of the governing body of  
48 an adjoining municipality, participate in any program adopted by the  
49 adjoining municipality pursuant to subsection 5.



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1 7. Persons residing on an Indian reservation or Indian colony may  
2 participate in any program adopted pursuant to subsection 5 by a  
3 municipality in which the reservation or colony is located if the governing  
4 body of the reservation or colony adopts an ordinance requesting such  
5 participation. Upon receipt of such a request, the governing body of the  
6 municipality shall make available to the residents of the reservation or  
7 colony those programs requested.

8 **Sec. 44.** NRS 445A.500 is hereby amended to read as follows:

9 445A.500 1. Each permit issued by the department must ensure  
10 compliance with the following factors whenever applicable to the  
11 discharge or the injection of fluids through a well for which the permit is  
12 sought:

13 (a) Effluent limitations;  
14 (b) Standards of performance for new sources;  
15 (c) Standards for pretreatment;  
16 (d) Standards for injections of fluids through a well; and  
17 (e) Any more stringent limitations, including any necessary to meet or  
18 effectuate standards of water quality, standards of treatment or schedules of  
19 compliance developed by the department as part of a continuing planning  
20 process or areawide plan for the management of the treatment of waste  
21 under NRS 445A.580 or in furthering the purposes and goals of NRS  
22 445A.300 to 445A.730, inclusive.

23 2. Each permit must specify average and maximum daily or other  
24 appropriate quantitative limitations for the level of pollutants or  
25 contaminants in the authorized discharge or injection.

26 3. If an application is made to discharge from a point source into any  
27 waters of this state which flow directly or ultimately into an irrigation  
28 reservoir upstream from which are located urban areas in two or more  
29 counties and if each county has a population of ~~135,000~~ 50,000 or more,  
30 the department must give notice of the application to each city, county,  
31 unincorporated town and irrigation district located downstream from the  
32 point of discharge. Notice to an unincorporated town must be given to the  
33 town board or advisory council if there is one.

34 **Sec. 45.** NRS 445A.590 is hereby amended to read as follows:

35 445A.590 1. The department shall notify each interested person and  
36 appropriate governmental agency of each complete application for a  
37 permit, and shall provide them an opportunity to submit their written views  
38 and recommendations thereon. The provisions of this subsection do not  
39 apply to an application for a temporary permit issued pursuant to NRS  
40 445A.485.

41 2. Notification must be in the manner provided in the regulations  
42 adopted by the commission pursuant to applicable federal law.

43 3. If the treatment works are to discharge into any waters of this state  
44 which flow directly or ultimately into an irrigation reservoir upstream from  
45 which are located urban areas in two or more counties and if each county  
46 has a population of ~~135,000~~ 50,000 or more, the department must include  
47 in its notification each city, county, unincorporated town and irrigation  
48 district located downstream from the point of discharge. Notice to an



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1 unincorporated town must be given to the town board or advisory council if  
2 there is one.

3 **Sec. 46.** NRS 449.0177 is hereby amended to read as follows:

4 449.0177 “Rural hospital” means a hospital with 85 or fewer beds  
5 which is:

6 1. The sole institutional provider of health care located within a county  
7 whose population is less than 100,000;

8 2. The sole institutional provider of health care located within a city  
9 whose population is less than ~~40,000;~~ **25,000;** or

10 3. Maintained and governed pursuant to NRS 450.550 to 450.750,  
11 inclusive.

12 **Sec. 47.** NRS 459.558 is hereby amended to read as follows:

13 459.558 1. The provisions of NRS 459.560 and 459.565 that concern  
14 hazardous substances do not apply:

15 (a) In a county whose population is less than ~~40,000;~~ **50,000;**

16 (b) To mining or agricultural activities; or

17 (c) To other facilities or locations where the quantity of any one  
18 hazardous substance at any one facility or location does not exceed 1,000  
19 kilograms at any time.

20 2. All other provisions of NRS 459.560 and 459.565, including the  
21 provisions concerning hazardous waste, apply to all counties and all  
22 industries without regard to volume.

23 **Sec. 48.** NRS 477.030 is hereby amended to read as follows:

24 477.030 1. Except as otherwise provided in this section, the state fire  
25 marshal shall enforce all laws and adopt regulations relating to:

26 (a) The prevention of fire.

