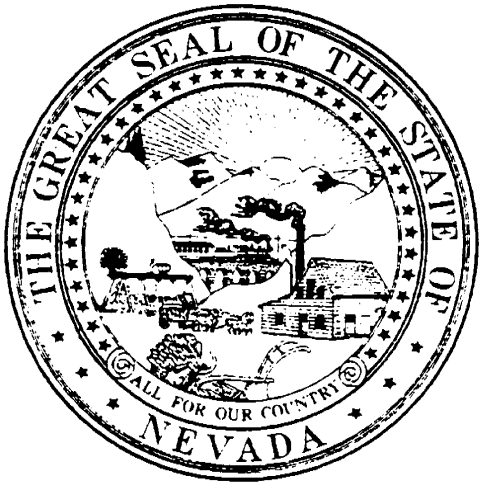
NEVADA LEGISLATURE

SIXTY-SECOND SESSION

1983

SUMMARY OF LEGISLATION



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INTRODUCTION

The 1983 Nevada legislature considered 1,378 legislative measures. Of this total, 629 bills were enacted and 164 resolutions were adopted. Two bills were vetoed by the governor.

This Summary of Legislation contains summaries of most of the bills passed by the 1983 legislature, including the vetoed bills. Certain measures which we believe may have widespread interest have been given detailed treatment. The descriptions of bills in this document do not constitute legal analyses and are not intended for use by the legal community.

Because this publication is meant for the general public, bills of very limited scope, such as certain special acts or technical corrections to the law, and appropriations measures are listed but not summarized. No attempt was made to include all the adopted resolutions, but interim study resolutions and other resolutions of significant interest are included. Thorough coverage of appropriations acts is available in the document entitled Legislative Appropriations Report, prepared by the fiscal analysis division of the legislative counsel bureau.

Along with appropriations, taxation and economic development were the main issues of the 1983 session. The major tax legislation consisted of the bills in the property tax package. Additional tax bills affect taxes on gaming, hotel and motel lodging, jet fuel, tobacco products, and alcoholic beverages.

Economic development was the second area in which a comprehensive package of legislation was enacted. The economic development package consists of legislation restructuring the state's tourism and economic development program, bills providing new sources and additional funding for state economic development efforts, legislation to provide financing for small business, and legislation to allow for the establishment of enterprise zones.

Bills relating to commerce (business and industry), criminal justice and government affairs comprised the largest share of the bills enacted by the legislature. Some examples of other broad topics of legislation are education, gaming and tourism, labor relations, mobile homes, natural resources and environment, public health and safety, public lands, tenant rights, and utility regulation. Individual bills of general interest included a bill which increases the penalties for drunk driving; two important campaign reform bills; a bill authorizing the over-the-counter sale of gerovital, the "youth drug"; a "lemon law" which assists buyers of new motor vehicles with chronic problems; a bill

requiring child restraint devices to protect young children riding in automobiles; and legislation aimed at reducing electric utility bills by requiring utility resource planning.

Summaries of bills on these and many other topics are contained in the Summary of Legislation. For specific subject areas, please consult the table of contents or the subject index.

Although there were many legislative measures which were not approved, this publication includes only those bills and resolutions which were passed or adopted by the legislature. Some of the more controversial proposals that were not passed by the legislature were a bill to repeal the law which requires motorcyclists to wear helmets, measures to legalize lotteries, a measure to provide annual legislative sessions, and a bill that would have made it easier for parents to teach their children at home.

Research Division
July 1983

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AGRICULTURE AND ANIMALS

A.B. 147 (chapter 71)
Removes language from state law which prohibited gardening and lawn care personnel, not holding a state pest control license, from using hand-powered devices to apply pesticides to trees over 12 feet high or to lawns away from households.

The bill makes the amount in the deductible clause on a liability insurance policy or surety bond the same for all pesticide applicators, whether they be aerial applicators or others.

It also changes the certificate period for applicators of restricted-use pesticides from 1 year to 4 years. These renewals are to be based upon completion of the requirements established by regulations of the state department of agriculture.

A.B. 149 (chapter 404)
Enlarges the situations under which the department of agriculture may issue a written permit for movement of livestock within Nevada to include common carriers. This bill does not affect provisions in current law involving sale, slaughter, or out-of-state movement of livestock, all of which require brand inspection of the animals.

The bill provides that persons who fail to have a written permit or brand inspection when transporting animals within the state are, in addition to a misdemeanor violation, subject to an immediate brand inspection for which they must reimburse the department for its time and mileage as well as pay the usual brand inspection fees. For the second and any subsequent violation of this provision, the person must obtain a complete brand inspection before transporting livestock until approved by the state board of agriculture for movement of livestock by written permit.

The bill also prohibits a person from bringing livestock into Nevada unless he has obtained a health certificate showing that the livestock is free of contagious, infectious or parasitic diseases.

A.B. 150 (chapter 105)
Repeals law which required the state department of agriculture to maintain its headquarters office in Reno. This bill requires the department to maintain a principal office, but does not order a specific location for such an office.

A.B. 553 (chapter 574)
Allows the director of the state division of animal industry of the department of agriculture to certify a person as a lay teacher of

practical veterinary skills in accordance with the regulations of the state board of veterinary medical examiners. Regulations of the board must set forth the standards and qualifications for such certification. Lay instruction may include practical diagnosis and treatment, life saving techniques, and the use of medications and supplies.

Because many ranchers in Nevada are located a considerable distance from the nearest veterinarian, it is important that these ranchers have some experience in practical veterinary skills, particularly in emergency situations. This bill allows such instruction by certified lay teachers on the ranch or in other convenient locations. This act, unless renewed by the legislature, will expire by limitation on July 1, 1985.

A.B. 579 (chapter 464)

Requires persons with over 15 colonies of bees to pay an annual fee, not to exceed $1, to the department of agriculture for each colony in excess of 15. Such fee shall be set by the department after consultation with representatives of the state's beekeepers. The bill also establishes fees for the registration of all bee colonies kept by persons in Nevada. Sections of state law dealing with county assessors and an annual special tax on colonies of bees are repealed by this bill.

A.B. 618 (chapter 433)

Increases the fees related to nurseries collected by the state department of agriculture. The bill also prohibits conducting business without a current license.

S.B. 39 (chapter 74)

Makes it a misdemeanor violation for any person to permit a dog to chase, worry, injure or kill cattle, sheep or other domestic animals on the open range or on private property. These provisions do not, however, apply to the use of a dog to herd domestic animals at the direction or permission of the owner of such animals.

This measure expands existing Nevada law, NRS 575.020, which covers dogs with "known vicious or dangerous tendencies" and allows a person to:

1. Legally kill such a dog for reasons of safety, or if the dog chases, worries, injures or kills his livestock; and

2. Collect damages from the owner of the dog for injured or killed livestock.

S.B. 43 (chapter 577)

Requires any person proposing to sell any subdivision lot to provide an additional disclosure notice. Such disclosure shall be in the form of a true statement describing any agricultural activities or conditions in the area which may adversely affect residents of the subdivision,

including any odors, cultivation and related dust, agricultural burning, application of pesticides or irrigation and drainage. This bill is designed to inform buyers of subdivision lots in agricultural areas of those traditional agricultural practices which may adversely affect anyone who expected a totally residential environment.

This ~~bill is~~ law was a compromise developed because of apparent constitutional problems with "right-to-farm" language proposed in the bill as originally introduced.

S.B. 222 (chapter 170)

Increases certain fees for the registration of pesticides, commercial fertilizers and agricultural minerals, and the inspection of antifreeze. This bill is designed to help cover costs incurred by the department of agriculture in administering these programs.

S.B. 223 (chapter 595)

Continues the existence of the Nevada beef council. The Nevada beef council was established by the legislature in 1981 at the request of representatives of Nevada's beef industry.

This council is allowed to use money from the Nevada beef promotion fund--which is entirely private money collected from beef producers in Nevada--to promote beef consumption and Nevada's cattle business. The 1981 legislation had a sunset provision to automatically abolish the Nevada beef council in 1983 if it were not successful. However, the council has been very successful, and this measure continues the council and its programs.

The bill also provides that the interest and income earned on money in the Nevada beef promotion fund, after deducting any applicable charges, must be credited to the fund. Minor changes made in this law include the changing of the word "fee" to "tax," and the exemption of calves that have not been weaned from the beef promotion "tax."

S.B. 224 (chapter 373)

Changes various requirements for the importation of bees, beehives and other appliances into Nevada. The bill allows Nevada's agriculture department to more effectively control shipments of bees into this state that may be infected with the dreaded American foul brood disease.

BALLOT QUESTIONS

1983 Ballot Question

For submission to the registered voters at the special election in 1983:

A.B. 469 (chapter 187)
Provides for submission to the registered voters at a special election in 1983 of the question whether the Sales and Use Tax Act of 1955 (a state tax) should be amended to impose those taxes on governmental contractors and impose the use tax wherever an out-of-state sale would have been taxable if made in Nevada.

In Nevada, the sales and use taxes include the state tax, the local school support tax, and the city-county relief tax for a combined tax rate of 5 3/4 percent. The act specifically makes the local school support tax and the city-county relief tax applicable to government contractors without a referendum. The referendum applies only to the 2 percent state portion of the tax.

The special election was held on June 7, 1983, and the referendum was defeated 29,335 yeas to 34,616 nays. The state tax commission, therefore, has declared that government contractors will only be subject to a combined 3 3/4 percent local school support tax and city-county relief tax (4 percent in Washoe County because of an additional tax for mass transportation).

S.J.R. 32 of the 61st session (File No. 31)
Proposes amendments to articles 6 and 15 of the Nevada constitution to establish staggered terms for district judges as well as to allow the legislature to determine district boundaries and the number of judges for each district. The measure was defeated in the June 7, 1983, election by a vote of 26,887 yeas to 37,198 nays.

1984 Ballot Questions

The following measures must be approved by the voters in the 1984 general election before they become law:

A.B. 140 (chapter 626)
Provides for a referendum at the 1984 general election on the question of whether there should be an exclusion from the state sales tax of the value of a used car or vehicle taken in trade on the sale of another car or vehicle. The referendum also includes whether an occasional (private) sale of a used car or vehicle should be taxed under the state sales tax act. The bill provides several methods for determining the

original price of the vehicle and a depreciation schedule for determining taxable value. Transfers between certain family members are not taxed under this legislation. If this referendum passes, the provisions will be effective January 1, 1985.

The bill also provides a similar exemption and tax on "occasional sales" of vehicles under the local school support tax, the city-county relief tax, and the public transportation tax acts. These provisions are not subject to the referendum and, therefore, are currently effective.

Further, the bill repeals chapter 7, Statutes of Nevada 1983, which deals with the sales tax on vehicle sales.

A.B. 155 (chapter 554)

Provides for submission to the voters of the state at the 1984 general election the question of whether to amend the Sales and Use Tax Act to provide for collection of the tax only on the materials used in constructing a new "manufactured home" and to exempt from the tax used mobile homes and "manufactured homes" if a prior sale was taxed in this state. The cost of materials used to construct a manufactured home is declared to be 60 percent of the price of the new home. If the amendment is adopted, the Local School Tax Law and the City-County Relief Tax Law will automatically be changed accordingly.

Currently, the sales tax is paid on the full value of mobile homes and manufactured homes, while the materials in a conventional home are subject to sales tax.

This bill is similar to Question No. 7 (Assembly Bill 20) which was narrowly defeated at the 1982 general election. If the voters approve A.B. 155 in 1984, it will become effective on July 1, 1985.

S.B. 359 (chapter 328)

Directs that a proposal to issue a maximum of $10 million in state general obligation bonds for building and expanding public libraries be submitted to a vote of the people at the general election in 1984. Local governments may apply for state-supported construction project funds. The bill establishes a formula for determining the amount of the local matching money which is required. If approved by the voters, the program will be administered by the state librarian. However, the Nevada council on libraries is directed to make recommendations on all grant applications, and the interim finance committee has final authority to approve or disapprove the grants.

A.J.R. 2 of the 61st session (File No. 63)

Proposes to amend the Nevada constitution to abolish executive sessions of the senate and requires each house to provide, by law, procedures for its standing and select committees.

The resolution is the legislative response to the public's belief, as identified during several committee hearings on the subject, that meetings of governmental bodies including the legislature should be, as much as possible, open to public scrutiny.

A.J.R. 25 of the 61st session (File No. 35)
Proposes to amend sections 9 and 10 of article 8 of the constitution of the State of Nevada by allowing the deposit of public money in any bank, mutually owned depository or savings and loan association.

