
ASSEMBLY BILL NO. 581—COMMITTEE ON TRANSPORTATION

MARCH 26, 2007

Referred to Committee on Transportation

SUMMARY—Provides for the creation of a regional airport authority in certain counties. (BDR 44-228)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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 airports; providing for the creation of a regional airport authority in certain counties; prescribing the powers and duties of the regional airport authority and its board of directors; revising various provisions relating to airports and aeronautics; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law permits local governments to own and operate public airports.
2 (Title 44 of NRS) This bill creates a regional airport authority for each county
3 whose population is 400,000 or more (currently Clark County) and prescribes the
4 powers and duties of the regional airport authority and its board of directors. This
5 bill gives the regional airport authority the exclusive authority to own and operate
6 all public airports within the county. To carry out this objective, this bill requires
7 each local government in the county to transfer ownership and operation of all
8 public airports to the regional airport authority by July 1, 2008, and this bill
9 prohibits a local government from owning or operating an airport on or after that
10 date.

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

1 **Section 1.** The Legislature hereby finds and declares that in
2 the more populous counties of this State:

3 1. Because of the rapid growth in population, the unrelenting
4 expansion of residential communities and suburban living, and the
5 increased use of air travel by the traveling public, the airports in



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1 such counties must serve the residents of large geographical areas
2 and an ever-increasing numbers of tourists;

3 2. The operation and maintenance of modern airports requires
4 the expenditure of vast sums of money for land acquisitions and
5 capital improvements and requires complex planning on a regional
6 basis to promote economic development and protect public safety;

7 3. There is a need to create a regional airport authority in such
8 counties to operate and manage the airports on a coordinated basis,
9 to secure adequate funding from a regional tax base and to establish
10 the administrative machinery necessary to ensure adequate air
11 service for the entire region; and

12 4. The organization of a regional airport authority, having the
13 powers, rights, privileges and immunities provided in this act, will
14 serve an important public purpose and will promote the general
15 welfare by facilitating safe and convenient air travel.

16 **Sec. 2.** Title 44 of NRS is hereby amended by adding thereto a
17 new chapter to consist of the provisions set forth as sections 3 to 45,
18 inclusive, of this act.

19 **Sec. 3.** *This chapter may be cited as the Regional Airport*
20 *Authority Act.*

21 **Sec. 4.** *As used in this chapter, unless the context otherwise*
22 *requires, the words and terms defined in sections 5 to 13,*
23 *inclusive, of this act have the meanings ascribed to them in those*
24 *sections.*

25 **Sec. 5.** *“Airport” means any one or more airports or*
26 *heliports and related facilities, including, without limitation, land*
27 *and interests in land, facilities for storage of aircraft and*
28 *spacecraft, navigation and landing aids, taxiways, pads, aprons,*
29 *control towers, passenger and cargo terminal buildings, hangars,*
30 *administration and office buildings, garages, parking lots and*
31 *such other structures, facilities and improvements as are*
32 *necessary or convenient to the development and maintenance of*
33 *airports and heliports and for the promotion and accommodation*
34 *of air and space travel, commerce and navigation.*

35 **Sec. 6.** *“Airport hazard” means any structure, object of*
36 *natural growth or use of land which obstructs the airspace*
37 *required for the flight of aircraft in landing or taking off at an*
38 *airport or is otherwise hazardous to such landing or taking off of*
39 *aircraft.*

40 **Sec. 7.** *“Board of directors” or “board” means the board of*
41 *directors of a regional airport authority.*

42 **Sec. 8.** *“Carrier” means any person engaged in the air or*
43 *space transportation of passengers or cargo.*



1 **Sec. 9.** *“County fair and recreation board” means a county*
2 *fair and recreation board created pursuant to NRS 244A.597 to*
3 *244A.655, inclusive.*

4 **Sec. 10.** *“Governing body” means the board or council or*
5 *other body in which the general legislative powers of a local*
6 *government are vested.*

7 **Sec. 11.** 1. *“Local government” means the county and any*
8 *city, town, district or other political subdivision within the county,*
9 *whether organized under general law or a special or local act or*
10 *charter.*

11 2. *The term includes, without limitation:*

12 (a) *Any entity or agency that is directly or indirectly controlled*
13 *by a local government; and*

14 (b) *Any entity or agency that is created by joint action or any*
15 *interlocal or cooperative agreement of two or more local*
16 *governments.*

17 **Sec. 12.** *“Person” includes, without limitation, a*
18 *government, a governmental agency and a political subdivision of*
19 *a government.*

20 **Sec. 13.** *“Regional airport authority” or “authority” means a*
21 *regional airport authority created pursuant to this chapter.*

22 **Sec. 14.** *This chapter applies to each county whose*
23 *population is 400,000 or more.*

24 **Sec. 15.** 1. *The provisions of this chapter must be*
25 *construed broadly and liberally to carry out and accomplish the*
26 *purposes and objectives of this chapter.*

27 2. *To the extent possible, the provisions of this chapter are*
28 *intended to supplement other statutory provisions governing*
29 *airports, and such other provisions must be given effect to the*
30 *extent that those provisions do not conflict with the provisions of*
31 *this chapter. If there is a conflict between such other provisions*
32 *and the provisions of this chapter, the provisions of this chapter*
33 *control.*

34 **Sec. 16.** *The provisions of this chapter do not limit any*
35 *authority or power of a local government to regulate airport*
36 *hazards by zoning.*

37 **Sec. 17.** 1. *In each county whose population is 400,000 or*
38 *more, there is hereby created a regional airport authority, which is*
39 *a body corporate and politic and a quasi-municipal corporation*
40 *and political subdivision, the geographical boundaries of which*
41 *are conterminous with the boundaries of the county.*

42 2. *Notwithstanding any other provision of law to the contrary,*
43 *on or after July 1, 2008:*

44 (a) *The regional airport authority has the exclusive authority*
45 *to exercise all the powers and perform all the functions and duties*



1 *relating to the ownership, control, management and operation of*
2 *all airports that are owned, controlled, managed or operated by a*
3 *local government before July 1, 2008, and all airports that are*
4 *owned, controlled, managed or operated by the authority*
5 *thereafter; and*

6 (b) *A local government shall not:*

7 (1) *Own, control, manage or operate any airport; or*

8 (2) *Exercise any powers or perform any functions or duties*
9 *relating to the ownership, control, management or operation of*
10 *any airport that are assigned to the local government or its*
11 *governing body, whether by general law or a special or local act or*
12 *charter, unless the exercise of the power or the performance of the*
13 *function or duty by the local government or its governing body is*
14 *expressly permitted or required by this chapter.*

15 **Sec. 18. 1.** *A regional airport authority must be directed*
16 *and governed by a board of directors.*

17 2. *The county fair and recreation board is hereby designated*
18 *as the board of directors of the regional airport authority and shall*
19 *exercise all the powers and perform all the functions and duties*
20 *that are assigned to the board of directors.*

21 **Sec. 19. 1.** *Each member of the board shall file with the*
22 *County Clerk:*

23 (a) *His oath of office.*

24 (b) *A corporate surety bond, furnished at the authority's*
25 *expense, in an amount not to exceed \$5,000 and conditioned for*
26 *the faithful performance of his duties as a member of the board.*

27 2. *A member of the board may not, during his term, have any*
28 *financial interest in the aviation industry or have any financial*
29 *interest in any contract or other transaction with the board or the*
30 *authority other than as that contract or transaction may be made*
31 *available to a member of the general public in the course of the*
32 *authority's business.*

33 3. *A former member of the board may not:*

34 (a) *Enter into, submit a bid for or have a pecuniary interest in*
35 *a contract with the authority; or*

36 (b) *Be employed by the authority,*

37 *↪ until 1 year after the termination of his service on the board.*

38 4. *As used in this section, "financial interest" means:*

39 (a) *Ownership of 10 percent or more of the capital stock or*
40 *assets of any business entity, directly or through a member of the*
41 *interested person's household.*

42 (b) *Income amounting to 10 percent or more of the gross*
43 *income of the interested person.*



Sec. 20. 1. The board shall elect the following officers:

(a) A chairman and a vice chairman, who must be members of the board; and

(b) A secretary and a treasurer, who do not have to be members of the board. The secretary and the treasurer may be one person.

2. The terms of the officers elected by the board expire on July 1 of each year.

3. The secretary shall keep audio recordings or transcripts of all meetings of the board and, in a well-bound book, a record of all the proceedings of the board, minutes of all meetings, certificates, contracts, bonds given by employees and all other acts of the board. Except as otherwise provided in NRS 241.035, the minute book, audio recordings, transcripts and records must be open to the inspection of all interested persons at all reasonable times and places.

4. The treasurer shall keep, in permanent records, strict and accurate accounts of all money received by and disbursed for and on behalf of the board and the authority. The treasurer shall file with the County Clerk a corporate fidelity bond, furnished at the authority's expense, in an amount not less than \$25,000 and conditioned for the faithful performance of his duties as the treasurer.

Sec. 21. 1. The board shall meet regularly at a time and in a place to be designated by the board.

2. Upon notice to each member of the board, the board may hold special meetings as often as the needs of the board require.

