

Amendment No. 9

Assembly Amendment to Assembly Bill No. 109	(BDR 49-571)
Proposed by: Assembly Committee on Natural Resources	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

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

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

ASSEMBLY BILL NO. 109—ASSEMBLYMEN LA RUE HATCH, ORENTLICHER, PETERS,
THOMAS, WATTS; ANDERSON , ~~[AND]~~ 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 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, [of this bill.]**

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.

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.

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

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

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

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

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

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

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

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

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

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

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

32 (a) *Encourage the widespread adoption of soil health practices by*
33 *agricultural producers;*

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

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

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

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

42 (3) *The economic benefits of soil health practices.*

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

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

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

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

50 (d) *Facilitate stakeholder collaboration to advance the understanding of the*
51 *science of soil health and the implementation of soil health practices, which may*
52 *include, without limitation, collaboration between the government, Indian tribes,*
53 *academic and research institutions, nonprofit organizations and private entities;*

1 (e) Collaborate with agricultural producers, groups of agricultural
2 producers, agricultural producer cooperatives, conservation districts, water
3 conservancy districts, academic and research institutions, the government, Indian
4 tribes and any other entity; and

5 (f) Enter into agreements or contracts.

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

8 (a) A program to distribute, within the limits of legislative appropriations and
9 other available money, grants of money to eligible entities to engage in soil health
10 activities or projects, including, without limitation, research, education or
11 demonstration projects. In developing such a grant program, the Commission:

12 (1) Shall prioritize distributing such grants to conservation districts that
13 are working with agricultural producers, if appropriate, as determined by the
14 Commission; and

15 (2) May prioritize the needs of historically underserved producers,
16 emerging areas of scientific inquiry and research, environmental benefits or any
17 other consideration the Commission determines is appropriate.

18 (b) A soil health monitoring and inventory platform.

19 (c) Any other program the Commission determines is appropriate.

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

23 (a) Require the participation of an agricultural producer or other entity;

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

26 (c) Bind a participant to execute specific practice standards in adverse
27 climate conditions or circumstances with limited or no change of success or that
28 would cause irreparable physical or economic harm to the operations of the
29 participant.

30 3. If a grant program is established pursuant to paragraph (a) of subsection
31 1, the Commission shall adopt regulations to carry out the grant program, which
32 must, without limitation:

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

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

37 (c) Require each grant recipient to:

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

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

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

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

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

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

51 **Sec. 9.** 1. There is hereby created in the State Treasury, the Fund for Soil
52 Health. The Commission is responsible for the administration of the Fund. All

1 money received and held by the State Treasurer for that purpose must be
2 deposited in the Fund.

3 2. The Commission may:

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

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

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

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

20 **Sec. 10.5.** The Conservation Districts Program in the State Department of
21 Conservation and Natural Resources shall provide staff services to the
22 Commission for carrying out the provisions of sections 2 to 11, inclusive, of this
23 act.

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

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

27 548.010 ~~[This chapter]~~ **NRS 548.010 to 548.550, inclusive,** may be known
28 and cited as the Conservation Districts Law.

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

30 548.015 As used in ~~[this chapter]~~ **NRS 548.010 to 548.550, inclusive, unless**
31 **the context otherwise requires,** the ~~[following]~~ words and terms ~~[have the~~
32 ~~meanings attributed to them]~~ **defined** in NRS 548.020 to 548.090, inclusive, ~~[unless~~
33 ~~the context otherwise requires.]~~ **have the meanings ascribed to them in those**
34 **sections.**

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

36 548.032 "Conservation district" or "district" means a governmental
37 subdivision of this State, and a public body corporate and politic, organized in
38 accordance with the provisions of ~~[this chapter]~~ **NRS 548.010 to 548.550,**
39 **inclusive,** for the purposes, with the powers, and subject to the restrictions set forth
40 in ~~[this chapter]~~ **NRS 548.010 to 548.550, inclusive.**

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

42 548.050 "Land occupier" or "occupier of land" means any person, firm or
43 corporation which holds title to, or is in legal possession of, any lands lying within
44 a district organized under the provisions of ~~[this chapter]~~ **NRS 548.010 to 548.550,**
45 **inclusive,** whether as owner or as lessee or tenant under a lease or rental agreement
46 for a term of 1 year or longer, but does not include transient users.