Currently, section 9 of article 8 of the Nevada constitution specifies that the state shall not donate or loan money, or subscribe to any stock, except in corporations formed for educational purposes. Section 10 of article 8 of the constitution specifies that no local government or municipal corporation shall be a stockholder in, or loan its credit in aid to, any corporation except for railroads.

The resolution proposes to add language to both of these sections to permit the deposit of money, by either state or local government, in any bank, savings and loan association or mutually owned depository.

A.J.R. 30 of the 61st session (File No. 29)
Proposes to amend the Nevada constitution to remove the prohibition against increasing the number of judges or changing the number of judicial districts during the term of an incumbent.

S.J.R. 3 of the 61st session (File No. 19)
Proposes to amend article 10 of the Nevada constitution by exempting the sale of food for human consumption from the state sales and use tax. Food prepared for on-premise consumption and alcoholic beverages are excluded from this exemption.

S.J.R. 21 of the 61st session (File No. 26)
Proposes to amend article 10 of the Nevada constitution to provide for taxation of minerals by value. The resolution mandates the legislature to provide by law for the taxation of minerals at a rate not greater than 5 percent of their value as net proceeds.

S.J.R. 33 of the 61st session (File No. 44)
Proposes to amend the Nevada constitution to exclude from the limitations on state indebtedness obligations incurred by the state to finance the purchase of securities issued by local governmental entities. This measure is designed to function through the state bond bank established in chapter 350A of the Nevada Revised Statutes (NRS). Currently, only bonds for expenditures to protect and preserve the state's property or natural resources, or for obtaining the benefits thereof, are exempt from the constitutional limitation whereby the aggregate state indebtedness may not exceed 1 percent of the state's assessed valuation.

S.J.R. 39 of the 61st session (File No. 38)
Proposes to amend the Nevada constitution to permit the legislature to provide by law for the correction of manifest clerical or typographical errors and for the reconciliation, after a session has adjourned, of two or more provisions which affect the same section or chapter, if they are compatible in substance.

Potential 1986 Ballot Questions

The following resolutions will be returned to the 1985 session of the legislature, and if adopted, will be placed on the ballot of the 1986 general election for voter approval:

A.J.R. 16 (File No. 102) (Judiciary Committees) 41-0-1 not voting 17-0-4 absent
Proposes to amend section 21 of article 6 of the constitution of the State of Nevada by limiting circumstances under which the records and proceedings of the commission on judicial discipline are confidential. Under the proposed constitutional amendment, the commission, instead of the supreme court, is required to make appropriate rules for the confidentiality of proceedings before the commission. The resolution retains the supreme court's responsibility to make rules defining grounds of censure. The measure requires notice and a public hearing before the commission can adopt, amend or repeal its rules. It specifies that the existence and records of an investigation of the fitness of a justice or judge by the commission are confidential unless and until the contents are revealed in a hearing. The resolution requires that the hearing and records made during the hearing be open to the public. The resolution brings justices of the peace and municipal or police judges under the purview of the commission. It also modifies the composition of the commission by providing that instead of two justices or judges, the judicial members of the commission consist of two district judges, no more than one of whom may be from any one judicial district, or one justice of the supreme court and one district judge.

S.J.R. 2 (File No. 121) (Taxation Committees) 21-0 36-6
Proposes to amend article 10 of the Nevada constitution to allow separate taxation of property used for generating electricity. This measure allows property used in generating electricity to have a different assessment ratio than other property. Currently, all property in Nevada is assessed at 35 percent of market value.

S.J.R. 3 (File No. 53) (Taxation Committees) 18-2-1 not voting 41-0-1 excused
Proposes to amend article 10 of the Nevada constitution to remove the provision for taxing shares of stock in banking corporations under ad valorem taxation. Shares of stock in other corporations are already exempt from the property tax.

S.J.R. 8 (File No. 62) (Judiciary Committees) 14-4-3 absent 41-1-1 absent

Proposes to amend section 9 of article 6 of the constitution to allow the legislature to make the municipal court a court of record.

S.J.R. 11 (File No. 157) (Taxation Committees) 17-4 39-3

Proposes to amend article 10 of the Nevada constitution by authorizing the taxation of estates only to the extent of the credit allowable for the tax against the federal estate tax. The legislature may provide for this tax on estates with the revenues being used only for educational purposes. Implementation of this measure would not, proponents advise, increase an individual's total tax bill. The measure provides that these revenues will go to the state rather than the Federal Government.

S.J.R. 19 (File No. 100) (Natural Resources Committees) 21-0 40-0-2 excused

Proposes to amend the state constitution to regulate the management and disposal of state-owned lands. The amendment basically provides a guarantee that the State of Nevada will manage its public lands under the "multiple use" concept, as well as promote the public interest, provide for beneficial uses of natural resources and protect renewable resources of the lands.

The amendment provides for the use of proceeds from the sale, lease or use of public lands. Money from sales of lands, after certain deductions, would go into the permanent school fund. Revenue from the lease or use of public lands acquired before July 1, 1983, would also go into the permanent school fund. Revenue from lands acquired after that date, after deducting payments in lieu of taxes to local governments as provided by state law, could be used by the state without restriction.

Public access to state and federal lands must be retained upon the disposal of any lands by the State of Nevada. Also, no lands could be sold by the state unless so provided by the legislature. Proceeds from the sale of state-owned lands may be used to pay the costs of conducting the sales before deposit is made into the permanent school fund.

Lands referred to in section 3 of article 11 of the Nevada constitution are those which have been granted by Congress to the state without restriction or for educational purposes. Also included are escheated properties and lands given to the state for educational purposes. The lands referred to in section 2 of the proposed amendment are those granted by Congress to the state with certain restrictions or conditions or for purposes other than education.

S.J.R. 23 (File No. 112) (Judiciary Committees) 20-0-1 absent 42-0

Proposes to amend the Nevada constitution to allow the legislature to provide by law for referees in district courts.

BUSINESSES, PROFESSIONS AND OCCUPATIONS

A.B. 58 (chapter 305)
Removes the requirement that pawnbrokers maintain a comprehensive permanent record of all sales that are made but continues to require that such records be maintained regarding each loan or purchase made by the pawnbroker. The bill requires that pawnbrokers keep, in addition to other specified information, the serial number of one piece of positive identification or a work permit. The bill specifies that in lieu of recording the serial number of a piece of positive identification or a work permit, a pawnbroker may indicate on the record that he knows the person with whom the transaction is conducted.

The bill requires that property held by pawnbrokers, and certain identifiable merchandise held by secondhand dealers, not be removed from the place of business for 10 days after the record of receipt of the property is reported to the sheriff or chief of police. The previous requirement was 4 days.

The bill also clarifies or removes other provisions of state law concerning pawnbrokers, junk and secondhand dealers which are either redundant or unnecessary. One such change is that pawnbrokers' transactions may show other identification, instead of the name, of the person or employee conducting transactions on the required record.

A.B. 62 (chapter 30)
Relates to real estate brokers and salesmen, and is primarily a "clean-up" measure to remove conflicting, redundant and obsolete provisions from state law. The bill clarifies that the 2-year experience requirement for licensing as a real estate broker must be within the 4 years immediately preceding issuance of the broker's license.

A.B. 63 (chapter 70)
Clarifies requirements and qualifications for the licensing of real estate brokers and salesmen and removes certain obsolete and duplicative provisions.

Of particular importance are the reorganized education requirements which include nine semester units in real estate appraisal and business or economics and nine semester units in real estate, business or economics. Formerly, 64 semester units were required in real estate, business and economics.

A.B. 64 (chapter 64)
Makes owner-developers subject to the same disciplinary actions as license holders under state real estate law. The bill allows the state real estate commission, for certain specified violations, to require an

administrative fine of up to $500, or to suspend, revoke or reissue subject to conditions, an owner-developer's registration. Owner-developers are also made subject to certain penalties. As formerly written, state law only permitted such actions against license holders, and an owner-developer's registration did not fall in that category.

A.B. 80 (chapter 104)
Adds a new section to Nevada's Medical Laboratory Certification and Improvement Law. This bill allows licensed professional nurses, employed by the state health division in the field of community health, to perform specific laboratory procedures. Such procedures must be prescribed by regulations of the state board of health, and the nurse must be under the supervision of the state health officer. The intent of the bill is to allow these nurses to perform simple screening-type laboratory work.

A.B. 82 (chapter 94)
Removes from state law the restriction that currently prohibits the general public representative on the state board of nursing from participating in matters relating to examinations. The bill also changes the title of the executive secretary of the board to the executive director of the board.

A.B. 84 (chapter 116)
Removes from state law the current complicated provisions for the renewal of nursing licenses. Instead, the bill merely provides that the biennial renewal be on a date, or according to a schedule of dates, prescribed by regulation of the state board of nursing. If the date or schedule is changed, the board is also allowed to prorate the fee.

A.B. 85 (chapter 161)
Defines those procedures that a licensed podiatrist may or may not perform in the treatment of foot or leg disorders. It also clarifies the definition of "podiatry." The bill further requires the state board of podiatry to audit its fiscal records once every 2 years.

The bill requires, in addition to existing law, that persons desiring to be licensed as podiatrists must have completed postgraduate training, including at least 100 hours of practical experience under the direction of a licensed podiatrist. The state board of podiatry is allowed to reject any application which appears to contain fraudulent credentials, including the practice of podiatry without a license.

Finally, the bill expands the causes for which the board may revoke a podiatrist's certification.

A.B. 101 (chapter 72)
Increases upper limits on the range of licensing fees which are chargeable by the Nevada state board of optometry. The amount of the

administrative fine imposed by the board for violation of regulations may be up to $2,000 and not less than $250 (formerly between $200 and $500). The penalty for failure to renew a license cannot be less than $50 nor more than $200.

A.B. 105 (chapter 178)
Provides that any amount of money remaining unpaid for the construction or remodeling of a building is payable to the contractor within 30 days after occupancy or availability of the building for its intended use. The bill allows the owner to withhold payment to the contractor for disputed or uncompleted items if a written notice has been provided to the contractor. The owner may also require that the contractor supply him with waivers of lien before payment is made.

The bill provides that, unless otherwise provided in the construction contract, any money payable to the contractor after the 30-day limit accrues interest at a rate equal to the lowest daily prime rate on the date of the contract plus 2 percent. The bill requires that a contractor disburse money paid to him pursuant to this law, including interest received, to his subcontractors and suppliers within 15 days.

This bill does not apply to any residential building or public works.

A.B. 107 (chapter 33)
Provides that an application for registration as a pharmacist is only valid for 1 year unless the board extends the period of validity.

A.B. 108 (chapter 32)
Removes the limitation on the number of times that an applicant for a certificate as a registered pharmacist may take the examination. Applicants had been limited to three examinations. The bill also removes the requirement that examinations be conducted at meetings of the board.

A.B. 117 (chapter 130)
Increases the length of time, from 2 to 5 years, that a contractor must be licensed in Nevada before the state contractors' board may relieve him of the requirement to file a surety bond or establish a cash deposit. Also, when a licensed contractor is relieved of the requirement of establishing a cash deposit, the deposit may not be withdrawn until 5 years after such relief is granted rather than the previous 2-year requirement.

A.B. 125 (chapter 103)
Provides that no licensed dentist may administer general anesthesia to dental patients unless he has been issued a permit by the state board of dental examiners. The board may issue such a permit and adopt regulations to specify related standards, conditions and other requirements

for use of general anesthesia by dentists. The bill also establishes fees for original and renewed permits of dentists who administer general anesthesia.

A.B. 154 (chapter 67)
Requires that prescription files must be retained by pharmacies for 5 years instead of the present 2-year requirement. This measure will allow a more reasonable time frame regarding audits, the investigation of controlled substances and other necessary inspections of prescription files.

A.B. 165 (chapter 126)
Specifies that under chapter 624 of the Nevada Revised Statutes (NRS), general engineering contracting and general business contracting are classified as mutually exclusive branches. The bill also repeals NRS sections 624.277, 624.278 and 624.279. These sections pertain to the resident agents of contractors and were added to state law in 1981, partially in anticipation of the proposed MX missile system. They are no longer considered necessary.

A.B. 261 (chapter 217)
Allows the state contractors' board to issue a cease and desist order to any person who acts as a contractor without a license. If the court finds that any person has willfully violated such a cease and desist order, it must impose a fine of not less than $250 nor more than $1,000 for each violation of the order.

The bill also deletes certain provisions relating to bankruptcy as causes for disciplinary action concerning contractors.

