

SENATE BILL NO. 211—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

FEBRUARY 27, 2017

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections.
(BDR 24-58)

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 elections; revising the period for early voting for primary elections and primary city elections; providing in certain circumstances for a presidential preference primary election; setting forth requirements and procedures for any such presidential preference primary election; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Sections 13-22 of this bill establish requirements and procedures for conducting a presidential preference primary election. **Sections 1-8, 10 and 12** of this bill make conforming changes.

Section 18 of this bill sets forth the procedure for the state central committee of a major political party to request that the Secretary of State cause a presidential preference primary election to be held to determine the preferences of registered voters of that party regarding the party's nominee for President of the United States of America. If a state central committee submits such a request, the Secretary of State must: (1) prescribe the period for filing declarations of candidacy for the presidential preference primary election; (2) prescribe the date and time of the presidential preference primary election; (3) prescribe the dates and times for early voting for the presidential preference primary election; and (4) provide public notice of such period, dates and times. The presidential preference primary election must be held on a weekday in February of the year of the presidential election and the period for early voting for the presidential preference primary election must be 3 days.

Section 19 of this bill requires a person who wants to appear on the ballot for a presidential preference primary election to file a declaration of candidacy with the Secretary of State.



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Section 20 of this bill requires the Secretary of State to forward to each county clerk a certified list of the qualified candidates whose names must appear on the ballot for the presidential preference primary election. **Section 20** also requires each county clerk to establish: (1) polling places for the presidential preference primary election and early voting by personal appearance; and (2) a method for casting absent ballots for the presidential preference primary election.

Section 21 of this bill requires the Secretary of State to compile the returns for each candidate whose name appeared on the ballot at the presidential preference primary election and certify the number of votes received by each candidate.

Sections 22 and 23 of this bill provide that the cost of a presidential preference primary election must be paid from the Reserve for Statutory Contingency Account.

Existing law provides that the period for early voting for a primary election and primary city election begins the third Saturday preceding the primary election or primary city election and extends through the Friday before election day, Sundays and federal holidays excepted. (NRS 293.3568, 293C.3568) **Sections 9 and 11** of this bill provide instead that the period for early voting for a primary election or a primary city election begins 14 days before the election, Sundays and federal holidays excepted.

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

Section 1. Chapter 293 of NRS is hereby amended by adding thereto a new section to read as follows:

“Presidential preference primary election” means an election held in a presidential election year pursuant to sections 14 to 22, inclusive, of this act to determine the preferences of the registered voters of a major political party regarding the party’s nominee for President of the United States.

Sec. 2. NRS 293.010 is hereby amended to read as follows:

293.010 As used in this title, unless the context otherwise requires, the words and terms defined in NRS 293.013 to 293.121, inclusive, ***and section 1 of this act*** have the meanings ascribed to them in those sections.

Sec. 3. NRS 293.135 is hereby amended to read as follows:

293.135 1. The county central committee of each major political party in each county shall have a precinct meeting of the registered voters of the party residing in each voting precinct entitled to delegates in the county convention called and held on the dates set for the precinct meeting by the respective state central committees in each year in which a general election is held. ***In any year in which a presidential preference primary election is held for the party, the precinct meeting must not be held until after the results of that election are certified by the Secretary of State pursuant to section 21 of this act.***

2. The meeting must be held in one of the following places in the following order of preference:



(a) Any public building within the precinct if the meeting is for a single precinct, or any public building which is in reasonable proximity to the precincts and will accommodate a meeting of two or more precincts; or

(b) Any private building within the precinct or one of the precincts.

3. The county central committee shall give notice of the meeting by:

(a) Posting in a conspicuous place outside the building where the meeting is to be held; and

(b) Publishing in one or more newspapers of general circulation in the precinct, published in the county, if any are so published, on the date set for giving notice of the meeting by the respective state central committees.

4. The notice must be printed in conspicuous display advertising format of not less than 10 column inches, and must include the following language, or words of similar import:

Notice to All Voters Registered
IN THE (STATE NAME OF MAJOR POLITICAL PARTY)

Nevada state law requires each major political party, in every year during which a general election is held, to have a precinct meeting held for each precinct. All persons registered in the party and residing in the precinct are entitled to attend the precinct meeting. Delegates to your party's county convention will be elected at the meeting by those in attendance. Set forth below are the time and place at which your precinct meeting will be held, together with the number of delegates to be elected from each precinct. If you wish to participate in the organization of your party for the coming 2 years, attend your precinct meeting.

