

(Reprinted with amendments adopted on April 11, 2023)

FIRST REPRINT

A.B. 109

ASSEMBLY BILL NO. 109—ASSEMBLYMEN LA RUE HATCH,  
ORENTLICHER, PETERS, THOMAS, WATTS; ANDERSON,  
GONZÁLEZ, GORELOW AND SUMMERS-ARMSTRONG

PREFILED FEBRUARY 3, 2023

Referred to Committee on Natural Resources

SUMMARY—Establishes provisions relating to soil health.  
(BDR 49-571)

FISCAL NOTE: Effect on Local Government: No.  
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 conservation; establishing the Soil Health Advisory Board; creating the Healthy Soils Initiative; setting forth the powers and duties of the State Conservation Commission relating to the Healthy Soils Initiative; establishing the Fund for Soil Health; declaring certain information obtained by the Commission to be confidential; requiring the Conservation Districts Program in the State Department of Conservation and Natural Resources to provide staff services relating to the Healthy Soils Initiative; making an appropriation to the Conservation Districts Program to provide staff services to the State Conservation Commission for administering the Healthy Soils Initiative; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law establishes the State Conservation Commission and authorizes the establishment of conservation districts to facilitate the conservation, protection and controlled development of the renewable natural resources of this State, which includes soil. (Chapter 548 of NRS) **Section 6** of this bill establishes the Soil Health Advisory Board within the Commission to advise the Commission on the Healthy Soils Initiative. The Advisory Board consists of: (1) nine voting members, including six members who represent certain agricultural interests in this State; and (2) any other nonvoting member appointed by the Commission to provide any necessary assistance or technical or scientific expertise.

**Section 7** of this bill creates the Healthy Soils Initiative within the Commission, which must: (1) encourage the adoption of soil health practices by



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agricultural producers; (2) promote and advance the understanding of the environmental and economic benefits of soil health practices; and (3) support and advance scientific research into soil health.

**Section 8** of this bill authorizes the Commission to establish, as part of the Healthy Soils Initiative: (1) a grant program for soil health activities and projects; (2) a soil health monitoring and inventory platform; and (3) any other program the Commission determines is appropriate. **Section 8** requires, with certain exceptions, any program or platform established by the Commission to be voluntary and incentive-based. **Section 8** also provides that, if the Commission establishes a grant program, the Commission must adopt certain regulations relating to the grant program.

**Section 9** of this bill establishes the Fund for Soil Health in the State Treasury and requires the Commission to administer the Fund.

**Sections 10 and 57** of this bill provide that, with certain exceptions, any information in the records and files of the Commission regarding the identity of an agricultural producer or program participant and the practices of an agricultural producer or program participant is confidential.

**Section 10.5** of this bill requires the Conservation Districts Program in the State Department of Conservation and Natural Resources to provide staff services to the Commission to carry out the provisions of **sections 2-11** of this bill.

**Section 11** of this bill authorizes the Commission to adopt regulations to carry out the provisions of **sections 2-11**.

**Sections 2-5** of this bill define certain terms relating to the provisions of **sections 2-11**.

**Sections 12-56 and 58** of this bill make conforming changes to existing references to incorporate the provisions relating to the Commission into the Nevada Revised Statutes.

**Section 59** of this bill makes an appropriation to the Conservation Districts Program to provide staff services to the Commission for administering the Healthy Soils Initiative and for the salary of an employee to assist the Commission in administering the Healthy Soils Initiative.

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

**Section 1.** Chapter 548 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 11, inclusive, of this act.

**Sec. 2.** *As used in sections 2 to 11, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3, 4 and 5 of this act have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Agricultural producer” means a person engaged in the production of a product of agriculture.*

**Sec. 4.** *“Commission” has the meaning ascribed to it in NRS 548.030.*

**Sec. 5.** *“Government” has the meaning ascribed to it in NRS 548.045.*



**Sec. 6. 1. The Soil Health Advisory Board is hereby created within the Commission. The Soil Health Advisory Board consists of:**

**(a) Nine voting members as follows:**

**(1) One representative from the State Department of Agriculture appointed by the Director of the State Department of Agriculture;**

**(2) One representative from the Division of Environmental Protection of the State Department of Conservation and Natural Resources appointed by the Administrator of the Division of Environmental Protection;**

**(3) One representative from the Division of Public and Behavioral Health of the Department of Health and Human Services appointed by the Administrator of the Division of Public and Behavioral Health; and**

**(4) Six members appointed by the Commission who represent the diverse agricultural interests of this State as follows:**

**(I) A dairy farmer;**

**(II) A rancher;**

**(III) A specialty crop or small farmer;**

**(IV) An irrigated crop producer;**

**(V) A tribal representative; and**

**(VI) A person engaged in research relating to agricultural soil health; and**

**(b) Any other nonvoting member appointed by the Commission to provide any necessary assistance or technical or scientific expertise.**

**2. In appointing the members of the Soil Health Advisory Board pursuant to subparagraph (4) of paragraph (a) of subsection 1, the Commission shall ensure that:**

**(a) When practicable, the members of the Soil Health Advisory Board represent the different geographic regions and demographics of this State; and**

**(b) The terms of office are staggered as required pursuant to subsection 3.**

**3. Except as otherwise provided in this subsection, each member of the Soil Health Advisory Board serves a term of 2 years. The terms of office of the voting members must be staggered to result in the appointment of four or five of the members described in paragraph (a) of subsection 1 every year. In making the initial appointments of the voting members, the appointing authorities shall appoint the members to staggered terms of 1 or 2 years. A member may be reappointed.**

**4. A vacancy on the Soil Health Advisory Board must be filled in the same manner as the original appointment.**



5. Each member of the Soil Health Advisory Board who is not serving on the Soil Health Advisory Board in the capacity of an officer or employee of this State or a political subdivision of this State is entitled to receive:

(a) A salary of not more than \$80, as fixed by the Commission, for each day or portion thereof during which the member is in attendance at a regularly called meeting of the Soil Health Advisory Board; and

(b) The per diem allowance and travel expenses provided for state officers and employees generally.

6. A majority of the voting members of the Soil Health Advisory Board constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is required for any official action taken by the Soil Health Advisory Board.

7. The Soil Health Advisory Board shall advise the Commission on the Healthy Soils Initiative created by section 7 of this act.

**Sec. 7. 1.** The Healthy Soils Initiative is hereby created within the Commission. The Healthy Soils Initiative must, without limitation:

(a) Encourage the widespread adoption of soil health practices by agricultural producers; and

(b) Promote and advance the understanding of the environmental and economic benefits of soil health practices by agricultural producers, policymakers, consumers and the general public; and

(c) Support and advance scientific research into soil health, including, without limitation:

(1) The existing conditions of agricultural soils in this State and the current carbon storage and carbon storage potential of such soils;

(2) The environmental benefits of soil health practices; and

(3) The economic benefits of soil health practices.