3. A majority of the members of the board constitutes a quorum at any meeting of the board. Each motion and resolution of the Board must be adopted by at least a majority of the members present and constituting the quorum at such a meeting.

4. The Board shall adopt a seal.

Sec. 22. The board:

1. Has the authority to do all things necessary or appropriate to carry out and accomplish the purposes and objectives of this chapter; and

2. May exercise all powers necessary or incidental to or implied from the specific powers granted in this chapter. Such specific powers are not a limitation upon any power necessary or appropriate to carry out and accomplish the purposes and objectives of this chapter.

Sec. 23. A regional airport authority has perpetual succession and may, by way of example and without limitation:

1. Sue and be sued.



2. Plan, establish, acquire, construct, improve and operate one or more airports within the county.

3. Acquire real or personal property or any interest therein by gift, lease or purchase for any of the purposes provided in this section, including, without limitation, the elimination, prevention or marking of airport hazards.

4. Except as otherwise provided in this subsection, sell, lease or otherwise dispose of any real property in such manner and upon such terms and conditions as the board deems proper and in the best interests of the authority. If the board sells real property, the board must obtain an appraisal of the property and the sale must be made by public auction unless the board:

(a) Sells the property at its fair market value; or

(b) If the board will sell the property at less than its fair market value, adopts a written finding by a majority of the entire board as to the difference between the price at which the property will be sold and the fair market value of the property.

5. Acquire real property or any interest therein in areas most affected by the noise of aircraft for the purpose of resale or lease thereof, subject to restrictions limiting its use to industrial or other purposes least affected by aircraft noise.

6. Enter into agreements with one or more persons to acquire, by lease, gift, purchase or otherwise, any airports within the county and to operate those airports.

7. Exercise, within the jurisdiction of each local government, the power of eminent domain and dominant eminent domain to take any property necessary to the exercise of the powers granted to the authority so long as the power is exercised in the manner provided by law for the condemnation of private property for public use by a county or city based on the jurisdiction where the property is located.

8. Apply directly to the proper federal, state, county and municipal officials and agencies or to any other source, public or private, for loans, grants, guarantees or other financial assistance in aid of airports operated by it, and accept the same.

9. Study and recommend to the appropriate local governments zoning changes in the area of any airport operated by the authority with respect to noise, height and aviation obstructions to enable the authority to meet the requirements of any regulations of the Federal Aviation Administration.

10. Control its airports with the right to establish and charge fees, rentals, rates and other charges, and collect revenues therefrom, not inconsistent with the rights of the holders of its bonds, and enter into agreements with carriers for the payment of landing fees, rental rates and other charges.



1 11. Use in the performance of its functions the officers,
2 agents, employees, services, facilities, records and equipment of a
3 local government with the consent of the local government and
4 subject to such terms and conditions as may be agreed upon.

5 12. Enter upon such lands, waters or premises as in the
6 judgment of the board may be necessary for the purpose of
7 making surveys, soundings, borings and examinations to
8 accomplish any purpose authorized by this chapter. The authority
9 is liable for actual damage done.

10 13. Provide its own fire protection, police and crash and
11 rescue service. A person employed by the authority to provide
12 police service to the authority has the powers and must have the
13 training required of a law enforcement officer pursuant to 14
14 C.F.R. Part 107, as those provisions existed on January 1, 1997. A
15 person employed by the authority to provide police service shall be
16 deemed to be a peace officer for the purposes of determining
17 retirement benefits under the Public Employees' Retirement
18 System.

19 14. Contract with carriers with regard to landings and the
20 accommodations of the employees and passengers of those
21 carriers.

22 15. Contract with persons to provide goods and services for
23 the use of the employees and passengers of the carriers and the
24 employees of the authority, as necessary or incidental to the
25 operation of the airports.

26 16. Hire and retain officers, agents and employees, including
27 a fiscal adviser, engineers, attorneys or other professional or
28 specialized personnel.

29 17. Adopt regulations governing vehicular traffic on the
30 public areas of its airports relating to, without limitation, speed
31 restrictions, turning movements and other moving violations. It is
32 unlawful for any person to do any act forbidden or to fail to
33 perform any act required in such regulations.

34 18. Adopt regulations governing parking, loading zones and
35 ground transportation operations on its airports and governing
36 traffic on restricted areas of its airports. The board may establish a
37 system of:

38 (a) Administrative procedures for review of alleged violations
39 of such regulations; and

40 (b) Remedies for violations of such regulations, including the
41 imposition of administrative fines to be imposed upon and
42 collected from persons violating such regulations.



1 **Sec. 24.** *The following are exempt from all state, county and*
2 *municipal taxation:*

3 1. *The property and revenues of a regional airport authority*
4 *and any interest of any creditor in such property or revenues; and*

5 2. *Any possessory interest in or right to use the property of a*
6 *regional airport authority which the authority may grant to*
7 *another person.*

8 **Sec. 25.** *Except as otherwise provided in sections 26 and 27*
9 *of this act, the board shall comply with the provisions of the Local*
10 *Government Purchasing Act and the Local Government Budget*
11 *and Finance Act.*

12 **Sec. 26.** 1. *Any concession agreement entered into by the*
13 *board is not required to comply with the provisions of the Local*
14 *Government Purchasing Act unless such compliance is required*
15 *by the provisions of this section.*

16 2. *The board may enter into any concession agreement if the*
17 *board or its authorized representative reviews the agreement and*
18 *determines it is in the best interest of the authority. In making that*
19 *determination, the board or its authorized representative shall*
20 *consider whether the proposed fees to be paid for the privileges*
21 *granted are conducive to revenue generation and providing high*
22 *quality service to the traveling public.*

23 3. *Before entering into any concession agreement providing*
24 *estimated revenue to the authority of more than \$25,000, the board*
25 *must:*

26 (a) *Comply with the bidding requirements of the Local*
27 *Government Purchasing Act except the provisions of subsection 3*
28 *of NRS 332.105; or*

29 (b) *Publish notice of its intention to enter the agreement in a*
30 *newspaper of general circulation in the county at least three times*
31 *during a period of 10 days. The notice must specify the date, time*
32 *and place of a regular meeting of the board to be held after*
33 *completion of the publication at which any interested person may*
34 *appear.*

35 4. *The board may enter into any concession agreement*
36 *providing estimated revenue to the authority of \$25,000 or less*
37 *without complying with the provisions of subsection 3.*

38 **Sec. 27.** 1. *Except as otherwise determined by the board or*
39 *as provided in subsection 2, the provisions of any law requiring*
40 *public bidding or otherwise imposing requirements on any public*
41 *contract, project, acquisition, works or improvements, including,*
42 *without limitation, the provisions of chapters 332, 338 and 339 of*
43 *NRS, do not apply to any contract entered into by the board if the*
44 *board:*

45 (a) *Complies with the provisions of subsection 3; and*



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(b) *Finances the contract, project, acquisition, works or improvement by means of:*

(1) *The issuance of revenue bonds; or*

(2) *An installment obligation in a transaction in which:*

(I) *The board acquires real or personal property and another person acquires or retains a security interest in that or other property; and*

(II) *The obligation by its terms is extinguished by failure of the board to appropriate money for the ensuing fiscal year for payment of the amounts then due.*

2. *A contract entered into by the board pursuant to this section must:*

(a) *Contain a provision stating that the requirements of NRS 338.010 to 338.090, inclusive, apply to any construction work performed pursuant to the contract; and*

(b) *If the contract is with a design professional who is not a member of a design-build team, comply with the provisions of NRS 338.155. As used in this paragraph, "design professional" has the meaning ascribed to it in subsection 7 of NRS 338.010.*

3. *For contracts entered into pursuant to this section that are exempt from the provisions of chapters 332, 338 and 339 of NRS, the board shall adopt regulations pursuant to section 28 of this act which establish:*

(a) *One or more competitive procurement processes for letting such a contract; and*

(b) *A method by which a bid on such a contract will be adjusted to give a 5 percent preference to a contractor who would qualify for a preference pursuant to NRS 338.147 if:*

(1) *The estimated cost of the contract exceeds \$250,000; and*

(2) *Price is a factor in determining the successful bid on the contract.*

Sec. 28. 1. When adopting, amending or repealing a temporary or permanent regulation for the purposes of section 27 of this act, the board shall comply with the procedures set forth in this section.

2. *Before adopting, amending or repealing a temporary or permanent regulation, the board shall give at least 30 days' notice of its intended action. The notice:*

(a) *Must state each address at which the text of the proposed regulation may be inspected and copied;*

(b) *Must be mailed to all persons who have requested in writing that they be placed upon a mailing list, which must be kept by the board for that purpose; and*

(c) *Must include:*



1 (1) A statement of the need for and purpose of the proposed
2 regulation;

3 (2) Either the terms or substance of the proposed regulation
4 or a description of the subjects and issues involved;

5 (3) The estimated cost to the board for enforcement of the
6 proposed regulation;

7 (4) The time when, the place where and the manner in
8 which interested persons may present their views regarding the
9 proposed regulation; and

10 (5) A statement indicating whether the regulation
11 establishes a new fee or increases an existing fee.