A.B. 267 (chapter 140)
Requires that fees received by the state real estate division for examinations of real estate brokers and salesmen must be deposited in the state general fund rather than in the account of the real estate division.

A.B. 361 (chapter 598)
Makes various changes in state law governing the practice of architecture. Some of the major provisions of this bill are as follows:

1. Clarifies the definition of "practice of architecture" to involve structures which have as their principal purpose human habitation or occupancy, and the utilization of space within and surrounding the structure;

2. Allows members of the state board of architecture out-of-state per diem and travel expenses provided by law for state officers and employees;

3. Provides conditions and specifications for the registration of a person as a residential designer; allows the board to establish, by regulation, standards for the examination to qualify as a residential designer; repeals previous provisions in state law concerning residential designers;

4. Increases the upper limits in the schedule of fees which may be charged by the state board of architecture; and

5. Limits exemption of federal employees from the provisions of state law on architecture to include only those persons involved in federal public works projects on federal lands.

A.B. 400 (chapter 311)
Repeals chapter 650 of the NRS. This antiquated chapter, which dealt with "traveling merchants, hawkers and peddlers," included the requirement that each traveling merchant take out a license with the county license board and pay a fee of $100 each month to conduct business. The old law was recently applied to cookie sales by Girl Scouts in Carson City. This bill avoids further confusion along these lines by repealing this entire chapter in favor of the general law on business licenses.

A.B. 421 (chapter 219)
Raises the upper limit on the range of fees which may be charged by the state board of nursing.

A.B. 424 (chapter 330)
Makes various changes in state law concerning professional engineers and the state board of registered professional engineers and land surveyors. These changes include the following:

1. Makes expenses for subsistence and lodging of members of the state board no greater than the amount provided by law for state employees;

2. Removes provisions from law which allowed a state employee serving on the board to receive compensation for service on the board in addition to his regular state salary;

3. Removes requirement of a registration fee in order for a professional engineer to be issued a registration certificate by the board, but does not change the current application fee of $100;

4. Raises maximum fee from $25 to $40 for applications for certification as either an engineer-in-training or a land surveyor-in-training;

5. Raises fee for replacement of a revoked, lost or destroyed certificate of registration from a maximum of $20 to a maximum of $40; and

6. Increases the minimum cost of a public works project from $15,000 to $35,000 in order for it to be exempt from the requirement that the work be executed under the supervision of a registered professional engineer or registered architect.

A.B. 445 (chapter 527)

Makes various changes relating to pharmacy, including provisions for institutional pharmacies. An institutional pharmacy is defined as a pharmacy or storage place for controlled substances and dangerous drugs which is part of a correctional facility. This includes jails and detentional facilities for juveniles. An institutional pharmacy must be administered by a prescribing practitioner or a licensed pharmacist. The practitioner or registered pharmacist need not be present at all times when the institutional pharmacy is open, but he is responsible for its security and the maintenance of required records. The name of the prescribing practitioner must always be recorded when any controlled substance, dangerous drug or device is administered or ordered for stock.

Among other things, the bill also allows the possession of dangerous drugs or controlled substances in an institutional pharmacy by a licensed registered nurse or a licensed practical nurse. Such drugs or substances may be administered by such nurses in single doses to the prisoners in the institution.

A.B. 554 (chapter 345)

Adds two circumstances under which the state board of nursing may deny, revoke or suspend a professional or practical nursing license. These conditions are:

1. The person falsified an entry on a patient's medical chart concerning a controlled substance; or

2. The person falsified information which was given to a physician, pharmacist or dentist to obtain a controlled substance.

A.B. 564 (chapter 297)

Repeals a provision in state law which allowed the licensing of an optometrist by reciprocity. This bill requires that optometrists licensed in other states must pass Nevada's examination in order to be licensed in this state.

A.B. 575 (chapter 459)

Allows a registered nurse to prescribe, under protocol and only by written prescription, poisons, dangerous drugs and devices if he:

1. Is authorized by certification from the state board of nursing; and

2. Applies for, pays the fee for and obtains a certificate of registration from the state board of pharmacy.

For the purposes of this act the word "protocol" means a written agreement between a physician and registered nurse concerning individual patients, conditions, and specific poisons, dangerous drugs and devices which may be prescribed.

The bill also allows the state board of pharmacy to set different fees for the collective registration of nurses employed by public or nonprofit agencies.

A.B. 598 (chapter 437)
Clarifies state law by providing that physicians and other practitioners are liable for any order for a prescription which their agents orally transmit to a pharmacist.

A.B. 669 (chapter 546)
Increases fees for the licensing of private investigators and polygraphic examiners and requires examination of applicants for a polygraphic examiner's license. The fees for investigating applicants for either a private investigator's license or a polygraphic examiner's license are increased to a maximum of $750. The applicant must pay the entire fee, which is based on costs of the investigation, before taking the required examination.

Applicants for licensing as polygraphic examiners are required to take a written examination. The private investigator's licensing board may also require an oral examination. Examinations must be given at least four times each year as established by the board. The license fee and renewal fee for a polygraphic examiner's license is increased to $225 per year.

S.B. 8 (chapter 240)
Requires that contractors, unless certified by the commmissioner of insurance as self-insured employers, must provide proof that they are covered by industrial insurance and insurance for occupational diseases when they apply to the state contractor's board for original or renewed contractor's licenses. Violation of Nevada's industrial insurance laws by a contractor constitutes cause for disciplinary action by the board.

The manager of the state industrial insurance system must notify the state contractor's board within 10 days after the system becomes aware that a contractor's industrial insurance coverage has lapsed. The commissioner of insurance must notify the state contractor's board within 10 days after a contractor's certification as a self-insured employer is cancelled or withdrawn.

S.B. 34 (chapter 48)

Streamlines the licensing of audiologists and speech pathologists by changing the license period from the fiscal biennium to the calendar year; provides salaries for persons serving on the state board of examiners for audiology and speech pathology; and requires that all persons licensed as audiologists or speech pathologists in Nevada must have successfully passed the examination of the board unless this requirement is waived pursuant to NRS 637B.190.

The bill repeals NRS 637B.180 which exempted persons who had either filed with the board prior to December 31, 1979, or who were residents of the state and had at least 1 year of in-state employment as an audiologist or speech pathologist prior to July 1, 1979, from the requirement to have successfully passed the examination administered by the board prior to licensing.

S.B. 53 (chapter 120)

Makes it a misdemeanor for a physician to willfully withhold certain health care records from inspection allowed under state law and outlines certain acts of a physician which constitute unprofessional conduct. The bill clarifies certain sections of state law concerning physicians and their assistants, including a more detailed fee structure for licenses. The bill also repeals NRS 630.030 which was the former state law on unprofessional conduct. This subject is addressed by the bill in greater detail than the previous law.

S.B. 80 (chapter 177)

Makes various changes to Nevada's chiropractic law for the purpose of clarification and conforms provisions relating to malpractice to similar provisions for other professions. The bill provides definitions for "malpractice" and "gross malpractice" and deals with investigations, hearings and proceedings of the state board of chiropractic examiners.

Members of the state board of chiropractic examiners must have been engaged in actual practice of chiropractic for at least 3 years preceding their appointment to the board. The bill also amends existing state law to allow a representative of the general public to assist in the testing and grading process of the board.

The bill requires applicants for the examination of the board to be of good moral character and, if previously licensed in another state, possess a good professional reputation. It also requires graduation from a college of chiropractic accredited by the Council on Chiropractic Education, rather than the previous ambiguous language, that is, "recognized" college of chiropractic.

The bill specifies fees and other provisions for the required annual renewal of certificates for chiropractors and chiropractors' assistants.

It clarifies and strengthens provisions regarding disciplinary actions, complaints, hearings of the board, penalties, license restrictions, and judicial review. Finally, it repeals three sections of NRS which relate to unprofessional conduct, subpenas and judicial review. These matters are addressed in other sections of the bill.

S.B. 182 (chapter 286)

Allows the state superintendent of banks to require any other information he determines to be reasonably necessary relating to an application for the licensing of a collection agency or agent. Also, the bonding requirement of such license applicants is increased from $10,000 to $25,000.

The bill provides that applicants for a certificate to manage a collection agency must, among other things, have had not less than 2 years' full-time experience with a collection agency in the collection of accounts assigned by creditors who were not affiliated with the collection agency except as assignors of accounts. The superintendent of banks may require other information of such applicants that he determines to be necessary.

S.B. 199 (chapter 299)

Removes the authority of the private investigator's licensing board to license trainers of watchdogs. Handlers of watchdogs will still be required to be licensed by this board. The primary purpose of this bill was to free trainers of dogs for personal protection from licensing requirements under the state private investigator's law.

S.B. 237 (chapter 524)

Adds a new chapter to Title 54 of NRS concerning homeopathic medicine. Homeopathic medicine, or "homeopathy," is a system of medicine which employs substances of animal, vegetable, chemical or mineral origin (including nosodes and sarcodes) which are given in microdosages, except for sarcodes which may be given in macrodosages. These dosages are prepared using the methods of Hahnemanian dilution and succussion, magnetically energized geometric patterns or Korsakoffian.

In simpler terms, this type of medicine relies on the principle that a substance which produces a symptom in a healthy person can eliminate those same symptoms in an ill person. This, in turn, can result in the elimination and prevention of illness when applied with "classical methodology and noninvasive electrodiagnosis."

A homeopathic physician must be a graduate of an academic program approved by the board of homeopathic medical examiners which is created by this bill. The bill also provides for the organization, powers and duties of this board, including all aspects of licensing and disciplinary actions concerning practitioners of homeopathic medicine.

S.B. 301 (chapter 392)

Makes several changes in state law relating to osteopathy. Travel expenses and subsistence allowances for members of the state board of osteopathic medicine are increased to the level provided by law for state employees.

An osteopathic physician's assistant, in addition to existing requirements, must not assist an osteopathic physician unless: (1) the assistant is certified by the board; (2) he has paid the required fees; and (3) he renews his certificate on an annual basis.

The bill increases the minimum number of hours, from 25 to 35, of approved continuing medical education courses or programs that must be attended annually by an osteopathic physician.

Finally, the bill establishes fees for a certificate as an osteopathic physician's assistant, a renewal of that certificate and an application to employ an osteopathic physician's assistant.

S.B. 319 (chapter 278)

Changes the renewal of certificates of registration for barbers from an annual period to a biennial period. Fees are also raised in proportion to this change.

S.B. 341 (chapter 439)

Establishes certain administrative and procedural changes for the board of dental examiners and authorizes informal hearings by an investigator of the board. The bill repeals the definition of "dishonorable and unprofessional conduct" regarding dentistry, and replaces it with definitions for both "malpractice" and "professional incompetence." Malpractice, professional incompetence and at least 26 other specified acts may constitute unprofessional conduct. The bill provides for investigations, informal hearings, findings, formal hearings, subpenas, court orders and penalties for unprofessional acts pertaining to dentistry and dental hygiene.

Surviving members of a dentist's family may own all or part of his practice after his death, and may share in the fees received therefrom without being licensed by state dentistry law. However, this exemption from licensing may not exceed 2 years after the death of the dentist.

The bill also specifically provides that there is no prohibition on the manufacturing of artificial teeth, upon receipt of a written authorization from a licensed dentist, which does not require direct contact with the patient.

S.B. 373 (chapter 423)

Increases the requirements for licensing as an audiologist or speech pathologist. The requirement of supervised clinical experience is

raised from 150 hours to 300 hours. The applicant must also possess a master's degree in audiology or speech pathology rather than the former requirement of a bachelor's degree. A person is still allowed to seek to qualify on the basis of equivalent training and experience, which must include at least 60 semester credits of related college-level courses. At least 24 of these 60 credits must have been in courses directly relating to audiology or speech pathology.

The additional experience and education required by this bill were considered essential in order for speech pathologists and audiologists to properly treat several specific disorders which require extensive training and experience. These include teaching persons with laryngectomies how to speak; helping stroke patients to regain speech and language functions; and working with persons born with cleft palates or other birth defects which impair speech or hearing skills.

S.B. 446 (chapter 489)

Provides two additional exemptions from state law on mortgage companies for certain firms or corporations. The first exemption is provided for firms that lend money on real property secured by federally insured trust deeds or mortgages. The second exemption applies to firms approved by the Federal National Mortgage Association as sellers or servicers whose principal activity is lending money on real property secured by trust deeds or mortgages in compliance with underwriting standards of that association.

