

## Amendment No. 301

Senate Amendment to Senate Bill No. 71 (BDR 37-325)

**Proposed by:** Senate Committee on Health and Education**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold dashed underlining* is newly added transitory language.

TMC



Date: 4/15/2009

S.B. No. 71—Revises various provisions relating to veterans. (BDR 37-325)



## SENATE BILL NO. 71—COMMITTEE ON HEALTH AND EDUCATION

(ON BEHALF OF THE OFFICE OF VETERANS' SERVICES)

PREFILED DECEMBER 12, 2008

Referred to Committee on Health and Education

SUMMARY—Revises various provisions relating to veterans. (BDR 37-325)

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 veterans; ~~providing a definition of “veteran” for general application to Nevada Revised Statutes;~~ revising certain obsolete and inaccurate terms; expanding the eligibility of certain veterans for certain tax exemptions and governmental programs; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

~~Existing law provides various tax exemptions and other benefits for veterans but describes the persons eligible for the tax exemptions and benefits in various ways.~~ Under existing law governing the Public Employees’ Retirement System, only those veterans who served on active military duty during Operation Desert Storm, Operation Enduring Freedom or Operation Iraqi Freedom are eligible to purchase additional retirement service credit for their active military duty. (NRS 286.300, 286.367) **Sections 18 and 20 of this bill expand that benefit to apply to members of the System with 5 years of creditable service in the System who were honorably discharged or released from active duty.** Similarly, under existing law, only those veterans who served in the Persian Gulf Crisis are eligible to receive free retirement service credit for their military service. (NRS 286.479) ~~Assistance~~ **Section 21 of this bill expands that benefit to any veteran with 5 years of creditable service in the System who was honorably discharged or released from active duty.**

Under existing law, assistance to finance housing is provided through the Housing Division of the Department of Business and Industry to low-income eligible families based on the consideration of various factors, including service by those veterans who served on active duty in the Armed Forces of the United States only during specified periods. (NRS 319.060) ~~That~~ **Section 31 of this bill expands the application of that provision to veterans who served on active duty during a period of war as defined by federal law. (38 U.S.C. § 101) This includes the Spanish-American War, the Mexican border period, World War I, World War II, the Korean conflict, the Vietnam era, the Persian Gulf War and any future declaration of war by the United States Congress.**

~~Similarly, under existing law, the~~ property of only those veterans who served on active duty in the Armed Forces of the United States during specified periods is exempt from property taxation to the extent of \$2,000 assessed valuation. (NRS 361.090) A similar exemption from the governmental services tax imposed on vehicles is provided for such veterans to the extent of \$2,000 determined valuation. (NRS 371.103) **Sections 33 and 41 of**

**this bill, respectively, expand those exemptions to apply to veterans who served on active duty during such a period of war defined by federal law.**

~~[ This bill removes such disparate treatment of veterans by providing definitions of "veteran" and "Armed Forces of the United States" that have uniform applicability throughout Nevada Revised Statutes. Section 6 of this bill defines the term "Armed Forces of the United States" for general application to Nevada Revised Statutes to mean the United States Army, Navy, Marine Corps, Air Force or Coast Guard. The term includes the reserve components thereof while on active duty. Section 7 of this bill defines the term "veteran" for general application to Nevada Revised Statutes to mean a bona fide resident of this State who served on active duty in the Armed Forces of the United States and was discharged or released from the Armed Forces of the United States or the Nevada National Guard under conditions other than dishonorable.~~

~~Sections 1, 3, 21, 22, 24, 41, 42, 50, 52, 58, 62, 78 and 79 of this bill amend inaccurate references to "honorably discharged" or "honorable discharge" by substituting the phrase "discharged or released under conditions other than dishonorable" to reflect the various types of discharges or releases now issued by the Armed Forces of the United States.~~

~~Sections 28, 34, 42, 55 and 64 of this bill define a "service connected" death or disability for the purpose of determining eligibility for certain governmental programs.~~

~~Sections 24 and 42 of this bill define the term "surviving spouse" for the purpose of determining eligibility for certain property tax exemptions.]~~

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

### **Section 1.** ~~[NRS 417.030 is hereby amended to read as follows:~~

~~417.030 1. The Executive Director and *the* Deputy Executive Director must be appointed by the Governor.~~

~~2. Any person to be eligible for appointment as the Executive Director or the Deputy Executive Director must:~~

~~(a) Be an actual and bona fide resident of the State of Nevada;~~

~~(b) [Possess an honorable discharge from some] *Have been discharged or released from a* branch of the [military and naval service] *Armed Forces* of the United States [.] *under conditions other than dishonorable;* and~~

~~(c) Have at least 4 years of experience in management or administration.]~~

**(Deleted by amendment.)**

### **Sec. 2.** ~~[NRS 417.090 is hereby amended to read as follows:~~

~~417.090 The Executive Director and the Deputy Executive Director shall:~~

~~1. Assist veterans [.] and those presently serving in the [military and naval forces] *Armed Forces* of the United States who are residents of the State of Nevada, *and* their wives, widows, widowers, husbands, children, dependents, administrators, executors and personal representatives, in preparing, submitting and presenting any claim against the United States, or any state, for adjusted compensation, hospitalization, insurance, pension, disability compensation, vocational training, education or rehabilitation and assist them in obtaining any aid or benefit to which they may, from time to time, be entitled under the laws of the United States or of any of the states.~~

~~2. Aid, assist, encourage and cooperate with every nationally recognized service organization insofar as the activities of [such] *those* organizations are for the benefit of veterans, [and servicemen and women.]~~

~~3. Give aid, assistance and counsel to each [and every] problem, question and situation, individual as well as collective, affecting any veteran or [serviceman or woman, or their] *his* dependents [.] or any group of veterans [or servicemen and women, when in their opinion such] *if, in the opinion of the Executive Director*~~

~~and the Deputy Executive Director, the aid, assistance or counsel comes within the scope of this chapter.~~

~~4. Coordinate activities of veterans' organizations.~~

~~5. Serve as a clearinghouse and disseminate information relating to veterans' benefits.~~

~~6. Conduct any studies which will assist veterans to obtain compensation, hospitalization, insurance, pension, disability compensation, vocational training, education, rehabilitation or any other benefit to which veterans may be entitled under the laws of the United States or of any state.~~

~~7. Aid, assist and cooperate with the office of coordinator of services for veterans created in a county pursuant to NRS 244.401.~~

~~8. Pay to each county that creates the office of coordinator of services for veterans, from state money available to him, a portion of the cost of operating the office in an amount determined by the Executive Director.] (Deleted by amendment.)~~

**Sec. 3.** [NRS 417.150 is hereby amended to read as follows:

~~417.150 1. The Nevada Veterans' Services Commission, consisting of nine members, is hereby created.~~

~~2. The Governor shall appoint:~~

~~(a) Three members who are representatives of nationally recognized veterans' organizations and who [possess honorable discharges from some] were discharged or released from a branch of the [military and naval service of] Armed Forces of the United States [.] under conditions other than dishonorable.~~

~~(b) Two members who are representatives of the general public.~~

~~3. The Chairman of the Advisory Committee for a Veterans' Cemetery in Northern Nevada and the Chairman of the Advisory Committee for a Veterans' Cemetery in Southern Nevada shall each appoint one member from their respective committees to serve as a member of the Commission. Each member so appointed must be a representative of a nationally recognized veterans' organization [and possess an honorable discharge from some] who was discharged or released from a branch of the [military and naval service] Armed Forces of the United States [.] under conditions other than dishonorable.~~

~~4. The Majority Leader of the Senate shall appoint one member of the Senate to serve as a member of the Commission.~~

~~5. The Speaker of the Assembly shall appoint one member of the Assembly to serve as a member of the Commission.~~

~~6. The Governor may remove a member of the Commission at any time for failure to perform his duties, malfeasance or other good cause.~~

~~7. The term of office of each member is 2 years.~~

~~8. If a vacancy occurs in the membership of those members appointed pursuant to paragraph (a) of subsection 2, the Governor shall fill the vacancy from among the names of qualified nominees provided to him in writing by the Executive Director.] (Deleted by amendment.)~~

**Sec. 4.** [NRS 419.020 is hereby amended to read as follows:

~~419.020 1. The county recorders of the counties of this State shall procure books containing suitable blanks in which to record certificates of [honorable] discharge or release from the [military and naval service] Armed Forces of the United States.~~

~~2. The county recorders shall record therein all such certificates as may be presented to them for record, free of any charge therefor, and shall make the customary certificate of such record thereon.] (Deleted by amendment.)~~

1        **Sec. 5.** ~~[The preliminary chapter of NRS is hereby amended by adding~~  
2 ~~thereto the provisions set forth as sections 6 and 7 of this act.]~~ **(Deleted by**  
3 **amendment.)**

4        **Sec. 6.** ~~["Armed Forces of the United States" means the United States~~  
5 ~~Army, Navy, Marine Corps, Air Force or Coast Guard. The term includes the~~  
6 ~~reserve components thereof while on active duty.]~~ **(Deleted by amendment.)**

7        **Sec. 7.** ~~[Except as otherwise expressly provided in a particular statute or~~  
8 ~~required by the context, "veteran" means an actual bona fide resident of this~~  
9 ~~State who:~~

10        ~~1. Served on active duty in the Armed Forces of the United States; and~~  
11 ~~2. Was discharged or released from the Armed Forces of the United States~~  
12 ~~or the Nevada National Guard under conditions other than dishonorable.]~~  
13 **(Deleted by amendment.)**

14        **Sec. 8.** ~~[NRS 159.215 is hereby amended to read as follows:~~

15        ~~159.215 1. A member of the Armed Forces of the United States [, a reserve~~  
16 ~~component thereof] or the Nevada National Guard may, by written instrument and~~  
17 ~~without the approval of a court, appoint any competent adult residing in this State~~  
18 ~~as the guardian of the person of a minor child who is a dependent of that member.~~  
19 ~~The instrument must be:~~

20        ~~(a) Executed by both parents if living, not divorced and having legal custody of~~  
21 ~~the child, otherwise by the parent having legal custody; and~~

22        ~~(b) Acknowledged in the same manner as a deed.~~

23        ~~→ If both parents do not execute the instrument, the executing parent shall send by~~  
24 ~~certified mail, return receipt requested, to the other parent at his last known address,~~  
25 ~~a copy of the instrument and a notice of the provisions of subsection 3.~~

26        ~~2. The instrument must contain a provision setting forth the:~~

27        ~~(a) Branch of the Armed Forces [.] of the United States or force of the Nevada~~  
28 ~~National Guard;~~

29        ~~(b) Unit of current assignment;~~

30        ~~(c) Current rank or grade; and~~

31        ~~(d) Social security number or service number;~~

32        ~~→ of the parent who is the member.~~

33        ~~3. The appointment of a guardian pursuant to this section:~~

34        ~~(a) May be terminated by a written instrument signed by either parent of the~~  
35 ~~child if that parent has not been deprived of his parental rights to the child; and~~

36        ~~(b) Is terminated by any order of a court.]~~ **(Deleted by amendment.)**

37        **Sec. 9.** NRS 205.460 is hereby amended to read as follows:

38        205.460 1. Every person who counterfeits, forges, alters, erases or  
39 obliterates, or who attempts to counterfeit, forge, alter, erase or obliterate , any  
40 card, writing, paper or document, or any photocopy print, photostat ~~H~~ or other  
41 replica of any card, writing, paper or document , which is designed for the purpose  
42 of personal identification and which bears the age of the holder or purported holder  
43 thereof, or which, although not designed for the purpose of personal identification,  
44 is commonly used, or capable of being used , for the purpose of personal  
45 identification and bears the age of the holder or purported holder thereof, with the  
46 intention that ~~[such] the~~ card, writing, paper or document, or photocopy print,  
47 photostat or other replica thereof, be used by a person under the age of 21 years to  
48 establish falsely or misrepresent his actual age for the purpose of purchasing  
49 alcoholic liquor or being served alcoholic liquor in a place where it is served for  
50 consumption on the premises, or entering gambling establishments, or engaging in  
51 gambling in gambling establishments, ~~[shall be] is~~ guilty of a misdemeanor. For the  
52 purposes of this subsection, the cards, writings, papers or documents and the  
53 photocopy prints or other replicas thereof which, although not designed for the

purpose of personal identification, are commonly used, or capable of being used, for the purpose of personal identification, include, but are not limited to, an operator's license, *a* chauffeur's license, *a* fishing or hunting license, *a* selective service card, *an* organizational membership card, ~~certificate~~ *proof* of discharge *or release* from the Armed Forces ~~of the United States~~, or *a* certificate or other record of birth.

2. Every person who sells, lends, gives away or offers, or attempts to sell, lend, give away or offer, any counterfeited, forged, altered, erased or obliterated card, writing, paper or document, or photocopy print, photostat or other replica thereof, of the kind mentioned in subsection 1, to a person under the age of 21 years ~~is~~ *is* guilty of a gross misdemeanor.

3. Every person under the age of 21 years who uses or attempts to use or proffers any counterfeited, forged, erased or obliterated card, writing, paper, document, or any photocopy print, photostat or other replica thereof, of the kind mentioned in subsection 1, for the purpose and with the intention of purchasing alcoholic liquor or being served alcoholic liquor in a place where it is served for consumption on the premises, or entering gambling establishments, or engaging in gambling in gambling establishments, or who actually purchases alcoholic liquor or is actually served alcoholic liquor in a place where it is served for consumption on the premises, or actually enters a gambling establishment or actually gambles therein, when the purchase, service, entering or gambling is induced or permitted by the presentation of ~~any such~~ *the* card, writing, paper or document, or any photocopy print, photostat or other replica thereof, ~~shall be~~ *is* guilty of a misdemeanor.

4. In any criminal prosecution or proceeding for the suspension or revocation of any license based upon the violation of any law making it unlawful to sell, serve or furnish a person under the age of 21 years alcoholic liquor or upon violation of any law making it unlawful to allow a person under the age of 21 years to enter a gambling establishment or engage in gambling in a gambling establishment, proof that the defendant licensee, or his agent or employee, demanded and was shown, immediately before furnishing any alcoholic liquor to a person under the age of 21 years or allowing a person under the age of 21 years to enter a gambling establishment or engage in gambling in a gambling establishment, bona fide documentary evidence of the majority and identity of the person issued by a federal, state, county or municipal government, or subdivision or agency thereof, including, but not limited to, an operator's license for a motor vehicle, a registration certificate issued under the Federal Selective Service Act ~~of the United States~~, or an identification card issued to a member of the Armed Forces ~~of the United States~~, is a defense to the prosecution or proceeding for the suspension or revocation of any license.

**Sec. 10.** NRS 213.110 is hereby amended to read as follows:

213.110 1. Subject to the provisions of NRS 213.120, the Board shall establish rules and regulations under which any prisoner who is now or hereafter may be imprisoned in the state prison, or in another jurisdiction as provided in NRS 176.045, may be allowed to go upon parole outside of the buildings or enclosures, but to remain, while on parole, in the legal custody and under the control of the Board and subject at any time to be taken within the enclosure of the state prison.

2. The Board, for good cause and ~~in order~~ to permit induction into the ~~military service~~ *Armed Forces* of the United States, may suspend paroles during the period of the parolee's active service after induction into the ~~military service~~ *Armed Forces of the United States*.

**Sec. 11.** NRS 240.1645 is hereby amended to read as follows:

240.1645 1. A notarial act has the same effect under the law of this State as if performed by a notarial officer of this State if performed anywhere by any of the following persons under authority granted by the law of the United States:

(a) A judge, clerk or deputy clerk of a court;

(b) A commissioned officer on active duty in the ~~{military service}~~ **Armed Forces** of the United States;

(c) An officer of the foreign service or consular officer of the United States; or

(d) Any other person authorized by federal law to perform notarial acts.

2. The signature and title of a person performing a notarial act are prima facie evidence that the signature is genuine and that the person holds the designated title.

3. The signature and indicated title of an officer listed in paragraph (a), (b) or (c) of subsection 1 conclusively establish the authority of a holder of that title to perform a notarial act.

**Sec. 12.** NRS 240.1655 is hereby amended to read as follows:

240.1655 1. A notarial act must be evidenced by a certificate that:

(a) Identifies the county, including, without limitation, Carson City, in this State in which the notarial act was performed in substantially the following form:

State of Nevada

County of .....

(b) Except as otherwise provided in this paragraph, includes the name of the person whose signature is being notarized. If the certificate is for certifying a copy of a document, the certificate must include the name of the person presenting the document. If the certificate is for the jurat of a subscribing witness, the certificate must include the name of the subscribing witness.

(c) Is signed and dated in ink by the notarial officer performing the notarial act.

(d) If the notarial officer performing the notarial act is a notary public, includes the statement imprinted with the stamp of the notary public, as described in NRS 240.040.

(e) If the notarial officer performing the notarial act is not a notary public, includes the title of the office of the notarial officer and may include the official stamp or seal of that office. If the officer is a commissioned officer on active duty in the ~~{military service}~~ **Armed Forces** of the United States, the certificate must also include the officer's rank.