12 2. If the board has adopted a temporary regulation after
13 providing notice and the opportunity for a hearing as required by
14 this section, the board may adopt a permanent regulation covering
15 the subject matter of the temporary regulation if the board
16 provides a second notice and the opportunity for a hearing before
17 adopting the permanent regulation.

18 3. In addition to distributing notice regarding a proposed
19 regulation as required by this section, the board shall:

20 (a) Solicit comment generally from the public and from
21 businesses to be affected by the proposed regulation; and

22 (b) Afford a reasonable opportunity for all interested persons
23 to submit data, views or arguments upon the proposed regulation,
24 orally or in writing.

25 4. Before conducting a workshop regarding a proposed
26 regulation as required by this section, the board shall determine
27 whether the proposed regulation is likely to impose a direct and
28 significant economic burden upon a small business or directly
29 restrict the formation, operation or expansion of a small business.
30 If the board determines that such an impact is likely to occur, the
31 board shall:

32 (a) Insofar as practicable, consult with owners and officers of
33 small businesses that are likely to be affected by the proposed
34 regulation;

35 (b) Consider methods to reduce the impact of the proposed
36 regulation on small businesses; and

37 (c) Prepare a small business impact statement and make copies
38 of the statement available to the public at the workshop and at the
39 public hearing required by this section.

40 5. If the board prepares a small business impact statement
41 regarding a proposed regulation, the board shall ensure that the
42 small business impact statement sets forth:

43 (a) A description of the manner in which comment was
44 solicited from affected small businesses, a summary of their



1 *response and an explanation of the manner in which other*
2 *interested persons may obtain a copy of the summary;*

3 (b) *The estimated economic effect of the proposed regulation*
4 *on the small businesses which it is to regulate, including, without*
5 *limitation:*

6 (1) *Both adverse and beneficial effects; and*

7 (2) *Both direct and indirect effects;*

8 (c) *A description of the methods that the board considered to*
9 *reduce the impact of the proposed regulation on small businesses*
10 *and a statement regarding whether the board actually used any of*
11 *those methods;*

12 (d) *The estimated cost to the board for enforcement of the*
13 *proposed regulation; and*

14 (e) *If the proposed regulation provides a new fee or increases*
15 *an existing fee, the total annual amount the board expects to*
16 *collect and the manner in which the money will be used.*

17 6. *Before holding a public hearing as required by this section,*
18 *the board shall conduct at least one workshop to solicit comments*
19 *from interested persons on the proposed regulation. Not less than*
20 *15 days before the workshop, the board shall provide notice of the*
21 *time and place set for the workshop:*

22 (a) *In writing to each person who has requested to be placed*
23 *on a mailing list; and*

24 (b) *In any other manner reasonably calculated to provide to*
25 *the general public and any business that may be affected by the*
26 *proposed regulation sufficient notice of the general topics to be*
27 *considered at the workshop.*

28 7. *The board shall set a time and place for an oral public*
29 *hearing regarding the proposed regulation, but if no one appears*
30 *at the public hearing who will be directly affected by the proposed*
31 *regulation and who requests to provide oral testimony, the board*
32 *may proceed immediately to act upon any written submissions.*
33 *The board shall consider fully all written submissions and any*
34 *oral testimony regarding the proposed regulation. For each public*
35 *hearing regarding the proposed regulation that is held pursuant to*
36 *this subsection, the board:*

37 (a) *Shall keep, retain and make available for public inspection*
38 *written minutes of the public hearing in the manner provided in*
39 *subsections 1 and 2 of NRS 241.035; and*

40 (b) *May record the public hearing and make those recordings*
41 *available for public inspection in the manner provided in*
42 *subsection 4 of NRS 241.035.*

43 8. *The board shall ensure that a small business which is*
44 *aggrieved by a regulation adopted pursuant to this section may*
45 *object to all or a part of the regulation by filing a petition with the*



board within 90 days after the date on which the regulation is adopted. Such petition may be based on the following:

(a) The board failed to prepare a small business impact statement as required by this section; or

(b) The small business impact statement prepared by the board did not consider or significantly underestimated the economic effect of the regulation on small businesses.

➔ After receiving a petition pursuant to this subsection, the board shall determine whether the petition has merit. If the board determines that the petition has merit, the board may, in accordance with the procedures set forth in this section, take action to amend the regulation to which the small business objected.

9. The determinations made by the board pursuant to this section are conclusive unless it is shown that the board acted with fraud or a gross abuse of discretion.

Sec. 29. 1. In contracting with persons to furnish facilities or services for the purposes of this chapter, the board may award exclusive or limited rights or franchises which would, absent this grant of authority, violate state or federal laws prohibiting antitrust activities.

2. The board may grant exclusive or limited agreements which replace business competition with regulated anticompetitive services, subject only to the regulatory authority vested by law in the Public Utilities Commission of Nevada or the Taxicab Authority.

Sec. 30. 1. In addition to any other means for providing revenue for a regional airport authority, the governing body of the county shall, when directed by the board, levy and collect general (ad valorem) taxes on and against all taxable property within the geographical boundaries of the authority.

2. Before the board directs the governing body of the county to levy and collect such taxes, the board shall:

(a) Determine, in each year, the amount of money necessary to be raised by taxation, taking into consideration other sources of revenue of the authority; and

(b) Approve a rate of levy which, when levied upon every dollar of assessed valuation of taxable property within the geographical boundaries of the authority, and together with other revenues, will raise the amount required by the authority annually to:

(1) Supply funds for paying the costs of acquiring, operating and maintaining the airports of the authority; and



1 (2) Promptly pay in full, when due, all interest on and
2 principal of general obligation bonds and other general
3 obligations of the authority.

4 3. The board shall certify to the governing body of the county,
5 at the same time as fixed by law for certifying thereto tax levies of
6 incorporated cities, the rate of levy determined and approved by
7 the board with directions that at the time and in the manner
8 required by law for levying taxes for county purposes, the
9 governing body of the county shall, in addition to such other taxes
10 as may be levied by the governing body, levy a tax upon the
11 assessed valuation of all taxable property within the geographical
12 boundaries of the authority at the rate of levy determined and
13 approved by the board.

14 4. In the event of accruing defaults or deficiencies, an
15 additional levy may be made as provided in section 31 of this act.

16 **Sec. 31.** 1. The board, in certifying annual levies, shall take
17 into account the maturing general obligation indebtedness for the
18 ensuing year as provided in its contracts, the maturing general
19 obligation bonds and interest on such bonds and any deficiencies
20 and defaults of prior years and shall make ample provision for the
21 payment thereof.

22 2. If the money produced from the levies, together with other
23 revenues of the authority, are not sufficient punctually to pay the
24 annual installments on such obligations, and interest thereon, and
25 to pay defaults and deficiencies, the board shall direct the
26 governing body of the county to make such additional levies of
27 taxes as may be necessary for such purposes and, notwithstanding
28 any limitations, the governing body of the county shall make such
29 additional levies of taxes until the general obligation indebtedness
30 of the authority is fully paid.

31 **Sec. 32.** Whenever any indebtedness or other obligations
32 have been incurred by the authority, the board may direct the
33 governing body of the county to levy taxes and collect revenue for
34 the purpose of creating funds in such amount as the board may
35 determine, which may be used to meet the obligations of the
36 authority, for maintenance and operating charges and
37 depreciation, and to provide extension of and betterments to the
38 airports of the authority.

39 **Sec. 33.** 1. The governing body of the county shall levy the
40 taxes provided in this chapter.

41 2. All officials charged with the duty of collecting taxes shall
42 collect the taxes at the time and in the same form and manner, and
43 with like interest and penalties, as other taxes are collected and
44 when collected shall pay the same to the authority. The payment of
45 such collections must be made monthly to the treasurer of the



1 *board and paid into the depository thereof to the credit of the*
2 *authority.*

3 *3. All taxes levied under this chapter, together with interest*
4 *thereon and penalties for default in payment thereof, and all costs*
5 *of collecting such taxes, interest and penalties constitute, until*
6 *paid, a perpetual lien on and against the property taxed, and the*
7 *lien must be on a parity with the tax lien of other general taxes.*

8 *4. If the taxes levied are not paid as provided in this chapter,*
9 *the property subject to the tax lien must be sold and the proceeds*
10 *thereof must be paid over to the authority according to the*
11 *provisions of the laws applicable to tax sales and redemptions.*

12 **Sec. 34.** *The board on behalf of the authority may borrow*
13 *money and incur or assume indebtedness therefor as provided in*
14 *this chapter so long as the total of all such indebtedness, excluding*
15 *revenue bonds and other securities constituting special obligations*
16 *which are not debts, does not exceed an amount equal to 5 percent*
17 *of the total of the last assessed valuation of taxable property,*
18 *excluding motor vehicles, situated within the geographical*
19 *boundaries of the authority.*

20 **Sec. 35.** *The board on behalf of the authority may enter into*
21 *medium-term obligations and installment-purchase obligations in*
22 *compliance with NRS 350.087 to 350.095, inclusive.*