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

48 548.085 "Supervisor" means one of the members of the governing body of a
49 district, elected or appointed in accordance with the provisions of ~~[this chapter]~~
50 **NRS 548.010 to 548.550, inclusive.**

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

2 548.157 The Program shall perform staff services for the Commission in
3 carrying out its responsibilities under ~~[this chapter.]~~ *the provisions of NRS 548.010*
4 *to 548.550, inclusive.*

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

6 548.160 The Commission may adopt and promulgate such rules and
7 regulations as may be necessary for the execution of its functions under ~~[this~~
8 ~~chapter.]~~ *the provisions of NRS 548.010 to 548.550, inclusive.*

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

10 548.175 The Commission has the following duties and powers:

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

14 2. To offer such assistance as may be appropriate to the supervisors of
15 conservation districts in the carrying out of any of their powers and programs, to
16 propose programs and to assist and guide districts in the preparation and carrying
17 out of programs authorized under ~~[this chapter.]~~ *the provisions of NRS 548.010 to*
18 *548.550, inclusive,* to review district programs, to coordinate the programs of the
19 districts and resolve any conflicts in such programs, and to facilitate, promote,
20 assist, harmonize, coordinate and guide the programs and activities of districts as
21 they relate to other special-purpose districts, counties and other public agencies.

22 3. To keep the supervisors of each of the districts informed of the activities
23 and experience of all other districts organized pursuant to ~~[this chapter.]~~ *NRS*
24 *548.010 to 548.550, inclusive,* and to facilitate an interchange of advice and
25 experience among those districts and promote cooperation among them.

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

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

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

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

44 8. To cooperate with and give such assistance as may be requested by cities,
45 counties, irrigation districts, and other special-purpose districts in the State of
46 Nevada for the purpose of cooperating with the United States through the Secretary
47 of Agriculture in the furtherance of conservation, pursuant to the provisions of the
48 Watershed Protection and Flood Prevention Act, 16 U.S.C. §§ 1001 et seq., and the
49 requirements of other special programs of the United States Department of
50 Agriculture.

51 9. Pursuant to procedures developed mutually by the Commission and federal,
52 state and local agencies that are authorized to plan or administer activities
53 significantly affecting the conservation and use of renewable natural resources, to

1 receive from those agencies, for review and comment, suitable descriptions of their
2 plans, programs and activities for purposes of coordination with the conservation
3 districts' programs and to arrange for and participate in conferences necessary to
4 avoid conflict among the plans and programs, to call attention to omissions and to
5 avoid duplication of effort.

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

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

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

18 (b) To divide a single district into two or more districts, each of which must,
19 thereafter, operate as a separate district under the provisions of ~~[this chapter.] NRS~~
20 ~~548.010 to 548.550, inclusive~~.

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

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

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

31 13. To apply for any available grants and to accept and use any grants, gifts or
32 donations to make available grants of money to qualified conservation districts to
33 aid the districts in carrying out the provisions of ~~[this chapter.] NRS 548.010 to~~
34 ~~548.550, inclusive~~.

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

36 548.178 1. The Commission may establish programs for distributing, within
37 the limits of legislative appropriations and other available money, grants of money
38 to conservation districts. Distribution of such grants must be made in the following
39 manner:

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

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

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

51 (a) Has been established in accordance with the provisions of ~~[this chapter;]~~
52 ~~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 organized or proposed for organization under the provisions of ~~{this chapter}~~ *NRS 548.010 to 548.550, inclusive*.

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

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

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

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

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

3. The question shall be submitted by ballots upon which the words "For creation of a conservation district consisting of the township (or townships) of in the county (or counties) of" and "Against creation of a conservation district consisting of the township (or townships) of in the county (or counties) of" 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 creation of such district.

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

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

548.210 1. The Commission shall:

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

(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

1 application that the person personally knows the supervisors and knows them to be
2 the officers as affirmed in the application, and that each has subscribed thereto in
3 the officer's presence.

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

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

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

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

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

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

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

17 548.240 1. The Program shall examine the application and statement, and if
18 the Program finds that the name proposed for the district is not identical with that of
19 any other conservation district of this State or so nearly similar as to lead to
20 confusion or uncertainty, the Program shall record them in an appropriate book of
21 record.

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

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

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

34 5. The boundaries of the district must include the territory determined by the
35 Commission, but must not include any area included within the boundaries of
36 another conservation district organized under the provisions of ~~this chapter.~~ *NRS*
37 *548.010 to 548.550, inclusive.*

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

39 548.245 1. In any suit, action or proceeding involving the validity or
40 enforcement of, or relating to, any contract, proceeding or action of the district, the
41 district shall be deemed to have been established in accordance with the provisions
42 of ~~this chapter.~~ *NRS 548.010 to 548.550, inclusive,* upon proof of the issuance of
43 the certificate by the Program.