2. A notarial officer shall:

(a) In taking an acknowledgment, determine, from personal knowledge or satisfactory evidence, that the person making the acknowledgment is the person whose signature is on the document. The person who signed the document shall present the document to the notarial officer in person.

(b) In administering an oath or affirmation, determine, from personal knowledge or satisfactory evidence, the identity of the person taking the oath or affirmation.

(c) In certifying a copy of a document, photocopy the entire document and certify that the photocopy is a true and correct copy of the document that was presented to the notarial officer.

(d) In making or noting a protest of a negotiable instrument, verify compliance with the provisions of subsection 2 of NRS 104.3505.

(e) In executing a jurat, administer an oath or affirmation to the affiant and determine, from personal knowledge or satisfactory evidence, that the affiant is the person named in the document. The affiant shall sign the document in the presence

of the notarial officer. The notarial officer shall administer the oath or affirmation required pursuant to this paragraph in substantially the following form:

Do you (solemnly swear, or affirm) that the statements in this document are true, (so help you God)?

3. A certificate of a notarial act is sufficient if it meets the requirements of subsections 1 and 2 and it:

- (a) Is in the short form set forth in NRS 240.166 to 240.169, inclusive;
- (b) Is in a form otherwise prescribed by the law of this State;
- (c) Is in a form prescribed by the laws or regulations applicable in the place in which the notarial act was performed; or
- (d) Sets forth the actions of the notarial officer and those are sufficient to meet the requirements of the designated notarial act.

4. For the purposes of paragraphs (a), (b) and (e) of subsection 2, a notarial officer has satisfactory evidence that a person is the person whose signature is on a document if he:

- (a) Is personally known to the notarial officer;
- (b) Is identified upon the oath or affirmation of a credible witness;
- (c) Is identified on the basis of an identifying document which contains a signature and a photograph;
- (d) Is identified on the basis of a consular identification card;
- (e) Is identified upon an oath or affirmation of a subscribing witness who is personally known to the notarial officer; or
- (f) In the case of a person who is 65 years of age or older and cannot satisfy the requirements of paragraphs (a) to (e), inclusive, is identified upon the basis of an identification card issued by a governmental agency or a senior citizen center.

5. An oath or affirmation administered pursuant to paragraph (b) of subsection 4 must be in substantially the following form:

Do you (solemnly swear, or affirm) that you personally know .....(name of person who signed the document)....., (so help you God)?

6. A notarial officer shall not affix his signature over printed material.

7. By executing a certificate of a notarial act, the notarial officer certifies that the notarial officer has complied with all the requirements of this section.

8. As used in this section, unless the context otherwise requires, "consular identification card" means an identification card issued by a consulate of a foreign government, which consulate is located within the State of Nevada.

**Sec. 13.** NRS 244.340 is hereby amended to read as follows:

244.340 1. County commissioners of the several counties shall provide by ordinance for the licensing of tent shows, circuses, theme parks and permanent exhibitions in their respective counties.

2. In no case may a license for a tent show or circus be issued for a sum of less than \$25 per day or more than \$300 per day, which must be in addition to any license provided by ordinance in any incorporated municipality, city or town of the county. Upon written application of any executive officer of any local post or unit of any national organization of ~~ex-servicemen,~~ **veterans** acting in his official capacity, such a license or licenses must be issued without charge for not to exceed 2 weeks in any calendar year, if the local post or unit ~~is to~~ **will** participate in the show or the proceeds thereof.



3. In no case may a license for a theme park or permanent exhibition be issued for a sum of less than \$25 per day or more than \$100 per day, which must be in addition to any license provided by ordinance in any incorporated municipality, city or town of the county.

4. Upon compliance with the terms of the ordinance, the owner or operator of the theme park or permanent exhibition is not required to acquire any license or certificate from a state agency which would otherwise be required to operate a lift, tramway, monorail, elevator, escalator, roller coaster or other conveyance used primarily in connection with the theme park or permanent exhibit.

**Sec. 14.** NRS 268.0975 is hereby amended to read as follows:

268.0975 1. The governing body of each city in this State shall provide by ordinance for the licensing of tent shows, circuses, theme parks and permanent exhibitions in their respective cities.

2. In no case may a license for a tent show or circus be issued for a sum of less than \$25 per day or more than \$300 per day, which must be in addition to any license provided by ordinance in the county in which the city is located. Upon written application of any executive officer of any local post or unit of any national organization of ~~ex-servicemen,~~ **veterans** acting in his official capacity, such a license or licenses must be issued without charge for not to exceed 2 weeks in any calendar year, if the local post or unit ~~is to~~ **will** participate in the show or the proceeds thereof.

3. In no case may a license for a theme park or permanent exhibition be issued for a sum of less than \$25 per day or more than \$100 per day, which must be in addition to any license provided by ordinance in the county in which the city is located.

4. Upon compliance with the terms of the ordinance, the owner or operator of the theme park or permanent exhibition is not required to acquire any license or certificate from a state agency which would otherwise be required to operate a lift, tramway, monorail, elevator, escalator, roller coaster or other conveyance used primarily in connection with the theme park or permanent exhibit.

**Sec. 15.** NRS 278.0166 is hereby amended to read as follows:

278.0166 "Military installation" means a base or facility at which or from which the Air Force, Army, Coast Guard, Marine Corps, Navy, Air Force Reserve, Army Reserve, Coast Guard Reserve, Marine Corps Reserve, Navy Reserve or **Nevada** National Guard conducts exercises, maneuvers, operations, patrols or training.

**Sec. 16.** ~~NRS 281.060 is hereby amended to read as follows:~~

~~281.060 1. Only citizens or wards of the United States or [persons who have been honorably discharged from the military service of the United States] veterans may be employed by any officer of the State of Nevada, by any political subdivision of the State [,] or by any person acting under or for such an officer in any office or department of the State of Nevada or political subdivision of the State.~~

~~2. In all cases where persons are so employed, preference must be given, if the qualifications of the applicants are equal:~~

~~(a) First [; To honorably discharged military personnel of the United States who are citizens of the State of Nevada,], to veterans.~~

~~(b) Second [; To], to other [citizens] residents of the State of Nevada.~~

~~3. [Nothing in this section prevents:] This section does not prevent:~~

~~(a) The working of prisoners by the State of Nevada, or by any political subdivision of the State, on street or road work or other public work.~~

~~(b) The employment of aliens, who have not forfeited their right to citizenship by claiming exemption from military service, as common laborers in the construction of public roads, [when] if it can be shown that citizens or wards of the~~

~~United States or [persons who have been honorably discharged from the military service of the United States] veterans are not available for such employment. Any alien so employed must be replaced by a citizen [.] or a ward of the United States or [ex-service person of the United States] a veteran applying for employment.~~

~~(c) The employment of any teacher, instructor or professor authorized to teach in the United States under the teacher exchange programs as authorized by federal laws enacted by the Congress of the United States.~~

~~(d) Except as otherwise provided in this paragraph, the employment of aliens by the Nevada System of Higher Education in the technical, graduate assistant and student categories. Except in the foreign language departments, not more than 5 percent of the total number of persons employed in the technical, graduate assistant and student categories may be aliens.~~

~~(e) [Employment] The employment of aliens in any state or political subdivision hospital.~~

~~4. Subject to the exceptions contained in this section, money must not be paid out of the State Treasury or out of the treasury of any political subdivision of [the] this State to any person employed on any of the work mentioned in this section unless the person is a citizen or ward or naturalized citizen of the United States.~~

~~5. Any officer of the State of Nevada, or of any political subdivision of [the] this State, or any person acting under or for such an officer, or any other person who violates any of the provisions of this section, is guilty of a misdemeanor. The penalties provided [for] in this section do not apply [where the violations result from misrepresentations] if the violation results from a misrepresentation made by the employee by the production of fraudulent papers evidencing citizenship in the United States.] (Deleted by amendment.)~~

**Sec. 17.** ~~[NRS 284.260 is hereby amended to read as follows:~~

~~284.260 1. In establishing the lists of eligible persons, certain preferences must be allowed for veterans. [not dishonorably discharged from the Armed Forces of the United States.] For veterans with disabilities, 10 points must be added to the passing grade achieved on the examination. For [ex-servicemen and women] veterans who have not suffered disabilities, and for the widows and widowers of veterans, 5 points must be added to the passing grade achieved on the examination.~~

~~2. Any person qualifying for preference points pursuant to subsection 1 is entitled to have the points applied to any open competitive examination in the classified service, but only to one promotional examination.~~

~~[3. For the purposes of this section, "veteran" has the meaning ascribed to "eligible veteran" in 38 U.S.C. § 4211.] (Deleted by amendment.)~~

**Sec. 18.** NRS 286.300 is hereby amended to read as follows:

286.300 Except as otherwise required as a result of NRS 286.537:

1. Any member of the System may, except as otherwise provided in subsection 5, purchase all previous creditable service performed with his present employing agency if that service was performed before the enrollment of his agency in the System, even if the service is still creditable in some other system where it cannot be cancelled. The public employer must certify the inclusive dates of employment and number of hours regularly worked by the member to validate the service. The member must pay the full actuarial cost as determined by the actuary.

2. In addition to the purchases authorized pursuant to the provisions of subsections 1 and 3, any member who has 5 years of creditable service may, except as otherwise provided in subsection 5, purchase up to 5 years of service. The member must pay the full actuarial cost of the service as determined by an actuary of the System.

3. In addition to the purchases authorized pursuant to the provisions of subsections 1 and 2 and in addition to any free credit received pursuant to NRS 286.303 and 286.479, any member who has 5 years of creditable service ~~[served on active military duty during the period beginning on the date proclaimed by the President of the United States as the date on which Operation Desert Storm, Operation Enduring Freedom or Operation Iraqi Freedom began] and was honorably discharged or released from active duty [and is a veteran]~~ may, except as otherwise provided in subsection 5, purchase a number of months of service equal to the number of full months he served on active military duty, but in no case may the service purchased pursuant to this subsection exceed 3 years. The member must pay the full actuarial cost of the service as determined by an actuary of the System.

4. In addition to the purchases authorized pursuant to the provisions of subsections 1 and 3, any member who:

- (a) Is a licensed teacher;
  - (b) Has 5 years of creditable service;
  - (c) Is, pursuant to statute, regulation or contract, entitled to payment for unused sick leave; and
  - (d) Is employed by the board of trustees of a school district that has, pursuant to subsection 5 of NRS 391.180, provided for the payment of unused sick leave in the form of purchase of service,
- may, except as otherwise provided in subsection 5, cause to be purchased on his behalf service credit, not to exceed the number of hours of unused sick leave or 1 year, whichever is less. The full actuarial cost of the service as determined by an actuary of the System must be paid for such a purchase. Any service credit purchased pursuant to this subsection must be included as a part of, and is not in addition to, service purchased pursuant to subsection 2.

5. A person who becomes a member of the System for the first time on or after January 1, 2000, may, on or after July 1, 2001, purchase creditable service pursuant to subsection 1, 2 or 3, or cause to be purchased on his behalf service credit pursuant to subsection 4, only if, at the time of the purchase, he is employed by a participating public employer in a position eligible for membership in the System.

6. Any member of the System may use:

(a) All or any portion of the balance of the member's interest in a qualified trust pursuant to section 401(a) of the Internal Revenue Code, 26 U.S.C. § 401(a); or

(b) The money contained in an individual retirement account or an individual retirement annuity of a member, the entire amount of which is:

(1) Attributable to a qualified distribution from a qualified trust pursuant to section 401(a) of the Internal Revenue Code, 26 U.S.C. § 401(a); and

(2) Qualified as an eligible rollover distribution pursuant to section 402 of the Internal Revenue Code, 26 U.S.C. § 402,

to purchase creditable service pursuant to subsection 1, 2 or 3.

7. A member of the System who purchases creditable service pursuant to subsection 1, 2 or 3 is entitled to receive a refund of any contributions paid toward the purchase of the service only if he is no longer in the employ of a participating public employer.

8. If a member of the System enters into an agreement whereby he agrees to pay for the purchase of service credit in installments and he defaults on that agreement, the member is entitled to receive service credit in the proportion that the principal paid bears to the principal due under the agreement.

1       **Sec. 19.** NRS 286.303 is hereby amended to read as follows:

2       286.303 A member who met all requirements for free military credit as of  
3 May 19, 1975, but who did not have 5 years of consecutive service credit after his  
4 return from the Armed Forces ~~of the United States~~ is entitled to free credit for  
5 military service as soon as he attains 5 years of consecutive service credit under the  
6 System.

7       **Sec. 20.** NRS 286.367 is hereby amended to read as follows:

8       286.367 1. The volunteers of a regularly organized and recognized fire  
9 department may, by the joint application of a majority of those volunteers  
10 addressed to the Board, become members of the System. A volunteer firefighter  
11 who joins a fire department of which all the volunteers have become members of  
12 the System becomes a member of the System. The volunteers of a participating fire  
13 department may withdraw from the System by the joint application of a majority of  
14 those volunteers addressed to the Board.

15       2. The city, town, county or district which recognizes the volunteers is the  
16 public employer and shall collect and pay over the employee's share and pay the  
17 employer's share of the contribution to the Public Employees' Retirement Fund and  
18 the Public Employees' Retirement Administrative Fund, in the manner prescribed  
19 in this chapter. The local government may, if so requested by the volunteers, further  
20 contribute any amount by which the sum receivable by each volunteer for any  
21 month is less than the amount of his required share of the contribution, but no  
22 further contributions may be placed in a volunteer's account with the System or  
23 refunded to a volunteer or his employer upon the volunteer's termination.

24       3. In determining the amount of contributions to be paid for the volunteers,  
25 they are assumed to be receiving a wage established by the local government which  
26 is not less than \$150 ~~per~~ ~~or~~ more than \$2,000 per month.

27       4. Except as otherwise required as a result of NRS 286.535 or 286.537, the  
28 average compensation for a volunteer firefighter is the weighted average of:

29       (a) The assumed wage as a volunteer firefighter; and

30       (b) The average salary in other covered employment which, if the service in  
31 that employment exceeds 3 years, is calculated upon the 3 highest consecutive  
32 years.

33       The weight given to the assumed wage and average salary, respectively, is  
34 proportionate to the length of service in each capacity. Except as otherwise required  
35 as a result of NRS 286.535 or 286.537, average compensation is computed from the  
36 sum of the assumed wage and actual salary if a member is employed  
37 simultaneously as a volunteer firefighter and as a regular member.

38       5. Any dispute over the status of a person as a volunteer firefighter under this  
39 section must be conclusively determined by the Board.

40       6. A volunteer firefighter may purchase all previous service as a volunteer  
41 firefighter with any volunteer fire department which is a member of the System. To  
42 validate ~~such~~ ~~that~~ service, the volunteer firefighter must pay the full cost as  
43 determined by the actuary. The employing agency may pay the employer's share of  
44 the cost but is not required to do so.

45       7. In addition to the purchases authorized pursuant to the provisions of  
46 subsections 6 and 8, a volunteer firefighter who has 5 years of creditable service as  
47 a volunteer firefighter may purchase up to 5 years of service to add to his volunteer  
48 service. The member must pay the full actuarial cost of the service as determined  
49 by an actuary of the System.

50       8. In addition to the purchases authorized pursuant to the provisions of  
51 subsections 6 and 7 and in addition to any free credit received pursuant to NRS  
52 286.303 and 286.479, a volunteer firefighter who has 5 years of creditable service  
53 as a volunteer firefighter ~~[- served on active military duty during the period~~

~~beginning on the date proclaimed by the President of the United States as the date on which Operation Desert Storm, Operation Enduring Freedom or Operation Iraqi Freedom began] and was honorably discharged or released from active duty [and is a veteran]~~ may purchase a number of months of service equal to the number of full months he served on active military duty, but in no case may the service purchased pursuant to this subsection exceed 3 years. The member must pay the full actuarial cost of the service as determined by an actuary of the System.

**Sec. 21.** NRS 286.479 is hereby amended to read as follows:

286.479 1. A member who has 5 years or more of service credit *and is a veteran* is entitled to receive free service credit for military service ~~[for the period beginning on the date proclaimed by the President of the United States as the date on which hostilities began in the Persian Gulf Crisis and ending on the date proclaimed by the President of the United States as the termination of hostilities in the Persian Gulf Crisis]~~ if the member:

(a) Began active military duty within 6 months after the last date of employment or leave of absence without pay with a participating public employer; and

(b) Returned to employment with a participating public employer within 1 year after being *honorably* discharged or released from active duty ~~[under conditions other than dishonorable]~~

2. A member who meets all ~~[of]~~ the requirements of subsection 1 except that he does not have 5 years of service credit is entitled to receive the free credit pursuant to subsection 1 as soon as he attains 5 years of service credit.