S.B. 452 (chapter 502)

Requires the employment security department and the state industrial insurance system to make available, upon request, to any licensed contractor the names and addresses of subcontractors who are delinquent in paying amounts owed for unemployment benefits and industrial insurance premiums. Actions against a principal contractor for the recovery of wages, industrial insurance contributions or benefits due an employee of a subcontractor must be commenced within 2 years for in-state contractors, or 3 years for out-of-state contractors, after the employee should have received the wages or benefits, or industrial insurance contributions should have been paid.

CIVIL PRACTICE AND PROCEDURES

A.B. 8 (chapter 19)
Corrects references to the minimum wage and removes the specified rate of interest (7 percent plus optional fraction) from the form for a writ of execution on a judgment for money.

A.B. 9 (chapter 22)
Relaxes requirements, including the time in which claims must be filed, for tort claims against unincorporated towns, cities and counties.

A.B. 180 (chapter 96)
Changes the duties of the county clerks relating to the satisfaction of judgments, trustees of trusts, executors or administrators of estates, bail bond registers and actions for child support. The measure authorizes the charging of fees to resident agents and persons filing actions for child support and provides a penalty for offenses concerning records. For example, any person who forges, defaces or falsifies any document filed in any court or steals any document belonging to any public office is subject to a penalty of up to 10 years in prison and a maximum $10,000 fine.

A.B. 339 (chapter 257)
Increases the filing fee from $3 to $4 which must accompany the commencement of civil actions to help pay for indigent legal representation. The bill provides that one-fourth of the money from those fees, which is sent to organizations operating legal service programs, be used for elderly persons. The bill also specifies that the fees which are collected from a county must be used for the benefit of indigent or elderly persons in that county.

S.B. 20 (chapter 11)
Provides guidelines for the court to follow in the payment of judgments in favor of a minor. The measure provides that the payment may go to the minor's parents or guardian and requires that the payment go to the parent having custody of the child or with whom the child is living if no custody award has been made. The bill also removes the requirement that judgments over $2,500 must automatically go to a guardian but allows a guardian to be appointed.

S.B. 23 (chapter 13)
Provides for an examination of a judgment debtor at any time after the judgment is entered and before issuance of a writ of execution.

S.B. 235 (chapter 143)
Increases the fee for commencing a civil action, except proceedings for adoptions, from $16 to $32 and increases the fee for filing a complaint in an action for divorce or annulment of marriage from $1 to $10.

S.B. 236 (chapter 468)
Expands the period of limitation for an action for damages for injury or death caused by deficiencies in improvement to real property. Prior to passage of this measure, no legal action could be commenced for recovery of damages due to any deficiency, injury or death relating to construction more than 6 years after substantial completion of an improvement to real property.

The bill provides a discovery provision where if an injury or death is caused during the final year of limitation, an additional 2-year period is allowed to file suit. The initial statute of limitations is also expanded to 8 and 10 years, respectively, depending on the degree of responsibility for a defect or deficiency in construction.

This legislation is based on a philosophy that people have a right to feel a building is safe for more than 6 years, but that a limitation is needed to consider other variables including age.

S.B. 334 (chapter 235)
Includes medical bills in the definition of medical records for the purpose of authenticating medical records.

S.B. 385 (chapter 350)
Makes it contempt of court, in addition to other existing acts or omissions, to abuse the process or proceedings of the court or to falsely pretend to act under the authority of an order or process of the court.

S.B. 400 (chapter 280)
Provides for the use of discovery in arbitration proceedings pursuant to the Nevada Rules of Civil Procedure.

S.B. 401 (chapter 465)
Allows the state supreme court to adopt rules which provide guidelines for the establishment by a district court of a voluntary or mandatory program of arbitration in civil actions. Such a program is subject to the budgetary limitations of the county in which the court is located.

Under the act, mandatory arbitration is not permitted in district courts for actions in which the amount at issue, excluding attorney's fees, interest and court costs, is more than $15,000--or less than the maximum jurisdictional levels specified in the law for justices and small claims courts.

Mandatory arbitration is also not permitted in class action suits, actions in equity, actions concerning the title to real estate, probate actions and appeals from courts of limited jurisdiction. Rules relating to arbitration must include guidelines for the award of attorney's fees.

CORPORATIONS, COMMERCIAL CODE, AND TRADE PRACTICES

A.B. 10 (chapter 21)
Repeals the requirement that private corporations disclose the intent to make a public offer for the shares of a corporation in the case of takeover bids.

A.B. 59 (chapter 261)
Establishes the so-called "Lemon Law" which is designed to assist buyers of new motor vehicles with chronic defects. Connecticut and California enacted similar laws in 1982.

The bill allows the buyer of a new motor vehicle to obtain either a comparable vehicle or a refund of the full purchase price if the vehicle has certain nonconformities. These nonconformities, which must be reported in writing to the manufacturer, must occur within the time period of the express warranty or 1 year after purchase, whichever occurs earlier. These nonconformities include:

1. The same nonconformity was subject to repair four or more times; or

2. The motor vehicle was out of service for such repairs a total of 30 or more calendar days.

The bill provides that if the manufacturer has established or designated a dispute resolution procedure, substantially the same as that set forth in the Code of Federal Regulations, the buyer must first submit his claim for refund or replacement under that procedure. The bill does not, however, limit any other right or remedy the buyer may legally have. Also, the bill voids any agreements between the manufacturer or dealer and the buyer which would waive any rights provided under this act.

Finally, any action brought against a dealer or manufacturer must be commenced within 18 months after the date of original delivery of the motor vehicle to the buyer.

A.B. 104 (chapter 25)
Removes the restriction on the secretary of state of not charging certain filing fees to nonprofit corporations. The restriction was in conflict with Nevada Revised Statutes (NRS) 81.007, which requires a $15 filing fee.

A.B. 417 (chapter 256)
Increases fees for filing security agreements and other documents under the Uniform Commercial Code and increases the fee for searching for federal liens.

A.B. 538 (chapter 509)
Increases the amount of an employee's lien from $600 to $1,000 when a corporation becomes insolvent or is dissolved.

S.B. 261 (chapter 292)
Increases several fees related to filing corporate documents with the secretary of state. The bill also requires nonprofit corporations to file annual lists of their officers, directors and resident agents. Finally, it removes references to commodity options in the law relating to securities.

S.B. 318 (chapter 365)
Relates to deceptive trade practices and contains the following key provisions:

1. Allows the director of the department of commerce to delegate his statutory powers and duties regarding deceptive trade practices to any person under his direct supervision.

2. Adds to the statutory listing of deceptive trade practices a new provision involving actions relating to the advertisement or offer of an opportunity for investment.

3. Expands the duties of the director of the department of commerce regarding deceptive trade practices. Formerly, state law gave most of these responsibilities to the commissioner of consumer affairs. This bill gives responsibility for matters pertaining to deceptive trade practices to the commissioner or the commerce director.

S.B. 339 (chapter 622)
Increases the rate of interest from 6 to 10 percent per year which may be recovered in suits if securities or commodity options are fraudulently sold or offered for sale. The measure also recasts the definition of "public intrastate offering" to mean every attempt to offer to dispose of, or solicitation of an offer to buy, a security or interest in a security for value made to 150 or more persons, or to any person, if the security or interest in the security has been sold to 34 or more persons. Previous law defined public intrastate offering as meaning the offering or solicitation of a security to more than 35 persons.

The act exempts securities from statutory requirements relating to public intrastate offerings if they are:

1. Issued or guaranteed by the United States or any state;

2. Issued or guaranteed by a bank supervised by Nevada, another state, or the United States;

3. Issued by an organization not for profit, a savings and loan association or a common or contract carrier;

4. Receivers' or trustees' certificates; or

5. Exchanged for existing securities pursuant to a judicial or administrative order.

The measure permits the secretary of state to adopt regulations exempting other similar securities from the law.

It also exempts a person from the definition of "investment adviser" if, during the preceding 12 months, he had fewer than 15 clients and neither holds himself out to the public as an investment adviser nor acts as an investment adviser to any investment company registered under federal law.

S.B. 395 (chapter 501)

Provides protection for proprietary computer programs and data from unfair trade practices. The owner of the rights to the proprietary program or data may initiate civil action to enjoin the unfair trade practices or infringement of trade secrets. This does not preclude prosecution under the state penal code.

Much of the data on computers is confidential but cannot be protected under copyright and patent laws. This measure is designed to stop unauthorized use of computer data.

CORRECTIONS, CRIMES, AND PUNISHMENTS

A.B. 15 (chapter 110)
Limits the circumstances under which the death penalty may be imposed for committing murder in the course of another felony.

The Nevada Revised Statutes (NRS) enumerates circumstances by which murder of the first degree may be aggravated and thereby lead to the imposition of the death penalty. This measure modifies one of those conditions to provide that it is an aggravating circumstance if a person charged with any robbery, sexual assault, arson in the first degree, burglary or kidnapping in the first degree: (1) killed or attempted to kill the person murdered; or (2) knew or had reason to know that life would be taken or lethal force used. This measure reflects the decision in the United States Supreme Court case of Enmund v. Florida, 102 U.S. 3368 (1982).

A.B. 124 (chapter 525)
Is an antiracketeering law. It is patterned after similar laws in Florida and Oregon. The act defines "racketeering activity" to mean engaging in at least two crimes (spelled out in the measure) related to racketeering that have the same or similar pattern, intents, results, accomplices, victims or methods of commission, if at least one of the incidents occurred after the effective date of the act, and the last of the incidents occurred within 5 years after a prior commission of a crime related to racketeering.

The measure defines "syndicate" and enumerates penalties of 5 to 20 years in prison and a maximum fine of $25,000 for conviction of specified racketeering activities. The measure also provides for fines of up to three times any gross pecuniary value gained through racketeering. It provides for criminal and civil forfeiture of any money or property derived from racketeering.

Any person who is injured by a violator is authorized, by the bill, to seek triple damages. Victims are also entitled to attorney's fees and investigation and other litigation costs. Prosecuting attorneys, under the act, may apply for, and the court may issue without notice or hearing, a temporary restraining order to preserve property which would be subject to criminal forfeiture.

A.B. 133 (chapter 456)
Is designed to curtail computer fraud in relation to industrial espionage. The act makes it illegal to "knowingly, willingly and without authorization" modify, destroy, disclose, use, take, enter or

copy data, a program or supporting documents which exist inside or outside a computer, system or network. This also applies to equipment and supplies used in a computer, and the computer system or network itself. A person who violates these provisions is guilty of a misdemeanor if the violation was committed to defraud, caused damage in excess of $500 or caused an impairment of a public service. The person must be punished by imprisonment from 1 to 6 years and may be further fined up to $100,000.

A.B. 148 (chapter 244)

Relates to penalties for cattle "rustling" and grand larceny offenses relating to livestock. The bill provides that the mandatory fine must not be less than $1,000 for each animal which was involved. Imprisonment between 1 and 10 years in the state prison is a provision of existing law which is retained.

Any equipment, including a vehicle, of a person so convicted, which was used in commission of the crime is subject to forfeiture under this law. All proceeds from any sale of stolen animals are also subject to forfeiture. The court may also order the person so convicted to make restitution to the victim of the crime for the value of each animal which was involved.

A.B. 185 (chapter 99)

Revises the requirements for an inquiry and hearing to determine probable cause for the violation of a condition of parole. Under previous law, before a parolee could be returned to prison for a violation of a condition of his parole, an inquiry was required to be conducted to determine whether there was probable cause to believe that he had committed acts which constituted the violations. This measure provides that any conviction for violating a federal or state law or a local ordinance, except a minor traffic offense, which is committed while the prisoner is on parole, constitutes probable cause and obviates the inquiry requirement.

A.B. 189 (chapter 337)

Enhances the penalties associated with "child pornography." Under previous law, a person convicted of using, enticing or permitting a minor to simulate or engage in or assist others in child pornography was required to be punished by 1 to 6 years in prison and a fine of up to $5,000. This measure makes the penalties, for encouraging a minor to be involved in pornography or promoting child pornographic material, life imprisonment or a minimum of at least 5 years in prison and a fine of up to $100,000. It provides a misdemeanor penalty for conviction of possession of child pornographic material. It also provides that all assets derived from child pornography are subject to forfeiture and requires forfeited fines to be placed in a fund to be used for the counseling and medical treatment of victims of the bill's provisions.

A.B. 190 (chapter 223)
Declares that circumstances which would justify homicide are also adequate justification for inflicting or threatening to inflict injury. These are in addition to any other circumstances which are recognized as justification through common law.

A.B. 287 (chapter 149)
Establishes a penalty of life with possibility of parole for conviction of necrophilia. A convicted offender may also be fined up to $20,000. The measure provides that parole eligibility begins after 5 years of the sentence has been served. No person convicted of necrophilia can be granted probation or parole, under the measure, unless a qualified psychiatrist certifies that the person is not a menace to the health, safety or morals of others.