2. In carrying out the requirements of subsection 1, the Commission may:

(a) Provide incentives to encourage the implementation of soil health practices;

(b) Conduct educational and outreach programs on the benefits of soil health;

(c) Evaluate and develop soil health sampling and testing protocols that are appropriate for the agricultural systems in this State;

(d) Facilitate stakeholder collaboration to advance the understanding of the science of soil health and the



1 *implementation of soil health practices, which may include,*  
2 *without limitation, collaboration between the government, Indian*  
3 *tribes, academic and research institutions, nonprofit organizations*  
4 *and private entities;*

5 *(e) Collaborate with agricultural producers, groups of*  
6 *agricultural producers, agricultural producer cooperatives,*  
7 *conservation districts, water conservancy districts, academic and*  
8 *research institutions, the government, Indian tribes and any other*  
9 *entity; and*

10 *(f) Enter into agreements or contracts.*

11 **Sec. 8. 1. In addition to the requirements of section 7 of**  
12 **this act, as part of the Healthy Soils Initiative, the Commission**  
13 **may establish:**

14 *(a) A program to distribute, within the limits of legislative*  
15 *appropriations and other available money, grants of money to*  
16 *eligible entities to engage in soil health activities or projects,*  
17 *including, without limitation, research, education or*  
18 *demonstration projects. In developing such a grant program, the*  
19 *Commission:*

20 *(1) Shall prioritize distributing such grants to conservation*  
21 *districts that are working with agricultural producers, if*  
22 *appropriate, as determined by the Commission; and*

23 *(2) May prioritize the needs of historically underserved*  
24 *producers, emerging areas of scientific inquiry and research,*  
25 *environmental benefits or any other consideration the*  
26 *Commission determines is appropriate.*

27 *(b) A soil health monitoring and inventory platform.*

28 *(c) Any other program the Commission determines is*  
29 *appropriate.*

30 **2. Except as otherwise provided in subsection 3, any program**  
31 **or platform established by the Commission pursuant to subsection**  
32 **1 must be voluntary and incentive-based. Such a program may**  
33 **not:**

34 *(a) Require the participation of an agricultural producer or*  
35 *other entity;*

36 *(b) Mandate the implementation of soil health practices by*  
37 *agricultural producers or other entities who do not participate; or*

38 *(c) Bind a participant to execute specific practice standards in*  
39 *adverse climate conditions or circumstances with limited or no*  
40 *change of success or that would cause irreparable physical or*  
41 *economic harm to the operations of the participant.*

42 **3. If a grant program is established pursuant to paragraph**  
43 **(a) of subsection 1, the Commission shall adopt regulations to**  
44 **carry out the grant program, which must, without limitation:**

45 *(a) Set forth the entities that are eligible to receive grants;*



(b) *Require any grant recipient who does not have sufficient expertise in soil health practices or project management to work with a technical assistance agency or organization;*

(c) *Require each grant recipient to:*

(1) *Conduct outreach and education activities regarding the soil health activity or project; and*

(2) *Disclose information relating to the soil health activity or project;*

(d) *Ensure that the most accurate and current scientific evidence relating to soil health, soil health practices and the economic and environmental benefits of soil health practices is considered in awarding a grant by the program;*

(e) *Limit the grant money that may be used by a grant recipient for costs not directly related to the purpose of the grant, including, without limitation, administrative expenses and overhead expenses;*

(f) *Establish monitoring requirements to ensure that any grant money awarded is spent in accordance with state law; and*

(g) *Establish requirements to ensure the confidentiality of a grant recipient, landowner and land information, as applicable.*

**Sec. 9. 1.** *There is hereby created in the State Treasury, the Fund for Soil Health. The Commission is responsible for the administration of the Fund. All money received and held by the State Treasurer for that purpose must be deposited in the Fund.*

**2.** *The Commission may:*

(a) *Apply for and accept gifts, grants, services and donations from any source for the purposes of carrying out the provisions of sections 2 to 11, inclusive, of this act;*

(b) *Administer and expend money for the purpose of planning, developing or establishing the Healthy Soils Initiative pursuant to sections 7 and 8 of this act; and*

(c) *Use money received or appropriated as matching funds to obtain or make grants for soil health activities.*

**Sec. 10.** *Except as otherwise provided in this section or pursuant to a grant agreement executed in relation to a program established pursuant to section 8 of this act, all information in the records and files of the Commission regarding the identity of an agricultural producer or participant in a program established by the Commission pursuant to sections 2 to 11, inclusive, of this act and the practices of the agricultural producer or program participant are confidential unless the agricultural producer or program participant provides express permission in writing to the Commission to release such information.*

**Sec. 10.5.** *The Conservation Districts Program in the State Department of Conservation and Natural Resources shall provide*



*staff services to the Commission for carrying out the provisions of sections 2 to 11, inclusive, of this act.*

**Sec. 11.** *The Commission may adopt regulations to carry out the provisions of sections 2 to 11, inclusive, of this act.*

**Sec. 12.** NRS 548.010 is hereby amended to read as follows:

548.010 ~~[This chapter]~~ *NRS 548.010 to 548.550, inclusive,* may be known and cited as the Conservation Districts Law.

**Sec. 13.** NRS 548.015 is hereby amended to read as follows:

548.015 As used in ~~[this chapter,]~~ *NRS 548.010 to 548.550, inclusive, unless the context otherwise requires,* the ~~[following]~~ *words and* terms ~~[have the meanings attributed to them]~~ *defined* in NRS 548.020 to 548.090, inclusive, ~~[unless the context otherwise requires,]~~ *have the meanings ascribed to them in those sections.*

**Sec. 14.** NRS 548.032 is hereby amended to read as follows:

548.032 “Conservation district” or “district” means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of ~~[this chapter]~~ *NRS 548.010 to 548.550, inclusive,* for the purposes, with the powers, and subject to the restrictions set forth in ~~[this chapter,]~~ *NRS 548.010 to 548.550, inclusive.*

**Sec. 15.** NRS 548.050 is hereby amended to read as follows:

548.050 “Land occupier” or “occupier of land” means any person, firm or corporation which holds title to, or is in legal possession of, any lands lying within a district organized under the provisions of ~~[this chapter,]~~ *NRS 548.010 to 548.550, inclusive,* whether as owner or as lessee or tenant under a lease or rental agreement for a term of 1 year or longer, but does not include transient users.