**Sec. 22.** ~~[NRS 293.105 is hereby amended to read as follows:~~

~~293.105 "Service of the United States" means the Armed Forces of the United States, [and the auxiliaries thereof, the United States Coast Guard,] the merchant marine service of the United States, civilian employment by the Federal Government beyond the boundaries of the State of Nevada, and religious groups and welfare agencies officially attached to and serving with the Armed Forces of the United States.] (Deleted by amendment.)~~

**Sec. 23.** NRS 293.320 is hereby amended to read as follows:

293.320 1. The county clerk shall determine before issuing an absent ballot that the person making application is a registered voter in the proper county.

2. *Members of the* Armed Forces ~~[personnel]~~ *of the United States* who are not registered to vote and are applying for absent ballots must complete:

(a) The application to register to vote required by NRS 293.517 for registration; or

(b) The form provided by the Federal Government for registration and request of an absent ballot,

↳ before receiving an absent ballot.

3. If the county clerk rejects an application submitted pursuant to subsection 2 or submitted by an overseas voter, the county clerk shall inform the applicant of the reason for the rejection.

**Sec. 24.** NRS 293.4685 is hereby amended to read as follows:

293.4685 1. The Secretary of State shall:

(a) Provide information regarding voter registration and absentee voting by *members of the* Armed Forces ~~[personnel]~~ *of the United States* and overseas voters;

(b) Within 90 days after the date of each general election and general city election in which electors voted for federal offices, submit to the Election Assistance Commission established pursuant to 42 U.S.C. § 15321 a report of the combined number of absentee ballots transmitted to absent *members of the* Armed Forces ~~[personnel]~~ *of the United States* and overseas voters for the election and the

combined number of ~~such~~ *those* ballots that were returned by ~~such~~ *those* voters and cast in the election;

(c) Make each report submitted pursuant to paragraph (b) available to the public; and

(d) Adopt any regulations which are necessary to comply with the provisions of the Help America Vote Act of 2002, Public Law 107-252, and which are not inconsistent with the provisions of this chapter to the extent the provisions of this chapter are consistent with the Help America Vote Act of 2002, Public Law 107-252.

2. Each county and city clerk shall provide such information as is requested by the Secretary of State to comply with the provisions of this section.

**Sec. 25.** NRS 293.504 is hereby amended to read as follows:

293.504 1. The following offices shall serve as voter registration agencies:

(a) Such offices that provide public assistance as are designated by the Secretary of State;

(b) Each office that receives money from the State of Nevada to provide services to persons in this State who are disabled;

(c) The offices of the Department of Motor Vehicles;

(d) The offices of the city and county clerks;

(e) Such other county and municipal facilities as a county clerk or city clerk may designate pursuant to NRS 293.5035 or 293C.520, as applicable; and

(f) Such other offices as the Secretary of State deems appropriate.

2. Each voter registration agency shall:

(a) Post in a conspicuous place, in at least 12-point type, instructions for registering to vote;

(b) Make applications to register to vote which may be returned by mail available to each person who applies for or receives services or assistance from the agency;

(c) Provide the same amount of assistance to an applicant in completing an application to register to vote as the agency provides to a person completing any other forms for the agency; and

(d) Accept completed applications to register to vote.

3. Except as otherwise provided in this subsection and NRS 293.524, any application to register to vote accepted by a voter registration agency must be transmitted to the county clerk not later than 10 days after the application is accepted. The applications must be forwarded daily during the 2 weeks immediately preceding the fifth Sunday preceding an election. The county clerk shall accept any application to register to vote which is obtained from a voter registration agency pursuant to this section and completed by the fifth Sunday preceding an election if he receives the application not later than 5 days after that date.

4. The Secretary of State shall cooperate with the Secretary of Defense to develop and carry out procedures to enable persons in this State to apply to register to vote at recruitment offices of the *Armed Forces of the United States* . ~~Armed Forces.~~

**Sec. 26.** NRS 293C.320 is hereby amended to read as follows:

293C.320 1. The city clerk shall determine before issuing an absent ballot that the person making application is a registered voter in the proper city.

2. *Members of the Armed Forces* ~~personnel~~ *of the United States* who are not registered to vote and are applying for absent ballots must complete:

(a) The application to register to vote required by NRS 293.517 for registration; or

(b) The form provided by the Federal Government for registration and request of an absent ballot,

↳ before receiving an absent ballot.

**Sec. 27.** ~~[NRS 315.150 is hereby amended to read as follows:  
315.150 Unless the context otherwise requires, the definitions contained in NRS 315.160 to [315.300,] 315.290, inclusive, govern the construction of NRS 315.140 to 315.780, inclusive.] (Deleted by amendment.)~~

**Sec. 28.** ~~[NRS 315.510 is hereby amended to read as follows:  
315.510 1. In the operation or management of housing projects, an authority shall at all times observe the following duties with respect to rentals and tenant admissions:~~

~~[1. It]~~

~~(a) The authority may rent or lease the dwelling accommodations therein only to persons of low income and, as among low income persons who are eligible applicants for occupancy in dwellings of given sizes and at specified rents, shall extend the following preferences in the selection of tenants:~~

~~[(a)] (1) First [; To] , to families who are to be displaced by any low rent housing project or by any public slum clearance or redevelopment project initiated after January 1, 1947, or who were so displaced within 3 years before making application on authority for admission to any low rent housing. Among such families, first preference must be given to families of veterans with a disability whose disability has been determined by the Department of Veterans Affairs to be service connected, second preference must be given to families of deceased veterans [and servicemen] whose death has been determined by the Department of Veterans Affairs to be service connected [,] and third preference must be given to families of other veterans. [and servicemen]~~

~~[(b)] (2) Second [; To] , to families of other veterans . [and servicemen.] Among such families, first preference must be given to families of veterans with a disability whose disability has been determined by the Department of Veterans Affairs to be service connected [,] and second preference must be given to families of deceased veterans [and servicemen] whose death has been determined by the Department of Veterans Affairs to be service connected.~~

~~[2. It]~~

~~(b) The authority may rent or lease to a tenant dwelling accommodations consisting of a number of rooms, but no greater number, which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding.~~

~~[3. An]~~

~~(c) The authority shall not accept any person or persons as tenants in any housing project if the person or persons who occupy the dwelling accommodations have, at the time of admission, an aggregate annual net income, less an exemption of \$200 for each minor member of the family other than the head of the family and his spouse, in excess of seven times the annual rental of the quarters to be furnished such person or persons. but [an] the authority may agree to conditions as to tenant eligibility or preference required by the Federal Government pursuant to federal law in any contract for financial assistance with the authority. In computing the rental for [this] the purpose of admitting tenants, there must be included in the rental the average annual cost, as determined by the authority, to occupants of heat, water, electricity, gas, cooking fuel and other necessary services or facilities, whether or not the charge for such services and facilities is included in the rental.~~

~~2. For the purpose of this section, a disability or death is "service connected" if the disability was incurred or aggravated, or the death resulted~~



~~from a disability that was incurred or aggravated, in the line of duty in the Armed Forces of the United States.] (Deleted by amendment.)~~

**Sec. 29.** ~~[NRS 315.580 is hereby amended to read as follows:  
315.580 1. In addition to other powers conferred upon an authority by NRS 315.140 to 315.780, inclusive, an authority may acquire property and construct housing projects thereon for the purpose of leasing dwellings to [servicemen,] veterans and their families, and to the families of deceased [persons who served in the Armed Forces,] veterans, at rentals, excluding utilities, of not to exceed \$50 per month, during the existence of the acute shortage of housing available to [such] those persons as determined by applicable law or as may be provided for in any contract for financial assistance with the Federal Government.~~

~~2. In exercising the powers provided in this section, an authority [shall not be] is not subject to the limitations provided in NRS 315.500 or 315.510 during the period of acute housing shortage for veterans [and servicemen,] and their families, and the families of deceased [persons who served in the Armed Forces,] veterans, of moderate income.] (Deleted by amendment.)~~

**Sec. 30.** ~~[NRS 315.590 is hereby amended to read as follows:  
315.590 An authority, in addition to its other powers, [is authorized to] may cooperate with and lease from the Federal Government war housing projects constructed by the Federal Government, for the purpose of providing housing for veterans [and servicemen] and their families, [and] the families of deceased [persons who served in the Armed Forces,] veterans and persons engaged in war activities. [; provided, that such] Such war housing projects [shall not be] are not subject to the limitations provided in NRS 315.500 or 315.510.] (Deleted by amendment.)~~

**Sec. 31.** NRS 319.060 is hereby amended to read as follows:  
319.060 "Eligible family" means a person or family, selected without regard to race, creed, national origin or sex, determined by the Division to require such assistance as is made available by this chapter ~~[on account]~~ because of insufficient personal or family income after ~~[taking into consideration,]~~ considering, without limitation, such factors as:

1. The amount of the total income of that person or family available for housing needs;
2. The size of the family;
3. The cost and condition of housing facilities available;
4. The ability of the person or family to compete successfully in the normal private housing market and to pay the amounts at which private enterprise is providing decent, safe and sanitary housing;
5. If appropriate, standards established for various federal programs determining eligibility based on income of those persons and families; and
6. Service in the Armed Forces of the United States with a minimum of 90 days on active duty ~~[at some time between:~~
  - ~~(a) April 21, 1898, and June 15, 1903;~~
  - ~~(b) April 6, 1917, and November 11, 1918;~~
  - ~~(c) December 7, 1941, and December 31, 1946;~~
  - ~~(d) June 25, 1950, and January 31, 1955; or~~
  - ~~(e) January 1, 1961, and May 7, 1975;~~

~~→] during a period of war as defined in 38 U.S.C. § 101,~~ and at least 2 years' continuous residence in Nevada immediately preceding any application for assistance under this chapter.



1       **Sec. 32.** ~~[NRS 338.130 is hereby amended to read as follows:~~  
 2       ~~338.130 1. In all cases where persons are employed in the construction of~~  
 3       ~~public works, preference must be given, the qualifications of the applicants being~~  
 4       ~~equal:~~

5       ~~(a) First [; To], to persons who:~~  
 6       ~~(1) Have been [honorably] discharged or released from the [Army, Navy,~~  
 7       ~~Air Force, Marine Corps or Coast Guard] Armed Forces of the United States [, a~~  
 8       ~~reserve component thereof] or the Nevada National Guard [;] under conditions~~  
 9       ~~other than dishonorable; and~~

10       ~~(2) Are [citizens] residents of the State of Nevada.~~  
 11       ~~(b) Second [; To], to other [citizens] residents of the State of Nevada.~~  
 12       ~~2. [Nothing in this section shall be construed to] This section does not~~  
 13       ~~prevent the working of prisoners by a public body on a public work.~~

14       ~~3. In each contract for the construction of public works, a clause must be~~  
 15       ~~inserted to the effect that if the provisions of this section are not complied with by~~  
 16       ~~the contractor engaged on the public work, the contract is void, and any failure or~~  
 17       ~~refusal to comply with any of the provisions of this section renders any such~~  
 18       ~~contract void. All boards, commissions, officers, agents and employees [having the~~  
 19       ~~power to] who may enter into contracts for the expenditure of public money on~~  
 20       ~~public works shall file in the Office of the Labor Commissioner the names and~~  
 21       ~~addresses of all contractors holding contracts with the public body, and upon the~~  
 22       ~~letting of new contracts, the names and addresses of [such] those new contractors~~  
 23       ~~must likewise be filed with the Labor Commissioner. Upon the demand of the~~  
 24       ~~Labor Commissioner, a contractor shall furnish a list of the names and addresses of~~  
 25       ~~all subcontractors employed by the contractor engaged on a public work.~~

26       ~~4. Subject to the exceptions contained in this section, no money may be paid~~  
 27       ~~out of the State Treasury or out of the treasury of any political subdivision of the~~  
 28       ~~State to any person employed on any work mentioned in this section unless there~~  
 29       ~~has been compliance with the provisions of this section.~~

30       ~~5. Any contractor engaged on a public work or any other person who violates~~  
 31       ~~any of the provisions of this section is guilty of a misdemeanor. The penalties~~  
 32       ~~provided [for] in this section do not apply where violations thereof are due to~~  
 33       ~~misrepresentations made by the employee or employees.] (Deleted by~~  
 34       ~~amendment.)~~

35       **Sec. 33.** NRS 361.090 is hereby amended to read as follows:

36       361.090 1. The property, to the extent of \$2,000 assessed valuation, of any  
 37       actual bona fide resident of the State of Nevada who :

38       (a) Has served a minimum of 90 continuous days on active [duty, who was  
 39       assigned to active duty at some time between April 21, 1898, and June 15, 1903, or  
 40       between April 6, 1917, and November 11, 1918, or between December 7, 1941, and  
 41       December 31, 1946, or between June 25, 1950, and May 7, 1975, or between  
 42       September 26, 1982, and December 1, 1987, or between October 23, 1983, and  
 43       November 21, 1983, or between December 20, 1989, and January 31, 1990, or  
 44       between August 2, 1990, and April 11, 1991, or between December 5, 1992, and  
 45       March 31, 1994, or between November 20, 1995, and December 20, 1996;

46       (b) Has served on active duty in connection with carrying out the authorization  
 47       granted to the President of the United States in Public Law 102-1; or

48       (c) **duty during a period of war as defined in 38 U.S.C. § 101; or**

49       (b) Has served on active duty in connection with a campaign or expedition for  
 50       service in which a medal has been authorized by the government of the United  
 51       States, regardless of the number of days served on active duty,

52       ➤ and who received, upon severance from service, an honorable discharge or  
 53       certificate of satisfactory service from the Armed Forces of the United States, or

1 who, having so served, is still serving in the Armed Forces of the United States, ~~is~~  
2 ~~a veteran~~ is exempt from taxation.

3 2. For the purpose of this section, the first \$2,000 assessed valuation of  
4 property in which an applicant has any interest shall be deemed the property of the  
5 applicant.

6 3. The exemption may be allowed only to a claimant who files an affidavit  
7 with his claim for exemption on real property pursuant to NRS 361.155. The  
8 affidavit may be filed at any time by a person claiming exemption from taxation on  
9 personal property.

10 4. The affidavit must be made before the county assessor or a notary public  
11 and filed with the county assessor. It must state that the affiant is a bona fide  
12 resident of the State of Nevada who meets all the other requirements of subsection  
13 1 ~~and a veteran~~ and that the exemption is not claimed in any other county in this  
14 State. After the filing of the original affidavit, the county assessor shall mail a form for  
15 for:

16 (a) The renewal of the exemption; and

17 (b) The designation of any amount to be credited to the Gift Account for  
18 Veterans' Homes established pursuant to NRS 417.145,

19 to the person each year following a year in which the exemption was allowed for  
20 that person. The form must be designed to facilitate its return by mail by the person  
21 claiming the exemption.

22 5. Persons in actual military service are exempt during the period of ~~such~~  
23 that service from filing the annual forms for renewal of the exemption, and the  
24 county assessors shall continue to grant the exemption to ~~such~~ those persons on  
25 the basis of the original affidavits filed. ~~In the case of any~~ If a person ~~who has~~  
26 entered the military service without having previously made and filed an affidavit  
27 of exemption, the affidavit may be filed ~~in~~ on his behalf during the period of  
28 ~~such~~ that service by any person having knowledge of the facts.

29 6. Before allowing any veteran's exemption pursuant to the provisions of this  
30 chapter, the county assessor shall require proof of status of the veteran, and for that  
31 purpose shall require production of an honorable discharge or certificate of  
32 satisfactory service or a certified copy thereof, or such other proof of status as may  
33 be necessary. ~~Acceptable proof that the veteran was discharged or released from~~  
34 ~~the Armed Forces of the United States under conditions other than~~  
35 ~~dishonorable.~~

36 7. ~~If any~~ Any person who files a false affidavit or produces false proof to the  
37 county assessor or a notary public and, as a result of the false affidavit or false  
38 proof, ~~the person~~ is allowed a tax exemption to which he is not entitled ~~[- he]~~ is  
39 guilty of a gross misdemeanor.

40 8. Beginning with the 2005-2006 Fiscal Year, the monetary amounts in  
41 subsections 1 and 2 must be adjusted for each fiscal year by adding to the amount  
42 the product of the amount multiplied by the percentage increase in the Consumer  
43 Price Index (All Items) from July 2003 to the July preceding the fiscal year for  
44 which the adjustment is calculated. The Department shall provide to each county  
45 assessor the adjusted amount, in writing, on or before September 30 of each year.

