

Senate Concurrent Resolution No. 42—Committee on
Legislative Operations and Elections

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 Taxicab Authority of the Department of Business and Industry (LCB File No. R114-03), concerning the use of camera systems in taxicabs, to which the Legislative Commission objected on January 10, 2005, 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 adopted by the State Board of Health (LCB File No. R147-04), concerning the provisions governing “assisted living services” provided by residential facilities for groups, to which the Legislative Commission objected on August 3, 2004, 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 adopted by the Commissioner of Mortgage Lending (LCB File No. R159-04), concerning the requirements for the establishment of

signs for mortgage brokers, to which the Legislative Commission objected on December 15, 2004, 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 Taxicab Administrator, the Administrator of the Health Division, the Commissioner of Mortgage Lending and the Secretary of State.