27 (b) The storage and use of:

28 (1) Combustibles, flammables and fireworks; and

29 (2) Explosives in any commercial construction, but not in mining or  
30 the control of avalanches,

31 under those circumstances that are not otherwise regulated by the division  
32 of industrial relations of the department of business and industry pursuant  
33 to NRS 618.890.

34 (c) The safety, access, means and adequacy of exit in case of fire from  
35 mental and penal institutions, facilities for the care of children, foster  
36 homes, residential facilities for groups, facilities for intermediate care,  
37 nursing homes, hospitals, schools, all buildings, except private residences,  
38 which are occupied for sleeping purposes, buildings used for public  
39 assembly and all other buildings where large numbers of persons work, live  
40 or congregate for any purpose. As used in this paragraph, “public  
41 assembly” means a building or a portion of a building used for the  
42 gathering together of 50 or more persons for purposes of deliberation,  
43 education, instruction, worship, entertainment, amusement or awaiting  
44 transportation, or the gathering together of 100 or more persons in  
45 establishments for drinking or dining.

46 (d) The suppression and punishment of arson and fraudulent claims or  
47 practices in connection with fire losses.

48 The regulations of the state fire marshal apply throughout the state, but,  
49 except with respect to state-owned or state-occupied buildings, his



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1 authority to enforce them or conduct investigations under this chapter does  
2 not extend to a county whose population is ~~150,000~~ 100,000 or more or  
3 which has been converted into a consolidated municipality, except in those  
4 local jurisdictions in those counties where he is requested to exercise that  
5 authority by the chief officer of the organized fire department of that  
6 jurisdiction.

7 2. The state fire marshal may set standards for equipment and  
8 appliances pertaining to fire safety or to be used for fire protection within  
9 this state, including the threads used on fire hose couplings and hydrant  
10 fittings.

11 3. The state fire marshal shall cooperate with the state forester  
12 firewarden in the preparation of regulations relating to standards for fire  
13 retardant roofing materials pursuant to paragraph (e) of subsection 1 of  
14 NRS 472.040.

15 4. The state fire marshal shall cooperate with the division of child and  
16 family services of the department of human resources in establishing  
17 reasonable minimum standards for overseeing the safety of and directing  
18 the means and adequacy of exit in case of fire from family foster homes  
19 and group foster homes.

20 5. The state fire marshal shall coordinate all activities conducted  
21 pursuant to 15 U.S.C. §§ 2201 et seq. and receive and distribute money  
22 allocated by the United States pursuant to that act.

23 6. Except as otherwise provided in subsection 10, the state fire marshal  
24 shall:

25 (a) Investigate any fire which occurs in a county other than one whose  
26 population is ~~150,000~~ 100,000 or more or which has been converted into a  
27 consolidated municipality, and from which a death results or which is of a  
28 suspicious nature.

29 (b) Investigate any fire which occurs in a county whose population is  
30 ~~150,000~~ 100,000 or more or which has been converted into a consolidated  
31 municipality, and from which a death results or which is of a suspicious  
32 nature, if requested to do so by the chief officer of the fire department in  
33 whose jurisdiction the fire occurs.

34 (c) Cooperate with the commissioner of insurance in any investigation  
35 of a fraudulent claim under an insurance policy for any fire of a suspicious  
36 nature.

37 (d) Cooperate with any local fire department in the investigation of any  
38 report received pursuant to NRS 629.045.

39 (e) Provide specialized training in investigating the causes of fires if  
40 requested to do so by the chief officer of an organized fire department.

41 7. The state fire marshal shall put the National Fire Incident Reporting  
42 System into effect throughout the state and publish at least annually a  
43 summary of data collected under the system.

44 8. The state fire marshal shall provide assistance and materials to local  
45 authorities, upon request, for the establishment of programs for public  
46 education and other fire prevention activities.

47 9. The state fire marshal shall:

48 (a) Assist in checking plans and specifications for construction;

49 (b) Provide specialized training to local fire departments; and



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1 (c) Assist local governments in drafting regulations and ordinances,  
2 on request or as he deems necessary.