5. The notice must specify:

(a) The date, time and place of the meeting; and

(b) The number of delegates to the county convention to be chosen at the meeting.

Sec. 4. NRS 293.137 is hereby amended to read as follows:

293.137 1. Promptly at the time and place appointed therefor, the mass meeting must be convened and organized for each precinct. If access to the premises appointed for any such meeting is not available, the meeting may be convened at an accessible place immediately adjacent thereto. The meeting must be conducted openly and publicly and in such a manner that it is freely accessible to any registered voter of the party calling the meeting who resides



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1 in the precinct and is desirous of attending the meeting, until the
2 meeting is adjourned. At the meeting, the delegates to which
3 the members of the party residing in the precinct are entitled in the
4 party's county convention must be elected pursuant to the rules of
5 the state central committee of that party. In presidential election
6 years **H in which a presidential preference primary election is not**
7 **held for the party**, the election of delegates may be a part of
8 expressing preferences for candidates for the party's nomination for
9 President of the United States if the rules of the party permit such
10 conduct. The result of the election **of delegates** must be certified to
11 the county convention of the party by the chair and the secretary of
12 the meeting upon the forms specified in subsection 3.

13 2. At the precinct meetings, the delegates and alternates to the
14 party's convention must be elected. If a meeting is not held for a
15 particular precinct at the location specified, that precinct must be
16 without representation at the county convention unless the meeting
17 was scheduled, with proper notice, and no registered voter of the
18 party appeared. In that case, the meeting shall be deemed to have
19 been held and the position of delegate is vacant. If a position of
20 delegate is vacant, it must be filled by the designated alternate, if
21 any. If there is no designated alternate, the vacancy must be filled
22 pursuant to the rules of the party, if the rules of the party so provide,
23 or, if the rules of the party do not so provide, the county central
24 committee shall appoint a delegate from among the qualified
25 members of the party residing in the precinct in which the vacancy
26 occurred, and the secretary of the county central committee shall
27 certify the appointed delegate to the county convention.

28 3. The county central committee shall prepare and number
29 serially a number of certificate forms equal to the total number of
30 delegates to be elected throughout the county, and deliver the
31 appropriate number to each precinct meeting. Each certificate must
32 be in duplicate. The original must be given to the elected delegate,
33 and the duplicate transmitted to the county central committee.

34 4. All duplicates must be delivered to the chair of the
35 preliminary credentials committee of the county convention. Every
36 delegate who presents a certificate matching one of the duplicates
37 must be seated without dispute.

38 5. Each state central committee shall adopt written rules
39 governing, but not limited to, the following procedures:

- 40 (a) The selection, rights and duties of committees of a
41 convention;
42 (b) Challenges to credentials of delegates; and
43 (c) Majority and minority reports of committees.



1 **Sec. 5.** NRS 293.163 is hereby amended to read as follows:

2 293.163 1. In presidential election years, on the call of a
3 national party convention, but one set of party conventions and but
4 one state convention shall be held on such respective dates and at
5 such places as the state central committee of the party shall
6 designate. If no earlier dates are fixed, the state convention shall be
7 held 30 days before the date set for the national convention and the
8 county conventions shall be held 60 days before the date set for the
9 national convention.

10 2. Delegates to such conventions shall be selected in the same
11 manner as prescribed in NRS 293.130 to 293.160, inclusive, and
12 each convention shall have and exercise all of the power granted it
13 under NRS 293.130 to 293.160, inclusive. In addition to such
14 powers granted it, the state convention shall select the necessary
15 delegates and alternates to the national convention of the party and,
16 if consistent with the rules and regulations of the party, shall select
17 the national committeeman and committeewoman of the party from
18 the State of Nevada. *Any rule or regulation of the party governing*
19 *the election of delegates and alternates to the national convention*
20 *of the party, or directing the votes of delegates at the national*
21 *convention, must reasonably reflect the results of the presidential*
22 *preference primary election, if one has been held for the party.*

23 **Sec. 6.** NRS 293.180 is hereby amended to read as follows:

24 293.180 1. Ten or more registered voters may file a
25 certificate of candidacy designating any registered voter as a
26 candidate for:

27 (a) Their major political party's nomination for any partisan
28 elective office ~~H~~ *other than President of the United States*, or as a
29 candidate for nomination for any nonpartisan office other than a
30 judicial office, not earlier than the first Monday in February of the
31 year in which the election is to be held nor later than 5 p.m. on the
32 first Friday in March; or

33 (b) Nomination for a judicial office, not earlier than the first
34 Monday in December of the year immediately preceding the year in
35 which the election is to be held nor later than 5 p.m. on the first
36 Friday in January of the year in which the election is to be held.