**Sec. 16.** NRS 548.085 is hereby amended to read as follows:

548.085 “Supervisor” means one of the members of the governing body of a district, elected or appointed in accordance with the provisions of ~~[this chapter,]~~ *NRS 548.010 to 548.550, inclusive.*

**Sec. 17.** NRS 548.157 is hereby amended to read as follows:

548.157 The Program shall perform staff services for the Commission in carrying out its responsibilities under ~~[this chapter,]~~ *the provisions of NRS 548.010 to 548.550, inclusive.*

**Sec. 18.** NRS 548.160 is hereby amended to read as follows:

548.160 The Commission may adopt and promulgate such rules and regulations as may be necessary for the execution of its functions under ~~[this chapter,]~~ *the provisions of NRS 548.010 to 548.550, inclusive.*

**Sec. 19.** NRS 548.175 is hereby amended to read as follows:

548.175 The Commission has the following duties and powers:





1 1. To carry out the policies of this State in programs at the state  
2 level for the conservation of the renewable natural resources of this  
3 State and to represent the State in matters affecting such resources.

4 2. To offer such assistance as may be appropriate to the  
5 supervisors of conservation districts in the carrying out of any of  
6 their powers and programs, to propose programs and to assist and  
7 guide districts in the preparation and carrying out of programs  
8 authorized under ~~[this chapter,]~~ *the provisions of NRS 548.010 to*  
9 *548.550, inclusive*, to review district programs, to coordinate the  
10 programs of the districts and resolve any conflicts in such programs,  
11 and to facilitate, promote, assist, harmonize, coordinate and guide  
12 the programs and activities of districts as they relate to other special-  
13 purpose districts, counties and other public agencies.

14 3. To keep the supervisors of each of the districts informed of  
15 the activities and experience of all other districts organized pursuant  
16 to ~~[this chapter,]~~ *NRS 548.010 to 548.550, inclusive*, and to  
17 facilitate an interchange of advice and experience among those  
18 districts and promote cooperation among them.

19 4. To secure the cooperation and assistance of the United  
20 States, any of its agencies and of other agencies of this State in the  
21 work of conservation districts.

22 5. To serve, along with conservation districts, as the official  
23 state agency for cooperating with the Natural Resources  
24 Conservation Service of the United States Department of  
25 Agriculture in carrying on conservation operations within the  
26 boundaries of conservation districts as created under ~~[this chapter,]~~  
27 *the provisions of NRS 548.010 to 548.550, inclusive*.

28 6. To enlist the cooperation and collaboration of state, federal,  
29 interstate, local, public and private agencies with the conservation  
30 districts and to facilitate arrangements under which the conservation  
31 districts may serve county governing bodies and other agencies as  
32 their local operating agencies in the administration of any activity  
33 concerned with the conservation and use of renewable natural  
34 resources.

35 7. To make available, with the assistance of the Program,  
36 information concerning the needs and the work of the districts and  
37 the Commission to the Director of the State Department of  
38 Conservation and Natural Resources, the Legislature, executive  
39 agencies and political subdivisions of this State, cooperating federal  
40 agencies and the general public.

41 8. To cooperate with and give such assistance as may be  
42 requested by cities, counties, irrigation districts, and other special-  
43 purpose districts in the State of Nevada for the purpose of  
44 cooperating with the United States through the Secretary of  
45 Agriculture in the furtherance of conservation, pursuant to the





provisions of the Watershed Protection and Flood Prevention Act, 16 U.S.C. §§ 1001 et seq., and the requirements of other special programs of the United States Department of Agriculture.

9. Pursuant to procedures developed mutually by the Commission and federal, state and local agencies that are authorized to plan or administer activities significantly affecting the conservation and use of renewable natural resources, to receive from those agencies, for review and comment, suitable descriptions of their plans, programs and activities for purposes of coordination with the conservation districts' programs and to arrange for and participate in conferences necessary to avoid conflict among the plans and programs, to call attention to omissions and to avoid duplication of effort.

10. To submit, with the assistance of the Program, a report to the Director of the State Department of Conservation and Natural Resources whenever the Commission determines that there exists a substantial conflict between the program of a district and the proposed plans or activities directly affecting the conservation of natural resources prepared by any other local governmental unit or agency of this State.

11. By administrative order of the Commission, upon the written request of the board of supervisors of the conservation district or districts involved, with a showing that the request has been approved by a majority vote of the members of each of the boards involved:

(a) To transfer lands from one district established under the provisions of ~~[this chapter.]~~ *NRS 548.010 to 548.550, inclusive*, to another.

(b) To divide a single district into two or more districts, each of which must, thereafter, operate as a separate district under the provisions of ~~[this chapter.]~~ *NRS 548.010 to 548.550, inclusive*.

(c) To consolidate two or more districts established under the provisions of ~~[this chapter.]~~ *NRS 548.010 to 548.550, inclusive*, into a single district under the provisions of ~~[this chapter.]~~ *NRS 548.010 to 548.550, inclusive*.

(d) To inform the Program of any action taken pursuant to this subsection for its approval of any new name and the appropriate entry in the Program's records of the changes made.

12. To authorize the change of name of any district, upon receipt by the Commission of a resolution by the board of supervisors of the district for such a change and to present the resolution to the Program for processing and recording in accordance with the provisions of NRS 548.240.

13. To apply for any available grants and to accept and use any grants, gifts or donations to make available grants of money to



qualified conservation districts to aid the districts in carrying out the provisions of ~~[this chapter.]~~ *NRS 548.010 to 548.550, inclusive.*

**Sec. 20.** NRS 548.178 is hereby amended to read as follows:

548.178 1. The Commission may establish programs for distributing, within the limits of legislative appropriations and other available money, grants of money to conservation districts. Distribution of such grants must be made in the following manner:

(a) Except as otherwise provided in subsection 4, the Commission shall distribute grants of money provided by legislative appropriation in equal amounts to each conservation district which the Commission determines qualifies for a grant.

(b) The Commission may distribute grants of money provided by sources other than legislative appropriation in such amounts and subject to such conditions as the Commission determines appropriate to any conservation district which the Commission determines qualifies for a grant.

2. The Commission may determine that a conservation district qualifies for a grant of money pursuant to this section if the district demonstrates to the satisfaction of the Commission that the district:

(a) Has been established in accordance with the provisions of ~~[this chapter.]~~ *NRS 548.010 to 548.550, inclusive;* and

(b) Is in compliance with all of the requirements of ~~[this chapter]~~ *NRS 548.010 to 548.550, inclusive,* and the regulations of the Commission adopted pursuant thereto.

3. Except as may otherwise be provided as a condition of a grant of money distributed by the Commission pursuant to paragraph (b) of subsection 1, a conservation district that is awarded a grant of money pursuant to this section may use the money for reasonable and necessary expenses incurred by the district in carrying out its duties and authorities in accordance with ~~[this chapter]~~ *the provisions of NRS 548.010 to 548.550, inclusive,* and the annual district budget approved by the Commission.

4. With regard to money provided by legislative appropriation, the Commission may distribute grants of money to conservation districts in unequal amounts if:

(a) The grants of money are for a specific competitive grant program for which the Legislature expressly appropriated money; and

(b) The competitive grant program described in paragraph (a) is governed by regulations specifically adopted to govern that competitive grant program and those regulations expressly state that the grants of money may be distributed in unequal amounts.