3 10. In a county other than one whose population is ~~150,000~~ 100,000 or  
4 more or which has been converted into a consolidated municipality, the  
5 state fire marshal shall, upon request by a local government, delegate to the  
6 local government by interlocal agreement all or a portion of his authority or  
7 duties if the local government's personnel and programs are, as determined  
8 by the state fire marshal, equally qualified to perform those functions. If a  
9 local government fails to maintain the qualified personnel and programs in  
10 accordance with such an agreement, the state fire marshal shall revoke the  
11 agreement.

12 **Sec. 49.** NRS 477.100 is hereby amended to read as follows:

13 477.100 As used in NRS 477.110 to 477.170, inclusive, unless the  
14 context otherwise requires, "authority" means:

15 1. The state fire marshal in a county other than one whose population  
16 is ~~150,000~~ 100,000 or more or which has been converted into a  
17 consolidated municipality;

18 2. Unless the county has enacted an ordinance designating the persons  
19 who constitute the authority, the chief building official and chief officer of  
20 the fire service of the jurisdiction in a county whose population is ~~150,000~~  
21 100,000 or more or which has been converted into a consolidated  
22 municipality, and if they are unable to agree on any question, "authority"  
23 includes the county manager or city manager, who shall cast the deciding  
24 vote on that question; or

25 3. If the board of county commissioners of a county whose population  
26 is ~~150,000~~ 100,000 or more or which has been converted into a  
27 consolidated municipality, or the governing body of a city in that county,  
28 has specified a person or persons to act as the authority, that person or  
29 those persons.

30 **Sec. 50.** NRS 482.225 is hereby amended to read as follows:

31 482.225 1. When application is made to the department for  
32 registration of a vehicle purchased in this state from a person other than a  
33 retailer required to be registered with the department of taxation or of a  
34 vehicle purchased outside this state and not previously registered within  
35 this state where the registrant or owner at the time of purchase was not a  
36 resident of or employed in this state, the department or its agent shall  
37 determine and collect any sales or use tax due and shall remit the tax to the  
38 department of taxation except as otherwise provided in NRS 482.260.

39 2. If the registrant or owner of the vehicle was a resident of the state,  
40 or employed within the state, at the time of the purchase of that vehicle, it  
41 is presumed that the vehicle was purchased for use within the state and the  
42 representative or agent of the department of taxation shall collect the tax  
43 and remit it to the department of taxation.

44 3. Until all applicable taxes and fees are collected, the department shall  
45 refuse to register the vehicle.

46 4. In any county whose population is less than ~~135,000~~ 50,000, the  
47 department shall designate the county assessor as the agent of the  
48 department for the collection of any sales or use tax.



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1     5. If the registrant or owner desires to refute the presumption stated in  
2 subsection 2 that he purchased the vehicle for use in this state, he must pay  
3 the tax to the department and then may submit his claim for exemption in  
4 writing, signed by him or his authorized representative, to the department  
5 together with his claim for refund of tax erroneously or illegally collected.

6     6. If the department finds that the tax has been erroneously or illegally  
7 collected, the tax must be refunded.

8     **Sec. 51.** NRS 483.250 is hereby amended to read as follows:

9     483.250 The department shall not issue any license under the  
10 provisions of NRS 483.010 to 483.630, inclusive:

11     1. To any person who is under the age of 18 years, except that the  
12 department may issue:

13         (a) A restricted license to a person between the ages of 14 and 18 years  
14 pursuant to the provisions of NRS 483.267 and 483.270.

15         (b) An instruction permit to a person who is at least 15 1/2 years of age  
16 pursuant to the provisions of subsection 1 of NRS 483.280.

17         (c) A restricted instruction permit to a person under the age of 18 years  
18 pursuant to the provisions of subsection 3 of NRS 483.280.

19         (d) Except as otherwise provided in paragraph (e), a license to a person  
20 between the ages of 16 and 18 years who has completed a course:

21             (1) In automobile driver education pursuant to NRS 389.090; or

22             (2) Provided by a school for training drivers licensed pursuant to  
23 NRS 483.700 to 483.780, inclusive, if the course complies with the  
24 applicable regulations governing the establishment, conduct and scope of  
25 automobile driver education adopted by the state board of education  
26 pursuant to NRS 389.090,

27 and who has at least 50 hours of experience in driving a motor vehicle with  
28 a restricted license, instruction permit or restricted instruction permit issued  
29 pursuant to NRS 483.267, 483.270 or 483.280. The parent or legal  
30 guardian of a person who desires to obtain a license pursuant to this  
31 paragraph must sign and submit to the department a form provided by the  
32 department which attests that the person who desires a license has  
33 completed the training and experience required by this paragraph.