37 2. When the certificate has been filed, the officer in whose
38 office it is filed shall notify the person named in the certificate. If
39 the person named in the certificate files an acceptance of candidacy
40 and pays the required fee, as provided by law, he or she is a
41 candidate in the primary election in like manner as if he or she had
42 filed a declaration of candidacy.

43 3. If a certificate of candidacy relates to a partisan office, all of
44 the signers must be of the same major political party as the
45 candidate designated.



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Sec. 7. NRS 293.273 is hereby amended to read as follows:

293.273 1. Except as otherwise provided in subsection 2 and NRS 293.305, *and section 18 of this act*, at all elections held under the provisions of this title, the polls must open at 7 a.m. and close at 7 p.m.

2. Whenever at any election all the votes of the polling place, as shown on the roster, have been cast, the election board officers shall close the polls, and the counting of votes must begin and continue without unnecessary delay until the count is completed.

3. Upon opening the polls, one of the election board officers shall cause a proclamation to be made that all present may be aware of the fact that applications of registered voters to vote will be received.

4. No person other than election board officers engaged in receiving, preparing or depositing ballots may be permitted inside the guardrail during the time the polls are open, except by authority of the election board as necessary to keep order and carry out the provisions of this title.

Sec. 8. NRS 293.325 is hereby amended to read as follows:

293.325 1. Except as otherwise provided in subsection 2 and NRS 293D.200, when an absent ballot is returned by a registered voter to the county clerk through the mail, by facsimile machine or other approved electronic transmission or in person, and record thereof is made in the absent ballot record book, the county clerk shall neatly stack, unopened, the absent ballot with any other absent ballot received that day in a container and deliver, or cause to be delivered, that container to the appropriate election board.

2. Except as otherwise provided in NRS 293D.200, if an absent ballot central counting board has been appointed, when an absent ballot is returned by a registered voter to the county clerk through the mail, by facsimile machine or other approved electronic transmission or in person, the county clerk shall check the signature on the return envelope, facsimile or other approved electronic transmission against the original signature of the voter on the county clerk's register. If the county clerk determines that the absent voter is entitled to cast a ballot, the county clerk shall deposit the ballot in the proper ballot box or place the ballot, unopened, in a container that must be securely locked or under the control of the county clerk at all times. At the end of each day before election day, the county clerk may remove the ballots from each ballot box, neatly stack the ballots in a container and seal the container with a numbered seal. Not earlier than 4 working days before the election, the county clerk shall deliver the ballots to the absent ballot central counting board to be processed and prepared for counting pursuant to the procedures established by the Secretary of State to ensure the confidentiality of



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1 the prepared ballots until after the polls have closed pursuant to
2 NRS 293.273 or 293.305 ~~+~~ *or section 18 of this act.*

3 **Sec. 9.** NRS 293.3568 is hereby amended to read as follows:

4 293.3568 1. The period for early voting by personal
5 appearance begins :

6 *(a) For a primary election, the 14th day preceding the primary
7 election and extends through the Friday before election day,
8 Sundays and federal holidays excepted.*

9 *(b) For a general election, the third Saturday preceding ~~+~~
10 ~~primary or~~ the general election and extends through the Friday
11 before election day, Sundays and federal holidays excepted.*

12 2. The county clerk may:

13 (a) Include any Sunday or federal holiday that falls within the
14 period for early voting by personal appearance.

15 (b) Require a permanent polling place for early voting to remain
16 open until 8 p.m. on any Saturday that falls within the period for
17 early voting.

18 3. A permanent polling place for early voting must remain
19 open:

20 (a) On Monday through Friday:

21 (1) During the first week of early voting, from 8 a.m. until
22 6 p.m.

23 (2) During the second week of early voting, from 8 a.m. until
24 6 p.m., or until 8 p.m. if the county clerk so requires.