46 **Sec. 34.** ~~NRS 361.091 is hereby amended to read as follows:~~

47 ~~361.091 1. A bona fide resident of the State of Nevada who is a veteran~~  
48 ~~that has incurred a permanent service-connected disability, [and has been~~  
49 ~~honorably discharged from the Armed Forces of the United States,] or his surviving~~  
50 ~~spouse, is entitled to an exemption.~~

51 ~~2. The amount of exemption is based on the total percentage of permanent~~  
52 ~~service-connected disability. The maximum allowable exemption for total~~

~~permanent disability is the first \$20,000 assessed valuation. A person with a permanent service-connected disability of:~~

~~(a) Eighty to 99 percent, inclusive, is entitled to an exemption of \$15,000 assessed value;~~

~~(b) Sixty to 79 percent, inclusive, is entitled to an exemption of \$10,000 assessed value;~~

~~For the purposes of this section, any property in which an applicant has any interest is deemed to be the property of the applicant.~~

~~2. The exemption may be allowed only to a claimant who has filed an affidavit with his claim for exemption on real property pursuant to NRS 361.155. The affidavit may be made at any time by a person claiming an exemption from taxation on personal property.~~

~~4. The affidavit must be made before the county assessor or a notary public and be filed with the county assessor. [It] The affidavit must state that the affiant is a bona fide resident of the State of Nevada, that he meets all the other requirements of subsection 1 and that the exemption is not claimed in any other county within this State. After the filing of the original affidavit, the county assessor shall mail a form for~~

~~(a) The renewal of the exemption; and~~

~~(b) The designation of any amount to be credited to the Gift Account for Veterans' Homes established pursuant to NRS 417.145;~~

~~to the person each year following a year in which the exemption was allowed for that person. The form must be designed to facilitate its return by mail by the person claiming the exemption.~~

~~5. Before allowing any exemption pursuant to the provisions of this section, the county assessor shall require proof of the applicant's status, and for that purpose shall require him to produce: [an original or certified copy of:]~~

~~(a) [An honorable discharge or other document of honorable separation] Acceptable proof that he was discharged or released from the Armed Forces of the United States under conditions other than dishonorable which indicates the total percentage of his permanent service-connected disability; or~~

~~(b) [A certificate of satisfactory service which indicates the total percentage of his permanent service-connected disability; or~~

~~(c)] A certificate from the Department of Veterans Affairs or any other military document which shows that he has incurred a permanent service-connected disability and which indicates the total percentage of that disability, together with [a certificate of honorable discharge or satisfactory service.] acceptable proof that he was discharged or released from the Armed Forces of the United States under conditions other than dishonorable.~~

~~6. A surviving spouse claiming an exemption pursuant to this section must file with the county assessor an affidavit declaring that:~~

~~(a) The affiant is a surviving spouse; [was married to and living with the veteran who incurred a permanent service-connected disability for the 5 years preceding his death];~~

~~(b) The veteran was eligible for the exemption at the time of his death or would have been eligible if he had been a resident of the State of Nevada; and~~

~~(c) The [surviving spouse has not remarried; and~~

~~(d) The [surviving spouse] affiant is a bona fide resident of the State of Nevada.~~

~~The affidavit required by this subsection is in addition to the certification required pursuant to subsections 4 and 5. After the filing of the original affidavit required by this subsection, the county assessor shall mail a form for renewal of the exemption to the person each year following a year in which the exemption was~~

1 allowed for that person. The form must be designed to facilitate its return by mail  
2 by the person claiming the exemption.

3 ~~7. If a veteran or the surviving spouse of a veteran submits, as proof of~~  
4 ~~disability, documentation that indicates a percentage of permanent service-~~  
5 ~~connected disability for more than one permanent service-connected disability, the~~  
6 ~~amount of the exemption must be based on the total of those combined percentages,~~  
7 ~~not to exceed 100 percent.~~

8 ~~8. If a tax exemption is allowed under this section, the claimant is not entitled~~  
9 ~~to an exemption under NRS 361.090.~~

10 ~~9. [If any.] Any person who files a false affidavit or produces false proof to the~~  
11 ~~county assessor or a notary public and, as a result of the false affidavit or false~~  
12 ~~proof, [the person] is allowed a tax exemption to which he is not entitled [, he] is~~  
13 ~~guilty of a gross misdemeanor.~~

14 ~~10. Beginning with the 2005-2006 Fiscal Year, the monetary amounts in~~  
15 ~~subsection 2 must be adjusted for each fiscal year by adding to the amount the~~  
16 ~~product of the amount multiplied by the percentage increase in the Consumer Price~~  
17 ~~Index (All Items) from July 2003 to the July preceding the fiscal year for which the~~  
18 ~~adjustment is calculated. The Department shall provide to each county assessor the~~  
19 ~~adjusted amount, in writing, on or before September 30 of each year.~~

20 ~~11. As used in this section:~~

21 ~~(a) "Service-connected disability" means a disability that was incurred or~~  
22 ~~aggravated in the line of duty in the Armed Forces of the United States.~~

23 ~~(b) "Surviving spouse" means a person of the opposite sex who:~~

24 ~~(1) Was the spouse of a veteran at the time of the veteran's death;~~

25 ~~(2) If legally separated from the veteran on the date of the veteran's~~  
26 ~~death, became legally separated because of the misconduct of the veteran or~~  
27 ~~otherwise without the fault of the spouse; and~~

28 ~~(3) Has not remarried.] (Deleted by amendment.)~~

29 **Sec. 35.** NRS 361.095 is hereby amended to read as follows:

30 361.095 1. The ~~[funds.]~~ **money**, furniture, paraphernalia and regalia owned  
31 and used exclusively by any post of any national organization of ~~[ex-servicemen or~~  
32 ~~ex-servicewomen]~~ **veterans** for the legitimate purposes and customary objects of  
33 such posts are exempt from taxation, but such an exemption must not exceed the  
34 sum of \$10,000 assessed valuation to any one post or organization thereof.

35 2. The buildings, with their fixtures and the lots of ground on which they  
36 stand, used for its legitimate purposes and necessary thereto, of any such  
37 organization are exempt from taxation, but when any such property is used for  
38 purposes other than those of such an organization, and a rent or other valuable  
39 consideration is received for its use, the property so used must be taxed.

40 3. ~~[Where]~~ **If** any structure or parcel of land is used partly for the purposes of  
41 such an organization and partly for rental purposes, the area used for rental  
42 purposes must be assessed separately and that portion only may be taxed.

43 4. Beginning with the 2005-2006 Fiscal Year, the monetary amount in  
44 subsection 1 must be adjusted for each fiscal year by adding to the amount the  
45 product of the amount multiplied by the percentage increase in the Consumer Price  
46 Index (All Items) from July 2003 to the July preceding the fiscal year for which the  
47 adjustment is calculated. The Department shall provide to each county assessor the  
48 adjusted amount, in writing, on or before September 30 of each year.

49 **Sec. 36.** ~~[NRS 361.7366 is hereby amended to read as follows:]~~

50 ~~361.7366 "Income" means adjusted gross income, as defined in the Internal~~  
51 ~~Revenue Code, and includes:~~

52 ~~1. Tax-free interest;~~

53 ~~2. The untaxed portion of a pension or annuity;~~

~~3. Railroad retirement benefits;~~  
~~4. Veterans' pensions and compensation;~~  
~~5. Payments received pursuant to the federal Social Security Act, including supplemental security income, but excluding hospital and medical insurance benefits for the aged and disabled;~~  
~~6. Public welfare payments, including allowances for shelter;~~  
~~7. Unemployment insurance benefits;~~  
~~8. Payments for lost time;~~  
~~9. Payments received from disability insurance;~~  
~~10. Disability payments received pursuant to workers' compensation insurance;~~  
~~11. Alimony;~~  
~~12. Support payments;~~  
~~13. Allowances received by dependents of [servicemen;] veterans;~~  
~~14. The amount of recognized capital gains and losses excluded from adjusted gross income;~~  
~~15. Life insurance proceeds in excess of \$5,000;~~  
~~16. Bequests and inheritances; and~~  
~~17. Gifts of cash of more than \$300 not between household members and such other kinds of cash received by a household as the Department specifies by regulation.] (Deleted by amendment.)~~

**Sec. 37.** NRS 365.220 is hereby amended to read as follows:

365.220 The provisions of this chapter requiring the payment of excise taxes do not apply to:

1. Motor vehicle fuel if it remains in interstate or foreign commerce.
2. Motor vehicle fuel, except aviation fuel, exported from this State by a supplier.
3. Aviation fuel or fuel for jet or turbine-powered aircraft exported from this State by a dealer.
4. Motor vehicle fuel or fuel for jet or turbine-powered aircraft sold to the United States Government for official use of the *Armed Forces of the* United States . ~~[Armed Forces.]~~
5. Motor vehicle fuel, other than aviation fuel, distributed or delivered on the order of the owner, to a supplier, or aviation fuel or fuel for jet or turbine-powered aircraft distributed or delivered on the order of the owner, to a dealer, if the dealer or supplier has furnished security in the amount prescribed in NRS 365.290 and has established to the satisfaction of the Department that the security is sufficient to ensure payment of all excise taxes as they may become due to the State from him under this chapter. Every dealer or supplier who claims an exemption shall report the distributions to the Department in such detail as the Department may require. If he does not do so, the exemption granted in this subsection is void and all fuel is considered distributed in this State subject fully to the provisions of this chapter.
6. Leaded racing fuel. As used in this subsection, "leaded racing fuel" means motor vehicle fuel that contains lead and is produced for motor vehicles that are designed and built for racing and not for operation on a public highway.

**Sec. 38.** ~~[NRS 365.370 is hereby amended to read as follows:~~

~~365.370 Any person who exports any motor vehicle fuel or fuel for jet or turbine-powered aircraft from this State, or who sells any such fuel to the United States Government for official use of the *Armed Forces of the* United States , [Armed Forces.] or who buys and uses any such fuel for purposes other than for the propulsion of motor vehicles or jet or turbine-powered aircraft, and who has paid any tax on such fuel levied or directed to be paid as provided by this chapter, either directly by the collection of the tax by the vendor from the customer or indirectly~~

1 by the addition of the amount of the tax to the price of the fuel, must be reimbursed  
2 and repaid the amount of the tax so paid by him, except as follows:

3 ~~1. Claims for refunds must be paid by prescribed classes in accordance with~~  
4 ~~the regulations of the Department.~~

5 ~~2. The minimum claim for a refund must be based on at least 200 gallons of~~  
6 ~~such fuel purchased in this State within a 6 month period which is used for a~~  
7 ~~purpose that is exempt from payment of the excise taxes imposed by this chapter.~~

8 ~~3. No refund of motor vehicle fuel taxes may be made for off-highway use of~~  
9 ~~motor vehicle fuel consumed in watercraft in this State for recreational purposes.~~

10 ~~4. A person who exports, sells, buys or uses aviation fuel for any purpose is~~  
11 ~~not entitled to reimbursement of any tax paid by him on such fuel.~~ **(Deleted by**  
12 **amendment.)**

13 **Sec. 39.** NRS 370.280 is hereby amended to read as follows:

14 370.280 1. Upon proof satisfactory to the Department, refunds ~~{shall}~~ **must**  
15 be allowed for the face value of the cigarette revenue stamp tax paid, less any  
16 discount previously allowed, upon cigarettes that are sold to:

17 (a) The United States Government for Army, Air Force, Navy or Marine Corps  
18 purposes and are shipped to a point within this State to a place which has been  
19 lawfully ceded to the United States Government for Army, Air Force, Navy or  
20 Marine Corps purposes;

21 (b) Veterans' hospitals for distribution or sale to ~~{servicemen with disabilities~~  
22 ~~or ex-servicemen}~~ **veterans** with disabilities interned therein, but not to civilians or  
23 civilian employees;

24 (c) Any person if sold and delivered on an Indian reservation or colony where  
25 an excise tax has been imposed which is equal to or greater than the rate of the  
26 cigarette tax imposed under this chapter; or

27 (d) An Indian if sold and delivered on an Indian reservation or colony where no  
28 excise tax has been imposed or the excise tax is less than the rate of the cigarette  
29 tax imposed under this chapter.

30 2. Upon proof satisfactory to the Department, refunds ~~{shall}~~ **must** be allowed  
31 to cigarette dealers, or to manufacturers or their representatives, for the face value  
32 of the cigarette revenue stamp tax paid, less any discount previously allowed upon  
33 cigarettes destroyed because the cigarettes had become stale. Applications for  
34 refunds ~~{shall}~~ **must** be submitted in an amount of not less than \$15 and ~~{shall}~~ be  
35 accompanied by an affidavit of the applicant setting forth:

36 (a) The number of packages of cigarettes destroyed for which refund is  
37 claimed;

38 (b) The date or dates on which the cigarettes were destroyed and the place  
39 where destroyed;

40 (c) That the cigarettes were actually destroyed because they had become stale;

41 (d) By whom the cigarettes were destroyed; and

42 (e) ~~{Other}~~ **Any other** information which the Department may require.

43 3. Upon proof satisfactory to the Department, refunds may be allowed to  
44 licensed wholesale cigarette dealers for the face value of the cigarette metered  
45 machine stamp tax paid, less any discount previously allowed upon:

46 (a) The balance of unused stamps on the descending register of a cigarette  
47 meter machine destroyed by fire, if the cigarette meter counting positions can be  
48 determined by the manufacturer of the meter stamping machine;

49 (b) Cigarettes which were stamped on their carton covers because of stamping  
50 machine failure to open the carton and stamp the cigarette packs; or

51 (c) Cigarettes which were not stamped but were registered on the machine as  
52 being stamped because of failure of the meter counters.

53 4. Any refund ~~{shall}~~ **must** be paid as other claims against the State are paid.

**Sec. 40.** NRS 370.503 is hereby amended to read as follows:

370.503 1. Upon proof satisfactory to the Department, a refund must be allowed for the taxes paid pursuant to NRS 370.450, upon products made from tobacco other than cigarettes, that are sold to:

(a) The United States Government for the purposes of the Army, Air Force, Navy or Marine Corps and are shipped to a point within this State to a place which has been lawfully ceded to the United States Government for the purposes of the Army, Air Force, Navy or Marine Corps;

(b) Veterans' hospitals for distribution or sale to ~~servicemen with disabilities or ex-servicemen~~ **veterans** with disabilities interned therein, but not to civilians or civilian employees;

(c) Any person if sold and delivered on an Indian reservation or colony where an excise tax has been imposed which is equal to or greater than the rate of the tax imposed pursuant to NRS 370.501; or

(d) An Indian if sold and delivered on an Indian reservation or colony where no excise tax has been imposed or the excise tax is less than the rate of the tax imposed pursuant to NRS 370.501.

2. Any refund must be paid as other claims against the State are paid.

**Sec. 41.** NRS 371.103 is hereby amended to read as follows:

371.103 1. Vehicles, to the extent of \$2,000 determined valuation, registered by any actual bona fide resident of the State of Nevada who:

(a) Has served a minimum of 90 days on active duty, who was assigned to active duty at some time between April 21, 1898, and June 15, 1903, or between April 6, 1917, and November 11, 1918, or between December 7, 1941, and December 31, 1946, or between June 25, 1950, and May 7, 1975, or between September 26, 1982, and December 1, 1987, or between October 23, 1983, and November 21, 1983, or between December 20, 1989, and January 31, 1990, or between August 2, 1990, and April 11, 1991, or between December 5, 1992, and March 31, 1994, or between November 20, 1995, and December 20, 1996;

(b) Has served a minimum of 90 continuous days on active duty none of which was for training purposes, who was assigned to active duty at some time between January 1, 1961, and May 7, 1975;

(c) Has served on active duty in connection with carrying out the authorization granted to the President of the United States in Public Law 102-1; or

(d) duty during a period of war as defined in 38 U.S.C. § 101; or

(b) Has served on active duty in connection with a campaign or expedition for service in which a medal has been authorized by the government of the United States, regardless of the number of days served on active duty,

and who received, upon severance from service, an honorable discharge or certificate of satisfactory service from the Armed Forces of the United States, or who, having so served, is still serving in the Armed Forces of the United States, is ~~veteran are~~ exempt from taxation.

2. For the purpose of this section, the first \$2,000 determined valuation of vehicles in which such a person has any interest shall be deemed to belong to that person.

3. A person claiming the exemption shall file annually with the Department in the county where the exemption is claimed an affidavit declaring that he is an actual bona fide resident of the State of Nevada who meets all the other requirements of subsection 1 ~~is a veteran~~ and that the exemption is claimed in no other county in this State. The affidavit must be made before the county assessor or a notary public. After the filing of the original affidavit, the county assessor shall mail a form for:

(a) The renewal of the exemption; and



(b) The designation of any amount to be credited to the Gift Account for Veterans' Homes established pursuant to NRS 417.145, to the person each year following a year in which the exemption was allowed for that person. The form must be designed to facilitate its return by mail by the person claiming the exemption.

4. Persons in actual military service are exempt during the period of ~~such~~ that service from filing annual affidavits of exemption, and the Department shall grant exemptions to those persons on the basis of the original affidavits filed. ~~Ha~~ ~~the case of any~~ If a person ~~who has~~ entered the military service without having previously made and filed an affidavit of exemption, the affidavit may be filed ~~in~~ on his behalf during the period of ~~such~~ that service by any person having knowledge of the facts.