34         (e) A license to a person who is between the ages of 16 and 18 years if:

35             (1) The public school in which he is enrolled is located in a county  
36 whose population is less than ~~135,000~~ 50,000 or in a city or town whose  
37 population is less than 25,000;

38             (2) The public school does not offer automobile driver education;

39             (3) He has at least 50 hours of experience in driving a motor vehicle  
40 with a restricted license, instruction permit or restricted instruction permit  
41 issued pursuant to NRS 483.267, 483.270 or 483.280; and

42             (4) His parent or legal guardian signs and submits to the department a  
43 form provided by the department which attests that the person who desires  
44 a license has completed the experience required by subparagraph (3).

45     2. To any person whose license has been revoked until the expiration  
46 of the period during which he is not eligible for a license.

47     3. To any person whose license has been suspended, but, upon good  
48 cause shown to the administrator, the department may issue a restricted  
49 license to him or shorten any period of suspension.





1 4. To any person who has previously been adjudged to be afflicted  
2 with or suffering from any mental disability or disease and who has not at  
3 the time of application been restored to legal capacity.

4 5. To any person who is required by NRS 483.010 to 483.630,  
5 inclusive, to take an examination, unless he has successfully passed the  
6 examination.

7 6. To any person when the administrator has good cause to believe that  
8 by reason of physical or mental disability that person would not be able to  
9 operate a motor vehicle safely.

10 7. To any person who is not a resident of this state.

11 8. To any child who is the subject of a court order issued pursuant to  
12 paragraph (h) of subsection 1 of NRS 62.211, NRS 62.2255, 62.226 or  
13 62.228 which delays his privilege to drive.

14 9. To any person who is the subject of a court order issued pursuant to  
15 NRS 206.330 which suspends or delays his privilege to drive until the  
16 expiration of the period of suspension or delay.

17 **Sec. 52.** NRS 483.270 is hereby amended to read as follows:

18 483.270 1. The department may issue a restricted license to any pupil  
19 between the ages of 14 and 18 years who is attending:

20 (a) A public school in a school district in this state in a county whose  
21 population is less than ~~135,000~~ 50,000 or in a city or town whose  
22 population is less than 25,000 when transportation to and from school is  
23 not provided by the board of trustees of the school district, if the pupil  
24 meets the requirements for eligibility adopted by the department pursuant  
25 to subsection 5; or

26 (b) A private school meeting the requirements for approval under NRS  
27 392.070 when transportation to and from school is not provided by the  
28 private school,  
29 and it is impossible or impracticable to furnish such pupil with private  
30 transportation to and from school.

31 2. An application for the issuance of a restricted license under this  
32 section must:

33 (a) Be made upon a form provided by the department.

34 (b) Be signed and verified as provided in NRS 483.300.

35 (c) Contain such other information as may be required by the  
36 department.

37 3. Any restricted license issued pursuant to this section:

38 (a) Is effective only for the school year during which it is issued or for a  
39 more restricted period.

40 (b) Authorizes the licensee to drive a motor vehicle on a street or  
41 highway only while going to and from school, and at a speed not in excess  
42 of the speed limit set by law for school buses.

43 (c) May contain such other restrictions as the department may deem  
44 necessary and proper.

45 (d) May authorize the licensee to transport as passengers in a motor  
46 vehicle driven by him, only while he is going to and from school, members  
47 of his immediate family, or other minor persons upon written consent of  
48 the parents or guardians of such minors, but in no event may the number of



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1 passengers so transported at any time exceed the number of passengers for  
2 which the vehicle was designed.

3 4. No restricted license may be issued under the provisions of this  
4 section until the department is satisfied fully as to the applicant's  
5 competency and fitness to drive a motor vehicle.

6 5. The department shall adopt regulations that set forth the  
7 requirements for eligibility of a pupil to receive a restricted license  
8 pursuant to paragraph (a) of subsection 1.