25 (b) On any Saturday that falls within the period for early voting,
26 for at least 4 hours between 10 a.m. and 6 p.m.

27 (c) If the county clerk includes a Sunday that falls within the
28 period for early voting pursuant to subsection 2, during such hours
29 as the county clerk may establish.

30 **Sec. 10.** NRS 293.3604 is hereby amended to read as follows:

31 293.3604 If ballots which are voted on a mechanical recording
32 device which directly records the votes electronically are used
33 during the period for early voting by personal appearance : ~~in an
34 election other than a presidential preference primary election;~~

35 1. At the close of each voting day, the election board shall:

36 (a) Prepare and sign a statement for the polling place. The
37 statement must include:

38 (1) The title of the election;

39 (2) The number which identifies the mechanical recording
40 device and the storage device required pursuant to NRS 293B.084;

41 (3) The number of ballots voted on the mechanical recording
42 device for that day; and

43 (4) The number of signatures in the roster for early voting for
44 that day.

45 (b) Secure:



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(1) The ballots pursuant to the plan for security required by NRS 293.3594; and

(2) Each mechanical voting device in the manner prescribed by the Secretary of State pursuant to NRS 293.3594.

2. At the close of the last voting day, the county clerk shall deliver to the ballot board for early voting:

(a) The statements for all polling places for early voting;

(b) The voting rosters used for early voting;

(c) The storage device required pursuant to NRS 293B.084 from each mechanical recording device used during the period for early voting; and

(d) Any other items as determined by the county clerk.

3. Upon receipt of the items set forth in subsection 2 at the close of the last voting day, the ballot board for early voting shall:

(a) Indicate the number of ballots on an official statement of ballots; and

(b) Place the storage devices in the container provided to transport those items to the central counting place and seal the container with a numbered seal. The official statement of ballots must accompany the storage devices to the central counting place.

Sec. 11. NRS 293C.3568 is hereby amended to read as follows:

293C.3568 1. The period for early voting by personal appearance begins :

(a) For a primary city election, the 14th day preceding the primary city election and extends through the Friday before election day, Sundays and federal holidays excepted.

(b) For a general city election, the third Saturday preceding ~~the primary city election or~~ the general city election ~~+~~ and extends through the Friday before election day, Sundays and federal holidays excepted.

2. The city clerk may:

(a) Include any Sunday or federal holiday that falls within the period for early voting by personal appearance.

(b) Require a permanent polling place for early voting to remain open until 8 p.m. on any Saturday that falls within the period for early voting.

3. A permanent polling place for early voting must remain open:

(a) On Monday through Friday:

(1) During the first week of early voting, from 8 a.m. until 6 p.m.

(2) During the second week of early voting, from 8 a.m. until 6 p.m., or until 8 p.m. if the city clerk so requires.



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(b) On any Saturday that falls within the period for early voting, for at least 4 hours between 10 a.m. and 6 p.m.

(c) If the city clerk includes a Sunday that falls within the period for early voting pursuant to subsection 2, during such hours as the city clerk may establish.

Sec. 12. NRS 293C.3604 is hereby amended to read as follows:

293C.3604 If ballots which are voted on a mechanical recording device which directly records the votes electronically are used during the period for early voting by personal appearance : ~~in an election other than a presidential preference primary election.~~

1. At the close of each voting day, the election board shall:

(a) Prepare and sign a statement for the polling place. The statement must include:

(1) The title of the election;

(2) The number which identifies the mechanical recording device and the storage device required pursuant to NRS 293B.084;

(3) The number of ballots voted on the mechanical recording device for that day; and

(4) The number of signatures in the roster for early voting for that day.

(b) Secure:

(1) The ballots pursuant to the plan for security required by NRS 293C.3594; and

(2) Each mechanical voting device in the manner prescribed by the Secretary of State pursuant to NRS 293C.3594.

2. At the close of the last voting day, the city clerk shall deliver to the ballot board for early voting:

(a) The statements for all polling places for early voting;

(b) The voting rosters used for early voting;

(c) The storage device required pursuant to NRS 293B.084 from each mechanical recording device used during the period for early voting; and

(d) Any other items as determined by the city clerk.