5. Before allowing any veteran's exemption pursuant to the provisions of this chapter, the Department shall require proof of status of the veteran, and for that purpose shall require production of an honorable discharge or certificate of satisfactory service or a certified copy thereof, or such other proof of status as may be necessary. ~~acceptable proof that the veteran was discharged or released from the Armed Forces of the United States under conditions other than dishonorable.~~

6. ~~If any~~ Any person ~~who~~ files a false affidavit or produces false proof to the Department ~~and~~ is guilty of a gross misdemeanor if, as a result of the false affidavit or false proof, a tax exemption is allowed to a person not entitled to the exemption. ~~he is guilty of a gross misdemeanor.~~

7. Beginning with the 2005-2006 Fiscal Year, the monetary amounts in subsections 1 and 2 must be adjusted for each fiscal year by adding to each amount the product of the amount multiplied by the percentage increase in the Consumer Price Index (All Items) from December 2003 to the December preceding the fiscal year for which the adjustment is calculated.

**Sec. 42.** NRS 371.104 is hereby amended to read as follows:

371.104 1. A bona fide resident of the State of Nevada who ~~is a veteran that~~ has incurred a permanent service-connected disability ~~or~~ and has been honorably discharged from the Armed Forces of the United States, or his surviving spouse, is entitled to a veteran's exemption from the payment of governmental services taxes on vehicles of the following determined valuations:

(a) If he has a disability of 100 percent, the first \$20,000 of determined valuation.

(b) If he has a disability of 80 to 99 percent, inclusive, the first \$15,000 of determined valuation.

(c) If he has a disability of 60 to 79 percent, inclusive, the first \$10,000 of determined valuation.

2. For the purpose of this section, the first \$20,000 of determined valuation of vehicles in which an applicant has any interest shall be deemed to belong entirely to that person.

3. A person claiming the exemption shall file annually with the Department in the county where the exemption is claimed an affidavit declaring that he is a bona fide resident of the State of Nevada who meets all the other requirements of subsection 1 and that the exemption is claimed in no other county within this State. After the filing of the original affidavit, the county assessor shall mail a form for:

(a) The renewal of the exemption; and

(b) The designation of any amount to be credited to the Gift Account for Veterans' Homes established pursuant to NRS 417.145,



1     ↳ to the person each year following a year in which the exemption was allowed for  
2     that person. The form must be designed to facilitate its return by mail by the person  
3     claiming the exemption.

4     4. Before allowing any exemption pursuant to the provisions of this section,  
5     the Department shall require proof of the applicant's status, and for that purpose  
6     shall require production of:

7     (a) A certificate from the Department of Veterans Affairs or any other military  
8     document which shows that ~~the veteran~~ he has incurred a permanent service-  
9     connected disability ~~which shows~~ and the percentage of that disability; and

10    (b) Any one of the following:

11       (1) An honorable discharge;

12       (2) A certificate of satisfactory service; or

13       (3) A certified copy of either of these documents. ~~Acceptable proof that~~  
14     ~~the applicant was discharged or released from the Armed Forces of the United~~  
15     ~~States under conditions other than dishonorable.~~

16    5. A surviving spouse claiming an exemption pursuant to this section must  
17    file with the Department in the county where the exemption is claimed an affidavit  
18    declaring that:

19    (a) The ~~affiant is a~~ surviving spouse ~~he~~ was married to and living with the  
20    veteran with a disability for the 5 years preceding his death;

21    (b) The veteran with a disability was eligible for the exemption at the time of  
22    his death; and

23    (c) The surviving spouse has not remarried. ~~affiant is a bona fide resident of~~  
24    the State of Nevada.

25    ↳ The affidavit required by this subsection is in addition to the certification  
26    required pursuant to subsections 3 and 4. After the filing of the original affidavit  
27    required by this subsection, the county assessor shall mail a form for renewal of the  
28    exemption to the person each year following a year in which the exemption was  
29    allowed for that person. The form must be designed to facilitate its return by mail  
30    by the person claiming the exemption.

31    6. If a tax exemption is allowed under this section, the claimant is not entitled  
32    to an exemption under NRS 371.103.

33    7. If any ~~Any~~ person ~~who~~ makes a false affidavit or produces false proof to  
34    the Department, and ~~he~~ as a result of the false affidavit or false proof ~~he~~ the person  
35    is allowed a tax exemption to which he is not entitled, he is guilty of a gross  
36    misdemeanor.

37    8. Beginning with the 2005-2006 Fiscal Year, the monetary amounts in  
38    subsections 1 and 2 must be adjusted for each fiscal year by adding to each amount  
39    the product of the amount multiplied by the percentage increase in the Consumer  
40    Price Index (All Items) from December 2003 to the December preceding the fiscal  
41    year for which the adjustment is calculated.

42    ~~9. As used in this section:~~

43    ~~(a) "Service-connected disability" means a disability that was incurred or~~  
44    ~~aggravated in the line of duty in the Armed Forces of the United States.~~

45    ~~(b) "Surviving spouse" means a person of the opposite sex who:~~

46       ~~(1) Was the spouse of a veteran at the time of the veteran's death;~~

47       ~~(2) If legally separated from the veteran on the date of the veteran's~~  
48    ~~death, became legally separated because of the misconduct of the veteran or~~  
49    ~~otherwise without the fault of the spouse; and~~

50       ~~(3) Has not remarried.~~

51    Sec. 43. ~~[NRS 412.108 is hereby amended to read as follows:~~

52    ~~412.108 1. The person or governmental entity applying for the rental of an~~  
53    ~~armory or space within an armory must execute and deliver a written agreement~~

1 ~~which must include among its provisions his or its full name and address, the~~  
2 ~~purpose for which its use is desired, the nature and manner of the intended use of~~  
3 ~~the space, a reasonable rental to be paid for that use and the amounts to be paid for~~  
4 ~~heating, lighting, janitorial and other services connected with its use. The terms and~~  
5 ~~provisions of the agreement must be governed by Office regulations issued~~  
6 ~~pursuant to this chapter, which regulations must include provisions designed to~~  
7 ~~prevent unfair competition with privately owned property and business.~~

8 ~~2. No agreement for use made pursuant to this section is effective until the~~  
9 ~~agreement or lease has been approved and executed by the officer in charge of the~~  
10 ~~armory or his authorized representative, and has been approved by his military~~  
11 ~~superiors as prescribed by Office regulations issued pursuant to this chapter.~~

12 ~~3. No agreement or lease made pursuant to this section may be assigned in~~  
13 ~~whole or in part, [nor may] and no space may be sublet to or used by a person or~~  
14 ~~entity not a party to the agreement, unless each assignment, subletting or use is first~~  
15 ~~approved in writing by the officer in charge of the armory or his authorized~~  
16 ~~representative.~~

17 ~~4. All money paid or given, directly or indirectly, for the rental of an armory~~  
18 ~~or to obtain an agreement or permission to use the armory [are] constitutes use fees~~  
19 ~~within the meaning of this section and must be paid to the officer in charge of the~~  
20 ~~armory or his authorized representative. Any person other than the officer in charge~~  
21 ~~of the armory or his authorized representative who receives that money shall~~  
22 ~~immediately pay over the money to the officer in charge of the armory or his~~  
23 ~~authorized representative, who shall immediately forward one-half of the money to~~  
24 ~~the office of the Adjutant General to be placed in an account in the State General~~  
25 ~~Fund entitled the Adjutant General's Special Armory Account, to be used by the~~  
26 ~~Office for necessary repairs and improvements of state armories and construction of~~  
27 ~~new facilities in the manner prescribed by Office regulations. The remainder of the~~  
28 ~~money must be placed in an armory account to be kept by the officer in charge of~~  
29 ~~the armory or his authorized representative, and used for military activities and~~  
30 ~~affairs and to further relations with the community in which the armory is located.~~  
31 ~~These expenditures must be made according to Office regulations and must be~~  
32 ~~approved by a board of three persons appointed by the Adjutant General.~~

33 ~~5. When the use of an armory is by a federal, state, county or municipal~~  
34 ~~bureau, agency or department, [or] by any of the Armed Forces of the United~~  
35 ~~States or [any of the reserve components thereof, or] by any unit of the reserve~~  
36 ~~officers training corps, the Adjutant General may require the execution of a contract~~  
37 ~~or agreement for that use, upon such terms and conditions as he prescribes.]~~  
38 ~~(Deleted by amendment.)~~

39 **Sec. 44.** NRS 412.144 is hereby amended to read as follows:

40 412.144 For all purposes under this chapter, members of the Nevada National  
41 Guard who enter and serve in the active military service of the *Armed Forces of*  
42 *the* United States in time of war under a call or order by the President or who enter  
43 and serve on active duty in the ~~[military service]~~ *Armed Forces* of the United States  
44 in time of peace in their status within the Army National Guard of the United States  
45 or Air National Guard of the United States and who thereafter return to the military  
46 service of the State are entitled to credit for time so served as if ~~[such]~~ *the* service  
47 *in the Armed Forces of the United States* had been rendered to the State.

48 **Sec. 45.** ~~[NRS 412.172 is hereby amended to read as follows:~~

49 ~~412.172 1. A commissioned officer of the Nevada National Guard may~~  
50 ~~tender his resignation at any time. A resignation must be tendered in writing~~  
51 ~~through proper military channels in accordance with applicable federal laws and~~  
52 ~~regulations and Office regulations. A resignation takes effect when properly~~  
53 ~~accepted and announced in orders.~~

~~2. A commissioned officer desiring to accept an appointment or to enlist in the [active Army, Navy, Air Force, Marine Corps or Coast Guard] Armed Forces of the United States or a reserve component thereof must first obtain a conditional release from his commander. A conditional release must be issued in accordance with this chapter and Office regulations [.] and must include certification that the officer is properly cleared of his responsibility for all state and United States property and public money [.] and that he is not indebted to the State or to the organization to which he belongs. An officer so released shall be deemed to have resigned upon presentation of evidence that he has accepted an appointment or enlisted in the force to which released, and the resignation must be announced in orders.~~

~~3. No officer is entitled to resign his commission who is under arrest, suspension or [who is under] orders to be returned to any military court for delinquency.] (Deleted by amendment.)~~

Sec. 46. NRS 412.236 is hereby amended to read as follows:

412.236 "Military" refers to any ~~for all~~ **branch** of the Armed Forces **of the United States.**

Sec. 47. NRS 412.244 is hereby amended to read as follows:

412.244 "Rank" means the order of precedence among members of the Armed Forces **of the United States.**

Sec. 48. NRS 414.060 is hereby amended to read as follows:

414.060 1. The Governor is responsible for carrying out the provisions of this chapter **and** , in the event of an emergency or disaster beyond local control, may assume direct operational control over all or any part of the functions of emergency management within this State.

2. In performing his duties under this chapter, the Governor may cooperate with the Federal Government, with other states and with private agencies in all matters pertaining to emergency management in this State and the nation.

3. In performing his duties under this chapter and to effect its policy and purpose, the Governor may:

(a) Make, amend and rescind the necessary orders and regulations to carry out the provisions of this chapter within the limits of the authority conferred upon him in this chapter, with due consideration of the plans provided by the Federal Government.

(b) Prepare a comprehensive ~~[state]~~ emergency management plan **for this State** and develop a program for emergency management in this State to be integrated into and coordinated with the plans of the Federal Government and of other states for emergency management to the fullest possible extent, and coordinate the preparation of plans and programs for emergency management by the political subdivisions of this State to be integrated into and coordinated with the plan and program of this State to the fullest possible extent.

(c) In accordance with the plan and program for the emergency management in this State, procure supplies and equipment, institute planning, training and exercise programs, carry out public information programs, and take all other preparatory steps, including the partial or full mobilization of organizations for emergency management in advance of an actual emergency or disaster, to ensure the availability of adequately trained and equipped forces in time of need.

(d) Make such studies and surveys of industries, resources and facilities in this State as may be necessary to ascertain the capabilities of the State for emergency management and plan for the most efficient use thereof.

(e) On behalf of this State, enter into mutual aid agreements with other states and coordinate mutual aid plans between political subdivisions of this State.

(f) Delegate any administrative authority vested in him under this chapter, and provide for the subdelegation of any such authority.

(g) Cooperate with the President of the United States and the heads of the Armed Forces ~~H~~ of the United States, the agency of the United States for emergency management and other appropriate federal officers and agencies, and with the officers and agencies of other states in matters pertaining to emergency management in the State and nation, including the direction or control of:

(1) Mobilizing forces for emergency management and other tests and exercises.

(2) Mechanical devices to be used in connection with warnings and signals for emergencies or disasters.

(3) The effective screening or extinguishing of all lights and lighting devices and appliances.

(4) Coordinating the efforts of all public utilities in terminating and restoring service to the general public during an emergency or disaster.

(5) The conduct of the general public and the movement and cessation of movement of pedestrians and vehicular traffic during, before and after exercises or an emergency or disaster.

(6) Public meetings or gatherings.

(7) The evacuation and reception of the general public during an attack or an emergency or disaster.

**Sec. 49.** ~~[NRS 427A.485 is hereby amended to read as follows:~~

~~427A.485 "Income" means adjusted gross income, as defined in the Internal Revenue Code, and includes:~~

- ~~1. Tax-free interest;~~
- ~~2. The untaxed portion of a pension, individual retirement account or annuity;~~
- ~~3. Railroad retirement benefits;~~
- ~~4. Veterans' pensions and compensation;~~
- ~~5. Payments received pursuant to the federal Social Security Act, including supplemental security income, but excluding hospital and medical insurance benefits for persons who are aged or disabled;~~
- ~~6. Public welfare payments, including allowances for shelter;~~
- ~~7. Unemployment insurance benefits;~~
- ~~8. Payments for lost time;~~
- ~~9. Payments received from disability insurance;~~
- ~~10. Disability payments received pursuant to workers' compensation insurance;~~
- ~~11. Alimony;~~
- ~~12. Support payments;~~
- ~~13. Allowances received by dependents of [servicemen;] veterans;~~
- ~~14. The amount of recognized capital gains and losses excluded from adjusted gross income;~~
- ~~15. Life insurance proceeds in excess of \$5,000;~~
- ~~16. Bequests and inheritances; and~~
- ~~17. Gifts of cash of more than \$300 not between household members and such other kinds of cash received by a household as the Division specifies by regulation.] (Deleted by amendment.)~~

**Sec. 50.** ~~[NRS 451.420 is hereby amended to read as follows:~~

~~451.420 1. Notice of death must be given to the Committee in all cases of unclaimed indigent persons;~~

~~2. If any relative, by blood or marriage, claims the body for burial at the expense of the relative, the body must not be delivered to the Committee, but must be surrendered to the claimant for interment.~~

~~3. No such body may be delivered to the Committee if any friend of the deceased, any representative of a fraternal society of which the deceased was a member, any representative of a veterans' organization recognized by the Executive Director for Veterans' Services [,] or any representative of any charitable or religious organization claims the body for burial at its expense.~~

~~4. If the deceased person was [an honorably discharged member of] discharged or released from the Armed Forces of the United States or the [State,] Nevada National Guard under conditions other than dishonorable, the body must not be delivered to the Committee, but must be buried in accordance with the provisions of the existing laws. If a veterans' organization claims the body of a deceased veteran pursuant to subsection 3, the veterans' organization must provide a military funeral.] (Deleted by amendment.)~~

**Sec. 51.** ~~[NRS 482.3755 is hereby amended to read as follows:]~~

~~482.3755 1. An owner of a motor vehicle who is a resident of this State and is a member of the Nevada Wing of the Civil Air Patrol may, upon application on a form prescribed and furnished by the Department, signed by the member and his commanding officer and accompanied by proof of membership, be issued license plates upon which is inscribed "CIVIL AIR PATROL" with four consecutive numbers. The fee for the special license plates is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The annual fee for a renewal sticker is \$10.~~

~~2. Each member may request two sets of license plates as described in subsection 1. The second set of license plates for an additional vehicle must have a different number than the first set of license plates issued to the same member. The license plates may only be used on private passenger vehicles or noncommercial trucks.~~

~~3. Any member of the Nevada Wing of the Civil Air Patrol who retires or is [honorably] discharged or released under conditions other than dishonorable may retain any license plates issued to him pursuant to subsection 1. If a member is dishonorably discharged, he shall surrender any of these special plates in his possession to the Department at least 10 days before his discharge and, in lieu of those plates, is entitled to receive regular Nevada license plates.] (Deleted by amendment.)~~

**Sec. 52.** ~~[NRS 482.376 is hereby amended to read as follows:]~~

~~482.376 1. An owner of a motor vehicle who is a resident of this State and is an enlisted or commissioned member of the Nevada National Guard may, upon application on a form prescribed and furnished by the Department, signed by the member and his commanding officer and accompanied by proof of enlistment, be issued license plates upon which is inscribed "NAT'L GUARD" with four consecutive numbers. The applicant shall comply with the laws of this State concerning motor vehicles, including the payment of the regular registration fees, as prescribed by this chapter. There is an additional fee of \$5 for the issuance of those plates.~~

~~2. Each member may request two sets of license plates as described in subsection 1. The second set of license plates for an additional vehicle must have a different number than the first set of license plates issued to the same member. The license plates may only be used on private passenger vehicles or noncommercial trucks.~~