9 **Sec. 53.** NRS 629.045 is hereby amended to read as follows:

10 629.045 1. Every provider of health care to whom any person comes  
11 or is brought for the treatment of:

12 (a) Second or third degree burns to 5 percent or more of his body;

13 (b) Burns to his upper respiratory tract or laryngeal edema resulting  
14 from the inhalation of heated air; or

15 (c) Burns which may result in death,  
16 shall promptly report that information to the appropriate local fire  
17 department.

18 2. The report required by subsection 1 must include:

19 (a) The name and address of the person treated, if known;

20 (b) The location of the person treated; and

21 (c) The character and extent of his injuries.

22 3. A person required to make a report pursuant to subsection 1 shall,  
23 within 3 working days after treating the person, submit a written report to:

24 (a) The appropriate local fire department in counties whose population  
25 is ~~125,000~~ 40,000 or more; or

26 (b) The state fire marshal in counties whose population is less than  
27 ~~125,000~~ 40,000.

28 The report must be on a form provided by the state fire marshal.

29 4. A provider of health care, his agents and employees are immune  
30 from any civil action for any disclosures made in good faith in accordance  
31 with the provisions of this section or any consequential damages.

32 **Sec. 54.** NRS 644.217 is hereby amended to read as follows:

33 644.217 1. The board may issue a certificate of registration as a  
34 cosmetologist's apprentice to a person if:

35 (a) The person is a resident of a county whose population is less than  
36 ~~125,000~~ 50,000;

37 (b) The person is required to travel more than 60 miles from his place of  
38 residence to attend a licensed school of cosmetology; and

39 (c) The training of the person as a cosmetologist's apprentice will be  
40 conducted at a licensed cosmetological establishment that is located in such  
41 a county.

42 2. An applicant for a certificate of registration as a cosmetologist's  
43 apprentice must submit an application to the board on a form prescribed by  
44 the board. The application must be accompanied by a fee of \$100 and must  
45 include:

46 (a) A statement signed by the licensed cosmetologist who will be  
47 supervising and training the cosmetologist's apprentice which states that  
48 the licensed cosmetologist has been licensed by the board to practice  
49 cosmetology in this state for not less than 3 years immediately preceding



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1 the date of the application and that his license has been in good standing  
2 during that period;

3 (b) A statement signed by the owner of the licensed cosmetological  
4 establishment where the applicant will be trained which states that the  
5 owner will permit the applicant to be trained as a cosmetologist's  
6 apprentice at the cosmetological establishment; and

7 (c) Such other information as the board may require by regulation.

8 3. A certificate of registration as a cosmetologist's apprentice is valid  
9 for 2 years after the date on which it is issued and may be renewed by the  
10 board upon good cause shown.

11 **Sec. 55.** NRS 647.060 is hereby amended to read as follows:

12 647.060 1. At the time of purchase by any junk dealer of any hides  
13 or junk, the junk dealer shall require the person vending the hides or junk  
14 to subscribe a statement containing the following information:

15 (a) When, where and from whom the vendor obtained the property.

16 (b) The vendor's age, residence, including the city or town, and the  
17 street and number, if any, of the residence, and such other information as is  
18 reasonably necessary to enable the residence to be located.

19 (c) The name of the employer, if any, of the vendor and the place of  
20 business or employment of the employer.

21 2. Except as otherwise provided in subsection 3, the junk dealer shall  
22 on the next business day:

23 (a) File the original statement subscribed by the vendor in the office of  
24 the sheriff of the county where the purchase was made; and

25 (b) If the purchase was made in a city or town, file a copy of the  
26 statement with the chief of police of that city or town.

27 3. In a county whose population is ~~30,000~~ 45,000 or less, the original  
28 statement may be filed in the office of the sheriff's deputy for transmission  
29 to the sheriff.

30 **Sec. 56.** NRS 690B.015 is hereby amended to read as follows:

31 690B.015 1. The commissioner shall annually conduct a survey of  
32 licensed operators of body shops in this state to determine:

33 (a) The rates charged by such operators for painting and other repairs;  
34 and

35 (b) The difference, if any, between the amount paid by the operators for  
36 new and used parts acquired for repairs and the amount charged to  
37 customers for those parts.

38 2. The information obtained by the survey must be compiled in a  
39 written report, which must set forth information relating to:

40 (a) Each county separately whose population is 50,000 or more ; ~~than~~  
41 ~~35,000;~~ and

42 (b) The remaining counties of the state.