3. Upon receipt of the items set forth in subsection 2 at the close of the last voting day, the ballot board for early voting shall:

(a) Indicate the number of ballots on an official statement of ballots; and

(b) Place the storage devices in the container provided to transport those items to the central counting place and seal the container with a number seal. The official statement of ballots must accompany the storage devices to the central counting place.



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1 **Sec. 13.** Chapter 298 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 14 to 22, inclusive, of this
3 act.

4 **Sec. 14.** *As used in sections 14 to 22, inclusive, of this act,*
5 *unless the context otherwise requires, the words and terms defined*
6 *in sections 15 and 16 of this act have the meanings ascribed to*
7 *them in those sections.*

8 **Sec. 15.** *"Party" means a major political party.*

9 **Sec. 16.** *"State central committee" means the state central*
10 *committee of a party.*

11 **Sec. 17.** 1. *The Secretary of State may adopt regulations to*
12 *carry out the provisions of sections 14 to 22, inclusive, of this act.*

13 2. *To the extent possible, the provisions of chapters 293 and*
14 *293B of NRS governing the conduct of a primary election also*
15 *govern the conduct of a presidential preference primary election*
16 *and must be given effect to the extent that the provisions of*
17 *chapters 293 and 293B of NRS do not conflict with the provisions*
18 *of sections 14 to 22, inclusive, of this act or the regulations*
19 *adopted by the Secretary of State to carry out those provisions.*

20 3. *If there is a conflict between the provisions of chapter 293*
21 *or 293B of NRS and the provisions of sections 14 to 22, inclusive,*
22 *of this act or the regulations adopted by the Secretary of State to*
23 *carry out those provisions, the provisions of sections 14 to 22,*
24 *inclusive, of this act and the regulations adopted by the Secretary*
25 *of State to carry out those provisions control.*

26 **Sec. 18.** 1. *Not later than 5 p.m. on the last working day of*
27 *September of the year immediately preceding the presidential*
28 *election year, a state central committee may submit a request to*
29 *the Secretary of State to cause a presidential preference primary*
30 *election to be held to determine the preferences of the registered*
31 *voters of the party regarding the party's nominee for President of*
32 *the United States.*

33 2. *If a state central committee submits a request for a*
34 *presidential preference primary election to the Secretary of State*
35 *pursuant to subsection 1, the Secretary of State shall:*

36 (a) *Prescribe:*

37 (1) *The period for filing declarations of candidacy for the*
38 *presidential preference primary election.*

39 (2) *The dates and times for early voting by personal*
40 *appearance for the presidential preference primary election. The*
41 *period for early voting by personal appearance for the presidential*
42 *preference primary election must be 3 days.*

43 (3) *The date and time for the presidential preference*
44 *primary election. The presidential preference primary election*
45 *must be held on a weekday in February of the year of the*



1 *presidential election. The polls for the presidential preference*
2 *primary election must open not later than 8 a.m. and close not*
3 *earlier than 8 p.m.*

4 (b) *Provide public notice of:*

5 (1) *The period for filing declarations of candidacy;*

6 (2) *The dates and times for early voting by personal*
7 *appearance for the presidential preference primary election; and*

8 (3) *The date and time of the presidential preference*
9 *primary election.*

10 3. *If the Secretary of State receives a request from more than*
11 *one party to cause a presidential preference primary election to be*
12 *held:*

13 (a) *The period for filing declarations of candidacy for all*
14 *presidential preference primary elections must be the same;*

15 (b) *Early voting by personal appearance for all presidential*
16 *preference primary elections must be on the same days and times;*
17 *and*

18 (c) *All presidential preference primary elections must be held*
19 *on the same day and time.*

20 **Sec. 19. 1.** *If a person who meets the qualifications to be a*
21 *party's nominee for President of the United States wants to appear*
22 *on the ballot for a presidential preference primary election, the*
23 *person must file with the Secretary of State a declaration of*
24 *candidacy on a form prescribed by the Secretary of State during*
25 *the period prescribed for filing declarations of candidacy by the*
26 *Secretary of State pursuant to section 18 of this act.*

27 2. *If, after the date of the close of filing of declarations of*
28 *candidacy, there are:*

29 (a) *Two or more qualified candidates of the party who have*
30 *filed declarations of candidacy, the Secretary of State shall cause*
31 *a presidential preference primary election to be held for the party.*