A.B. 300 (chapter 561)
Requires reporting of incidents of abuse and neglect of older persons to the county office for protective services as an alternative to reporting to the local welfare office, the aging services division or the local law enforcement authorities. The bill requires investigation of the report within 3 working days. Persons responsible for the care of older persons on a voluntary basis are also liable for abusive or neglectful treatment. The bill also requires licensing of day care facilities for adults, in which abused or neglected older persons may reside on a temporary or permanent basis, as a protective measure.

A.B. 324 (chapter 158)
Specifies that a prisoner's good time credits do not apply to his parole eligibility date in any case where a statute specifies a minimum sentence which must be served before a person becomes eligible for parole.

A.B. 380 (chapter 505)
Lowers the threshold age from 62 to 60 years for protection under statutes which prohibit abuse and neglect of older persons and which require reporting of such abuse and neglect.

A.B. 408 (chapter 358)
Extends the bad check law to make it a crime to issue a check or draft to obtain services, the use of property or credit from a gaming establishment if the drawer has insufficient money, property or credit with the drawee to pay it.

A.B. 409 (chapter 409)
Provides penalties for the accidental death of, or injury to, a person which is caused by a driver who is fleeing from a peace officer. Under the act, if a person dies as a result of the violation, the driver is guilty of involuntary manslaughter. If the violation results in substantial bodily harm to any person, the driver is guilty of a gross misdemeanor.

A.B. 423 (chapter 327)
Requires that any person who uses a handgun containing a metal-penetrating bullet in the commission of a crime be punished by imprisonment in the state prison for a term equal to, and in addition to, the term of imprisonment prescribed by statute for the crime. The bill provides that the additional term run consecutively with the sentence for the crime. The measure makes it a gross misdemeanor to manufacture the bullets unless it is done pursuant to an agreement with a law enforcement agency.

A.B. 429 (chapter 246)
Provides that a person who uses a card or other device for automatically withdrawing or transferring money in a financial institution to obtain money to which he knows he is not entitled is guilty of grand larceny. The measure specifies that the penalty for this offense is a 10-year prison sentence and a fine of up to $10,000.

S.B. 7 (chapter 111)
Provides penalties for trafficking controlled substances. The bill also restricts the suspension of sentences for these offenses to persons who render substantial assistance in the conviction of others. The list of property subject to forfeiture is also expanded to include money exchanged for controlled substances and the proceeds of an exchange.

S.B. 42 (chapter 54)
Requires the department of parole and probation to charge each parolee or probationer a fee of not less than $12 a month to defray the cost of his or her supervision. The fee does not apply to parolees or probationers who have been transferred to Nevada under the terms of the interstate compact. The fee may be waived if the executive director of the department determines that the fee would create an economic hardship on the offender. The measure makes it a violation of a condition of parole or probation if the required fee is not paid.

S.B. 113 (chapter 55)
Permits the director of the department of prisons to designate a substitute to represent himself on panels formed to determine if sexual offenders may be granted parole. Under previous law, only the administrator of the mental hygiene and mental retardation division of the state department of human resources could designate a substitute on such panels.

S.B. 114 (chapter 117)
Provides for a deduction from an offender's personal money to pay for the cost of:

1. State property willfully damaged or destroyed by the offender during his incarceration;

2. Medical treatment for injuries inflicted by the offender upon himself or others;

3. Searching for and apprehending the offender when he escapes or attempts to escape; and

4. Quelling any riot or other disturbance in which the offender is unlawfully involved.

S.B. 116 (chapter 163)

Makes it unlawful to sell alcoholic beverages within 1/2 mile of any institution under the jurisdiction of the department of prisons which is designed to house 125 or more offenders within a secure perimeter. The bill does not affect those businesses licensed to sell alcoholic beverages at that location prior to July 1, 1983.

S.B. 117 (chapter 287)

Permits the department of prisons to intercept or "wiretap" prisoners' telephone calls if the interceptions are made by an authorized prison employee and signs are posted near all the institution's telephones advising that offenders' communications may be intercepted. The measure requires that intercepted calls be identified by a periodic sound or "beep" which can be heard by both parties. It also provides for confidential calls between prisoners and government and court officials, attorneys, news media representatives, the director of the department of prisons and any other employee of the department whom the director designates by regulation. The measure provides a defense for actions brought against utilities carrying out its provisions. The bill was requested by the department of prisons to help reduce escape attempts and the smuggling of contraband into the prisons' institutions.

S.B. 118 (chapter 295)

Changes the designation of certain of the facilities and officers of the department of prisons. Under the measure, the term "facility" means a community correctional center or honor camp, and "manager" means the administrative officer in charge of a facility. The term "institution" means a prison designed to house 125 or more offenders within a secure perimeter. The bill changes the reference to the person in charge of an institution from "superintendent" to "warden" and permits the director to appoint assistant directors who are in the classified service except for purposes of retention. The measure removes the authority for the director to appoint a deputy director. Previous law required local governments to bear the cost of prisoners sent to the department of prisons for safekeeping. This bill states that such cost may be borne by the local governments.

S.B. 173 (chapter 136)
Transfers the program of work release from the state board of parole commissioners to the department of prisons and abolishes the prisoner's work release revolving loan account.

S.B. 174 (chapter 167)
Permits the department of prisons to assign parolees, when requested by the department of parole and probation, to restitution centers. The measure also provides for the department of prisons to deduct from the wages of the parolee assigned to centers amounts required for housing, meals, medical and dental care.

S.B. 259 (chapter 386)
Removes the provision from the statutes which prohibited an unnaturalized citizen from owning or having in his possession any pistol, revolver or other firearm capable of being concealed.

S.B. 314 (chapter 277)
Includes jailers and other correctional officers of city or county jails in the definition of "officer" in the law which enhances the penalties for battery upon an officer from a misdemeanor or gross misdemeanor to a felony.

S.B. 315 (chapter 294)
Specifically includes airplanes, gliders and boats in the list of structures for which breaking and entering with the intent to commit grand or petit larcency or a felony is defined as burglary. The act also converts certain presumptions to inferences relative to the guilt of persons being tried for the crimes of burglary or theft of vehicles.

S.B. 375 (chapter 572)
Calls for a legislative interim study of the function of parole in the criminal justice system. The measure requires that an 11-member committee, composed of six legislators and five representatives of the criminal justice system (the chief parole and probation officer, a district judge, a district attorney, a representative of an agency of law enforcement, and an attorney in private practice who specializes in defending criminal actions), carry out a comprehensive study and report back to the next legislature.

Among the study topics required by the measure are:

1. The operation of the state board of parole commissioners;

2. The operation of the department of parole and probation;

3. The granting of good time credits;

4. The length of time defendants must serve before becoming eligible for parole;

5. The effects that modification or abolition of parole might have on the criminal justice system;

6. The changes which may be needed in the laws governing sentencing if parole is modified or abolished, including changes in the use of sentencing guidelines, fixed-term sentencing and the creation of a commission on sentencing; and

7. The fiscal effects of abolishing parole on the department of prisons the department of parole and probation, and the state board of parole commissioners.

COURTS

A.B. 7 (chapter 20)
Removes active members of the Nevada National Guard from exemption from service as jurors.

A.B. 46 (chapter 251)
Permits any justice of the peace whose workload prevents him from completing his duties in a timely manner, with the consent of the board of county commissioners, to invite another justice of the peace to attend to some or all of his official duties. The measure provides for traveling expenses for justices of the peace who fill temporary vacancies outside their counties.

A.B. 47 (chapter 26)
Makes nonsubstantive technical corrections to inappropriate or inaccurate statutory terms concerning courts and other matters.

A.B. 503 (chapter 348)
Authorizes justices of the supreme court and district judges to retire before they reach the required age, but stipulates that the benefits for these retired judges and justices will be reduced proportionately. The act also reduces the number of years of service which a retired justice or judge must have in order to continue accruing credit if he is recalled from retirement.

A.B. 543 (chapter 583)
Makes an additional requirement of plaintiffs at the time of any change in the venue of actions on liens. The plaintiff must record a notice of pendency of the action, as specified in Nevada Revised Statutes (NRS) 14.010, and include in the notice the court and county to which the action is changed.

S.B. 204 (chapter 184)
Modifies the township population formula for justices of the peace. Under the measure, if the township population is less than 90,000, there is one justice of the peace. Townships with 90,000 to 150,000 people have three justices of the peace. If the township has between 150,000 and 400,000 people, it is eligible for five justices of the peace. Townships with over 400,000 people are eligible for six justices of the peace.

S.B. 206 (chapter 203)
Increases the fees for filing appeals and other proceedings in the supreme court from $25 to $100, for receiving decisions in pamphlet form from the court from $5 to $30 for each fiscal year, and from $2.50 to $15 for less than 6 months' supply of such decisions.

S.B. 219 (chapter 164)
Reduces the number of names for initial selection as prospective grand jurors in counties having a population of 30,000 or more from 1,000 to 500.

S.B. 267 (chapter 185)
Provides that counties are exempt from the payment of filing fees to justices of the peace whose townships are located in those counties.

S.B. 387 (chapter 374)
Redesignates police judges as municipal judges. The measure also permits the governing body of a city, with the consent of the board of county commissioners and the justice of the peace, to provide that a justice of the peace of the township in which the city is located is ex officio the municipal judge of the city.

S.B. 453 (chapter 429)
Recasts the reasons for which an attorney defending an indigent defendant be paid more than the statutory fees for representing indigent persons to include: the complexity of the case; the severity of the offense; the time necessary to provide an adequate defense; or other special circumstances.

Previous law based the payment of increased fees on "extraordinary circumstances" which meant financial burdens and hardships far in excess of those normally attendant upon the defense of indigent persons.

S.B. 473 (chapter 506)
Adds physicians, optometrists and dentists licensed in Nevada to those persons exempt from jury duty.

A.C.R. 8 (File No. 55)
Encourages the supreme court to take prompt action to adopt rules allowing lawyers to place certain money of their clients into interest-bearing trust accounts whose interest would be transmitted to a non-profit, tax-exempt foundation for the financing of legal services for the poor.

S.C.R. 51 (File No. 134)
Requests the judiciary and the State Bar of Nevada to study arbitration, use of masters and referees, and increasing the jurisdiction of justices' courts.

CRIMINAL CASE PROCEDURES

A.B. 44 (chapter 375)
Imposes a $10 administrative assessment on all persons pleading guilty or found guilty of misdemeanors. The measure specifies that the assessment not apply to parking tickets. The bill provides for the apportionment of the assessments among cities, counties and the state for various criminal justice-related purposes.

A.B. 45 (chapter 57)
Increases the amount of money deposited instead of bail bond that may be forfeited without notice to sureties, or the depositor if he is not the defendant, from $50 to $500.

A.B. 181 (chapter 100)
Limits the preliminary inquiry into a violation of a condition of probation to probationers who are held in custody and transfers responsibility for giving advance notice of the details of the inquiry from the state board of parole commissioners to the parole and probation officer.

A.B. 182 (chapter 77)
Makes the expenses of returning a person arrested for violating a condition of his parole or probation a charge upon the state.

A.B. 186 (chapter 108)
Provides that the time during which a warrant for violating any of the conditions of probation is in effect does not count toward the period of probation. If the warrant is cancelled, however, the court may credit any amount of the time the warrant was in effect towards the period of probation.

A.B.-219 (chapter 83)
Provides that forcible entry or exit may be carried out in structures or other places of concealment during arrests. Previous law referred only to houses.

A.B. 228 (chapter 157)
Allows the transcript of proceedings of a grand jury to become public upon being filed with the county clerk unless the court orders that the presentment or indictment remain secret until the defendant is in custody or has been given bail, or unless, upon motion, the court orders the transcript and evidence to remain secret until further order of the court.

A.B. 246 (chapter 497)
Authorizes the granting of immunity, in preliminary examinations, or trial in any court of record, to material witnesses who provide testimony or other evidence. Previous law made specific reference to justices' courts which has been deleted by this bill.

A.B. 347 (chapter 229)
Authorizes the state public defender to collect from the counties for the use of his services either annually or quarterly.

A.B. 358 (chapter 182)
Under previous law, an offender not paying his fine was required to spend 1 day in jail for each $4 of the fine not paid. An offender choosing to do public work could work off his fine at the rate of $8 per day. This measure changes the rate to $25 for both situations and specifies that its provisions do not apply to indigent persons. Applicable city charters are also changed to conform to the general law.