5. The Commission may adopt such regulations as it considers necessary to carry out the provisions of this section.



**Sec. 21.** NRS 548.190 is hereby amended to read as follows:

548.190 1. Within 30 days after such a petition has been filed with the Commission, it shall cause due notice to be given of a proposed hearing upon:

(a) The question of the desirability and necessity, in the interest of the public health, safety and welfare, of the creation of such district.

(b) The question of the appropriate boundaries to be assigned to such district.

(c) The propriety of the petition and other proceedings taken under ~~[this chapter.]~~ *the provisions of NRS 548.010 to 548.550, inclusive.*

(d) All questions relevant to such inquiries.

2. All occupiers of land within the limits of the territory described in the petition, and of lands within any territory considered for addition to such described territory, and all other interested persons, shall have the right to attend such hearings and to be heard.

3. If it shall appear upon the hearing that it may be desirable to include, within the proposed district, territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of further hearing shall be given throughout the entire area considered for inclusion in the district, and such further hearing shall be held.

**Sec. 22.** NRS 548.195 is hereby amended to read as follows:

548.195 1. After such hearing, if the Commission determines, upon the facts presented at such hearing and upon such other relevant facts and information as may be available, that there is need, in the interest of the public health, safety and welfare, for a conservation district to function in the territory considered at the hearing, the Commission shall make and record such determination, and shall determine the township or townships to be included in the district.

2. In making such determination, the Commission shall give due weight and consideration to:

(a) The topography of the area considered and of the State.

(b) The composition of soils therein.

(c) The distribution of erosion.

(d) The prevailing land use practices.

(e) The desirability and necessity of including within the boundaries the particular lands under consideration and the benefits such lands may receive from being included within such boundaries.

(f) The relation of the proposed area to existing watersheds and agricultural regions, and to other conservation districts already



1 organized or proposed for organization under the provisions of ~~[this~~  
2 ~~chapter.]~~ *NRS 548.010 to 548.550, inclusive.*

3 (g) Such other physical, geographical and economic factors as  
4 are relevant, having due regard to the legislative determinations set  
5 forth in NRS 548.095 to 548.113, inclusive.

6 3. After consideration of the petition and of any other evidence  
7 of interest in the organization of a district, and of the relevant factors  
8 regarding the need for a district to function in the territory being  
9 considered, the Commission may make the determination of such  
10 need without holding a hearing.

11 **Sec. 23.** NRS 548.205 is hereby amended to read as follows:

12 548.205 1. After the Commission has made and recorded a  
13 determination that there is need, in the interest of the public health,  
14 safety and welfare, for the organization of a district in a particular  
15 territory and has determined the township or townships to be  
16 included, the Commission shall consider the question whether the  
17 operation of a district within such territory with the powers  
18 conferred upon conservation districts in ~~[this chapter]~~ *NRS 548.010*  
19 *to 548.550, inclusive*, is administratively practicable and feasible.

20 2. To assist the Commission in the determination of such  
21 administrative practicability and feasibility, the Commission shall,  
22 within a reasonable time after entry of the finding that there is need  
23 for the organization of the proposed district and the determination of  
24 its territory, hold a referendum within the proposed district upon the  
25 proposition of the creation of the district, and shall cause due notice  
26 of such referendum to be given.

27 3. The question shall be submitted by ballots upon which the  
28 words "For creation of a conservation district consisting of the  
29 township (or townships) of ..... in the county (or  
30 counties) of ....." and "Against creation of a  
31 conservation district consisting of the township (or townships) of  
32 ..... in the county (or counties) of ....." shall  
33 be printed, with a square before each proposition and a direction to  
34 insert an X mark in the square before one or the other of the  
35 propositions, as the voter may favor or oppose creation of such  
36 district.

37 4. All persons determined by the county clerk or clerks to be  
38 registered voters residing within the boundaries of the proposed  
39 conservation district shall be eligible to vote in such referendum.

40 **Sec. 24.** NRS 548.210 is hereby amended to read as follows:

41 548.210 1. The Commission shall:

42 (a) Pay all expenses for the issuance of such notices and the  
43 conduct of such hearings and referendum.

44 (b) Supervise the conduct of such hearings and referendum.



(c) Issue appropriate regulations governing the conduct of such hearings and referendum, and providing for the registration prior to the date of the referendum of all eligible voters, or prescribing some other appropriate procedure for the determination of those eligible as voters in such referendum.

2. No informalities in the conduct of such referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice thereof shall have been given substantially as provided in ~~[this chapter]~~ *NRS 548.010 to 548.550, inclusive*, and the referendum shall have been fairly conducted.

**Sec. 25.** NRS 548.215 is hereby amended to read as follows:

548.215 1. The Commission shall publish the result of the referendum and shall thereafter consider and determine whether the operation of the district is administratively practicable and feasible.

2. If the Commission determines that the operation of such district is not administratively practicable and feasible, the Commission shall record such determination and deny the petition.

3. If the Commission determines that the operation of the district is administratively practicable and feasible, the Commission shall record such determination and shall proceed with the organization of the district in the manner provided in ~~[this chapter.]~~ *the provisions of NRS 548.010 to 548.550, inclusive*. The Commission shall not determine that the operation of the proposed district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the creation of the district are cast in favor of the creation of such district.

4. In making such determination, the Commission shall give due regard and weight to:

(a) The attitudes of the occupiers of lands lying within the defined boundaries.

(b) The number of eligible registered voters who voted in the referendum.

(c) The proportion of the votes cast in such referendum in favor of the creation of the district to the total number of votes cast.

(d) The approximate wealth and income of the land occupiers of the proposed district.

(e) The probable expense of carrying on erosion-control operations within such district.

(f) Such other economic and social factors as may be relevant to such determination, having due regard to the legislative determinations set forth in NRS 548.095 to 548.113, inclusive.

**Sec. 26.** NRS 548.220 is hereby amended to read as follows:

548.220 After 6 months shall have expired from the date of entry of a determination by the Commission that operation of a proposed district is not administratively practicable and feasible, and



denial of a petition pursuant to such determination, subsequent petitions may be filed and action taken thereon in accordance with the provisions of ~~[this chapter.]~~ *NRS 548.010 to 548.550, inclusive.*

**Sec. 27.** NRS 548.235 is hereby amended to read as follows:

548.235 1. The five appointed supervisors shall present to the Program an application signed by them, which states:

(a) That a petition for the creation of the district was filed with the Commission pursuant to the provisions of ~~[this chapter.]~~ *NRS 548.010 to 548.550, inclusive*, and that the proceedings specified in ~~[this chapter.]~~ *NRS 548.010 to 548.550, inclusive*, were taken pursuant to that petition.

