

SENATE CONCURRENT RESOLUTION No. 40—
COMMITTEE ON GOVERNMENT AFFAIRS

MAY 9, 2001

Read and Adopted

SUMMARY—Declares that certain regulations to which Legislative Commission has objected will not become effective. (BDR R-1486)

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

SENATE CONCURRENT RESOLUTION—Declaring that certain regulations to which the Legislative Commission has objected will not become effective.

1 WHEREAS, At the general election in 1996, the voters approved and
2 ratified an amendment to section 1 of article 3 of the Constitution of the
3 State of Nevada that authorized the Legislature to nullify any regulation
4 adopted by an executive agency which binds persons outside the agency;
5 and

6 WHEREAS, The Legislative Commission has carefully considered each
7 regulation described in this resolution and has determined that each such
8 regulation fails to conform to the statutory authority pursuant to which it
9 was adopted or to carry out the intent of the Legislature in granting that
10 authority and therefore should not become effective; and

11 WHEREAS, In accordance with the provisions of NRS 233B.0675, the
12 Legislature may, not later than the final day of this session, declare that any
13 regulation to which the Legislative Commission has objected not become
14 effective; now, therefore, be it

15 RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY
16 CONCURRING, That in accordance with the provisions of NRS 233B.0675,
17 the Legislature hereby declares that the regulation adopted by the Public
18 Utilities Commission of Nevada (LCB File No. R172-99), concerning the
19 recovery of past costs of certain public utilities, to which the Legislative
20 Commission objected on March 13, 2000, as failing to conform to the
21 statutory authority pursuant to which it was adopted and to carry out the
22 intent of the Legislature in granting that authority will not become
23 effective; and be it further

24 RESOLVED, That in accordance with the provisions of NRS 233B.0675,
25 the Legislature hereby declares that the regulation of the Public
26 Employees' Benefits Program (LCB File No. R100-00), concerning the
27 option of large groups of participants to leave the program and obtain
28 group insurance from another source, to which the Legislative Commission



1 objected on April 17, 2001, as failing to conform to the statutory authority
2 pursuant to which it was adopted and to carry out the intent of the
3 Legislature in granting that authority will not become effective; and be it
4 further

5 RESOLVED, That in accordance with the provisions of NRS 233B.0675,
6 the Legislature hereby declares that the regulation of the State
7 Environmental Commission (LCB File No. R104-00), concerning water
8 quality standards for the Walker River and Walker Lake, to which the
9 Legislative Commission objected on April 17, 2001, as failing to conform
10 to the statutory authority pursuant to which it was adopted and to carry out
11 the intent of the Legislature in granting that authority will not become
12 effective; and be it further

13 RESOLVED, That the Secretary of the Senate prepare and transmit a copy
14 of this resolution to the Chairman of the Public Utilities Commission of
15 Nevada, the Chairman of the Board of the Public Employees' Benefits
16 Program, the Chairman of the State Environmental Commission and the
17 Secretary of State.