23 **Sec. 36.** *1. Subject to the provisions of NRS 350.011 to*
24 *350.0165, inclusive, whenever the board determines, by resolution,*
25 *that the interest of the authority and the public interest or*
26 *necessity demand the issue of general obligation bonds to*
27 *purchase, construct or otherwise acquire, maintain, improve or*
28 *equip airports, the board shall order the submission of the*
29 *proposition of issuing such bonds to the registered voters of the*
30 *authority at a special election or the next primary or general*
31 *election in the manner provided by NRS 350.020 to 350.070,*
32 *inclusive.*

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

44 *3. The declaration of public interest or necessity required by*
45 *this section and the provision for the holding of the election may*



1 *be included within the same resolution which, in addition to the*
2 *declaration of public interest or necessity, must:*

3 *(a) Recite the objects and purposes for which the indebtedness*
4 *is proposed to be incurred, the estimated cost of the works or*
5 *improvements, as the case may be, the maximum amount of*
6 *principal of the indebtedness to be incurred therefor and the*
7 *maximum rate of interest to be paid on the indebtedness.*

8 *(b) Include the date upon which the special, primary or*
9 *general election will be held and describe the method of voting for*
10 *or against the incurring of the proposed indebtedness.*

11 **Sec. 37.** 1. *The election board or boards shall conduct the*
12 *election in the manner prescribed by law for the holding of*
13 *general elections, and shall make their returns to the secretary of*
14 *the board.*

15 2. *At any regular or special meeting of the board held within*
16 *5 days following the date of the election, the returns thereof must*
17 *be canvassed and the results thereof declared.*

18 **Sec. 38.** 1. *If it appears from the returns that the registered*
19 *voters of the authority approved the proposition submitted in the*
20 *manner provided by NRS 350.070, the board may issue and sell*
21 *bonds of the authority for the purpose or purposes and object or*
22 *objects provided for in the proposition submitted and in the*
23 *resolution therefor, and in the amount so provided and at a rate of*
24 *interest not exceeding the rate of interest recited in the resolution.*

25 2. *Submission of the proposition of incurring bonded*
26 *indebtedness at a special, primary or general election does not*
27 *prohibit submission of the proposition or other propositions at any*
28 *subsequent special, primary or general election.*

29 **Sec. 39.** *The board may issue bonds on behalf of the*
30 *authority without the necessity of holding an election and as an*
31 *alternative or in addition to other forms of borrowing authorized*
32 *in this chapter for the purpose of acquiring or improving airports,*
33 *and the bonds must be made payable solely out of the net revenues*
34 *derived from the operation of such airports or the furnishing of*
35 *services, or from both such revenue sources of the authority, but a*
36 *single bond issue may be had for more than one of such airports*
37 *or services and the revenues for any of the income-producing*
38 *airports and services provided by the authority may be pledged to*
39 *pay for any other such airport or service. To that end, a single*
40 *utility fund for any number of such airports and services may be*
41 *established and maintained.*

42 **Sec. 40.** 1. *Subject to the limitations and other provisions*
43 *in this chapter, the board may issue on its behalf and in its name*
44 *at any time or from time to time, as the board may determine, the*
45 *following types of securities in accordance with the provisions of*



1 *the Local Government Securities Law, except as otherwise*
2 *provided in subsections 3, 4 and 5:*

3 (a) *General obligation bonds and other general obligation*
4 *securities payable from general (ad valorem) property taxes;*

5 (b) *General obligation bonds and other general obligation*
6 *securities payable from general (ad valorem) property taxes, the*
7 *payment of which securities is additionally secured by a pledge of*
8 *and lien on net revenues;*

9 (c) *Revenue bonds and other securities constituting special*
10 *obligations and payable from net revenues, but excluding the*
11 *proceeds of any general (ad valorem) property taxes, which*
12 *payment is secured by a pledge of and lien on such net revenues;*
13 *or*

14 (d) *Any combination of such securities.*

15 2. *Nothing in this chapter prevents the board from funding,*
16 *refunding or reissuing any outstanding securities of the authority*
17 *of a type designated in subsection 1 as provided in the Local*
18 *Government Securities Law.*

19 3. *General obligation or revenue bonds may be sold for not*
20 *less than 90 percent of their face amount and for an effective rate*
21 *which must not exceed by more than 3 percent:*

22 (a) *For general obligations, the Index of Twenty Bonds; and*

23 (b) *For other obligations, the Index of Revenue Bonds,*
24 *↪ which was most recently published before the bids are received*
25 *or a negotiated offer is accepted.*

26 4. *General obligation bonds, regardless of whether their*
27 *payment is additionally secured by a pledge of and lien on net*
28 *revenues, must be sold as provided in the Local Government*
29 *Securities Law.*

30 5. *Revenue bonds may be sold at public sale as provided in*
31 *the Local Government Securities Law or sold at private sale.*

32 **Sec. 41.** *The board may provide for the appointment of a*
33 *paying or fiscal agency within or without the State, in relation to*
34 *any general obligation or revenue bonds of the authority, which*
35 *shall be a bank possessing trust powers and which shall act in a*
36 *fiduciary capacity and not as a depositary, and may:*

37 1. *Provide for the powers, duties, functions and compensation*
38 *of the agent.*

39 2. *Limit the liabilities of the agent.*

40 3. *Prescribe a method for his resignation and removal, and*
41 *the merger or consolidation of agents.*

42 4. *Prescribe a method for the appointment of a successor*
43 *agent and the transfer of rights and properties to the successor.*



1 **Sec. 42.** *1. Except as otherwise provided in subsection 2,*
2 *bonds issued pursuant to this chapter, and the income therefrom,*
3 *are exempt from all state, county and municipal taxation.*

4 *2. The provisions of subsection 1 do not apply to the tax on*
5 *estates imposed pursuant to the provisions of chapter 375A of NRS*
6 *or the tax on generation-skipping transfers imposed pursuant to*
7 *the provisions of chapter 375B of NRS.*

8 **Sec. 43.** *All public officers and bodies of the State, all*
9 *municipal corporations and political subdivisions, all insurance*
10 *companies and associations, all savings banks and savings*
11 *institutions, including, without limitation, savings and loan*
12 *associations, all executors, administrators, guardians, trustees and*
13 *other fiduciaries in the State may legally invest funds within their*
14 *control in bonds of the authority.*

15 **Sec. 44.** *A regional airport authority is:*

16 *1. A public employer within the meaning of NRS 286.070,*
17 *and the provisions of chapter 286 of NRS apply to the authority*
18 *and its employees; and*

19 *2. A local government employer within the meaning of NRS*
20 *288.060, and the provisions of chapter 288 of NRS apply to the*
21 *authority and its employees.*

22 **Sec. 45.** *The board may adopt its own plan of civil service.*
23 *The plan must include, without limitation, the following*
24 *provisions:*

25 *1. Entry into the service on the basis of open competition.*

26 *2. Service, promotions and remuneration on the basis of*
27 *merit, efficiency and fitness.*

28 *3. Classifications of the positions in the service.*

29 *4. The rating of candidates on the basis of publicly*
30 *announced competitive examinations and the maintenance of lists*
31 *of eligible candidates.*

32 *5. Employment of candidates from the eligible lists in the*
33 *highest qualified rating.*

34 *6. Probationary periods not to exceed 12 months.*

35 *7. Disciplinary action, suspension or discharge of employees*
36 *for cause only with the right of notice and review.*

37 *8. Schedules of compensation and increases in pay prepared*
38 *by the board.*

39 *9. Promotion on the basis of ascertained merit, seniority in*
40 *service and competitive examinations.*

41 *10. Provision for keeping service records on all employees.*

42 *11. Regulations for hours of work, attendance, holidays,*
43 *leaves of absence and transfers.*

44 *12. Procedures for layoffs, discharge, suspension, discipline*
45 *and reinstatement.*



1 **13. The exemption from civil service of managers,**
2 **supervisors, except those supervisors covered by an agreement**
3 **negotiated pursuant to chapter 288 of NRS, deputy directors, the**
4 **Executive Director, persons employed to render professional,**
5 **scientific, technical or expert service, persons providing services of**
6 **a temporary or exceptional character, persons employed on**
7 **projects paid from the proceeds of bonds issued by the authority**
8 **and persons employed for a period of less than 3 months in any**
9 **12-month period.**

10 **14. Review by the board, at the request of the employee in**
11 **question and after notice and hearing, of any disciplinary action,**
12 **suspension or discharge of any employee, which action,**
13 **suspension or discharge may be affirmed, modified or reversed by**
14 **the board. The decision of the board is a final decision in a**
15 **contested case for the purpose of judicial review. An employee**
16 **may appeal the decision of the board to a district court within the**
17 **time limits and in the manner provided by law for the appeal of**
18 **administrative decisions of state agencies.**

19 **Sec. 46.** NRS 494.048 is hereby amended to read as follows:

20 494.048 1. The Fund for Aviation is hereby created as a Trust
21 Fund in the State Treasury. The Director:

22 (a) Shall administer the Fund; and

23 (b) May apply for and accept any gift, bequest, grant,
24 appropriation or donation from any source for deposit in the Fund.

