

Senate Concurrent Resolution No. 40—
Committee on Government Affairs

FILE NUMBER.....

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

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

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

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

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

RESOLVED, That in accordance with the provisions of NRS 233B.0675, the Legislature hereby declares that the regulation of the Public Employees' Benefits Program (LCB File No. R100-00), concerning the option of large groups of participants to leave the program and obtain group insurance from another source, to which the Legislative Commission objected on April 17, 2001, as failing to conform to the statutory authority pursuant to which it was adopted and to carry out the intent of the Legislature in granting that authority will not become effective; and be it further

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

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