~~3. Any member of the Nevada National Guard, other than the Adjutant General, who retires or is [honorably] discharged or released under conditions other than dishonorable may retain any license plates issued to him pursuant to subsection 1. The Adjutant General shall surrender any license plates issued to him as Adjutant General to the Department when he leaves office, and may then be~~

1 issued special license plates as described in subsection 1. If a member is  
2 dishonorably discharged, he shall surrender any of these special plates in his  
3 possession to the Department at least 10 days before his discharge and, in lieu of  
4 those plates, is entitled to receive regular Nevada license plates.] **(Deleted by  
5 amendment.)**

6 **Sec. 53.** [NRS 482.3763 is hereby amended to read as follows:]

7 ~~482.3763 1. The Director shall order the preparation of special license  
8 plates for the support of outreach programs and services for veterans and their  
9 families and establish procedures for the application for and issuance of the plates.~~

10 ~~2. The Department shall, upon application therefor and payment of the  
11 prescribed fees, issue special license plates for the support of outreach programs  
12 and services for veterans and their families to:~~

13 ~~(a) A veteran of the [Army, Navy, Air Force, Marine Corps or Coast Guard]  
14 Armed Forces of the United States [, a reserve component thereof] or the Nevada  
15 National Guard; or~~

16 ~~(b) The spouse, parent or child of a person described in paragraph (a).~~

17 ~~→ The plates must be inscribed with the word "VETERAN" and with the seal of  
18 the branch of the Armed Forces of the United States or the seal of the Nevada  
19 National Guard, as applicable, requested by the applicant. A person may request  
20 that personalized prestige license plates issued pursuant to NRS 482.3667 be  
21 combined with special license plates for the support of outreach programs and  
22 services for veterans and their families if that person pays the fees for the  
23 personalized prestige license plates in addition to the fees for the special license  
24 plates for the support of outreach programs and services for veterans and their  
25 families pursuant to subsection 4.~~

26 ~~3. If, during a registration year, the holder of special plates issued pursuant to  
27 this section disposes of the vehicle to which the plates are affixed, the holder shall:~~

28 ~~(a) Retain the plates and affix them to another vehicle which meets the  
29 requirements of this section if the holder pays the fee for the transfer of the  
30 registration and any registration fee or governmental services tax due pursuant to  
31 NRS 482.399; or~~

32 ~~(b) Within 30 days after removing the plates from the vehicle, return them to  
33 the Department.~~

34 ~~4. In addition to all other applicable registration and license fees and  
35 governmental services taxes, and to the special fee imposed pursuant to NRS  
36 482.3764 for the support of outreach programs and services for veterans and their  
37 families, the fee for:~~

38 ~~(a) The initial issuance of the special license plates is \$35;~~

39 ~~(b) The annual renewal sticker is \$10;~~

40 ~~5. If the special plates issued pursuant to this section are lost, stolen or  
41 mutilated, the owner of the vehicle may secure a set of replacement license plates  
42 from the Department for a fee of \$10.] **(Deleted by amendment.)**~~

43 **Sec. 54.** [NRS 482.3765 is hereby amended to read as follows:]

44 ~~482.3765 1. A veteran [of the Armed Forces of the United States] who  
45 survived the attack on Pearl Harbor on December 7, 1941, is entitled to specially  
46 designed license plates inscribed with the words "PEARL HARBOR VETERAN"  
47 or "PEARL HARBOR SURVIVOR," at the option of the veteran, and three or four  
48 consecutive numbers;~~

49 ~~2. Each person who qualifies for special license plates pursuant to this section  
50 may apply for not more than two sets of plates. If the person applies for a second  
51 set of plates for an additional vehicle, the second set of plates must have a different  
52 number than the first set of plates issued to the same applicant. Special license~~

plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home.

~~3. The Department shall issue specially designed license plates for persons qualified pursuant to this section who submit an application on a form prescribed by the Department and evidence of their status as a survivor required by the Department.~~

~~4. If, during a registration year, the holder of a set of special license plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, the holder shall:~~

~~(a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or~~

~~(b) Within 30 days after removing the plates from the vehicle, return them to the Department.~~

~~5. The fee for a set of special license plates issued pursuant to this section is \$25, in addition to all other applicable registration and license fees and governmental services taxes. The annual fee for a renewal sticker for a set of special license plates issued pursuant to this section is \$5.~~ **(Deleted by amendment.)**

**Sec. 55.** [NRS 482.377 is hereby amended to read as follows:]

~~482.377 1. A veteran [of the Armed Forces of the United States] who, as a result of his service:~~

~~(a) Has suffered a 100 percent service-connected disability and who receives compensation from the United States for his disability is entitled to specially designed license plates inscribed with the words "DISABLED VETERAN" or "VETERAN WHO IS DISABLED," at the option of the veteran, and three or four consecutive numbers.~~

~~(b) Has been captured and held prisoner by a military force of a foreign nation is entitled to specially designed license plates inscribed with the words "EX PRISONER OF WAR" and three or four consecutive numbers.~~

~~2. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home.~~

~~3. The Department shall issue specially designed license plates for persons qualified pursuant to this section who submit an application on a form prescribed by the Department and evidence of disability or former imprisonment required by the Department.~~

~~4. A vehicle on which license plates issued by the Department pursuant to this section are displayed is exempt from the payment of any parking fees, including those collected through parking meters, charged by the State or any political subdivision or other public body within the State, other than the United States.~~

~~5. If, during a registration year, the holder of a set of special license plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, the holder shall:~~

~~(a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or~~

~~(b) Within 30 days after removing the plates from the vehicle, return them to the Department.~~



~~6. As used in this section, "service-connected disability" means a disability that was incurred or aggravated in the line of duty in the Armed Forces of the United States.] (Deleted by amendment.)~~

**Sec. 56.** [NRS 482.3775 is hereby amended to read as follows:

~~482.3775 1. A veteran [of the Armed Forces of the United States] who was awarded the Purple Heart is entitled to specially designed license plates which indicate that he is a recipient of the Purple Heart.~~

~~2. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home.~~

~~3. The Department shall issue specially designed license plates for any person qualified pursuant to this section who submits an application on a form prescribed by the Department and evidence of his status as a recipient of the Purple Heart as required by the Department. The Department may designate any appropriate colors for the special plates.~~

~~4. If, during a registration year, the holder of a set of special license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall:~~

~~(a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or~~

~~(b) Within 30 days after removing the plates from the vehicle, return them to the Department.~~

~~5. Except as otherwise provided in this subsection, no fee in addition to the applicable registration and license fees and governmental services taxes may be charged for the issuance or renewal of a set of special license plates pursuant to this section. If the special plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of replacement license plates from the Department for a fee of \$5.] (Deleted by amendment.)~~

**Sec. 57.** NRS 483.240 is hereby amended to read as follows:

483.240 The following persons are exempt from ~~[license]~~ *licensure* under the provisions of NRS 483.010 to 483.630, inclusive:

1. Any person while driving a motor vehicle in the service of the Armed Forces ~~[ ]~~ *of the United States.*

2. Any person while driving any road machine, farm tractor or implement of husbandry temporarily operated or moved on a highway.

3. ~~[A]~~ *Any* nonresident who is at least 16 years of age and who has in his immediate possession a valid license issued to him in his home state or country ~~[may drive]~~, *while driving* a motor vehicle in this State of the type or class he may operate in his home state or country.

4. Any nonresident who is at least 18 years of age ~~[ ]~~ *and* whose home state or country does not require the licensing of drivers, ~~[may drive]~~ *while driving* a motor vehicle for a period of not more than 90 days in any calendar year ~~[ ]~~ if the motor vehicle driven is duly registered in the home state or country of ~~[such]~~ *the* nonresident.

5. ~~[A]~~ *Any* nonresident on active duty in the Armed Forces *of the United States* who has a valid license issued by his home state and ~~[such]~~ *the* nonresident's spouse or dependent child who has a valid license issued by ~~[such]~~ *that* state.

6. Any person on active duty in the Armed Forces *of the United States* who has a valid license issued in a foreign country by the Armed Forces ~~[may drive]~~ *of*



1 *the United States, while driving* a motor vehicle for a period of not more than 45  
2 days ~~{from}~~ after the date of his return to the United States.

3 **Sec. 58.** ~~{NRS 483.292 is hereby amended to read as follows:~~  
4 ~~483.292 1. When a person applies to the Department for an instruction~~  
5 ~~permit or driver's license pursuant to NRS 483.290, the Department shall inquire~~  
6 ~~whether the person desires to declare that he is a veteran, [of the Armed Forces of~~  
7 ~~the United States.]~~

8 ~~2. If the person desires to declare pursuant to subsection 1 that he is a veteran~~  
9 ~~{of the Armed Forces of the United States, he shall}, he must provide evidence~~  
10 ~~satisfactory to the Department that he has been [honorably] discharged or released~~  
11 ~~from the Armed Forces of the United States [.] under conditions other than~~  
12 ~~dishonorable.~~

13 ~~3. If the person declares pursuant to subsection 1 that he is a veteran, [of the~~  
14 ~~Armed Forces of the United States,] the Department shall count the declaration and~~  
15 ~~maintain it only numerically in a record kept by the Department for that purpose.~~

16 ~~4. The Department shall, at least once each quarter:~~

17 ~~(a) Compile the aggregate number of persons who have, during the~~  
18 ~~immediately preceding quarter, declared pursuant to subsection 1 that they are~~  
19 ~~veterans, [of the Armed Forces of the United States,] and~~

20 ~~(b) Transmit that number to the Office of Veterans' Services to be used for~~  
21 ~~statistical purposes.] (Deleted by amendment.)~~

22 **Sec. 59.** NRS 483.380 is hereby amended to read as follows:

23 483.380 1. Except as otherwise provided in NRS 483.283, every driver's  
24 license expires as prescribed by regulation.

25 2. The Department shall adopt regulations prescribing when a driver's license  
26 expires. The Department may, by regulation, defer the expiration of the driver's  
27 license of a person who is on active duty in the Armed Forces *of the United States*  
28 upon such terms and conditions as it may prescribe. The Department may similarly  
29 defer the expiration of the license of the spouse or dependent son or daughter of  
30 that person if the spouse or child is residing with the person.

31 **Sec. 60.** NRS 483.386 is hereby amended to read as follows:

32 483.386 All persons whose licenses have expired may be required by the  
33 Department, whenever good cause appears, to take all or part of the regular  
34 examinations as set forth in NRS 483.330. All persons whose licenses have expired  
35 for a period of 30 days or more shall pay to the Department the penalty provided in  
36 NRS 483.410 in addition to the cost of renewing the license, except that the  
37 following persons are exempt from this penalty:

38 1. A person who has not driven a motor vehicle after the expiration of his  
39 Nevada driver's license and who submits an affidavit stating that fact;

40 2. A person renewing an expired Nevada driver's license who possesses a  
41 valid driver's license from another jurisdiction;

42 3. A person whose Nevada driver's license expires during a period of  
43 suspension if he completes a renewal application within 30 days after the date of  
44 eligibility for renewal; and

45 4. A person whose Nevada driver's license expires while he is on active duty  
46 ~~{with any branch of}~~ *in* the Armed Forces ~~{}~~ *of the United States*, if he completes a  
47 renewal application within 30 days after his discharge.

48 **Sec. 61.** NRS 483.850 is hereby amended to read as follows:

49 483.850 1. Every application for an identification card must be made upon a  
50 form provided by the Department and include, without limitation:

51 (a) The applicant's full legal name.

52 (b) His date of birth.

53 (c) His state of legal residence.

(d) His current address of principal residence and mailing address, if different from his address of principal residence, in this State, unless the applicant is on active duty in the ~~["military service"]~~ *Armed Forces* of the United States.

(e) A statement from:

(1) A resident stating that he does not hold a valid driver's license or identification card from any state or jurisdiction; or

(2) A seasonal resident stating that he does not hold a valid Nevada driver's license.

2. When the form is completed, the applicant must sign the form and verify the contents before a person authorized to administer oaths.

3. An applicant who has been issued a social security number must provide to the Department for inspection:

(a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or

(b) Other proof acceptable to the Department bearing the social security number of the applicant, including, without limitation, records of employment or federal income tax returns.

4. At the time of applying for an identification card, an applicant may, if eligible, register to vote pursuant to NRS 293.524.

5. A person who possesses a driver's license or identification card issued by another state or jurisdiction who wishes to apply for an identification card pursuant to this section shall surrender to the Department the driver's license or identification card issued by the other state or jurisdiction at the time he applies for an identification card pursuant to this section.

**Sec. 62.** ~~NRS 483.852 is hereby amended to read as follows:~~

~~483.852 1. When a person applies to the Department for an identification card pursuant to NRS 483.850, the Department shall inquire whether the person desires to declare that he is a veteran, [of the Armed Forces of the United States.]~~

~~2. If the person desires to declare pursuant to subsection 1 that he is a veteran [of the Armed Forces of the United States, he shall], he must provide evidence satisfactory to the Department that he has been [honorably] discharged or released from the Armed Forces of the United States [.] under conditions other than dishonorable.~~

~~3. If the person declares pursuant to subsection 1 that he is a veteran, [of the Armed Forces of the United States,] the Department shall count the declaration and maintain it only numerically in a record kept by the Department for that purpose.~~

~~4. The Department shall, at least once each quarter:~~

~~(a) Compile the aggregate number of persons who have, during the immediately preceding quarter, declared pursuant to subsection 1 that they are veterans, [of the Armed Forces of the United States,] and~~

~~(b) Transmit that number to the Office of Veterans' Services to be used for statistical purposes.] (Deleted by amendment.)~~

**Sec. 63.** NRS 484.471 is hereby amended to read as follows:

484.471 1. A procession, except a funeral procession, ~~for parade, except the forces]~~ *a parade, or a procession of the Armed Forces* of the United States, ~~[Armed Services,]~~ the military forces of this State and the forces of the police and fire departments, must not occupy, march or proceed along any highway except in accordance with the permit issued by the proper public authority.

2. A sound truck or other vehicle equipped with an amplifier or loudspeaker must not be driven upon any highway for the purpose of selling, offering for sale or advertising in any fashion except in accordance with a permit issued by the proper public authority.

3. An oversized or overweight vehicle or equipment must not be driven, occupy or proceed upon any highway except in accordance with a permit issued by the Department of Transportation.

4. The Department of Transportation, upon request, shall notify a city or county immediately after a permit has been issued for an oversized or overweight vehicle or equipment to be driven, occupy or proceed upon any highway under the jurisdiction of that city or county.

5. Nothing in this chapter prohibits a city or county affected by the issuance of permits pursuant to this section from:

(a) Recommending to the Department of Transportation the establishment of certain routes by which oversized or overweight vehicles may proceed through the city or county and any modifications to those routes; or

(b) Notifying the Department of Transportation if the issuance of a permit authorizing an oversized or overweight vehicle or equipment to be driven, occupy or proceed upon a certain highway would negatively impact traffic safety or flow of traffic due to unique conditions in the city or county.

6. The Department of Transportation shall adopt regulations regarding the issuance of permits for oversized or overweight vehicles or equipment to be driven, occupy or proceed upon any highway that is under the jurisdiction of a county whose population is less than 400,000, or a city in a county whose population is less than 400,000. The regulations may limit the movement of oversized or overweight vehicles to certain:

(a) Routes;

(b) Hours of the day; or

(c) Days of the week,

➤ to ensure public safety.

7. Any person who violates any provision of this section is guilty of a misdemeanor.

**Sec. 64.** ~~NRS 502.072 is hereby amended to read as follows:~~

~~502.072 1. The Department shall issue without charge any license authorized under the provisions of this chapter, upon satisfactory proof of the requisite facts to any [bona fide resident of the State of Nevada] veteran who has incurred a service-connected disability which is considered to be 50 percent or more by the Department of Veterans Affairs, [and has received upon severance from service an honorable discharge or certificate of satisfactory service from the Armed Forces of the United States.]~~

~~2. As used in this section, "service-connected disability" means a disability that was incurred or aggravated in the line of duty in the Armed Forces of the United States.] (Deleted by amendment.)~~

**Sec. 65.** NRS 503.165 is hereby amended to read as follows:

503.165 1. It is unlawful to carry a loaded rifle or loaded shotgun in or on any vehicle which is standing on or along, or is being driven on or along, any public highway or any other way open to the public.

2. A rifle or shotgun is loaded, for the purposes of this section, when there is an unexpended cartridge or shell in the firing chamber, but not when the only cartridges or shells are in the magazine.

3. The provisions of this section do not apply to paraplegics, persons with one or both legs amputated or who have suffered a paralysis of one or both legs which severely impedes walking, or peace officers and members of the Armed Forces of ~~this State or~~ the United States *or the Nevada National Guard* while on duty or going to or returning from duty.

1       **Sec. 66.** NRS 574.280 is hereby amended to read as follows:

2       574.280 “Kennel” means a place where at least 10 dogs of not less than 6  
3 months of age are kept, harbored or maintained for:

- 4       1. Boarding;
- 5       2. Training; or
- 6       3. Breeding for sale to a retailer or dealer.