(b) That the application is being filed in order to complete the organization of the district as a governmental subdivision and a public body, corporate and politic, under ~~[this chapter.]~~ *the provisions of NRS 548.010 to 548.550, inclusive.*

(c) That the Commission has appointed them as supervisors.

(d) The name and official residence of each of the supervisors, together with a certified copy of the appointments evidencing their right to office.

(e) The term of office of each of the supervisors.

(f) The name which is proposed for the district.

(g) The location of the principal office of the supervisors of the district.

2. The application must be subscribed and sworn to by each of the supervisors before a person authorized to take and certify oaths, who shall certify upon the application that the person personally knows the supervisors and knows them to be the officers as affirmed in the application, and that each has subscribed thereto in the officer's presence.

3. The application must be accompanied by a statement by the Commission:

(a) That a petition was filed, notice issued and hearing held as required by ~~[this chapter.]~~ *the provisions of NRS 548.010 to 548.550, inclusive.*

(b) That the Commission did determine that there is need, in the interest of the public health, safety and welfare, for a conservation district to function in the proposed territory and did define the township or townships to be included.

(c) That notice was given and a referendum held on the question of the creation of such a district, and that a majority of the votes cast in such referendum were in favor of the creation of the district.

(d) That thereafter the Commission did determine that the operation of the proposed district is administratively practicable and feasible.



4. The statement must set forth the township or townships to be included.

**Sec. 28.** NRS 548.240 is hereby amended to read as follows:

548.240 1. The Program shall examine the application and statement, and if the Program finds that the name proposed for the district is not identical with that of any other conservation district of this State or so nearly similar as to lead to confusion or uncertainty, the Program shall record them in an appropriate book of record.

2. If the Program finds that the name proposed for the district is identical with that of any other conservation district of this State, or so nearly similar as to lead to confusion and uncertainty, the Program shall notify the Commission. The Commission shall thereupon submit a new name for the district. Upon receipt of a new name, free of such defects, the Program shall record the application and statement, with the name so modified, in an appropriate book of record.

3. When the application and statement have been recorded, the district becomes a governmental subdivision of this State and a public body corporate and politic.

4. The Program shall make and issue to the supervisors a certificate, over the signature of a member of the staff of the Program, of the organization of the district.

5. The boundaries of the district must include the territory determined by the Commission, but must not include any area included within the boundaries of another conservation district organized under the provisions of ~~this chapter~~ *NRS 548.010 to 548.550, inclusive.*

**Sec. 29.** NRS 548.245 is hereby amended to read as follows:

548.245 1. In any suit, action or proceeding involving the validity or enforcement of, or relating to, any contract, proceeding or action of the district, the district shall be deemed to have been established in accordance with the provisions of ~~this chapter~~ *NRS 548.010 to 548.550, inclusive*, upon proof of the issuance of the certificate by the Program.

2. A copy of such a certificate issued by the Program is admissible in evidence in any such suit, action or proceeding and is proof of the contents thereof.

**Sec. 30.** NRS 548.280 is hereby amended to read as follows:

548.280 Each district shall be governed by a board consisting of five supervisors elected at large and one or more appointed supervisors, as provided in ~~this chapter~~ *the provisions of NRS 548.010 to 548.550, inclusive.*

**Sec. 31.** NRS 548.330 is hereby amended to read as follows:

548.330 The supervisors shall furnish to the State Conservation Commission, upon request:





1 1. Copies of such ordinances, rules, regulations, orders,  
2 contracts, forms and other documents as they shall adopt or employ;  
3 and

4 2. Such other information concerning their activities as the  
5 Commission may require in the performance of its duties under ~~[this~~  
6 ~~chapter.]~~ *the provisions of NRS 548.010 to 548.550, inclusive.*

7 **Sec. 32.** NRS 548.340 is hereby amended to read as follows:

8 548.340 A conservation district organized under the provisions  
9 of ~~[this chapter]~~ *NRS 548.010 to 548.550, inclusive*, shall constitute  
10 a governmental subdivision of this State and a public body corporate  
11 and politic, exercising public powers.

12 **Sec. 33.** NRS 548.345 is hereby amended to read as follows:

13 548.345 In addition to other powers granted in ~~[this chapter,]~~  
14 *the provisions of NRS 548.010 to 548.550, inclusive*, a district and  
15 the supervisors thereof shall have the power to conduct surveys,  
16 investigations and research relating to the conservation of renewable  
17 natural resources and the preventive and control measures needed,  
18 to publish the results of such surveys, investigations or research, and  
19 to disseminate information concerning such preventive and control  
20 measures; but in order to avoid duplication of research activities, no  
21 district shall initiate any research program except in cooperation  
22 with the government of this State or any of its agencies, or with the  
23 United States or any of its agencies.

24 **Sec. 34.** NRS 548.350 is hereby amended to read as follows:

25 548.350 In addition to other powers granted in ~~[this chapter,]~~  
26 *the provisions of NRS 548.010 to 548.550, inclusive*, a district and  
27 the supervisors thereof shall have the power to conduct  
28 demonstrational projects within the district on lands owned or  
29 controlled by this State or any of its agencies, with the cooperation  
30 of the agency administering and having jurisdiction thereof, and on  
31 any other lands within the district, upon obtaining the consent of the  
32 occupier of such lands or the necessary rights or interests in such  
33 lands, in order to demonstrate by example the means, methods and  
34 measures by which renewable natural resources may be conserved.

35 **Sec. 35.** NRS 548.355 is hereby amended to read as follows:

36 548.355 In addition to other powers granted in ~~[this chapter,]~~  
37 *the provisions of NRS 548.010 to 548.550, inclusive*, a district and  
38 the supervisors thereof may:

39 1. Carry out preventive and control measures within the  
40 district, including, but not limited to, engineering operations,  
41 methods of cultivation, the growing of vegetation and changes in the  
42 use of land; and

43 2. Repair and restore property within the district, including, but  
44 not limited to, wetlands, stream corridors and other riparian  
45 property,



↪ on land owned or controlled by any government or municipal corporation, with the cooperation of the agency administering and having jurisdiction thereof, and on any other land within the district, upon obtaining the consent of all persons holding any relevant rights or interests in such land.

**Sec. 36.** NRS 548.360 is hereby amended to read as follows:

548.360 In addition to other powers granted in ~~{this chapter,}~~ *the provisions of NRS 548.010 to 548.550, inclusive*, a district and the supervisors thereof may cooperate or enter into agreements with and, within the limits of appropriations made available to it by law and any money it acquires from any other source, furnish financial or other aid to any governmental or other agency, or any occupier of land within the district, in conserving renewable natural resources within the district, subject to such conditions as the supervisors may deem necessary to advance the purposes of ~~{this chapter,}~~ *NRS 548.010 to 548.550, inclusive*.