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

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

47 548.280 Each district shall be governed by a board consisting of five
48 supervisors elected at large and one or more appointed supervisors, as provided in
49 ~~this chapter.~~ *the provisions of NRS 548.010 to 548.550, inclusive.*

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

51 548.330 The supervisors shall furnish to the State Conservation Commission,
52 upon request:

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

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

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

7 548.340 A conservation district organized under the provisions of ~~[this~~
8 ~~chapter.]~~ *NRS 548.010 to 548.550, inclusive*, shall constitute a governmental
9 subdivision of this State and a public body corporate and politic, exercising public
10 powers.

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

12 548.345 In addition to other powers granted in ~~[this chapter.]~~ *the provisions*
13 *of NRS 548.010 to 548.550, inclusive*, a district and the supervisors thereof shall
14 have the power to conduct surveys, investigations and research relating to the
15 conservation of renewable natural resources and the preventive and control
16 measures needed, to publish the results of such surveys, investigations or research,
17 and to disseminate information concerning such preventive and control measures;
18 but in order to avoid duplication of research activities, no district shall initiate any
19 research program except in cooperation with the government of this State or any of
20 its agencies, or with the United States or any of its agencies.

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

22 548.350 In addition to other powers granted in ~~[this chapter.]~~ *the provisions*
23 *of NRS 548.010 to 548.550, inclusive*, a district and the supervisors thereof shall
24 have the power to conduct demonstrational projects within the district on lands
25 owned or controlled by this State or any of its agencies, with the cooperation of the
26 agency administering and having jurisdiction thereof, and on any other lands within
27 the district, upon obtaining the consent of the occupier of such lands or the
28 necessary rights or interests in such lands, in order to demonstrate by example the
29 means, methods and measures by which renewable natural resources may be
30 conserved.

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

32 548.355 In addition to other powers granted in ~~[this chapter.]~~ *the provisions*
33 *of NRS 548.010 to 548.550, inclusive*, a district and the supervisors thereof may:

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

37 2. Repair and restore property within the district, including, but not limited to,
38 wetlands, stream corridors and other riparian property,
39 on land owned or controlled by any government or municipal corporation, with
40 the cooperation of the agency administering and having jurisdiction thereof, and on
41 any other land within the district, upon obtaining the consent of all persons holding
42 any relevant rights or interests in such land.

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

44 548.360 In addition to other powers granted in ~~[this chapter.]~~ *the provisions*
45 *of NRS 548.010 to 548.550, inclusive*, a district and the supervisors thereof may
46 cooperate or enter into agreements with and, within the limits of appropriations
47 made available to it by law and any money it acquires from any other source,
48 furnish financial or other aid to any governmental or other agency, or any occupier
49 of land within the district, in conserving renewable natural resources within the
50 district, subject to such conditions as the supervisors may deem necessary to
51 advance the purposes of ~~[this chapter.]~~ *NRS 548.010 to 548.550, inclusive.*

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

2 548.365 In addition to other powers granted in ~~{this chapter.}~~ *the provisions*
3 *of NRS 548.010 to 548.550, inclusive*, a district and the supervisors thereof shall
4 have the power to make available, on such terms as it shall prescribe, to land
5 occupiers within the district, agricultural and engineering machinery and
6 equipment, fertilizer, seeds and seedlings, and such other material or equipment as
7 will assist such land occupiers in carrying on operations upon their lands for the
8 conservation of renewable natural resources.

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

10 548.370 In addition to other powers granted in ~~{this chapter.}~~ *the provisions*
11 *of NRS 548.010 to 548.550, inclusive*, a district and the supervisors thereof shall
12 have the power to construct, operate, improve and maintain such facilities and
13 structures as may be necessary or convenient for the performance of any of the
14 operations authorized in ~~{this chapter.}~~ *NRS 548.010 to 548.550, inclusive*.