25 2. Any money received by the Director pursuant to the
26 provisions of subsection 1 must be deposited in the Fund. The
27 money in the Fund may be invested as the money in other state
28 funds is invested. After deducting any applicable charges, all
29 interest and income earned on the money in the Fund must be
30 credited to the Fund. The money in the Fund may be expended only
31 in accordance with the terms and conditions of any gift, bequest,
32 grant, appropriation or donation to the Fund or in the manner
33 provided in subsection 3. Not more than 1 percent of the money in
34 the Fund may be used to pay the costs of administering the Fund.

35 3. Except as otherwise provided in this section, the Director
36 may:

37 (a) Expend money in the Fund to award grants to a county, city
38 or other local government in this State for obtaining matching
39 money for federal programs and any other programs relating to
40 airports or for the planning, establishment, development,
41 construction, enlargement, improvement or maintenance of any
42 airport, landing area or air navigation facility owned or controlled
43 by the county, city or other local government; and

44 (b) Adopt regulations to carry out the provisions of
45 paragraph (a).



4. The Director shall:

(a) In adopting regulations pursuant to subsection 3, determine the order of priority for the expenditures from the Fund by considering, without limitation, the following factors:

(1) The purpose of the project;

(2) The costs and benefits of the project; and

(3) The effect of the project on the environment, safety, security, infrastructure and capacity of the airport; and

(b) Before awarding a grant or adopting a regulation pursuant to subsection 3, consult with the Nevada Aviation Technical Advisory Committee and any person who represents an airport in this State used by the general public.

5. Any money received by a county, city or other local government pursuant to the provisions of this section must be accounted for separately by the county, city or other local government and may be used only for the purpose for which the money was received by the county, city or other local government.

6. The provisions of this section do not apply to an airport, landing area or air navigation facility that is owned or controlled by the Reno-Tahoe Airport Authority or ~~a county whose population is 400,000 or more.~~ *a regional airport authority created pursuant to sections 3 to 45, inclusive, of this act.*

7. As used in this section, "Director" means the Director of the Department of Transportation.

Sec. 47. NRS 494.050 is hereby amended to read as follows:

494.050 **1.** The State may, by purchase, gift, devise, lease, eminent domain proceedings or otherwise, acquire existing airports and air navigation facilities; but it shall not acquire or take over any airport or air navigation facility owned or controlled by a county, municipality or public agency of this or any other state without the consent of such municipality, county or public agency.

2. *As used in this section, "public agency" includes, without limitation, an airport authority created by a special act of the Legislature or a regional airport authority created pursuant to sections 3 to 45, inclusive, of this act.*

Sec. 48. Chapter 495 of NRS is hereby amended by adding thereto a new section to read as follows:

If a matter is governed expressly or by implication by the provisions of sections 3 to 45, inclusive, of this act and the provisions of this chapter, the provisions of this chapter do not apply to that matter but only to the extent that the provisions of this chapter conflict or otherwise are inconsistent with the provisions or the purposes and objectives of sections 3 to 45, inclusive, of this act.



Sec. 49. NRS 496.290 is hereby amended to read as follows:

496.290 ~~[This]~~ *1. Except as otherwise provided in subsection 2, the provisions of this chapter shall be so interpreted and construed as to make uniform so far as possible the laws and regulations of this State and other states and of the Government of the United States having to do with the subject of municipal airports.*

2. If a matter is governed expressly or by implication by the provisions of sections 3 to 45, inclusive, of this act and the provisions of this chapter, the provisions of this chapter do not apply to that matter but only to the extent that the provisions of this chapter conflict or otherwise are inconsistent with the provisions or the purposes and objectives of sections 3 to 45, inclusive, of this act.

Sec. 50. NRS 497.020 is hereby amended to read as follows:

497.020 As used in this chapter, unless the context otherwise requires:

1. "Airport" means any area of land or water designed and set aside for the landing and taking off of aircraft and utilized in the interest of the public for such purposes.

2. "Airport hazard" means any structure or tree or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at any airport, or is otherwise hazardous to the landing or taking off of aircraft.

3. "Airport hazard area" means any area of land or water upon which an airport hazard might be established if not prevented as provided in this chapter.

4. "Person" includes a government, a governmental agency and a political subdivision of a government.

5. "Political subdivision" means any county, incorporated city ~~or~~ *or* unincorporated town or *any* airport authority created by *a* special legislative act as a quasi-municipal corporation ~~or~~ *or* *regional airport authority created pursuant to sections 3 to 45, inclusive, of this act.*

6. "Public utility" means a person who operates any airline, broadcasting, electric, gas, pipeline, radio, railroad, rural electric, sanitary sewer, slurry, telephone, telegraph or water business in this State and who conducts such a business for a public use.

7. "Structure" means any object constructed or installed by man, including, but without limitation, buildings, towers, smokestacks and overhead wires and other lines.

8. "Tree" means any object of natural growth.

Sec. 51. NRS 497.050 is hereby amended to read as follows:

497.050 1. Where an airport is owned or controlled by a political subdivision, other than an airport authority created by *a*



1 special legislative act as a quasi-municipal corporation **[H]** *or a*
2 *regional airport authority created pursuant to sections 3 to 45,*
3 *inclusive, of this act,* and any airport hazard area appertaining to
4 such airport is located outside the territorial limits of the political
5 subdivision, within or without the State, the political subdivision
6 owning or controlling the airport and the political subdivision within
7 which the airport hazard area is located may, by ordinance or
8 resolution duly adopted, create a joint airport zoning board, which
9 board shall have the same power to adopt, administer and enforce
10 airport zoning regulations applicable to the airport hazard area in
11 question as that vested by NRS 497.040 in the political subdivision
12 within which such area is located.

13 2. Each such joint board shall have as members two
14 representatives appointed by each political subdivision participating
15 in its creation, and in addition a chairman elected by a majority of
16 the members so appointed.

17 **Sec. 52.** NRS 497.055 is hereby amended to read as follows:

18 497.055 1. Where an airport is owned or controlled by an
19 airport authority created by *a* special legislative act as a quasi-
20 municipal corporation *or a regional airport authority created*
21 *pursuant to sections 3 to 45, inclusive, of this act,* and any airport
22 hazard area appertaining to that airport is located within the limits of
23 the county or any incorporated city or unincorporated town within
24 the geographical boundaries of the airport authority, the airport
25 authority and the county, incorporated city or unincorporated town
26 within which the airport hazard area is located may, by adopting
27 substantially identical ordinances or resolutions, create a joint
28 airport zoning board, which has the same power to adopt, administer
29 and enforce airport zoning regulations applicable to the airport
30 hazard area in question as that vested by NRS 497.040 in the
31 political subdivision within which that area is located.

32 2. Each such joint board:

33 (a) Must have as members two representatives appointed by
34 each political subdivision participating in its creation, and in
35 addition a chairman elected by a majority of the members so
36 appointed.

37 (b) May consider noise problems related to the airport as they
38 affect lands outside the boundaries of the airport and make
39 recommendations to the airport authority.

40 **Sec. 53.** NRS 497.080 is hereby amended to read as follows:

41 497.080 1. An airport zoning regulation must not be adopted,
42 amended or repealed under this chapter except:

43 (a) In the case of an airport owned or controlled by an airport
44 authority created by special legislative act as a quasi-municipal
45 corporation **[H]** *or a regional airport authority created pursuant to*



1 *sections 3 to 45, inclusive, of this act*, by the action of the joint
2 airport zoning board within whose jurisdiction that airport lies; or

3 (b) In the case of an airport owned or controlled by any other
4 political subdivision, by the action of the joint airport zoning board
5 within whose jurisdiction that airport lies or, if there is no joint
6 board, the governing body of a political subdivision,

7 ➤ after a public hearing in relation thereto, at which public utilities
8 owning facilities in the area involved, other parties in interest and
9 citizens have an opportunity to be heard.

10 2. At least 15 days' notice of the hearing shall be given to all
11 public utilities owning facilities in the area involved, and at least 15
12 days' notice of the hearing shall be published in an official paper, or
13 a paper of general circulation, in the political subdivision or
14 subdivisions in which is located the airport hazard to be zoned.

15 **Sec. 54.** NRS 41.0305 is hereby amended to read as follows:

16 41.0305 As used in NRS 41.0305 to 41.039, inclusive, the term
17 "political subdivision" includes an organization that was officially
18 designated as a community action agency pursuant to 42 U.S.C. §
19 2790 before that section was repealed and is included in the
20 definition of an "eligible entity" pursuant to 42 U.S.C. § 9902, the
21 Nevada Rural Housing Authority, an airport authority created by
22 special act of the Legislature, *a regional airport authority created*
23 *pursuant to sections 3 to 45, inclusive, of this act*, a regional
24 transportation commission and a fire protection district, irrigation
25 district, school district, governing body of a charter school, any
26 other special district that performs a governmental function, even
27 though it does not exercise general governmental powers, and the
28 governing body of a university school for profoundly gifted pupils.