32 (b) *Less than two qualified candidates of the party who have*
33 *filed declarations of candidacy, the Secretary of State shall not*
34 *cause a presidential preference primary election to be held for the*
35 *party.*

36 **Sec. 20. 1.** *If the Secretary of State causes a presidential*
37 *preference primary election to be held for a party, the Secretary of*
38 *State shall forward to each county clerk a certified list containing*
39 *the name and mailing address of each qualified candidate whose*
40 *name must appear on the ballot for the presidential preference*
41 *primary election.*

42 2. *Each county clerk:*

43 (a) *Shall establish polling places for voting by registered voters*
44 *of the party on the day of the presidential preference primary*
45 *election and shall ensure that the polling places remain open*



1 *during the hours established by the Secretary of State pursuant to*
2 *section 18 of this act.*

3 *(b) Shall provide by rule or regulation a method for a*
4 *registered voter of the party to cast an absent ballot in the*
5 *presidential preference primary election.*

6 *(c) Shall establish polling places for early voting by personal*
7 *appearance for the presidential preference primary election and*
8 *shall ensure that the polling places remain open during the hours*
9 *established by the Secretary of State pursuant to section 18 of this*
10 *act.*

11 *3. Each registered voter of the party is eligible to vote at the*
12 *presidential preference primary election for one candidate on the*
13 *ballot as the voter's preference to be the party's nominee for*
14 *President of the United States.*

15 **Sec. 21.** *1. Immediately after a presidential preference*
16 *primary election, the Secretary of State shall compile the returns*
17 *for each candidate of the party whose name appeared on the*
18 *ballot.*

19 *2. The Secretary of State shall make out and file in his or her*
20 *office an abstract of the returns and shall certify the number of*
21 *votes received by each candidate to:*

22 *(a) The state central committee; and*

23 *(b) The national committee of the party if necessary to comply*
24 *with the rules and regulations of the party.*

25 **Sec. 22.** *If the Secretary of State causes a presidential*
26 *preference primary election to be held for a party, the cost of the*
27 *election is a charge against the State and must be paid from the*
28 *Reserve for Statutory Contingency Account upon recommendation*
29 *by the Secretary of State and approval by the State Board of*
30 *Examiners.*

31 **Sec. 23.** NRS 353.264 is hereby amended to read as follows:

32 353.264 1. The Reserve for Statutory Contingency Account
33 is hereby created in the State General Fund.

34 2. The State Board of Examiners shall administer the Reserve
35 for Statutory Contingency Account. The money in the Account must
36 be expended only for:

37 (a) The payment of claims which are obligations of the State
38 pursuant to NRS 41.03435, 41.0347, 621.025, 176.485, 179.310,
39 212.040, 212.050, 212.070, 281.174, 282.290, 282.315, 288.203,
40 293.253, 293.405, 353.120, 353.262, 412.154 and 475.235 **†** *and*
41 *section 22 of this act;*

42 (b) The payment of claims which are obligations of the State
43 pursuant to:

44 (1) Chapter 472 of NRS arising from operations of the
45 Division of Forestry of the State Department of Conservation and



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1 Natural Resources directly involving the protection of life and
2 property; and

3 (2) NRS 7.155, 34.750, 176A.640, 179.225 and 213.153,
4 ➤ except that claims may be approved for the respective purposes
5 listed in this paragraph only when the money otherwise appropriated
6 for those purposes has been exhausted;

7 (c) The payment of claims which are obligations of the State
8 pursuant to NRS 41.0349 and 41.037, but only to the extent that the
9 money in the Fund for Insurance Premiums is insufficient to pay the
10 claims; and

11 (d) The payment of claims which are obligations of the State
12 pursuant to NRS 535.030 arising from remedial actions taken by the
13 State Engineer when the condition of a dam becomes dangerous to
14 the safety of life or property.

15 3. The State Board of Examiners may authorize its Clerk or a
16 person designated by the Clerk, under such circumstances as it
17 deems appropriate, to approve, on behalf of the Board, the payment
18 of claims from the Reserve for Statutory Contingency Account. For
19 the purpose of exercising any authority granted to the Clerk of the
20 State Board of Examiners or to the person designated by the Clerk
21 pursuant to this subsection, any statutory reference to the State
22 Board of Examiners relating to such a claim shall be deemed to refer
23 to the Clerk of the Board or the person designated by the Clerk.