43 The report is a public record for the purposes of NRS 239.010.

44 **Sec. 57.** NRS 695G.175 is hereby amended to read as follows:

45 695G.175 1. If a managed care organization contracts for the  
46 provision of emergency medical services, outpatient services or inpatient  
47 services with a hospital or other licensed health care facility that provides  
48 acute care and is located in a city whose population is less than ~~45,000~~



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1 **60,000** or a county whose population is less than 100,000, the managed  
2 care organization shall not:

3 (a) Prohibit an insured from receiving services covered by the health  
4 care plan of the insured at that hospital or licensed health care facility if the  
5 services are provided by a provider of health care with whom the managed  
6 care organization has contracted for the provision of the services;

7 (b) Refuse to provide coverage for services covered by the health care  
8 plan of an insured that are provided to the insured at that hospital or  
9 licensed health care facility if the services were provided by a provider of  
10 health care with whom the managed care organization has contracted for  
11 the provision of the services;

12 (c) Refuse to pay a provider of health care with whom the managed care  
13 organization has contracted for the provision of services for providing  
14 services to an insured at that hospital or licensed health care facility if the  
15 services are covered by the health care plan of the insured;

16 (d) Discourage a provider of health care with whom the managed care  
17 organization has contracted for the provision of services from providing  
18 services to an insured at that hospital or licensed health care facility that  
19 are covered by the health care plan of the insured; or

20 (e) Offer or pay any type of material inducement, bonus or other  
21 financial incentive to a provider of health care:

22 (1) To provide services to an insured that are covered by the health  
23 care plan of the insured at another hospital or licensed health care facility;  
24 or

25 (2) Not to provide services to an insured at that hospital or licensed  
26 health care facility that are covered by the health care plan of the insured.

27 2. Nothing in this section prohibits a managed care organization from  
28 informing an insured that enhanced health care services are available at a  
29 hospital or licensed health care facility other than the hospital or licensed  
30 health care facility described in subsection 1 with which the managed care  
31 organization contracts for the provision of emergency medical services,  
32 outpatient services or inpatient services.

33 **Sec. 58.** NRS 710.147 is hereby amended to read as follows:

34 710.147 1. The governing body of a county whose population is  
35 ~~135,000~~ **50,000** or more:

36 (a) Shall not sell telecommunications service to the general public.

37 (b) May purchase or construct facilities for providing  
38 telecommunications that intersect with public rights of way if the  
39 governing body:

40 (1) Conducts a study to evaluate the costs and benefits associated  
41 with purchasing or constructing the facilities; and

42 (2) Determines from the results of the study that the purchase or  
43 construction is in the interest of the general public.

44 2. Any information relating to the study conducted pursuant to  
45 subsection 1 must be maintained by the county clerk and made available  
46 for public inspection during the business hours of the office of the county  
47 clerk.

48 3. Notwithstanding the provisions of paragraph (a) of subsection 1, an  
49 airport may sell telecommunications service to the general public.





1 4. As used in this section:

2 (a) “Telecommunications” has the meaning ascribed to it in 47 U.S.C. §  
3 153(43), as that section existed on July 16, 1997.

4 (b) “Telecommunications service” has the meaning ascribed to it in 47  
5 U.S.C. § 153(46), as that section existed on July 16, 1997.

6 **Sec. 59.** NRS 711.175 is hereby amended to read as follows:

7 711.175 Except as otherwise provided in NRS 318.1192, 318.1193 and  
8 318.1194:

9 1. The governing body of a county whose population is ~~135,000~~  
10 **50,000** or more shall not sell the services of a community antenna  
11 television system to the general public.

12 2. The governing body of a city whose population is 25,000 or more  
13 shall not sell the services of a community antenna television system to the  
14 general public.

15 **Sec. 60.** The legislature declares that in enacting this act it has  
16 reviewed each of the classifications by population amended by this act, has  
17 considered the suggestions of the several counties and of other interested  
18 persons in the state relating to whether any should be retained unchanged  
19 or amended differently, and has found that each of the sections in which a  
20 criterion of population has been changed should not under present  
21 conditions apply to a county larger or smaller, as the case may be, than the  
22 new criterion established.

23 **Sec. 61.** This act becomes effective on July 1, 2001.