S.B. 109 (chapter 601)
Changes the method of inflicting the death penalty from lethal gas to lethal injection. The measure requires the director of the department of prisons to select the drug or combination of drugs to be used for the execution after consulting the state health officer. The legislative counsel advises that this measure will apply to those persons currently under sentence of death in Nevada.

The bill also exempts the prison pharmacy from requiring that a prescription be filled before it can furnish the lethal drugs to the person carrying out the execution.

The act makes Nevada the fifth state to pass a lethal injection measure (others are Idaho, New Mexico, Oklahoma and Texas) and was advocated for humane, fiscal and safety reasons. The state's gas chamber needs about $30,000 in repairs and testing costs before an execution can be carried out. The chamber could also pose a danger to witnesses and the nearby residents to the prison if a leak developed.

S.B. 191 (chapter 188)
Allows criminal complaints to be made upon a declaration which is made subject to the penalty for perjury. Under previous law, criminal complaints could only be made upon an oath before a magistrate or notary public. Now, both options are available for criminal complaints.

S.B. 198 (chapter 134)
Authorizes the department of parole and probation to establish centers for the housing and supervision of probationers who have never served prison terms in any state or federal penal institution. The measure,

which replaces a temporary measure which was scheduled to expire July 1, 1983, requires that the wages of probationers living at the centers be used:

1. To partially offset the cost of their room and board and medical and dental services;

2. To pay court-ordered restitution to the victims of their crimes; or

3. For a plan for the management of a probationer's assets established by the department of parole and probation.

S.B. 211 (chapter 307)
Extends the time for demanding a jury trial in a justice's court from 5 to 30 days before trial. The measure also provides that even with the stipulation of the parties and the approval of the court, juries in criminal actions consist of not less than six people. The bill requires that juries consist of six jurors for the trial of a criminal action in a justice court.

S.B. 220 (chapter 571)
Gives the state, upon demand, the right to a trial of the defendant within 60 days after his arraignment. The measure provides that the court may postpone the trial if it finds that more time is needed by the defendant to prepare his defense or the number of other cases pending in the court prohibits the acceptance of the case for trial within that time.

The act provides that a 2-year limit for a motion for a new trial on grounds of newly discovered evidence commences with the verdict or finding of guilt instead of with final judgment.

It also adds a new subsection providing for the reordering of issues on court calendars based on deterioration of the physical, emotional or mental condition of victims or material witnesses because of age, illness or injury.

S.B. 258 (chapter 560)
Authorizes sheriffs, deputy sheriffs and members of city or town police departments to make arrests beyond the boundaries of their jurisdictions for offenses committed within their territorial jurisdictions.

S.B. 299 (chapter 238)
Removes the requirement that the governor affirmatively approve or disapprove compliance with extradition requests from other jurisdictions and directs that any application for a writ of habeas corpus challenging extradition be filed in district court.

DOMESTIC RELATIONS

S.B. 193 (chapter 175)

Provides a summary procedure for uncontested divorces in situations where:

1. The husband and wife have lived separate and apart for 1 year without cohabitation or they are incompatible;

2. There are no minor children of the relationship of the parties born before or during the marriage or adopted by the parties during the marriage, and the wife, to her knowledge, is not pregnant;

3. The parties have executed an agreement setting forth the division of community property and the assumption of liabilities of the community, if any, and have executed any deeds, certificates of title, bills of sale or other evidence of transfer necessary to effectuate the agreement;

4. The parties waive any rights to spousal support;

5. The parties waive their respective rights to written notice of entry of the decree of divorce, to appeal, to request findings of fact and conclusions of law and to move for a new trial; and

6. The parties desire that the court enter a decree of divorce.

The bill provides that it does not prejudice or bar the rights of either of the parties to institute an action to set aside the final judgment for fraud, duress, accident, mistake or other grounds recognized at law or in equity.

S.B. 437 (chapter 301)

Permits the former spouse of a member of the Armed Forces of the United States who received a decree of divorce on or after June 26, 1981, and on or before January 31, 1983, to request a modification in the district court, prior to December 30, 1983, of the adjudication of property rights in the decree of divorce to determine the spouse's rights to support or to a military pension. The bill includes conditions as to the jurisdiction of the court including that the former spouse who was an Armed Forces member must be a resident of Nevada, is domiciled within the area over which the court has jurisdiction, and had consented to the court's jurisdiction at the time the decree of divorce was entered or at the time of any hearing to modify the decree of divorce.

S.B. 472 (chapter 585)

Clarifies and revises various provisions relating to the establishment of the relationship of parent and child and the obligation of support. To be considered by the court in support determination are the following:

1. Needs of the child;

2. Standard of living and circumstances of the parents;

3. Relative financial means of the parents;

4. Earning ability of the parents;

5. Need and capacity of the child for education;

6. Age of the child;

7. Financial resources and the earning ability of the child;

8. Responsibility of the parents for the support of others;

9. Value of services contributed by the custodial parent;

10. Assistance paid by public agencies to support the child; and

11. Reasonably related expenses of the mother's pregnancy and confinement.

The measure also stipulates that divorce, separation or annulment may not be granted by a court before first providing for the care, support, education and maintenance of minor children.

ECONOMIC DEVELOPMENT

A.B. 391 (chapter 452)
Is a major reorganization of the state's economic development and tourism activities. It establishes a commission on tourism, a commission on economic development and an inter-agency coordinating committee. The overall objective of the new structure is to produce a cooperative effort between private enterprise and the governmental programs in this field.

The Commission on Tourism

The commission on tourism is created to consist of a division of tourism and a division of publications. The membership of the commission includes the lieutenant governor as chairman and six members who are appointed by the governor to 3-year staggered terms. The chief administrative officers of the convention authorities in Clark and Washoe counties are included as ex officio, nonvoting members of the commission. Geographic distribution is assured by requiring that at least one member must be appointed from each of the following: Clark County, Washoe County, and the rural areas.

The commission, which consists predominantly of people from private enterprise, directs the policy and program aspects of the organization. The major duties of the commission, as carried out by the division of tourism, include promotion of tourism and special events, development of a state plan for travel and tourism, development of a comprehensive program of marketing and advertising, administration of grants to local entities, and general coordination of activities throughout the state.

The division of publications is responsible for publishing the Nevada Magazine and producing promotional materials for tourism and economic development on a contractual basis. Administration of the magazine is put under the commission.

An executive director is given the responsibility of administering the operations of the two divisions. The executive director is appointed by the governor from a list of three persons submitted by the commission. However, he is responsible to the commission and serves at its pleasure. The executive director and all nonclerical employees are exempt from the state personnel system.

The Commission on Economic Development

The commission on economic development consists of the lieutenant governor as chairman and six members who are appointed by the governor to 3-year staggered terms. Again, the appointments of these members are

based upon their experience in private enterprise, and statewide representation is required.

The commission consists of a division of economic development and a division of motion pictures. As is the case with the commission on tourism, the commission on economic development is responsible for policy and program direction. It is specifically directed to prepare a state plan for industrial development and diversification, to promote economic development, to assist businesses in locating sources of financing, to administer grants to local entities, to provide general coordination, and to serve as a center for public information. The division of motion pictures is the central state entity responsible for promoting the production of motion pictures in Nevada.

The executive director is appointed by the governor from a list of three names provided by the commission, but he serves at the pleasure of the commission. The executive director and all nonclerical employees are exempt from the state personnel system.

The Interagency Coordinating Committee

In order to coordinate governmental programs associated with economic development and tourism, the interagency committee for coordinating tourism and economic development is created. It consists of the governor as chairman, the lieutenant governor, the executive directors of the commissions on tourism and economic development, and other members that the governor may choose to appoint. The authority is also provided to establish regional or local subcommittees.

The interagency coordinating committee is designed to ensure that governmental programs in the fields of economic development and tourism function together as a package and that people who need assistance in these areas receive efficient service.

A.B. 508 (chapter 614)

Provides for the designation, approval and management of specially benefited zones (enterprise zones) in depressed areas of the state, and is designed as a companion measure to similar federal legislation. The act establishes a mechanism for authorizing various measures to stimulate economic development within the zones, including the elimination or modification of certain regulations, the development of programs for local improvements and training for employment, the sale or lease of unused governmental property, financing by tax increment, the deposit of public money in local financial institutions, and a credit or refund for qualified businesses of taxes paid on retail sales of property purchased to conduct business.

A.B. 596 (chapter 545)
Allows counties to impose a one-quarter of 1 percent sales tax to be used only to promote tourism. The board of county commissioners of any county, except Clark, may enact an ordinance imposing this tax. A board may not impose both this tax and the one-quarter of 1 percent transportation tax.

A.B. 635 (chapter 480)
Establishes enabling legislation for formation of economic revitalization and diversification corporations in the state. It is modeled after the New York Business Development Corporation law and chapter 670 of the Nevada Revised Statutes, which deals with financial development corporations.

There are two major purposes which A.B. 635 serves:

1. It provides a mechanism whereby long-term loans at reasonable rates can be made to small businesses in the state, and industrial development revenue bonds can be insured individually or in groups; and

2. It establishes linkages between the private and public sectors through the state economic development plan and participation by state officials on the corporation's board of directors.

Under the act, economic revitalization and diversification corporations include members and stockholders. The members are financial institutions and large corporations in the state. Operating capital is provided through the members and through the sale of stock. At least $100,000 worth of stock must be sold before the corporation can begin to do business.

The advantage of this type of corporation is that the banking institutions, which are members, can jointly make loans which no single lender would be willing to make on its own. The risks are spread, and the limited returns from some of the less profitable loans are also carried by all of the participants.

S.J.R. 17 (File No. 106)
Urges Congress to provide land for and establish a trade district in Churchill, Lyon and Pershing Counties.

EDUCATION

A.B. 146 (chapter 526)
Repeals Nevada Revised Statutes (NRS) 387.334 which provided for state loans for school construction and furnishing. The bill also provides that money appropriated for such loans reverts to the state general fund.

A.B. 169 (chapter 127)
Eliminates the Western Regional Higher Education Compact fund and creates an account in the general fund to handle the administrative expenses relating to the state's participation in the Western Interstate Commission for Higher Education (WICHE) programs. The measure also creates the WICHE student loan fund as a trust fund to provide loans and contractual agreements, including stipends, for the graduate or professional education of Nevada residents.

A.B. 170 (chapter 128)
Changes the school lunch program to a child nutrition program consistent with federal legislation. This measure also expands the powers and duties of the state department of education to comply with federal requirements and extends nutrition services beyond the public schools to include private schools and other public and private institutions which serve food on a nonprofit basis.

A.B. 171 (chapter 123)
Broadens provisions for acceptance of federal assistance for purposes of elementary and secondary education. Under this measure, the state is provided the authority necessary to accept those funds that the Federal Government makes available for public schools.

A.B. 173 (chapter 214)
Simplifies the process of applying for benefits under special education programs for handicapped persons. This measure deletes the requirement that a parent or guardian of a handicapped student provide the school board of trustees with a sworn statement on the eligibility and unavailability of special education programs within the local school district.

A.B. 174 (chapter 319)
Provides for confidentiality of records concerning tests of general educational development, examinations of pupils' proficiency, and applications for certification as teachers or other educational personnel.

A.B. 175 (chapter 281)
Extends the existence of the commission on professional standards in education to July 1, 1985.

A.B. 176 (chapter 282)
Provides for the disposition of money received by the state department of education from fees for the issuance and renewal of certificates. Under this bill, the department will receive credit from the state treasurer for the portion of each fee which represents the amount charged by the Federal Bureau of Investigation to process the fingerprints of applicants for certification as teachers. In addition, the measure appropriates $44,100 to pay for the processing of accumulated fingerprint cards.

A.B. 385 (chapter 221)
Transfers part of the tax on slot machines to the University of Nevada System for its general operations.

A.B. 411 (chapter 414)
Authorizes the student body of any campus of the University of Nevada System to establish a self-governing and independent student government. Student governments established under this measure must adopt a set of bylaws subject to the approval of a majority of voting students and the board of regents. Furthermore, the bill provides that the board of regents must set and collect an undergraduate student fee for the support of student government when such a fee is requested by the student government.

A.B. 457 (chapter 322)
Provides that in each school district, all pupils who ride a school bus must practice evacuation of a school bus twice each school year. This includes requiring such practices at the beginning of any field trip by school bus.

In addition, a driver of a school bus is prohibited from driving more than 10 hours in any 15-hour time period. A driver must rest for 10 hours before he may operate the vehicle again for school activities.