7       ➤ For the purposes of this section, spayed or neutered dogs, dogs used by or being  
8 trained for use by the Armed Forces ~~of the United States~~, police officers, search  
9 and rescue teams or other similar organizations, dogs used in farming or ranching,  
10 and dogs used by or being trained for use by persons with disabilities, including,  
11 but not limited to, dogs used to assist persons in wheelchairs, must not be counted  
12 when determining the number of dogs that are being kept, harbored or maintained.

13       **Sec. 67.** ~~NRS 604A.420 is hereby amended to read as follows:~~

14       ~~604A.420 Notwithstanding any other provision of law:~~

15       ~~1. If a customer is a member of the military, a licensee shall:~~

16       ~~(a) Honor the terms of any repayment plan between the licensee and customer,~~  
17 ~~including, without limitation, any repayment plan negotiated through military~~  
18 ~~counselors or third-party credit counselors.~~

19       ~~(b) Honor any proclamation by a base commander that a certain branch~~  
20 ~~location of the licensee is off limits to members of the military and their spouses.~~

21       ~~2. If a customer is a member of the military, a licensee shall not:~~

22       ~~(a) Garnish or threaten to garnish any wages or salary of the customer or his~~  
23 ~~spouse; or~~

24       ~~(b) Contact or threaten to contact the military chain of command of a customer~~  
25 ~~in an effort to collect the loan.~~

26       ~~3. If a customer is a member of the military and is deployed to a combat or~~  
27 ~~combat supporting position, a licensee shall not engage in any collection activity~~  
28 ~~against the customer or his spouse.~~

29       ~~4. As used in this section, “military” means the Armed Forces of the United~~  
30 ~~States [, a reserve component thereof] or the Nevada National Guard.] (Deleted by~~  
31 ~~amendment.)~~

32       **Sec. 68.** NRS 608.0165 is hereby amended to read as follows:

33       608.0165 1. Except as otherwise provided in this section, wages or  
34 compensation paid to an employee whose duties include the manufacture of an  
35 explosive, or the use, processing, handling, on-site movement or storage of an  
36 explosive that is related to its manufacture, must be based solely on the number of  
37 hours the employee works. The provisions of this subsection do not apply to  
38 persons employed in the mining industry.

39       2. Any person who violates the provisions of subsection 1:

40       (a) For the first violation, shall be punished by a fine of not less than \$10,000  
41 ~~nor~~ ~~or~~ more than \$20,000.

42       (b) For the second or any subsequent violation, shall be punished by a fine of  
43 not less than \$20,000 ~~nor~~ ~~or~~ more than \$50,000.

44       3. Except as otherwise provided in subsection 4, as used in this section,  
45 “explosive” means gunpowders, powders used for blasting, all forms of high  
46 explosives, blasting materials, fuses other than electric circuit breakers, detonators  
47 and other detonating agents, smokeless powders, other explosive or incendiary  
48 devices and any chemical compound, mechanical mixture or device that contains  
49 any oxidizing and combustible units, or other ingredients, in such proportions,  
50 quantities or packing that ignition by fire, friction, concussion, percussion or  
51 detonation of the compound, mixture or device or any part thereof may cause an  
52 explosion.

53       4. For the purposes of this section, an explosive does not include:

(a) Ammunition for small arms, or any component thereof;

(b) Black powder commercially manufactured in quantities that do not exceed 50 pounds, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers that are intended to be used solely for sporting, recreation or cultural purposes;

(1) In an antique firearm, as that term is defined in 18 U.S.C. § 921(a)(16), as that section existed on January 1, 1999; or

(2) In an antique device which is exempted from the definition of “destructive device” pursuant to 18 U.S.C. § 921(a)(4), as that section existed on January 1, 1999; or

(c) Any explosive that is manufactured under the regulation of a military department of the United States, or that is distributed to, or possessed or stored by, the ~~[military or naval service]~~ **Armed Forces of the United States** or any other agency of the United States, or an arsenal, a navy yard, a depot or any other establishment owned by or operated on behalf of the United States.

**Sec. 69.** NRS 612.115 is hereby amended to read as follows:

612.115 1. “Employment” includes service performed in the employ of this State, or of any political subdivision thereof, or of any instrumentality of this State or its political subdivisions which is owned by this State or one or more of its political subdivisions alone or in conjunction with one or more other states or political subdivisions thereof, which is excluded from the definition of “employment” by the provisions of 26 U.S.C. § 3306(c)(7), except service:

(a) As an elected official;

(b) As a member of a legislative body, or a member of the judiciary, of the State or a political subdivision;

(c) As a member of the Nevada National ~~[Guard or Nevada Air National]~~ Guard;

(d) In employment serving on a temporary basis in case of fire, storm, snow, earthquake, flood or similar emergency;

(e) In a position which, pursuant to state law, is designated as a major nontenured policymaking or advisory position, or a policymaking or advisory position the performance of the duties of which ordinarily does not require more than 8 hours per week; or

(f) By an inmate of a custodial or penal institution.

2. Every department of this State, and every political subdivision thereof, and each of the instrumentalities of this State and its political subdivisions, shall become an employer as provided in this chapter.

3. “Employment” does not include service performed:

(a) In a facility conducted for the purpose of carrying out a program of rehabilitation for persons whose earning capacity is impaired by age or physical or mental deficiency or injury, or providing remunerative work for persons who, because of their impaired physical or mental capacity, cannot be readily absorbed in the competitive labor market by a person receiving such rehabilitation or remunerative work; or

(b) As part of an unemployment work-relief or work-training program assisted or financed in whole or in part by any federal agency or an agency of a state or political subdivision thereof, by a person receiving such work relief or work training.

**Sec. 70.** NRS 612.377 is hereby amended to read as follows:

612.377 As used in NRS 612.377 to 612.3786, inclusive, unless the context clearly requires otherwise:

1. “Extended benefit period” means a period which begins with the third week after a week for which there is a Nevada “on” indicator and ends with the

1 third week after the first week for which there is a Nevada “off” indicator or the  
2 13th consecutive week after it began, except that no extended benefit period may  
3 begin by reason of a Nevada “on” indicator before the 14th week following the end  
4 of a prior extended benefit period which was in effect for Nevada.

5 2. There is a “Nevada ‘on’ indicator” for a week if the Administrator  
6 determines, in accordance with the regulations of the Secretary of Labor, that for  
7 the period consisting of that week and the immediately preceding 12 weeks, the rate  
8 of insured unemployment in Nevada, ~~is~~ not seasonally adjusted, ~~is~~ under NRS  
9 612.377 to 612.3786, inclusive:

10 (a) Equalled or exceeded 120 percent of the average of those rates for the  
11 corresponding 13-week period ending in each of the preceding 2 calendar years and  
12 equalled or exceeded 5 percent; or

13 (b) Equalled or exceeded 6 percent.

14 3. There is a “Nevada ‘off’ indicator” for a week if the Administrator  
15 determines, in accordance with the regulations of the Secretary of Labor, that for  
16 the period consisting of that week and the immediately preceding 12 weeks, the rate  
17 of insured unemployment in Nevada, ~~is~~ not seasonally adjusted: ~~is~~

18 (a) Was less than 120 percent of the average of those rates for the  
19 corresponding 13-week period ending in each of the preceding 2 calendar years; or

20 (b) Was less than 5 percent.

21 4. “Rate of insured unemployment,” for purposes of subsections 2 and 3,  
22 means the percentage derived by dividing the average weekly number of persons  
23 filing claims in this State for the weeks of unemployment for the most recent period  
24 of 13 consecutive weeks, as determined by the Administrator on the basis of his  
25 reports to the Secretary of Labor using the average monthly employment covered  
26 under this chapter as determined by the Administrator and recorded in the records  
27 of the Division for the first four of the most recent six completed calendar quarters  
28 ending before the end of the 13-week period.

29 5. “Regular benefits” means benefits payable to a person under this chapter or  
30 under any other state law, ~~is~~ including benefits payable to federal civilian  
31 employees and to ~~ex-servicemen~~ **veterans** pursuant to 5 U.S.C. §§ 8501 et seq.,  
32 ~~is~~ other than extended benefits.

33 6. “Extended benefits” means benefits, ~~is~~ including benefits payable to  
34 federal civilian employees and to ~~ex-servicemen~~ **veterans** pursuant to 5 U.S.C. §§  
35 8501 et seq., ~~is~~ payable to a person under the provisions of NRS 612.377 to  
36 612.3786, inclusive, for the weeks of unemployment in his eligibility period.

37 7. “Additional benefits” means benefits payable to exhaustees by reason of  
38 conditions of high unemployment or by reason of other special factors under the  
39 provisions of any state law. Any person who is entitled to both additional and  
40 extended benefits for the same week must be given the choice of electing which  
41 type of benefit to claim regardless of whether his rights to additional and extended  
42 benefits arise under the law of the same state or different states.

43 8. “Eligibility period” of a person means the period consisting of the weeks in  
44 his benefit year under this chapter which begin in an extended benefit period and, if  
45 his benefit year ends within the extended benefit period, any weeks thereafter  
46 which begin in that period.

47 9. “Exhaustee” means a person who, with respect to any week of  
48 unemployment in his eligibility period:

49 (a) Has received, before that week, all of the regular, seasonal or nonseasonal  
50 benefits that were available to him under this chapter or any other state law, ~~is~~  
51 including augmented weekly benefits for dependents and benefits payable to federal  
52 civilian employees and ~~ex-servicemen~~ **veterans** under 5 U.S.C. §§ 8501 et seq.,  
53 ~~is~~ in his current benefit year which includes that week, except that, for the

1 purposes of this paragraph, a person shall be deemed to have received all of the  
2 regular benefits that were available to him, although as a result of a pending appeal  
3 with respect to wages that were not considered in the original monetary  
4 determination in his benefit year, he may subsequently be determined to be entitled  
5 to added regular benefits; or

6 (b) His benefit year having expired before that week, has no, or insufficient,  
7 wages on the basis of which he could establish a new benefit year which would  
8 include that week,

9 and has no right to unemployment benefits or allowances, as the case may be,  
10 under the Railroad Unemployment Insurance Act, 45 U.S.C. §§ 351 et seq., the  
11 Trade Expansion Act of 1962, 19 U.S.C. §§ 1801 et seq., the Automotive Products  
12 Trade Act of 1965, 19 U.S.C. §§ 2001 et seq. and such other federal laws as are  
13 specified in regulations issued by the Secretary of Labor, and has not received and  
14 is not seeking unemployment benefits under the unemployment compensation law  
15 of Canada. If he is seeking such benefits and the appropriate agency finally  
16 determines that he is not entitled to benefits under that law he is considered an  
17 exhaustee.

18 10. "State law" means the unemployment insurance law of any state,  
19 approved by the Secretary of Labor under Section 3304 of the Internal Revenue  
20 Code of 1954.

21 **Sec. 71.** ~~[NRS 618.282 is hereby amended to read as follows:]~~

22 ~~— 618.283 1. Except as otherwise provided in subsections 8 and 9, an~~  
23 ~~employer shall establish a written safety program and carry out the requirements of~~  
24 ~~the program within 90 days after it is established.~~

25 ~~— 2. The written safety program must include:~~

26 ~~— (a) The establishment of a training program for employees concerning safety in~~  
27 ~~the workplace, particularly in those areas where there have been recurring injuries~~  
28 ~~or where explosives are manufactured.~~

29 ~~— (b) If an employer has more than 25 employees, or if an employer's employees~~  
30 ~~are engaged in the manufacture of explosives, the establishment of a safety~~  
31 ~~committee. The safety committee must include representatives of employees. If the~~  
32 ~~employees are represented by a labor organization, the representatives of~~  
33 ~~employees must be selected by the employees and not appointed by the employer.~~

34 ~~— 3. A representative of employees while engaging in the business of a safety~~  
35 ~~committee, including attendance at meetings, authorized inspections or any other~~  
36 ~~activity of the committee, must be paid by his employer as if that employee were~~  
37 ~~engaged in his usual work activities.~~

38 ~~— 4. The written safety program and all training programs required pursuant to~~  
39 ~~this section must be conducted and made available in a language and format that is~~  
40 ~~understandable to each employee.~~

41 ~~— 5. The Administrator of the Division shall adopt regulations establishing the~~  
42 ~~minimum requirements for a written safety program.~~

43 ~~— 6. The Administrator of the Division shall develop and provide each employer~~  
44 ~~with a written guide for establishing a written safety program.~~

45 ~~— 7. An employer who contracts with a temporary employment service shall~~  
46 ~~provide specialized training concerning safety for the employees of the service~~  
47 ~~before they begin work at each site or as soon as possible thereafter.~~

48 ~~— 8. An employer who has 10 or fewer employees is exempted from the~~  
49 ~~provisions of this section unless the employer has employees engaged in the~~  
50 ~~manufacture of explosives.~~

51 ~~— 9. For the purposes of this section, an employer in the mining industry shall~~  
52 ~~not be deemed to be a manufacturer of explosives.~~



~~10. Except as otherwise provided in subsection 11, as used in this section, "explosives" means gunpowders, powders used for blasting, all forms of high explosives, blasting materials, fuses other than electric circuit breakers, detonators and other detonating agents, smokeless powders, other explosive or incendiary devices and any chemical compound, mechanical mixture or device that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities or packing that ignition by fire, friction, concussion, percussion or detonation of the compound, mixture or device or any part thereof may cause an explosion.~~

~~11. For the purposes of this section, an explosive does not include:~~

~~(a) Ammunition for small arms, or any component thereof;~~

~~(b) Black powder commercially manufactured in quantities that do not exceed 50 pounds, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers that are intended to be used solely for sporting, recreation or cultural purposes;~~

~~(1) In an antique firearm, as that term is defined in 18 U.S.C. § 921(a)(16), as that section existed on January 1, 1999; or~~

~~(2) In an antique device which is exempted from the definition of "destructive device" pursuant to 18 U.S.C. § 921(a)(4), as that section existed on January 1, 1999; or~~

~~(c) Any explosive that is manufactured under the regulation of a military department of the United States, or that is distributed to, or possessed or stored by, the [military or naval service] *Armed Forces of the United States* or any other agency of the United States, or an arsenal, a navy yard, a depot or any other establishment owned by or operated on behalf of the United States.] (Deleted by amendment.)~~

**Sec. 72.** ~~NRS 618.890 is hereby amended to read as follows:~~

~~618.890 1. The Division shall adopt regulations establishing standards and procedures for places of employment where explosives are manufactured, or where an explosive is used, processed, handled, moved on site or stored in relation to its manufacture, including, without limitation, regulations requiring the:~~

~~(a) Establishment and implementation of safety plans and procedures;~~

~~(b) Establishment of safety zones at or around such places of employment;~~

~~(c) Annual certification of such places of employment;~~

~~(d) Annual certification of trainers, production managers, supervisors and other persons designated by an employer to provide an annual training and testing program for employees; and~~

~~(e) Establishment and implementation of programs for the annual training and testing of employees who are engaged in the manufacture of an explosive, or the use, processing, handling, on-site movement or storage of an explosive that is related to its manufacture, that will be conducted by a trainer, production manager, supervisor or any other person certified pursuant to paragraph (d).~~

~~2. If the standards and procedures adopted pursuant to this section conflict with any ordinances of a local governing body regulating explosives, the more stringent standard applies.~~

~~3. Except as otherwise provided in subsection 2, compliance with an ordinance of a local governing body regulating explosives does not excuse any person from complying with the standards and procedures adopted by the Division pursuant to this section.~~

~~4. Each employer engaged in the manufacture of explosives shall provide to each of his employees, who in the course of their employment are directly involved in the manufacture of explosives, or the handling of an explosive or any hazardous component thereof, an annual training and testing program that has been approved~~



by the Division in accordance with subsection 1. The annual training must be conducted by a trainer, production manager, supervisor or other person certified by the Division to provide such training. An employer shall not allow an employee to engage in employment that requires the employee to be directly involved in the manufacture of explosives, or the handling of an explosive or any hazardous component thereof, until the employee has completed the applicable training and testing program required pursuant to this subsection. Any violation of this subsection by an employer constitutes a serious violation which is subject to the provisions of NRS 618.645.