**Sec. 37.** NRS 548.365 is hereby amended to read as follows:

548.365 In addition to other powers granted in ~~{this chapter,}~~ *the provisions of NRS 548.010 to 548.550, inclusive*, a district and the supervisors thereof shall have the power to make available, on such terms as it shall prescribe, to land occupiers within the district, agricultural and engineering machinery and equipment, fertilizer, seeds and seedlings, and such other material or equipment as will assist such land occupiers in carrying on operations upon their lands for the conservation of renewable natural resources.

**Sec. 38.** NRS 548.370 is hereby amended to read as follows:

548.370 In addition to other powers granted in ~~{this chapter,}~~ *the provisions of NRS 548.010 to 548.550, inclusive*, a district and the supervisors thereof shall have the power to construct, operate, improve and maintain such facilities and structures as may be necessary or convenient for the performance of any of the operations authorized in ~~{this chapter,}~~ *NRS 548.010 to 548.550, inclusive*.

**Sec. 39.** NRS 548.375 is hereby amended to read as follows:

548.375 In addition to other powers granted in ~~{this chapter,}~~ *the provisions of NRS 548.010 to 548.550, inclusive*, a district and the supervisors thereof shall have the power:

1. To develop comprehensive plans for the conservation of renewable natural resources within the district, which plans shall specify in such detail as may be possible the acts, procedures, performances, and avoidances which are necessary or desirable for the effectuation of such plans, including the specification of engineering operations, methods of cultivation, the growing of vegetation, cropping programs, tillage practices, and changes in the use of land; and



2. To publish such plans and information and bring them to the attention of occupiers of lands within the district.

**Sec. 40.** NRS 548.380 is hereby amended to read as follows:

548.380 In addition to other powers granted in ~~this chapter,~~ *the provisions of NRS 548.010 to 548.550, inclusive,* a district and the supervisors thereof may:

1. Manage or administer any project for the conservation of a renewable natural resource located within its boundaries undertaken by any person, municipal corporation or government.

2. Act as an agent of any person, municipal corporation or government in connection with the acquisition, construction, operation or administration of any project for the conservation of a renewable natural resource within its boundaries.

3. Accept donations, gifts and contributions in money, services, materials or any other form from any source, and use or expend such money, services, materials or other contributions in carrying on its operations.

4. Participate in cost-sharing on federally financed projects.

**Sec. 41.** NRS 548.385 is hereby amended to read as follows:

548.385 In addition to other powers granted in ~~this chapter,~~ *the provisions of NRS 548.010 to 548.550, inclusive,* a district and the supervisors thereof shall have the power:

1. To sue and be sued in the name of the district.

2. To have a seal, which seal shall be judicially noticed.

3. To have perpetual succession, unless terminated as provided in ~~this chapter,~~ *the provisions of NRS 548.010 to 548.550, inclusive.*

4. To make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

5. To make, and from time to time amend and repeal, rules and regulations not inconsistent with ~~this chapter,~~ *the provisions of NRS 548.010 to 548.550, inclusive,* to carry into effect its purposes and powers.

**Sec. 42.** NRS 548.390 is hereby amended to read as follows:

548.390 As a condition to the extending of any benefits under ~~this chapter,~~ *the provisions of NRS 548.010 to 548.550, inclusive,* to, or the performance of work upon, any lands not owned or controlled by this State or any of its agencies, the supervisors may require contributions in money, services, materials or otherwise to any operations conferring such benefits, and may require land occupiers to enter into and perform such agreements or covenants as to the permanent use of such lands as will tend to prevent or control erosion thereon.



**Sec. 43.** NRS 548.393 is hereby amended to read as follows:

548.393 In addition to other powers granted in ~~[this chapter,]~~  
*the provisions of NRS 548.010 to 548.550, inclusive*, a district and  
the supervisors thereof may, in furtherance of the purposes and  
provisions of ~~[this chapter,]~~ *NRS 548.010 to 548.550, inclusive*:

1. Obtain options upon and acquire, by purchase, exchange,  
lease, gift, grant, bequest, devise or otherwise, except by adverse  
possession, any property, real or personal, or rights or interests  
therein;

2. Maintain, administer and improve any properties acquired;

3. Receive income from such properties and expend that  
income; and

4. Sell, lease or otherwise dispose of any of its property or  
interests therein.

**Sec. 44.** NRS 548.395 is hereby amended to read as follows:

548.395 No provisions with respect to the acquisition,  
operation or disposition of property by other public bodies shall be  
applicable to a district organized under ~~[this chapter]~~ *the provisions*  
*of NRS 548.010 to 548.550, inclusive*, unless the Legislature shall  
specifically so state.

**Sec. 45.** NRS 548.400 is hereby amended to read as follows:

548.400 1. The supervisors of any two or more districts  
organized under the provisions of ~~[this chapter]~~ *NRS 548.010 to*  
*548.550, inclusive*, may cooperate with and enter into agreements  
with one another in the exercise of any or all powers conferred in  
~~[this chapter,]~~ *NRS 548.010 to 548.550, inclusive*.

2. Any district may enter into such agreements with a district  
or districts in adjoining states to carry out such purposes if the law  
in the other states permits the districts in the states to enter into the  
agreements.

**Sec. 46.** NRS 548.405 is hereby amended to read as follows:

548.405 1. Agencies of this State which shall have  
jurisdiction over, or be charged with the administration of, any state-  
owned lands, and agencies of any county or other governmental  
subdivision of the State which shall have jurisdiction over, or be  
charged with the administration of, any county-owned or other  
publicly owned lands, lying within the boundaries of any district  
organized under ~~[this chapter,]~~ *the provisions of NRS 548.010 to*  
*548.550, inclusive*, shall cooperate to the fullest extent with the  
supervisors of such districts in the effectuation of programs and  
operations undertaken by the supervisors under the provisions of  
~~[this chapter,]~~ *NRS 548.010 to 548.550, inclusive*.

2. The supervisors of such districts shall be given free access to  
enter and perform work upon such publicly owned lands.



3. The provisions of land use regulations adopted pursuant to NRS 548.410 to 548.435, inclusive, shall have the force and effect of law over all such publicly owned lands, and shall be in all respects observed by the agencies administering such lands.

**Sec. 47.** NRS 548.4052 is hereby amended to read as follows:

548.4052 1. Subject to the provisions of NRS 548.4053 and 548.4054, and only after receiving the approval of a majority of the registered voters of the conservation district voting on the question at a primary, general or special election held pursuant to NRS 548.4053 or at an election conducted by mail pursuant to NRS 548.4054:

(a) If a conservation district includes land lying in only one county, the board of county commissioners of the county shall impose, on behalf of the conservation district, an annual fee of not more than \$25 on each parcel in the conservation district; and

(b) If a conservation district includes land lying in more than one county, the boards of county commissioners of the respective counties shall impose, on behalf of the conservation district, an annual fee of not more than \$25 on each parcel in the conservation district.