The bill also requires that a school bus driver complete a training course approved by the state board of education which includes at least 10 hours of training while operating the vehicle and 10 hours of training in:

1. The responsibilities of drivers;
2. The requirements for drivers of school vehicles;
3. The laws affecting the operation of school vehicles;
4. Defensive driving;

5. Emergency procedures; and
6. First aid.

The driver must also pass an appropriate written test.

A.B. 496 (chapter 555)
Authorizes the board of county commissioners in each county, upon the approval of a majority of the registered voters of a county voting upon the question, to levy a tax of not more than 25 cents on each $100 of assessed valuation of taxable property within the county to construct, remodel and make additions to school buildings within the county school district. In order to keep this money separate from other school district funds, the bill requires that any money collected from this new tax be deposited into the district's fund for capital projects, while revenue and interest from the previously existing tax levied for the support of school districts must be credited to the county's school district fund.

A.B. 497 (chapter 613)
Provides that people who instruct pupils in their homes or in the pupils' own homes, if this is not the only instruction those pupils receive, are exempt from the provisions of the Private Elementary and Secondary Education Authorization Act. The bill also removes the exemption for institutions or individuals offering instruction to four or fewer students in a 24-hour day or to 24 or fewer students during any calendar year, and thus makes these institutions subject to the Private Elementary and Secondary Education Authorization Act.

A.B. 670 (chapter 495)
Reduces the state residency requirement from 5 years to 1 year for Nevada residents applying for contract places in graduate or professional schools under the Western Interstate Commission for Higher Education contractual agreements.

S.B. 5 (chapter 420)
Authorizes the board of regents of the University of Nevada System to enter into reciprocal agreements with other states for the granting of full or partial waivers of the nonresident tuition to residents of the other states who are students at, or are eligible for admission to, any of the colleges and universities of the University of Nevada System.

S.B. 179 (chapter 324)
Authorizes boards of trustees in school districts with populations under 100,000 to allow resident children attending private, nonprofit schools to ride buses furnished for children attending public schools on established bus routes. The bill requires that if such transportation is provided, the private school pupils must be transported, if space is available, to and from points on the established routes nearest to the schools which they attend.

S.B. 287 (chapter 191)
Reduces the basic per pupil support guarantees to public schools for the year 1982-1983.

S.B. 410 (chapter 370)
Authorizes the board of regents of the University of Nevada System to finance the construction of a fine arts center on the campus of the University of Nevada-Reno, with an expenditure not to exceed $6,048,000. This measure provides that the cost of the fine arts project may be defrayed, in part, by the issuance of bonds and other securities of the university in a total principal amount not exceeding $5 million; and it declares that these bonds do impact the state's constitutional 1 percent debt limitation. Furthermore, the bill requires that all phases of the project be under the supervision of the state public works board.

S.B. 476 (chapter 511)
Relates to the refunding of bonds or other securities issued by the board of regents of the University of Nevada System for financing the multipurpose pavilion projects at the University of Nevada-Las Vegas. This measure sets the conditions under which appropriations may be made to the University of Nevada to pay the principal of and interest on the refunded bonds. Furthermore, the bill provides that the amount required to pay the principal of and interest on the refunded bonds must be used for that purpose from the amount appropriated, and the amount equal to the savings realized in that fiscal year from the refunding must be used to defray wholly, or in part, the expenses of operation and maintenance of the facilities acquired, in part, with the proceeds of the refunded bonds.

S.B. 479 (chapter 596)
Modifies the method of allocation of school funds by the state. Prior to the passage of this act, the state controller was required to allocate education money from the state distributive school fund on a quarterly basis. This bill allows the state controller to pay out the apportionments monthly to maintain a level in the state general fund balance to pay other appropriations. The state controller may also require that a reserve from the state distributive school fund be set aside for emergencies.

The bill provides the basic support guarantee per pupil for each school district in the state for fiscal years 1983-1984 and 1984-1985. Basic support guarantees for each special education program unit are provided for the same biennium.

The bill appropriates $144,390,637 from the state general fund to the state distributive school fund in fiscal year 1983-1984 and $143,785,142 in fiscal year 1984-1985. Up to $330,000 of these funds may be used under the Child Nutrition Act in each fiscal year. In addition, the

state department of education is allowed expenditures of $34,895,000 in fiscal year 1983-1984, and $35,670,000 in fiscal year 1984-1985. A supplemental appropriation is also provided to cover the balance of fiscal year 1982-1983.

S.C.R. 25 (File No. 94)

Requires that representatives of the state universities report each year to the state's school districts and high schools to inform them of the proficiency of their high school graduates in English and mathematics and the extent to which the levels of competence necessary for college-level work have been achieved by the high school graduates. The bill further provides that representatives of the University of Nevada System and the department of education must meet annually to develop a program for improving the competence of pupils in reading, writing and mathematics.

ELECTIONS

A.B. 382 (chapter 440)
Changes the date of the primary election from the second Tuesday to the first Tuesday of September in each even-numbered year. This measure is aimed at the concern by certain registrars of voters that the time between the primary and general elections is insufficient for them to carry out responsibilities related to elections. The measure also moves back, by a week or more, dates for filing certificates of candidacy, the mailing of ballots and other corresponding activities related to the primary elections.

A.B. 523 (chapter 379)
Amends chapters 293 and 293B of the Nevada Revised Statutes (NRS) to permit the consolidation of two or more contiguous election precincts for the purpose of conducting a particular election as public convenience, necessity and economy may require.

S.B. 35 (chapter 151)
Extends the periods required to be covered by the first and second reports of campaign contributions and expenses in primary and general elections. The first report must be received 15 days before the primary election, for the period from the last election for that office up to 20 days before the primary election. The second report must be made 15 days before the general election, whether or not the candidate won the primary election, for the period from 20 days before the primary election up to 20 days before the general election. Previously, reports were required 15 days after primary elections if the candidate won or 30 days after the primary elections if he lost, and the filings covered contributions from January of the election year up to the primary date.

The act retains the requirement that filings be made 30 days after the general election to cover contributions received during the remaining period up to the general election. It also requires separate identification of cumulative contributions made by a single contributor which exceed $500 since the beginning of the first reporting period.

S.B. 91 (chapter 513)
Relates to elections. The bill stems, in part, from the concern about the effect of political action committees on Nevada's political campaigns.

The measure requires any person, group, business or committee, spending money against or in favor of a candidate, to make periodic expenditure reports to the county clerk for candidates elected from one county, or to the secretary of state for other candidates. The reports, which are due 15 days before the primary election, 15 days before the general

election, and 30 days after the general election, must show expenditures in excess of $500 made on behalf of or against a candidate or group of candidates. The reports must also include identification of expenditures made cumulatively in excess of $500 since the beginning of the first reporting period which starts with the last election.

The act defines expenditures and excludes those made to communicate with the group's own members on behalf of or against a candidate or group of candidates.

Violators of the act's provisions are subject to gross misdemeanor penalties.

S.B. 291 (chapter 435)
Clarifies the requirement of legal residence for candidates to be elected to public office in the specific jurisdiction to which the office pertains. Such legal residence must be for at least 30 days before the close of filing of declarations of candidacy for the office sought.

S.B. 354 (chapter 384)
Specifies procedures for filing and verification of petitions for initiative and referendum. The measure requires that the petition documents be submitted initially to the county clerks who have 5 days to determine the total number of signatures on the documents and submit this information to the secretary of state. If the secretary of state finds that the total number of signatures is sufficient, he so notifies the county clerks, and they have 15 days in which to verify the number of registered voters who have signed the documents. If more than 500 signatures appear on the documents submitted to a county clerk, he may verify the number of registered voters by sampling at least 500 or 5 percent of the signatures, whichever is greater. The clerk then notifies the secretary of state. The act also provides additional procedures to be followed if the sampling of signatures shows that the number of valid signatures is 90 percent or more, but less than 110 percent, of the number of registered voters needed to declare the petition sufficient. In this case, the documents are returned to the county clerk for his verification of each signature.

S.B. 412 (chapter 482)
Makes technical changes to the election laws and establishes a filing fee of $250 for a person who desires to be an independent candidate for the office of President of the United States (in addition to other existing requirements).

FINANCIAL INSTITUTIONS, BANKS, SAVINGS AND LOAN ASSOCIATIONS, LENDING INSTITUTIONS AND MORTGAGE COMPANIES

A.B. 103 (chapter 75)
Repeals section 622.165 of the Nevada Revised Statutes (NRS) which limited the rate of interest on small loans.

Section 622.165 formerly provided that any bank organized under the laws of the State of Nevada and any national bank doing business in the State of Nevada could charge a rate of add-on interest amounting to 8 percent on loans which do not exceed $500 and a rate of add-on interest of 7 percent on loans exceeding $500 but less than $1,500.

A.B. 136 (chapter 547)
Makes various changes in state law concerning thrift companies. The bill adds a new section to chapter 677 of the NRS which authorizes the director of the department of commerce to require an applicant to deposit an additional bond or letter of credit if the director believes the initial filings were insufficient to protect the public interest. The provisions of Nevada law do not, however, prohibit a thrift company licensee from obtaining a license or owning an interest in a corporation licensed under state law pertaining to either banks or savings and loan associations.

The bill clarifies existing law to prohibit the licensing of any person doing business relating to banks under the authority of any other state of the United States if the principal business office is outside of Nevada. These provisions do not apply to thrift companies licensed prior to the effective date of this act.

The bill allows the director of the department of commerce or his representative, among other things, to investigate and examine the books of any company which is a subsidiary of, or owned by, a licensee.

The bill also requires each licensee to maintain a liquidity reserve with an initial balance of $50,000. At least annually the licensee must deposit an amount equal to 1 percent of his outstanding thrift certificates into this liquidity reserve until its balance reaches 1.5 percent of the net outstanding thrift accounts.

Finally, the bill deletes reference to a minimum amount for thrift company loans and provides that loans may also be secured by deeds of trust. Licensees are also permitted to enter into leases and to purchase equipment for those leases.

A.B. 138 (chapter 514)

Clarifies several provisions contained in chapter 645B of the NRS concerning regulation of mortgage companies in Nevada. The bill requires a mortgage company to post its license, prohibits the transfer or assignment of a license without the commissioner's approval, and requires the commissioner to approve transfers of voting stock of a mortgage company which constitute a "change of control."

The bill also creates a fund for mortgage investors as a special revenue fund to be administered by the commissioner. The account must not exceed $1 million unless interest earned on money in the fund increases the fund to over $1 million.

This measure requires the commissioner to relieve a licensed mortgage company, which has transacted business in Nevada for 2 consecutive years, of requirements for a bond deposit or letter of credit. Each licensee relieved of these requirements must pay, in addition to the fee for renewal, an annual fee (initially $500) for claims against persons licensed under this chapter. These fees are to be deposited in the fund for mortgage investors. After that fund reaches $1 million, the commissioner must establish this fee as a percentage of the volume of mortgage loans in Nevada for the preceding year by each mortgage company. If, after July 1, 1985, the balance in the fund is less than $100,000, the commissioner must establish an assessment to be collected, not more than once a year, from each licensed mortgage company sufficient to increase the balance to at least $100,000.

The bill also specifies the procedures whereby a claim for payment from the fund for mortgage investors may be filed with the commissioner. Claims may be made for any actual losses incurred by a claimant who has obtained a final court judgment against a licensed mortgage company upon grounds of fraud, misrepresentation or deceit with reference to a transaction.

The bill provides that applications or fees for the annual renewal of a license must be received by the commissioner by June 30, or the license is cancelled. This bill eliminates the 10 percent penalty for late applications and instead requires that the filing fee and a reinstatement fee of $200 be paid by the former licensee. The fee for filing an application for renewal is set at $500, regardless of the volume of loans handled by the company.

A.B. 164 (chapter 400)

Requires that when any loan is prepaid, the amount of interest earned must be computed by applying the agreed rate to the unpaid balance for each period. Any precomputed amount of interest which is greater must be allowed as a credit on any amount due or refunded. This new law does

not, however, preclude the imposition of a penalty for prepayment or a single charge for making the loan, if agreed upon by all parties when the loan is made.

The bill allows for the compounding of interest on loans if agreed upon in writing by all parties. The parties must also specify in writing the agreed upon rate of interest on money due on any contract.

A.B. 284 (chapter 155)
Requires the board of directors of each savings and loan association to hold a regular meeting at least once each quarter. The law previously required that such meetings be held at least once each month.

A.B. 288 (chapter 269)
Makes various regulatory statutes concerning savings and loan associations more flexible and repeals several other related provisions. The term "permanent stock" is changed several places in state law to "common or preferred stock."