~~5. Notwithstanding any provision of this section to the contrary, the provisions of this section do not apply to the mining industry.~~

~~6. Except as otherwise provided in subsection 7, as used in this section, "explosive" means gunpowders, powders used for blasting, all forms of high explosives, blasting materials, fuses other than electric circuit breakers, detonators and other detonating agents, smokeless powders, other explosive or incendiary devices and any chemical compound, mechanical mixture or device that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities or packing that ignition by fire, friction, concussion, percussion, or detonation of the compound, mixture or device or any part thereof may cause an explosion.~~

~~7. For the purposes of this section, an explosive does not include:~~

~~(a) Ammunition for small arms, or any component thereof;~~

~~(b) Black powder commercially manufactured in quantities that do not exceed 50 pounds, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers that are intended to be used solely for sporting, recreation or cultural purposes;~~

~~(1) In an antique firearm, as that term is defined in 18 U.S.C. § 921(a)(16), as that section existed on January 1, 1999; or~~

~~(2) In an antique device which is exempted from the definition of "destructive device" pursuant to 18 U.S.C. § 921(a)(4), as that section existed on January 1, 1999; or~~

~~(c) Any explosive that is manufactured under the regulation of a military department of the United States, or that is distributed to, or possessed or stored by, the [military or naval service] *Armed Forces of the United States* or any other agency of the United States, or an arsenal, a navy yard, a depot or any other establishment owned by or operated on behalf of the United States.] **(Deleted by amendment.)**~~

**Sec. 73.** [NRS 618.898 is hereby amended to read as follows:]

~~618.898 1. No owner or operator of a place of employment may commence the construction of, substantially alter the construction of, or modify any major process used to protect the lives, safety and health of employees at a place of employment where an explosive is manufactured, or used, processed, handled, moved on site or stored in relation to its manufacture, unless he first obtains a permit therefor from the Division. Before issuing any permit, the Division shall consult with the Division of Environmental Protection of the State Department of Conservation and Natural Resources.~~

~~2. An application for such a permit must be submitted on a form prescribed by the Division.~~

~~3. The Division may require the applicant to comply with requirements that it establishes by regulation before issuing such a permit.~~

~~4. The Division may charge and collect a fee for the issuance of such a permit.~~

~~5. The Division shall adopt such regulations as are necessary to carry out the provisions of this section.~~

~~6. Notwithstanding any provision of this section to the contrary, the provisions of this section do not apply to the mining industry.~~

~~7. Except as otherwise provided in subsection 8, as used in this section, "explosive" means gunpowders, powders used for blasting, all forms of high explosives, blasting materials, fuses other than electric circuit breakers, detonators and other detonating agents, smokeless powders, other explosive or incendiary devices and any chemical compound, mechanical mixture or device that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities or packing that ignition by fire, friction, concussion, percussion, or detonation of the compound, mixture or device or any part thereof may cause an explosion.~~

~~8. For the purposes of this section, an explosive does not include:~~

~~(a) Ammunition for small arms, or any component thereof;~~

~~(b) Black powder commercially manufactured in quantities that do not exceed 50 pounds, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers that are intended to be used solely for sporting, recreation or cultural purposes;~~

~~(1) In an antique firearm, as that term is defined in 18 U.S.C. § 921(a)(16), as that section existed on January 1, 1999; or~~

~~(2) In an antique device which is exempted from the definition of "destructive device" pursuant to 18 U.S.C. § 921(a)(4), as that section existed on January 1, 1999; or~~

~~(c) Any explosive that is manufactured under the regulation of a military department of the United States, or that is distributed to, or possessed or stored by, the [military or naval service] **Armed Forces of the United States** or any other agency of the United States, or an arsenal, a navy yard, a depot or any other establishment owned by or operated on behalf of the United States.] **(Deleted by amendment.)**~~

**Sec. 74.** NRS 630.047 is hereby amended to read as follows:

630.047 1. This chapter does not apply to:

(a) A medical officer or practitioner of respiratory care of the Armed **[Services] Forces of the United States** or a medical officer or practitioner of respiratory care of any division or department of the United States in the discharge of his official duties;

(b) Physicians who are called into this State, other than on a regular basis, for consultation with or assistance to a physician licensed in this State ~~and~~ and who are legally qualified to practice in the state where they reside;

(c) Physicians who are legally qualified to practice in the state where they reside and come into this State on an irregular basis to:

(1) Obtain medical training approved by the Board from a physician who is licensed in this State; or

(2) Provide medical instruction or training approved by the Board to physicians licensed in this State;

(d) Any person permitted to practice any other healing art under this title who does so within the scope of that authority, or healing by faith or Christian Science;

(e) The practice of respiratory care by a student as part of a program of study in respiratory care that is approved by the Board, or is recognized by a national organization which is approved by the Board to review such programs, if the student is enrolled in the program and provides respiratory care only under the supervision of a practitioner of respiratory care;

(f) The practice of respiratory care by a student who:

1 (1) Is enrolled in a clinical program of study in respiratory care which has  
2 been approved by the Board;

3 (2) Is employed by a medical facility, as defined in NRS 449.0151; and

4 (3) Provides respiratory care to patients who are not in a critical medical  
5 condition or, in an emergency, to patients who are in a critical medical condition  
6 and a practitioner of respiratory care is not immediately available to provide that  
7 care and the student is directed by a physician to provide respiratory care under his  
8 supervision until a practitioner of respiratory care is available;

9 (g) The practice of respiratory care by a person on himself or gratuitous  
10 respiratory care provided to a friend or a member of a person's family if the  
11 provider of the care does not represent himself as a practitioner of respiratory care;

12 (h) A cardiopulmonary perfusionist who is under the supervision of a surgeon  
13 or an anesthesiologist;

14 (i) A person who is employed by a physician and provides respiratory care  
15 under the supervision of that physician;

16 (j) The maintenance of medical equipment for respiratory care that is not  
17 attached to a patient; and

18 (k) A person who installs medical equipment for respiratory care that is used in  
19 the home and gives instructions regarding the use of that equipment if the person is  
20 trained to provide ~~such~~ those services and is supervised by a provider of health  
21 care who is acting within the authorized scope of his practice.

22 2. This chapter does not repeal or affect any statute of Nevada regulating or  
23 affecting any other healing art.

24 3. This chapter does not prohibit:

25 (a) Gratuitous services outside of a medical school or medical facility by a  
26 person who is not a physician, physician assistant or practitioner of respiratory care  
27 in cases of emergency.

28 (b) The domestic administration of family remedies.

29 **Sec. 75.** NRS 630.301 is hereby amended to read as follows:

30 630.301 The following acts, among others, constitute grounds for initiating  
31 disciplinary action or denying licensure:

32 1. Conviction of a felony relating to the practice of medicine or the ability to  
33 practice medicine. A plea of nolo contendere is a conviction for the purposes of this  
34 subsection.

35 2. Conviction of violating any of the provisions of NRS 616D.200, 616D.220,  
36 616D.240, 616D.300, 616D.310 ~~H~~ or 616D.350 to 616D.440, inclusive.

37 3. Any disciplinary action, including, without limitation, the revocation,  
38 suspension, modification or limitation of a license to practice any type of medicine,  
39 taken by another state, the Federal Government, a foreign country or any other  
40 jurisdiction or the surrender of the license or discontinuing the practice of medicine  
41 while under investigation by any licensing authority, a medical facility, a branch of  
42 the Armed ~~Services~~ Forces of the United States, an insurance company, an  
43 agency of the Federal Government or an employer.

44 4. Malpractice, which may be evidenced by claims settled against a  
45 practitioner, but only if the malpractice is established by a preponderance of the  
46 evidence.

47 5. The engaging by a practitioner in any sexual activity with a patient who is  
48 currently being treated by the practitioner.

49 6. Disruptive behavior with physicians, hospital personnel, patients, members  
50 of the families of patients or any other persons if the behavior interferes with  
51 patient care or has an adverse impact on the quality of care rendered to a patient.

7. The engaging in conduct that violates the trust of a patient and exploits the relationship between the physician and the patient for financial or other personal gain.

8. The failure to offer appropriate procedures or studies, to protest inappropriate denials by organizations for managed care, to provide necessary services or to refer a patient to an appropriate provider, when the failure occurs with the intent of positively influencing the financial well-being of the practitioner or an insurer.

9. The engaging in conduct that brings the medical profession into disrepute, including, without limitation, conduct that violates any provision of a code of ethics adopted by the Board by regulation based on a national code of ethics.

10. The engaging in sexual contact with the surrogate of a patient or other key persons related to a patient, including, without limitation, a spouse, parent or legal guardian, which exploits the relationship between the physician and the patient in a sexual manner.

11. Conviction of:

- (a) Murder, voluntary manslaughter or mayhem;
- (b) Any felony involving the use of a firearm or other deadly weapon;
- (c) Assault with intent to kill or to commit sexual assault or mayhem;
- (d) Sexual assault, statutory sexual seduction, incest, lewdness, indecent exposure or any other sexually related crime;
- (e) Abuse or neglect of a child or contributory delinquency;
- (f) A violation of any federal or state law regulating the possession, distribution or use of any controlled substance or any dangerous drug as defined in chapter 454 of NRS; or
- (g) Any offense involving moral turpitude.

**Sec. 76.** NRS 630A.090 is hereby amended to read as follows:

630A.090 1. This chapter does not apply to:

- (a) The practice of dentistry, chiropractic, Oriental medicine, podiatry, optometry, respiratory care, faith or Christian Science healing, nursing, veterinary medicine or fitting hearing aids.
- (b) A medical officer of the Armed ~~Services~~ **Forces of the United States** or a medical officer of any division or department of the United States in the discharge of his official duties.
- (c) Licensed or certified nurses in the discharge of their duties as nurses.
- (d) Homeopathic physicians who are called into this State, other than on a regular basis, for consultation or assistance to any physician licensed in this State ~~and~~ and who are legally qualified to practice in the state or country where they reside.

2. This chapter does not repeal or affect any statute of Nevada regulating or affecting any other healing art.

3. This chapter does not prohibit:

- (a) Gratuitous services of a person in case of emergency.
- (b) The domestic administration of family remedies.

4. This chapter does not authorize a homeopathic physician to practice medicine, including allopathic medicine, except as otherwise provided in NRS 630A.040.

**Sec. 77.** NRS 633.171 is hereby amended to read as follows:

633.171 1. This chapter does not apply to:

- (a) The practice of medicine pursuant to chapter 630 of NRS, dentistry, chiropractic, podiatry, optometry, respiratory care, faith or Christian Science healing, nursing, veterinary medicine or fitting hearing aids.

(b) A medical officer of the Armed ~~Services~~ *Forces of the United States* or a medical officer of any division or department of the United States in the discharge of his official duties.

(c) Osteopathic physicians who are called into this State, other than on a regular basis, for consultation or assistance to a physician licensed in this State ~~and~~ and who are legally qualified to practice in the state where they reside.

2. This chapter does not repeal or affect any law of this State regulating or affecting any other healing art.

3. This chapter does not prohibit:

(a) Gratuitous services of a person in cases of emergency.

(b) The domestic administration of family remedies.

**Sec. 78.** ~~[NRS 645.600 is hereby amended to read as follows:]~~

~~645.600 1. Any licensee under the provisions of this chapter who [shall be] is called into [the] military service with the Armed Forces of the United States [shall,] must, at his request, be relieved from compliance with the provisions of this chapter and placed on inactive status for the period of [such] that military service and for a period of 6 months after discharge therefrom.~~

~~2. At any time within 6 months after termination of [such] that service, providing the provisions of subsection 1 are complied with, the licensee may be reinstated, without examination, to active status in the appropriate classification which the licensee left upon entry into the military service, without having to meet any qualification or requirement other than the payment of the reinstatement fee, as provided in NRS 645.820, and the licensee [shall not be] is not required to make payment of the license fee for the current year.~~

~~3. Any licensee seeking to qualify for reinstatement, as provided in subsections 1 and 2, shall present [a certified copy of his honorable discharge or certificate of satisfactory service] to the Real Estate Division [-] acceptable proof that he was discharged or released from the Armed Forces of the United States under conditions other than dishonorable.] (Deleted by amendment.)~~

**Sec. 79.** ~~[NRS 645B.490 is hereby amended to read as follows:]~~

~~645B.490 1. Any mortgage broker or mortgage agent licensed under the provisions of this chapter who is called into [the] military service with the Armed Forces of the United States [shall,] must, at his request, be relieved from compliance with the provisions of this chapter and placed on inactive status for the period of [such] that military service and for a period of 6 months after discharge therefrom.~~

~~2. At any time within 6 months after termination of [such] that service, if the mortgage broker or mortgage agent complies with the provisions of subsection 1, the mortgage broker or mortgage agent may be reinstated, without having to meet any qualification or requirement other than the payment of the reinstatement fee, as provided in NRS 645B.050 or 645B.430, and the mortgage broker or mortgage agent is not required to make payment of the renewal fee for the current year.~~

~~3. Any mortgage broker or mortgage agent seeking to qualify for reinstatement, as provided in subsections 1 and 2, must present [a certified copy of his honorable discharge or certificate of satisfactory service] to the Commissioner [-] acceptable proof that he was discharged or released from the Armed Forces of the United States under conditions other than dishonorable.] (Deleted by amendment.)~~

**Sec. 80.** ~~[NRS 675.296 is hereby amended to read as follows:]~~

~~675.296 Notwithstanding any other provision of law:~~

~~1. If a borrower is a member of the military, a licensee shall:~~

~~(a) Honor the terms of any repayment plan between the licensee and borrower, including, without limitation, any repayment plan negotiated through military counselors or third-party credit counselors.~~

~~(b) Honor any proclamation by a base commander that a certain branch location of the licensee is off-limits to members of the military and their spouses.~~

~~2. If a borrower is a member of the military, a licensee shall not:~~

~~(a) Garnish or threaten to garnish any wages or salary of the borrower or his spouse; or~~

~~(b) Contact or threaten to contact the military chain of command of a borrower in an effort to collect the loan.~~

~~3. If a borrower is a member of the military and is deployed to a combat or combat supporting position, a licensee shall not engage in any collection activity against the borrower or his spouse.~~

~~4. As used in this section, "military" means the Armed Forces of the United States [a reserve component thereof] or the Nevada National Guard.] (Deleted by amendment.)~~

**Sec. 81.** NRS 697.177 is hereby amended to read as follows:

697.177 1. Except as otherwise provided in this section, an applicant for a license as a bail enforcement agent must satisfactorily complete a basic course of training for bail enforcement agents that is approved by the Commissioner.

2. The basic course of training must consist of at least 80 hours of training which includes instruction in:

(a) The following areas of the law:

(1) Constitutional law;

(2) Procedures for arresting defendants and surrendering defendants into custody;

(3) Civil liability;

(4) The civil rights of persons who are detained in custody;

(5) The use of force; and

(6) The history and principles of bail;

(b) Procedures for field operations, including, without limitation:

(1) Safety and survival techniques;

(2) Searching buildings;

(3) Handling persons with mental illness or who are under the influence of alcohol or a controlled substance; and

(4) The care and custody of prisoners;

(c) The skills required of bail enforcement agents, including, without limitation:

(1) Writing reports, completing forms and procedures for exoneration;

(2) Methods of arrest;

(3) Nonlethal weapons;

(4) The retention of weapons;

(5) Qualifications for the use of firearms; and

(6) Defensive tactics;

(d) Principles of investigation, including, without limitation:

(1) The basic principles of locating defendants who have not complied with the terms and conditions established by a court for their release from custody or the terms and conditions of a contract entered into with a surety; and

(2) Ethics; and

(e) The following subjects:

(1) Demeanor in a courtroom;

(2) First aid used in emergencies; and

(3) Cardiopulmonary resuscitation.

1     ↪ An applicant may complete the 80 hours of training required by this subsection  
2 by completing 16 hours of training each weekend for 5 weeks.

3     3. In lieu of completing the basic course of training required by subsection 1,  
4 an applicant may submit proof to the Commissioner that he has completed a course  
5 of training required by a municipal, state or federal law enforcement agency or a  
6 branch of the Armed Forces *of the United States* to carry out the duties of a peace  
7 officer.

8     4. An applicant for a license as a bail enforcement agent must complete the  
9 training required by this section within 9 months after the date he is employed by a  
10 bail agent as a bail enforcement agent. The Commissioner shall issue a temporary  
11 license to an applicant who has not completed the training if he is otherwise  
12 qualified to be issued a license as a bail enforcement agent. The temporary license:

13     (a) Authorizes the person to whom it is issued to act as a bail enforcement  
14 agent while employed by a licensed bail agent.

15     (b) Is valid for 9 months or until the person to whom it is issued completes the  
16 training required by this section, whichever occurs first.

17     (c) May not be renewed.

18     Sec. 82. ~~[NRS 315.300 is hereby repealed.]~~ **(Deleted by amendment.)**

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#### **TEXT OF REPEALED SECTION**

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~~315.300 “Veteran” and “serviceman” defined. “Veteran” or “serviceman” means a person who has served in the Armed Forces of the United States at any time:~~

~~1. On or after April 6, 1917, and prior to November 11, 1918;~~

~~2. On or after September 16, 1940, and prior to July 26, 1947;~~

~~3. On or after June 27, 1950, and prior to January 31, 1955; and~~

~~4. On or after August 5, 1964, and prior to such date thereafter as shall be determined by Presidential proclamation or concurrent resolution of the Congress as the end of the Vietnam era,~~

~~↪ and, in the case of a veteran, has been discharged or released therefrom under conditions other than dishonorable, or in the case of a serviceman, is presently in the Armed Forces of the United States.]~~