29 **Sec. 55.** NRS 108.2405 is hereby amended to read as follows:

30 108.2405 1. The provisions of NRS 108.2403 and 108.2407
31 do not apply:

32 (a) In a county with a population of 400,000 or more with
33 respect to a ground lessee who enters into a ground lease for real
34 property which is designated for use or development by the county
35 *or the regional airport authority* for commercial purposes which
36 are compatible with the operation of the international airport for the
37 county.

38 (b) If all owners of the property, individually or collectively,
39 record a written notice of waiver of the owners' rights set forth in
40 NRS 108.234 with the county recorder of the county where the
41 property is located before the commencement of construction of the
42 work of improvement.

43 2. Each owner who records a notice of waiver pursuant to
44 paragraph (b) of subsection 1 must serve such notice by certified
45 mail, return receipt requested, upon the prime contractor of the work



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1 of improvement and all other lien claimants who may give the
2 owner a notice of right to lien pursuant to NRS 108.245, within 10
3 days after the owner's receipt of a notice of right to lien or 10 days
4 after the date on which the notice of waiver is recorded pursuant to
5 this subsection.

6 3. As used in this section:

7 (a) "Ground lease" means a written agreement:

8 (1) To lease real property which, on the date on which the
9 agreement is signed, does not include any existing buildings or
10 improvements that may be occupied on the land; and

11 (2) That is entered into for a period of not less than 10 years,
12 excluding any options to renew that may be included in any such
13 lease.

14 (b) "Ground lessee" means a person who enters into a ground
15 lease as a lessee with the county *or the regional airport authority* as
16 record owner of the real property as the lessor.

17 **Sec. 56.** NRS 171.1223 is hereby amended to read as follows:

18 171.1223 1. Except as otherwise provided in subsection 3, in
19 a county whose population is 100,000 or more, a peace officer with
20 limited jurisdiction who witnesses a category A felony being
21 committed or attempted in his presence, or has reasonable cause for
22 believing a person has committed or attempted to commit a category
23 A felony in an area that is within his jurisdiction, shall immediately
24 notify the primary law enforcement agency in the city or county, as
25 appropriate, where the offense or attempted offense was committed.

26 2. Upon arrival of an officer from the primary law enforcement
27 agency notified pursuant to subsection 1, a peace officer with
28 limited jurisdiction shall immediately transfer the investigation of
29 the offense or attempted offense to the primary law enforcement
30 agency.

31 3. The provisions of subsection 1 do not:

32 (a) Apply to an offense or attempted offense that is a
33 misdemeanor, gross misdemeanor or felony other than a category A
34 felony;

35 (b) Apply to an officer of the Nevada Highway Patrol, a member
36 of the police department of the Nevada System of Higher Education,
37 an agent of the Investigation Division of the Department of Public
38 Safety or a ranger of the Division of State Parks of the State
39 Department of Conservation and Natural Resources;

40 (c) Apply to a peace officer with limited jurisdiction if an
41 interlocal agreement between his employer and the primary law
42 enforcement agency in the city or county in which a category A
43 felony was committed or attempted authorizes the peace officer with
44 limited jurisdiction to respond to and investigate the felony without
45 immediately notifying the primary law enforcement agency; or



(d) Prohibit a peace officer with limited jurisdiction from:

(1) Contacting a primary law enforcement agency for assistance with an offense that is a misdemeanor, gross misdemeanor or felony that is not a category A felony; or

(2) Responding to a category A felony until the appropriate primary law enforcement agency arrives at the location where the felony was allegedly committed or attempted, including, without limitation, taking any appropriate action to provide assistance to a victim of the felony, to apprehend the person suspected of committing or attempting to commit the felony, to secure the location where the felony was allegedly committed or attempted and to protect the life and safety of the peace officer and any other person present at that location.

4. As used in this section:

(a) "Peace officer with limited jurisdiction" means:

(1) A school police officer who is appointed or employed pursuant to subsection 8 of NRS 391.100;

(2) An airport guard or police officer who is appointed pursuant to NRS 496.130;

(3) A person employed to provide police services for an airport authority created by a special act of the Legislature ~~§~~ *or a regional airport authority created pursuant to sections 3 to 45, inclusive, of this act;* and

(4) A marshal or park ranger who is part of a unit of specialized law enforcement established pursuant to NRS 280.125.

(b) "Primary law enforcement agency" means:

(1) A police department of an incorporated city;

(2) The sheriff's office of a county; or

(3) If the county is within the jurisdiction of a metropolitan police department, the metropolitan police department.

Sec. 57. NRS 244.187 is hereby amended to read as follows:

244.187 A board of county commissioners may, to provide adequate, economical and efficient services to the inhabitants of the county and to promote the general welfare of those inhabitants, displace or limit competition in any of the following areas:

1. Ambulance service.

2. Taxicabs and other public transportation, unless regulated in that county by an agency of the State.

3. Collection and disposal of garbage and other waste.

4. ~~Operations~~ *Except as otherwise provided in sections 3 to 45, inclusive, of this act, operations* at an airport, including, but not limited to, the leasing of motor vehicles and the licensing of concession stands, but excluding police protection and fire protection.



5. Water and sewage treatment, unless regulated in that county by an agency of the State.

6. Concessions on, over or under property owned or leased by the county.

7. Operation of landfills.

8. Except as otherwise provided in NRS 373.1183, construction and maintenance of benches and shelters for passengers of public mass transportation.

Sec. 58. NRS 244.414 is hereby amended to read as follows:

244.414 1. ~~[The board of county commissioners of]~~ *In* each county whose population is 400,000 or more, *the regional airport authority* may establish ~~[by ordinance]~~ an advisory committee on aircraft noise.

2. If ~~[a board of county commissioners]~~ *the regional airport authority* establishes a committee, the ~~[board]~~ *regional airport authority* shall appoint to the committee 11 members as follows:

(a) Four members who live in neighborhoods affected by aircraft noise;

(b) One member who lives in a neighborhood that is adjacent to an airport;

(c) One member who represents commercial operators of helicopters;

(d) One member who represents general aviation;

(e) One member who represents the division of Air Traffic Services of the Federal Aviation Administration;

(f) One member who represents a business that is affected by aircraft noise or is adjacent to an airport;

(g) One member who represents the department of aviation of the county; and

(h) One member who represents the ~~[board of county commissioners of the county.]~~ *regional airport authority.*

3. The members of the committee shall serve terms of 2 years. Members may be reappointed for additional terms of 2 years in the same manner as the original appointments. Any vacancy occurring in the membership of the committee must be filled in the same manner as the original appointment.

4. The ~~[board of county commissioners]~~ *regional airport authority* shall appoint one of the members as chairman of the committee, who shall serve as chairman for a term of 1 year. If a vacancy occurs in the chairmanship, the vacancy must be filled in the same manner as the original selection for the remainder of the unexpired term.

5. The members of the committee serve without compensation.

6. The committee shall:

(a) Meet upon the call of the chairman; and



(b) Comply with the provisions of chapter 241 of NRS.

Sec. 59. NRS 244.416 is hereby amended to read as follows:

244.416 1. Except as otherwise provided in subsection 2, the committee may:

(a) Examine and assess laws and any other information related to problems of aircraft noise in the county, including, without limitation, existing and proposed flight paths for aircraft;

(b) Promote increased communication regarding aircraft noise among relevant public entities and between those entities and the general public; and

(c) With due regard for the safety and efficiency of the aviation industry, advise and consult with the Federal Aviation Administration, the ~~board of county commissioners~~ *regional airport authority* and all other relevant federal, state and local governmental agencies, bodies and officials regarding new and existing programs and approaches for abating aircraft noise.

2. The provisions of this section do not authorize the committee to take any action with respect to any aircraft that is operated:

(a) In commercial aviation pursuant to 14 C.F.R. Part 121 or 14 C.F.R. Part 135, or both;

(b) As an air ambulance, as that term is defined in NRS 450B.030; or

(c) By or in cooperation with a law enforcement agency.

Sec. 60. NRS 244.418 is hereby amended to read as follows:

244.418 1. Except as otherwise provided in subsection 2, ~~the board of county commissioners of~~ *in* each county whose population is 400,000 or more, *the regional airport authority* shall enact and enforce ~~ordinances requiring the county airport~~ *regulations requiring each of its airports* to:

(a) Establish a toll-free telephone number for persons to report information regarding alleged violations of rules or regulations pertaining to aircraft noise, including, without limitation, deviations from established flight paths; and

(b) Compile and maintain a record of each complaint that alleges a violation of a rule or regulation pertaining to aircraft noise.

2. ~~An ordinance~~ *A regulation* enacted pursuant to this section must not apply to any aircraft that is operated:

(a) As an air ambulance, as that term is defined in NRS 450B.030; or

(b) By or in cooperation with a law enforcement agency.