2. A fee imposed pursuant to subsection 1 must be collected as are other fees and taxes imposed by the board of county commissioners are collected. A board of county commissioners that imposes the fee shall establish a separate fund in the county treasury for the receipt and expenditure of and accounting for the proceeds of the fee.

3. Money collected pursuant to this section may be used only for the purposes of ~~[this chapter.]~~ *NRS 548.010 to 548.550, inclusive.*

**Sec. 48.** NRS 548.410 is hereby amended to read as follows:

548.410 1. The supervisors of any district may file petitions with the State Conservation Commission at any time to request it to formulate land use regulations applicable to the district.

2. The Commission shall prescribe the form of the petition, which shall be, as nearly as practicable, in the form prescribed in ~~[this chapter]~~ *the provisions of NRS 548.010 to 548.550, inclusive,* for petitions to organize a district.

3. The ~~[State Conservation]~~ Commission shall have authority to formulate regulations, based upon the petition, governing the use of lands within a district in the interest of conserving renewable natural resources and preventing and controlling soil erosion and sedimentation.

4. The Commission shall conduct, after due notice, public meetings and public hearings within the district or districts



concerned upon such regulations as it deems necessary to assist it in consideration thereof.

5. The Commission shall determine, on the basis of information presented in the petition or brought out in public hearings, and on the basis of the number of petitioners in relation to the total number of occupiers of land lying within the district, whether it can render a reasonable determination of approval or denial of the petition without holding a referendum, or whether a referendum shall be held.

**Sec. 49.** NRS 548.415 is hereby amended to read as follows:

548.415 If a referendum is to be held:

1. The proposed regulations shall be embodied in a proposed ordinance.

2. Copies of such proposed ordinance shall be available for the inspection of all eligible voters during the period between publication of such notice and the date of the referendum.

3. The notices of the referendum shall recite the contents of such proposed ordinance, or shall state where copies of such proposed ordinance can be examined.

4. The question shall be submitted by ballots, upon which the words "For approval of proposed ordinance No. ...., prescribing land use regulations for conservation of soil and prevention of erosion" and "Against approval of proposed ordinance No. ...., prescribing land use regulations for conservation of soil and prevention of erosion" shall be printed, with a square before each proposition and a direction to insert an X mark in the square before one or the other of the propositions as the voter may favor or oppose approval of such proposed ordinance.

5. The Commission shall supervise such referendum, shall prescribe appropriate regulations governing the conduct thereof, and shall publish the result thereof.

6. All persons determined by the county clerk or clerks to be registered voters residing within the district are eligible to vote in such referendum.

7. No informalities in the conduct of such referendum or in any matters relating thereto invalidate the referendum or the result thereof if notice thereof was given substantially as provided in ~~this chapter~~ *the provisions of NRS 548.010 to 548.550, inclusive*, and the referendum was fairly conducted.

**Sec. 50.** NRS 548.495 is hereby amended to read as follows:

548.495 1. The board of adjustment shall adopt rules to govern its procedures, which rules shall be in accordance with the provisions of ~~this chapter~~ *NRS 548.010 to 548.550, inclusive*, and with the provisions of any ordinance adopted pursuant to NRS 548.460.



\* A B 1 0 9 R 1 \*

2. The board shall keep a full and accurate record of all proceedings, of all documents filed with it, and of all orders entered, which shall be filed in the office of the board and shall be a public record.

**Sec. 51.** NRS 548.515 is hereby amended to read as follows:

548.515 1. Petitions for including additional territory within an existing district shall be filed with the Commission.

2. The proceedings provided for in ~~[this chapter]~~ *the provisions of NRS 548.010 to 548.550, inclusive*, in the case of petitions to organize a district shall be observed in the case of petitions for inclusion, except that the application for a certificate of inclusion shall be signed by the chair and the secretary of the governing body of the district into which the additional territory is to be included.

3. The Commission shall prescribe the form for the petitions, which shall be, as nearly as practicable, in the form prescribed in ~~[this chapter]~~ *the provisions of NRS 548.010 to 548.550, inclusive*, for petitions to organize a district.

4. Where the total number of land occupiers in the area proposed for inclusion shall be less than 25, the petition may be filed when signed by a majority of the occupiers of such area, and in such case no referendum need be held.

5. In referenda upon petitions for inclusion, all occupiers of land lying within the proposed additional area shall be eligible to vote.

6. The Commission shall determine whether or not such inclusion shall be made.

**Sec. 52.** NRS 548.520 is hereby amended to read as follows:

548.520 1. Petitions to withdraw lands from a district may be filed with the Commission at any time.

2. The Commission shall prescribe the form of the petition, which shall be, as nearly as practicable, in the form prescribed in ~~[this chapter]~~ *the provisions of NRS 548.010 to 548.550, inclusive*, for petitions to organize a district.

3. Where the total number of land occupiers in the area affected by a proposed withdrawal will be less than 25, the petition may be filed when signed by a majority of the occupiers of such area, and in such case no referendum need be held.

4. In referenda upon petitions for withdrawal, all occupiers of land lying within the area affected by the proposed change in boundary shall be eligible to vote.

5. The Commission shall determine whether or not such withdrawal shall be made.

**Sec. 53.** NRS 548.525 is hereby amended to read as follows:

548.525 1. At any time after 5 years after the organization of a district under the provisions of ~~[this chapter,]~~ *NRS 548.010 to*





1 **548.550, inclusive**, any 10 occupiers of land lying within the  
2 boundaries of such district may file a petition with the Commission  
3 praying that the operations of the district be terminated and the  
4 existence of the district be discontinued.

5 2. The Commission may conduct such public meetings and  
6 public hearings upon such petition as may be necessary to assist it in  
7 the consideration thereof.

8 3. The Commission shall determine, on the basis of  
9 information presented in the petition or brought out in public  
10 hearings and on the basis of the number of petitioners in relation to  
11 the total number of occupiers of land lying within the district,  
12 whether it can render a reasonable determination of approval or  
13 denial of the petition without holding a referendum, or whether a  
14 referendum shall be held.

15 **Sec. 54.** NRS 548.530 is hereby amended to read as follows:

16 548.530 1. Within 60 days after a petition for discontinuance  
17 has been received by the Commission, it shall give due notice of the  
18 holding of the referendum if one is to be held.

19 2. The Commission shall supervise the referendum and issue  
20 appropriate regulations governing the conduct thereof.

21 3. The question shall be submitted by ballots upon which the  
22 words "For terminating the existence of the ..... (name of the  
23 conservation district to be here inserted)" and "Against terminating  
24 the existence of the ..... (name of the conservation district to  
25 be here inserted)" shall be printed, with a square before each  
26 proposition and a direction to insert an X mark in the square before  
27 one or the other of the propositions, as the voter may favor or  
28 oppose discontinuance of such district.