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

16 548.375 In addition to other powers granted in ~~{this chapter.}~~ *the provisions*
17 *of NRS 548.010 to 548.550, inclusive*, a district and the supervisors thereof shall
18 have the power:

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

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

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

28 548.380 In addition to other powers granted in ~~{this chapter.}~~ *the provisions*
29 *of NRS 548.010 to 548.550, inclusive*, a district and the supervisors thereof may:

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

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

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

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

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

41 548.385 In addition to other powers granted in ~~{this chapter.}~~ *the provisions*
42 *of NRS 548.010 to 548.550, inclusive*, a district and the supervisors thereof shall
43 have the power:

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

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

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

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

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

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

2 548.390 As a condition to the extending of any benefits under ~~[this chapter]~~
3 *the provisions of NRS 548.010 to 548.550, inclusive*, to, or the performance of
4 work upon, any lands not owned or controlled by this State or any of its agencies,
5 the supervisors may require contributions in money, services, materials or
6 otherwise to any operations conferring such benefits, and may require land
7 occupiers to enter into and perform such agreements or covenants as to the
8 permanent use of such lands as will tend to prevent or control erosion thereon.

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

10 548.393 In addition to other powers granted in ~~[this chapter.]~~ *the provisions*
11 *of NRS 548.010 to 548.550, inclusive*, a district and the supervisors thereof may, in
12 furtherance of the purposes and provisions of ~~[this chapter.]~~ *NRS 548.010 to*
13 *548.550, inclusive*:

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

17 2. Maintain, administer and improve any properties acquired;

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

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

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

21 548.395 No provisions with respect to the acquisition, operation or
22 disposition of property by other public bodies shall be applicable to a district
23 organized under ~~[this chapter]~~ *the provisions of NRS 548.010 to 548.550,*
24 *inclusive*, unless the Legislature shall specifically so state.

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

26 548.400 1. The supervisors of any two or more districts organized under the
27 provisions of ~~[this chapter]~~ *NRS 548.010 to 548.550, inclusive*, may cooperate with
28 and enter into agreements with one another in the exercise of any or all powers
29 conferred in ~~[this chapter.]~~ *NRS 548.010 to 548.550, inclusive*.

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

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

34 548.405 1. Agencies of this State which shall have jurisdiction over, or be
35 charged with the administration of, any state-owned lands, and agencies of any
36 county or other governmental subdivision of the State which shall have jurisdiction
37 over, or be charged with the administration of, any county-owned or other publicly
38 owned lands, lying within the boundaries of any district organized under ~~[this~~
39 ~~chapter.]~~ *the provisions of NRS 548.010 to 548.550, inclusive*, shall cooperate to
40 the fullest extent with the supervisors of such districts in the effectuation of
41 programs and operations undertaken by the supervisors under the provisions of ~~[this~~
42 ~~chapter.]~~ *NRS 548.010 to 548.550, inclusive*.

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

45 3. The provisions of land use regulations adopted pursuant to NRS 548.410 to
46 548.435, inclusive, shall have the force and effect of law over all such publicly
47 owned lands, and shall be in all respects observed by the agencies administering
48 such lands.

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

50 548.4052 1. Subject to the provisions of NRS 548.4053 and 548.4054, and
51 only after receiving the approval of a majority of the registered voters of the
52 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.

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

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

6 7. No informalities in the conduct of such referendum or in any matters
7 relating thereto invalidate the referendum or the result thereof if notice thereof was
8 given substantially as provided in ~~{this chapter}~~ *the provisions of NRS 548.010 to*
9 *548.550, inclusive*, and the referendum was fairly conducted.

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

11 548.495 1. The board of adjustment shall adopt rules to govern its
12 procedures, which rules shall be in accordance with the provisions of ~~{this chapter}~~
13 *NRS 548.010 to 548.550, inclusive*, and with the provisions of any ordinance
14 adopted pursuant to NRS 548.460.

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

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

19 548.515 1. Petitions for including additional territory within an existing
20 district shall be filed with the Commission.

21 2. The proceedings provided for in ~~{this chapter}~~ *the provisions of NRS*
22 *548.010 to 548.550, inclusive*, in the case of petitions to organize a district shall be
23 observed in the case of petitions for inclusion, except that the application for a
24 certificate of inclusion shall be signed by the chair and the secretary of the
25 governing body of the district into which the additional territory is to be included.

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

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

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

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

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

37 548.520 1. Petitions to withdraw lands from a district may be filed with the
38 Commission at any time.

39 2. The Commission shall prescribe the form of the petition, which shall be, as
40 nearly as practicable, in the form prescribed in ~~{this chapter}~~ *the provisions of NRS*
41 *548.010 to 548.550, inclusive*, for petitions to organize a district.

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

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

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

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

52 548.525 1. At any time after 5 years after the organization of a district under
53 the provisions of ~~{this chapter}~~ *NRS 548.010 to 548.550, inclusive*, any 10

1 occupiers of land lying within the boundaries of such district may file a petition
2 with the Commission praying that the operations of the district be terminated and
3 the existence of the district be discontinued.