Sec. 61. NRS 244A.599 is hereby amended to read as follows:

244A.599 1. *In a county whose population is 400,000 or more, the board of county commissioners shall, by resolution, create a county fair and recreation board pursuant to the*



1 *provisions of NRS 244A.597 to 244A.655, inclusive.* Whenever the
2 board of county commissioners of any *other* county or the Board of
3 Supervisors of Carson City desires the powers granted in NRS
4 244A.597 to 244A.655, inclusive, to be exercised, it shall, by
5 resolution, determine that the interest of the county and the public
6 interest, necessity or desirability require the exercise of those
7 powers and ~~the creation of~~ *create* a county fair and recreation
8 board ~~therefor,~~ pursuant to the provisions of NRS 244A.597 to
9 244A.655, inclusive. After approval of the resolution, the county or
10 city clerk shall:

11 (a) Cause a copy of the resolution to be published promptly once
12 in a newspaper published in and of general circulation in the county
13 or city; and

14 (b) In the case of a county, cause a certified copy of the
15 resolution to be mailed by registered or certified mail to the mayor
16 or other chief executive officer of each incorporated city within the
17 county.

18 2. In counties whose population is 100,000 or more, the county
19 fair and recreation board must be selected as provided in NRS
20 244A.601 or 244A.603.

21 3. In counties whose population is less than 100,000, and in
22 which there are more than two incorporated cities, each incorporated
23 city, except an incorporated city which is the county seat, must be
24 represented by one member and any incorporated city which is the
25 county seat must be represented by four members. Within 30 days
26 after the day of publication of the resolution or the day on which the
27 last of the copies of the resolution was mailed, whichever day is
28 later, the mayor or other chief executive officer shall, with the
29 approval of the legislative body of the city, appoint a member or
30 members of the city council or board of trustees to serve on the
31 board for the remainder of his or their terms of office. The clerk or
32 secretary of the city shall promptly certify the appointment by
33 registered or certified mail to the county clerk.

34 4. In counties whose population is less than 100,000, and in
35 which there are only two incorporated cities, each incorporated city
36 must be represented by one member who must be appointed and
37 certified as provided in subsection 3, and the board of county
38 commissioners shall appoint four representatives as follows:

39 (a) Two members to represent the hotel or motel operators in the
40 county.

41 (b) One member to represent the other commercial interests in
42 the county.

43 (c) One member to represent the county at large.

44 5. In counties whose population is less than 100,000, and in
45 which there are fewer than two incorporated cities, any incorporated



city which is the county seat must be represented by one member, who must be appointed and certified as provided in subsection 3, and the board of county commissioners shall appoint three representatives as follows:

(a) One member to represent the motel operators in the county.

(b) One member to represent the hotel operators in the county.

(c) One member to represent the other commercial interests in the county.

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

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

8. In Carson City the Board of Supervisors shall appoint five representatives to the fair and recreation board established as provided in subsection 1 as follows:

(a) Two members to represent the hotel and motel operators in the city.

(b) One member to represent the other commercial interests in the city.

(c) One member who is a member of the Board of Supervisors.

(d) One member to represent the city at large.

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

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

Sec. 62. NRS 244A.622 is hereby amended to read as follows:

~~244A.622 [1.—Except as otherwise provided in subsections 2 and 3, in]~~ **In** a county whose population is 400,000 or more, the county fair and recreation board, in addition to any other powers, may also use any money that it receives to pay the cost of projects for improving, operating or maintaining an airport, or any combination thereof, including, without limitation, projects designed to encourage tourism or to improve access to airports by tourists.

~~[2.—Money may only be used pursuant to this section with respect to an airport that is not less than 90 miles by road from any airport owned by the county with 100 or more scheduled flights per day.~~

~~—3.—No money may be expended pursuant to this section with respect to a particular airport in excess of \$500,000 during any fiscal year.]~~



Sec. 63. NRS 268.081 is hereby amended to read as follows:

268.081 The governing body of an incorporated city may, to provide adequate, economical and efficient services to the inhabitants of the city and to promote the general welfare of those inhabitants, displace or limit competition in any of the following areas:

1. Ambulance service.

2. Taxicabs and other public transportation, unless regulated in that city by an agency of the State.

3. Collection and disposal of garbage and other waste.

4. ~~Operations~~ *Except as otherwise provided in sections 3 to 45, inclusive, of this act, operations* at an airport, including, but not limited to, the leasing of motor vehicles and the licensing of concession stands, but excluding police protection and fire protection.

5. Water and sewage treatment, unless regulated in that city by an agency of the State.

6. Concessions on, over or under property owned or leased by the city.

7. Operation of landfills.

8. Search and rescue.

9. Inspection required by any city ordinance otherwise authorized by law.

10. Except as otherwise provided in NRS 373.1183, construction and maintenance of benches and shelters for passengers of public mass transportation.

11. Any other service demanded by the inhabitants of the city which the city itself is otherwise authorized by law to provide.

Sec. 64. NRS 269.128 is hereby amended to read as follows:

269.128 A town board or board of county commissioners may, to provide adequate, economical and efficient services to the inhabitants of the town and to promote the general welfare of those inhabitants, displace or limit competition in any of the following areas:

1. Ambulance service.

2. Taxicabs and other public transportation, unless regulated in that town by an agency of the State.

3. Collection and disposal of garbage and other waste.

4. ~~Operations~~ *Except as otherwise provided in sections 3 to 45, inclusive, of this act, operations* at an airport, including, but not limited to, the leasing of motor vehicles and the licensing of concession stands, but excluding police protection and fire protection.

5. Water and sewage treatment, unless regulated in that town by an agency of the State.



6. Concessions on, over or under property owned or leased by the town.

7. Operation of landfills.

8. Except as otherwise provided in NRS 373.1183, construction and maintenance of benches and shelters for passengers of public mass transportation.

Sec. 65. NRS 286.070 is hereby amended to read as follows:

286.070 1. "Public employer" means the State, one of its agencies or one of its political subdivisions, the System, irrigation districts created under the laws of the State of Nevada, a public or quasi-public organization or agency that is funded, at least in part, by public money, including , *without limitation, a regional airport authority created pursuant to sections 3 to 45, inclusive, of this act*, a regional transportation commission, a governing body of a charter school and a council of governments created pursuant to the laws of the State of Nevada.

2. State agencies are those agencies subject to state control and supervision, including those whose employees are governed by chapter 284 of NRS, unless specifically exempted therefrom, and those which deposit money with the State Treasurer.

Sec. 66. NRS 288.060 is hereby amended to read as follows:

288.060 "Local government employer" means any political subdivision of this State or any public or quasi-public corporation organized under the laws of this State and includes, without limitation, counties, cities, unincorporated towns, *regional airport authorities created pursuant to sections 3 to 45, inclusive, of this act*, school districts, charter schools, hospital districts, irrigation districts and other special districts.

Sec. 67. NRS 350.013 is hereby amended to read as follows:

350.013 1. Except as otherwise provided in this section, on or before August 1 of each year, the governing body of a municipality which proposes to issue or has outstanding any general obligation debt, other general obligations or special obligations, or which levies or proposes to levy any special elective tax, shall submit to the Department of Taxation and the commission:

(a) A complete statement of current general obligation debt and special elective taxes, and a report of current debt and special assessments and retirement schedules, in the detail and form established by the Committee on Local Government Finance.

(b) A complete statement, in the detail and form established by the Committee on Local Government Finance, of general obligation debt and special elective taxes contemplated to be submitted to the commission during the fiscal year.

(c) A written statement of the debt management policy of the municipality, which must include, without limitation:



(1) A discussion of its ability to afford existing general obligation debt, authorized future general obligation debt and proposed future general obligation debt;

(2) A discussion of its capacity to incur authorized and proposed future general obligation debt without exceeding the applicable debt limit;

(3) A discussion of its general obligation debt that is payable from property taxes per capita as compared with such debt of other municipalities in this State;

(4) A discussion of its general obligation debt that is payable from property taxes as a percentage of assessed valuation of all taxable property within the boundaries of the municipality;

(5) Policy regarding the manner in which the municipality expects to sell its debt;

(6) A discussion of its sources of money projected to be available to pay existing general obligation debt, authorized future general obligation debt and proposed future general obligation debt; and

(7) A discussion of its operational costs and revenue sources, for the ensuing 5 fiscal years, associated with each project included in its plan for capital improvement submitted pursuant to paragraph (d), if those costs and revenues are expected to affect the property tax rate.

(d) Either:

(1) Its plan for capital improvement for the ensuing 5 fiscal years, which must include any contemplated issuance of general obligation debt during this period and the sources of money projected to be available to pay the debt; or

(2) A statement indicating that no changes are contemplated in its plan for capital improvement for the ensuing 5 fiscal years.

(e) A statement containing the name, title, mailing address and telephone number of the chief financial officer of the municipality.

2. The governing body of a municipality may combine a statement or plan required by subsection 1 with the corresponding statement or plan of another municipality if both municipalities have the same governing body or the governing bodies of both municipalities agree to such a combination.

3. Except as otherwise provided in subsection 4, the governing body of each municipality shall update all statements and plans required by subsection 1 not less frequently than once each fiscal year.