29 4. All persons determined by the county clerk or clerks to be  
30 registered voters residing within the district are eligible to vote in  
31 such referendum.

32 5. No informalities in the conduct of such referendum or in any  
33 matters relating thereto invalidate the referendum or the result  
34 thereof if notice thereof was given substantially as provided in ~~this~~  
35 ~~chapter~~ **the provisions of NRS 548.010 to 548.550, inclusive**, and  
36 the referendum was fairly conducted.

37 6. The Commission shall publish the result of the referendum.

38 **Sec. 55.** NRS 548.540 is hereby amended to read as follows:

39 548.540 The Commission shall not entertain petitions for the  
40 discontinuance of any district, nor conduct referenda upon such  
41 petitions, nor make any determination pursuant to such petitions in  
42 accordance with the provisions of ~~this chapter~~ **NRS 548.010 to**  
43 **548.550, inclusive**, more often than once in 5 years.



**Sec. 56.** NRS 555.206 is hereby amended to read as follows:

555.206 1. If the area included in a weed control district is entirely within the boundaries of one county and entirely within the boundaries of one conservation district organized pursuant to ~~chapter 548 of~~ NRS ~~§~~ *548.010 to 548.550, inclusive*, the board of county commissioners of the county and the supervisors of the conservation district may enter into an agreement for the supervisors of the conservation district to serve, ex officio, as the board of directors of the weed control district. If, as a result of a change in boundaries, the area included in a weed control district is no longer entirely within the boundaries of one county and entirely within the boundaries of one conservation district organized pursuant to ~~chapter 548 of~~ NRS ~~§~~ *548.010 to 548.550, inclusive*, the supervisors of the conservation district may no longer serve, ex officio, as the board of directors of the weed control district, and the supervisors of the weed control district must be appointed pursuant to NRS 555.205.

2. An agreement entered into pursuant to subsection 1 may be terminated by mutual agreement of the board of county commissioners and the supervisors of the conservation district. If an agreement is terminated pursuant to this section, the board of directors of the weed control district must be appointed pursuant to NRS 555.205.

3. The supervisors of a conservation district serving ex officio as the board of directors of a weed control district pursuant to this section shall ensure that any money collected by the weed control district pursuant to an assessment levied pursuant to NRS 555.215, and any other money appropriated or granted to the weed control district from any source, is expended only for the purposes of NRS 555.202 to 555.220, inclusive.

**Sec. 57.** NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771,



1 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,  
2 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140,  
3 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,  
4 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240,  
5 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570,  
6 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105,  
7 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050,  
8 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420,  
9 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335,  
10 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150,  
11 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195,  
12 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755,  
13 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438,  
14 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,  
15 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910,  
16 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335,  
17 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420,  
18 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100,  
19 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242,  
20 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080,  
21 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830,  
22 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503,  
23 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035,  
24 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271,  
25 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045,  
26 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465,  
27 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525,  
28 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888,  
29 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305,  
30 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028,  
31 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407,  
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33 433A.360, 439.4941, 439.4988, 439.840, 439.914, 439A.116,  
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35 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,  
36 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209,  
37 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805,  
38 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555,  
39 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403,  
40 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940,  
41 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340,  
42 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830,  
43 484B.833, 484E.070, 485.316, 501.344, 503.452, 522.040,  
44 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098,  
45 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303,



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3 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,  
4 628B.760, 629.047, 629.069, 630.133, 630.2671, 630.2672,  
5 630.2673, 630.30665, 630.336, 630A.327, 630A.555, 631.332,  
6 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283,  
7 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055,  
8 634.1303, 634.214, 634A.169, 634A.185, 635.111, 635.158,  
9 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087,  
10 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185,  
11 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620,  
12 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340,  
13 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217,  
14 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760,  
15 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180,  
16 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,  
17 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,  
18 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126,  
19 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130,  
20 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480,  
21 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710,  
22 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190,  
23 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,  
24 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,  
25 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,  
26 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536,  
27 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550,  
28 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159,  
29 711.600, *section 10 of this act*, sections 35, 38 and 41 of chapter  
30 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes  
31 of Nevada 2013 and unless otherwise declared by law to be  
32 confidential, all public books and public records of a governmental  
33 entity must be open at all times during office hours to inspection by  
34 any person, and may be fully copied or an abstract or memorandum  
35 may be prepared from those public books and public records. Any  
36 such copies, abstracts or memoranda may be used to supply the  
37 general public with copies, abstracts or memoranda of the records or  
38 may be used in any other way to the advantage of the governmental  
39 entity or of the general public. This section does not supersede or in  
40 any manner affect the federal laws governing copyrights or enlarge,  
41 diminish or affect in any other manner the rights of a person in any  
42 written book or record which is copyrighted pursuant to federal law.  
43 2. A governmental entity may not reject a book or record  
44 which is copyrighted solely because it is copyrighted.



3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate, including, without limitation, electronically, the confidential information from the information included in the public book or record that is not otherwise confidential.

4. If requested, a governmental entity shall provide a copy of a public record in an electronic format by means of an electronic medium. Nothing in this subsection requires a governmental entity to provide a copy of a public record in an electronic format or by means of an electronic medium if:

(a) The public record:

(1) Was not created or prepared in an electronic format; and

(2) Is not available in an electronic format; or

(b) Providing the public record in an electronic format or by means of an electronic medium would:

(1) Give access to proprietary software; or

(2) Require the production of information that is confidential and that cannot be redacted, deleted, concealed or separated from information that is not otherwise confidential.

5. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

(a) Shall not refuse to provide a copy of that public record in the medium that is requested because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

**Sec. 58.** NRS 318A.280 is hereby amended to read as follows:

318A.280 1. In any region of this State for which there has been established by interstate compact a regional planning agency, the powers of any district created pursuant to this chapter with respect to the location and construction of all facilities, improvements or projects are subordinate to the powers of such regional planning agency.

2. If the boundaries of a district overlap with the boundaries of a conservation district formed pursuant to ~~chapter 548 of~~ NRS ~~548.010 to 548.550, inclusive,~~ the board of the district must coordinate and consult with the board of supervisors of the



conservation district on matters that may impact the conservation district.

**Sec. 59.** 1. There is hereby appropriated from the State General Fund to the Conservation Districts Program in the State Department of Conservation and Natural Resources the sum of \$200,000 for providing staff services to the State Conservation Commission in the State Department of Conservation and Natural Resources in administering the Healthy Soils Initiative created by section 7 of this act, and for the salary of an employee to assist the Commission in carrying out the provisions of sections 2 to 11, inclusive, of this act.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2025, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2025, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 19, 2025.

**Sec. 60.** 1. This section and section 59 of this act become effective upon passage and approval.

2. Sections 1 to 58, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On January 1, 2024, for all other purposes.