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

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

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

12 548.530 1. Within 60 days after a petition for discontinuance has been
13 received by the Commission, it shall give due notice of the holding of the
14 referendum if one is to be held.

15 2. The Commission shall supervise the referendum and issue appropriate
16 regulations governing the conduct thereof.

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

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

26 5. No informalities in the conduct of such referendum or in any matters
27 relating thereto invalidate the referendum or the result thereof if notice thereof was
28 given substantially as provided in ~~[this chapter]~~ **the provisions of NRS 548.010 to**
29 **548.550, inclusive,** and the referendum was fairly conducted.

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

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

32 548.540 The Commission shall not entertain petitions for the discontinuance
33 of any district, nor conduct referenda upon such petitions, nor make any
34 determination pursuant to such petitions in accordance with the provisions of ~~[this~~
35 ~~chapter,]~~ **NRS 548.010 to 548.550, inclusive,** more often than once in 5 years.

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

37 555.206 1. If the area included in a weed control district is entirely within
38 the boundaries of one county and entirely within the boundaries of one conservation
39 district organized pursuant to ~~[chapter 548 of]~~ NRS ~~[.]~~ **548.010 to 548.550,**
40 **inclusive,** the board of county commissioners of the county and the supervisors of
41 the conservation district may enter into an agreement for the supervisors of the
42 conservation district to serve, ex officio, as the board of directors of the weed
43 control district. If, as a result of a change in boundaries, the area included in a weed
44 control district is no longer entirely within the boundaries of one county and
45 entirely within the boundaries of one conservation district organized pursuant to
46 ~~[chapter 548 of]~~ NRS ~~[.]~~ **548.010 to 548.550, inclusive,** the supervisors of the
47 conservation district may no longer serve, ex officio, as the board of directors of the
48 weed control district, and the supervisors of the weed control district must be
49 appointed pursuant to NRS 555.205.

50 2. An agreement entered into pursuant to subsection 1 may be terminated by
51 mutual agreement of the board of county commissioners and the supervisors of the
52 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, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105, 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242, 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035, 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045, 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465, 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407, 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534, 433A.360, 439.4941, 439.4988, 439.840, 439.914, 439A.116, 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735, 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209, 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805, 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935,

480.940, 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340,
483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830, 484B.833, 484E.070,
485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655,
587.877, 598.0964, 598.098, 598A.110, 598A.420, 599B.090, 603.070, 603A.210,
604A.303, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,
618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110, 624.265,
624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069,
630.133, 630.2671, 630.2672, 630.2673, 630.30665, 630.336, 630A.327,
630A.555, 631.332, 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405,
633.283, 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055, 634.1303,
634.214, 634A.169, 634A.185, 635.111, 635.158, 636.262, 636.342, 637.085,
637.145, 637B.192, 637B.288, 638.087, 638.089, 639.183, 639.2485, 639.570,
640.075, 640.152, 640A.185, 640A.220, 640B.405, 640B.730, 640C.580,
640C.600, 640C.620, 640C.745, 640C.760, 640D.135, 640D.190, 640E.225,
640E.340, 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217, 641A.262,
641B.170, 641B.281, 641B.282, 641C.455, 641C.760, 641D.260, 641D.320,
642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082, 645B.060,
645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645G.510, 645H.320,
645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126,
652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133,
669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380, 676A.340,
676A.370, 677.243, 678A.470, 678C.710, 678C.800, 679B.122, 679B.124,
679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440,
681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170,
686C.306, 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,
688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538,
692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120, 703.196,
704B.325, 706.1725, 706A.230, 710.159, 711.600, *section 10 of this act*, sections
35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391,
Statutes of Nevada 2013 and unless otherwise declared by law to be confidential,
all public books and public records of a governmental entity must be open at all
times during office hours to inspection by any person, and may be fully copied or
an abstract or memorandum may be prepared from those public books and public
records. Any such copies, abstracts or memoranda may be used to supply the
general public with copies, abstracts or memoranda of the records or may be used
in any other way to the advantage of the governmental entity or of the general
public. This section does not supersede or in any manner affect the federal laws
governing copyrights or enlarge, diminish or affect in any other manner the rights
of a person in any written book or record which is copyrighted pursuant to federal
law.

2. A governmental entity may not reject a book or record 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 ~~[State Conservation Commission]~~ 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 ~~[administering the Healthy Soils Initiative.]~~ 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.