4. In a county whose population is 100,000 or more, the governing body of each municipality shall update all statements and plans required by subsection 1 not less often than once each fiscal year and not more often than twice each fiscal year, except that a



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1 municipality may update a statement or plan required by subsection
2 1 more often than twice each fiscal year:

3 (a) If the governing body determines, by a two-thirds vote, that
4 an emergency requires that a statement or plan be updated;

5 (b) To include an item related to:

6 (1) An installment purchase that does not count against a
7 debt limit; or

8 (2) An obligation for which no additional property tax is
9 expected;

10 (c) To update the purpose of a special elective tax without
11 changing the rate of the special elective tax; or

12 (d) To comply with the requirements of subsection 5 of NRS
13 268.625 or subsection 1 of NRS 350.091.

14 5. The provisions of this section do not apply to the Reno-
15 Tahoe Airport Authority *or a regional airport authority created*
16 *pursuant to sections 3 to 45, inclusive, of this act* so long as ~~the~~
17 ~~Authority~~ *such an airport authority* does not have any general
18 obligation bonds outstanding and does not issue or propose to issue
19 any such bonds. At least 30 days before each annual meeting of the
20 commission, ~~the Authority~~ *each airport authority* shall submit to
21 the Department of Taxation a written statement regarding whether
22 the ~~Authority~~ *airport authority* is planning to propose to issue any
23 general obligation bonds before the next following annual meeting
24 of the commission.

25 **Sec. 68.** NRS 365.038 is hereby amended to read as follows:

26 365.038 "Governmental entity" includes, without limitation, an
27 airport authority created by a special legislative act ~~or~~ *or a regional*
28 *airport authority created pursuant to sections 3 to 45, inclusive, of*
29 *this act.*

30 **Sec. 69.** NRS 426.660 is hereby amended to read as follows:

31 426.660 To effectuate further the purposes of NRS 426.630 to
32 426.720, inclusive, when new construction, remodeling, leasing,
33 acquisition or improvement of public buildings or properties is
34 authorized, consideration must be given to planning and making
35 available suitable space and facilities for vending stands to be
36 operated by blind persons. Written notice must be given to the
37 Bureau by the person or agency having charge of the planning and
38 design of any such project:

39 1. At least once each year in the case of projects proposed for a
40 municipal airport or air navigation facilities owned or operated
41 under the provisions of chapter 496 of NRS or an airport owned or
42 operated by the Reno-Tahoe Airport Authority ~~or~~ *or a regional*
43 *airport authority created pursuant to sections 3 to 45, inclusive, of*
44 *this act.*



2. Within 30 days after the commencement of the planning and design of the project for all other projects.

Sec. 70. NRS 450B.600 is hereby amended to read as follows:

450B.600 1. Not later than July 1, 2004, and thereafter:

(a) The board of trustees of a school district in a county whose population is 100,000 or more shall ensure that at least one automated external defibrillator is placed in a central location at each high school within the district.

(b) The Reno-Tahoe Airport Authority shall ensure that at least three automated external defibrillators are placed in central locations at the largest airport within the county.

(c) ~~[The board of county commissioners of]~~ *In* each county whose population is 400,000 or more , *the regional airport authority created pursuant to sections 3 to 45, inclusive, of this act* shall ensure that at least seven automated external defibrillators are placed in central locations at the largest airport within the county.

(d) The Board of Regents of the University of Nevada shall ensure that at least two automated external defibrillators are placed in central locations at each of:

(1) The largest indoor sporting arena or events center controlled by the University in a county whose population is 100,000 or more but less than 400,000; and

(2) The largest indoor sporting arena or events center controlled by the University in a county whose population is 400,000 or more.

(e) The Health Division shall ensure that at least one automated external defibrillator is placed in a central location at each of the following state buildings:

(1) The Capitol Building in Carson City;

(2) The Kinkead Building in Carson City;

(3) The Legislative Building in Carson City; and

(4) The Grant Sawyer Building in Las Vegas.

(f) The board of county commissioners of each county whose population is 100,000 or more shall:

(1) Identify five county buildings or offices in each of their respective counties which are characterized by large amounts of pedestrian traffic or which house one or more county agencies that provide services to large numbers of persons; and

(2) Ensure that at least one automated external defibrillator is placed in a central location at each county building or office identified pursuant to subparagraph (1).

2. Each governmental entity that is required to ensure the placement of one or more automated external defibrillators pursuant to subsection 1:



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(a) May accept gifts, grants and donations for use in obtaining, inspecting and maintaining the defibrillators;

(b) Shall ensure that those defibrillators are inspected and maintained on a regular basis; and

(c) Shall encourage the entity where the automated external defibrillator is placed to require any employee who will use the automated external defibrillator to successfully complete the training requirements of a course in basic emergency care of a person in cardiac arrest that includes training in the operation and use of an automated external defibrillator and is conducted in accordance with the standards of the American Heart Association, the American National Red Cross or any other similar organization.

3. As used in this section, "automated external defibrillator" means a medical device that:

(a) Has been approved by the United States Food and Drug Administration;

(b) Is capable of recognizing the presence or absence, in a patient, of ventricular fibrillation and rapid ventricular tachycardia;

(c) Is capable of determining, without intervention by the operator of the device, whether defibrillation should be performed on the patient;

(d) Upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to the patient's heart; and

(e) Upon action by the operator of the device, delivers to the patient's heart an appropriate electrical impulse.

Sec. 71. NRS 463.177 is hereby amended to read as follows:

463.177 1. As used in this section:

(a) "Governing body" includes , *without limitation*, the governing body of a political subdivision of this State , ~~and~~ every authority composed of representatives of those bodies ~~and~~ *and a regional airport authority created pursuant to sections 3 to 45, inclusive, of this act.*

(b) "Public transportation facility" means an airport, marina, bus terminal or train station owned and operated by a governing body.

2. The Commission may exempt a governing body, which leases a portion of a public transportation facility for the operation of slot machines only, from the provisions of NRS 463.160, 463.162, 463.167 and 463.170, and the regulations of the Commission relating to gaming if:

(a) The lessee who is operating the slot machines complies with all applicable federal, state and local licensing requirements; and

(b) The terms of the lease provide for the immediate termination of the lease upon the revocation of any license necessary to operate the slot machines.



3. The Commission may grant, deny, limit, condition, suspend or revoke any exemption or any application for an exemption.

4. The grant of an exemption under this section does not create any vested rights.

Sec. 72. Section 2.225 of the Henderson City Charter, being chapter 67, Statutes of Nevada 1987, at page 132, is hereby repealed.

Sec. 73. 1. In each county whose population is 400,000 or more:

(a) The governing body of a local government that owns, controls, manages or operates any airport and the board of directors of the regional airport authority shall, as soon as practicable but not later than October 1, 2007, enter into an agreement for the orderly transfer to the authority of the airport properties, functions and outstanding obligations of the local government, not inconsistent with the rights of existing bondholders, effective July 1, 2008. The agreement may include provisions for the transfer of the employees of the local government to the authority with the retention by the employees of any civil service status.

(b) Notwithstanding any other provision of this act, during the fiscal year beginning on July 1, 2007, each local government shall continue the operation and maintenance of its airports but its operation and maintenance shall cease on July 1, 2008, and on that date:

(1) Any money on hand or to become available to the local government for airport purposes must be paid directly to the authority.

(2) The local government shall deliver to the authority all property ordinarily and appropriately used in the operation and maintenance of its airports.

(3) The authority shall assume the obligations issued and accounts payable by the local government for airport purposes.

(c) The board of directors of the authority shall:

(1) As soon as practicable, prepare the necessary budgets for the authority for the fiscal year beginning on July 1, 2008, pursuant to law.

(2) On July 1, 2008, assume full control, operation and maintenance of all airports that are owned, controlled, managed or operated by a local government and exercise fully thereafter all the powers and perform all the functions and duties assigned to the board by this act.

2. As used in this section, unless the context otherwise requires, the words and terms defined in sections 5 to 13, inclusive, of this act have the meanings ascribed to them in those sections.



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1 **Sec. 74.** If any action is brought to have this act or any of its
2 provisions declared invalid or to contest the legal status of a regional
3 airport authority before the authority has received money sufficient
4 to employ an attorney, the Attorney General shall defend the action
5 on behalf of the authority.

6 **Sec. 75.** If any provision of this act or the application thereof
7 to any person or circumstances is held invalid, such invalidity shall
8 not affect other provisions or applications of the act which can be
9 given effect without the invalid provision or application, and to this
10 end the provisions of this act are declared to be severable.

11 **Sec. 76.** This act becomes effective:

12 1. Upon passage and approval, for the purposes of:

13 (a) Carrying out the provisions of sections 73, 74 and 75 of this
14 act;

15 (b) Adopting regulations and executing agreements;

16 (c) Determining and approving the rate of taxation and
17 providing for the levy and collection of taxes;

18 (d) Borrowing money and issuing bonds and securities;

19 (e) Hiring and retaining officers, agents and employees,
20 including fiscal advisers, engineers, attorneys or other professional
21 or specialized personnel; and

22 (f) Performing any other organizational, administrative,
23 preparatory or preliminary tasks that are necessary to carry out the
24 provisions of this act; and

25 2. On July 1, 2008, for all other purposes.

TEXT OF REPEALED SECTION

Sec. 2.225 Powers of City Council: Airports. The City Council may acquire, provide for, operate and maintain an airport for public use.