The commissioner of savings associations for Nevada is given additional authority along the following lines:

1. May approve a lower ratio of the total stock, profits and reserves which must be available for losses to the aggregate of outstanding investment certificates;

2. May specify minimum amount of required stock, surplus, undivided profits and reserves for an association;

3. Must not approve any certificates whose issuance would impair the insurance of the association's accounts by the Federal Savings and Loan Insurance Corporation (FSLIC); and

4. Must not approve any borrowing which would impair the insurance of the association's accounts by the FSLIC.

The bill allows a savings and loan association to invest any of its money in a loan to finance or refinance a borrower's interest in a cooperative housing corporation if the loan is secured by both:

1. A first security interest in stock or a certificate of membership in a cooperative housing corporation; and

2. An assignment of or lien on the borrower's interest in the lease or other right of tenancy in the cooperative housing corporation.

S.B. 121 (chapter 115)
Conforms the reserve requirements for banks in Nevada with the terms of the Federal Reserve Act. However, the bill retains that portion of existing law which requires banks to have certain reserves as determined necessary by the state superintendent of banks.

S.B. 122 (chapter 389)
Provides expanded authority and regulation of bank holding companies by the state superintendent of banks. The bill provides a clarified definition of "bank holding company" and new definitions of "business trust" and "company." It further provides exemptions for certain entities from being classified as bank holding companies. The bill allows the superintendent of banks to adopt necessary regulations and to require the submittal of certain reports by bank holding companies. Persons desiring to form or acquire bank holding companies must be approved by the superintendent before forming the company, according to the requirements for such approval.

The bill also deals with transfers of stock or trust certificates of a bank holding company which result in a transfer of the voting control of the company. Such transactions must be reviewed and approved by the superintendent.

Finally, the bill establishes certain powers of the superintendent regarding bank holding companies, including dishonest officers and employees; written orders of the superintendent and their effect; violations of laws or regulations; engaging in unsound practices; notices of charges; hearings; cease and desist orders; and other related matters.

S.B. 123 (chapter 119)
Provides that investments of trust companies, excluding land and equipment used on a day-to-day basis, must be in governmental obligations or insured deposits which mature within 3 years after acquisition. The aggregate market value of investments must equal or exceed 60 percent of the trust company's current, or 60 percent of its original capital, surplus and undivided profits, whichever is greater. The bill also specifies that all active officers and employees of trust companies, must be bonded with good and sufficient fidelity bonds in the amount of $25,000 or more.

S.B. 124 (chapter 488)
Allows certain persons to be licensed to make loans of $10,000 or less without reference to the rate of interest. For the purpose of this act, a person engages in the business of lending if he solicits and makes loans of $10,000 or less in Nevada, unless these are isolated, incidental or occasional transactions.

S.B. 125 (chapter 101)
Conforms state law to federal requirements relating to the time and form of reports to be filed by banks to the state superintendent of banks. This bill also corrects obsolete provisions and language contained in state law.

S.B. 126 (chapter 97)
Relates to licensees under chapter 671 of the NRS. These entities--which do not include banks, trust companies, savings and loan associations, credit unions or the like--are involved in the business of selling or issuing checks or receiving for transmission or transmitting money or credit. In Nevada, these are sellers of money orders, such as American Express.

The bill adds a new section to NRS 671.120 to allow the state superintendent of banks to accept an annual audit report of the licensee, which covers the most recent fiscal year, in lieu of conducting an examination of financial accounts as currently provided. This bill allows the superintendent of banks to comply with state law in a cost-effective manner because an examination of the books of American Express, for example, would require a trip to New York City.

S.B. 127 (chapter 201)
Prohibits the use of the word "trust" as part of the name of any entity doing business in Nevada, except for those organizations supervised by the state superintendent of banks, the commissioner of savings associations or the commissioner of insurance. This bill is primarily designed to prevent advertising and information which may be misleading to other entities and the general public.

S.B. 281 (chapter 618)
Revises various provisions relating to credit unions. Among other things, the bill provides that:

1. No credit union licensed in another state may operate in Nevada without obtaining a certificate of authority from the commissioner (administrator of financial institutions);

2. Each application for a certificate of authority from a foreign credit union must be consistent with the detailed criteria specified in this law;

3. The commissioner is given additional powers regarding the issuance of a certificate of authority to a foreign credit union;

4. The commissioner is allowed to examine the records of certificated foreign credit unions at any time deemed necessary and may revoke the certificate if violations have occurred; and

5. A credit union is allowed to make certain loans of not less than $10,000 without approval of its board of directors. The limit was formerly $2,500.

S.B. 361 (chapter 490)

Establishes an investigative fund for financial institutions and increases fees charged to financial institutions licensed by the State of Nevada. The purpose of the investigative fund is to create a source of money which can be used in connection with special investigations and for meeting expenses of the division of financial institutions in connection with required takeovers, receiverships and liquidations. Generally, fees charged for the establishment of new financial institutions or branches have been increased, while fees charged to existing institutions are largely unaffected.

S.B. 418 (chapter 581)

Creates a division of financial institutions within the department of commerce. The position of administrator of financial institutions is also established by the bill. Three existing divisions within the department of commerce--banking division, credit union division and savings and loan division--are abolished and their functions are reorganized within the new financial institutions division. The bill also transfers the regulation of thrift companies from the director of the department of commerce to the administrator of financial institutions. This bill consists of 160 pages and 420 separate sections in order to accomplish these technical amendments to state law.

S.B. 481 (chapter 556)

Makes technical corrections to Senate Bill 418 which was passed earlier in the session. Both bills relate to the creation of a division of financial institutions by combining several divisions within the department of commerce.

FIRE PROTECTION

A.B. 192 (chapter 334)
Changes requirements relative to modification of existing structures to enhance fire safety. The measure outlines criteria by which exceptions and variances to the requirements may be obtained for such features as door closing devices in health care facilities, exits and safe evacuation, historical value of the structure, practical difficulty or unnecessary hardship which favor alternate methods that achieve substantial compliance, and extensions of time because of financial hardship. With regard to school buildings in Clark and Washoe counties, the state fire marshal is directed to decide requests for variances and review local ordinances, with potential appeals to the board of fire safety. See also the summary of A.B. 320 (chapter 461) for additional amendments to the 1981 law (chapter 659, Statutes of Nevada 1981) which required retrofitting of existing structures for fire safety.

A.B. 320 (chapter 461)
Amends the 1981 law which required retrofitting of existing, larger buildings to provide fire protection (chapter 659, Statutes of Nevada 1981). This measure allows application of fire-retardant solution to interior finishes as an alternative to installation of automatic sprinklers. It also adds another exemption to the buildings used for public assembly which are subject to the retrofitting requirements. And, it limits the state's responsibility to modify state-owned property, in fiscal years 1983-1984 and 1984-1985, to the buildings in state institutions which contain permanent accommodations for sleeping. Also, see the summary of A.B. 192 (chapter 334) for additional amendments to the 1981 act which required retrofitting for fire safety.

A.B. 511 (chapter 355)
Provides that the offices of directors of county fire protection districts are nonpartisan and that the state's general election laws govern the nomination and election of the members of the boards of directors. The act also specifies that the remaining directors fill any vacancy on their board until the next election, and if they do not act within 30 days after the vacancy occurs, the board of county commissioners fills the vacancy. Specific procedures for registration to vote in a district election are also established.

A.B. 552 (chapter 331)
Allows local fire districts to charge a person or entity which willfully or negligently causes a fire or other emergency that threatens human life for the expenses incurred in extinguishing the fire or meeting the emergency and the cost of necessary patrol. Under the previous law, this authority had only been applicable to local fire districts organized by the county commissioners pursuant to Nevada Revised Statutes (NRS) 474.460, and it had not included the possibility of charging for calls which were related to emergencies other than fires.

FOOD AND DRUGS, SANITATION, AND WEIGHTS AND MEASURES

A.B. 77 (chapter 44)
Modernizes the Nevada Food, Drug and Cosmetic Act by eliminating obsolete United States Code references, adding effectiveness to drug qualifications, including provisions regarding color additives, and clarifying other references to food and drugs.

A.B. 79 (chapter 59)
Allows the use of methods of testing for butterfat in milk other than the Babcock test.

A.B. 141 (chapter 95)
Allows retailers to sell dairy products at a discount to customers who are at least 62 years of age. However, the discount must not reduce the price lower than the minimum retail price established by the state dairy commission. Also, the retailer must post a sign indicating the amount of the discount and the minimum age and identification required for customers to receive the discount.

A.B. 205 (chapter 65)
Provides definitions for gross receipts from manufacturers' sales of laetrile and Gerovital H3. The Nevada Revised Statutes provide for a 10 percent tax based on gross receipts from the sale of laetrile and gerovital. Gross receipts are defined to include the total amount of the sale without deductions for cost of the substance sold, cost of the materials used, labor or service, any interest paid or any losses or other expense, cost of marketing, or cost of transporting the substance. The total amount of the sale includes any services that are a part of the sale and all receipts, cash, credits and property of any kind.

A.B. 616 (chapter 493)
Revises the system of coordinates used for describing land in Nevada from a system using feet and decimals of feet originally adopted in 1927 to one which uses meters and decimals of meters and is designated as the Nevada coordinate system of 1983.

S.B. 253 (chapter 193)
Adds and defines a new category of frozen desserts within Nevada state law pertaining to dairy products and substitutes. The new category established is for "low-fat frozen dairy desserts," which, by definition, must contain between 0.5 and 2 percent milk fat.

Baskin Robbins Ice Cream Stores and others plan to market this type of frozen dessert. Such desserts are recommended for persons who must

watch their diet for reasons of heart and cholesterol problems, diabetes or weight reduction.

S.B. 462 (chapter 469)

Eliminates the 7-day delay for prices on dairy products to become effective after the prices have been filed with the dairy commission.

GAMING, BOXING, AND HORSERACING

A.B. 88 (chapter 122)
Changes the effective date of statutory provisions which reduce the state license fee on the gross revenue of gaming and on slot machines from July 1, 1983, to July 1, 1985. The 1981 legislature increased the fee on the gross revenue of a gaming license applicant whose gross revenue exceeds $400,000 per quarter year from 5 1/2 percent to 5 3/4 percent. The restricted license fee (not more than 15 machines) on slot machines was increased from $25 to $35 per machine per quarter year. The unrestricted license fee (16 or more machines, with other gaming devices) was increased from $40 to $80 per machine per calendar year. These increases were to revert back to pre-1981 rates on July 1, 1983.

A.B. 326 (chapter 230)
Creates the Nevada athletic commission's trust fund and specifies the money which is to be directed to the fund and how this money is to be handled.

A.B. 514 (chapter 253)
Increases the number of games which a gaming establishment may operate and still be exempt from the casino entertainment tax. Existing law levies a 10 percent casino entertainment tax on all amounts paid for admission, food, refreshments and merchandise in casinos that provide entertainment. Previously, gaming establishments with less than four games were exempt from the tax. This measure increases the number of games to six for which a licensed establishment may be exempt from the casino entertainment tax.

A.B. 515 (chapter 254)
Requires a provision, satisfactory to the Nevada gaming commission, for the payment of any deficiency in prior fees or taxes in contracts for the sale or lease of gaming-related property.

A.B. 535 (chapter 592)
Permits off-track pari-mutuel wagering on races or sports events which take place outside of Nevada. Under the measure, the Nevada gaming commission, upon recommendation of the state gaming control board, may adopt regulations for the conduct of off-track pari-mutuel wagering on a race or sporting event. The measure provides that no person or government agency from outside of Nevada may receive any commission or share in the revenue from the conduct of off-track pari-mutuel betting in Nevada without approval of the Nevada gaming commission. The commission is permitted, by the act, to approve any person or government agency after an investigation deemed proper by the state gaming control board is carried out. The measure:

1. Establishes a procedure for determining license fees;

2. Provides penalties, including fines and a judicial review appeals process; and

3. Contains a requirement that each license issued by the Nevada gaming commission to conduct pari-mutuel wagering be conditioned upon the licensee's approving any locations which may be established in Nevada for off-track pari-mutuel wagering as required by federal law.

A.B. 536 (chapter 582)

Provides for the resolution by the state gaming control board of disputes concerning nonpayment of gaming debts by gaming licensees to patrons. Under the act, whenever a licensee refuses to pay alleged winnings to a patron, the licensee is required to immediately notify the board. The board, through an agent, is then required to conduct whatever investigation it deems necessary and to determine whether or not payment should be made. The measure requires the agent to notify the board, licensee and the patron of his decision within 30 days after the board receives notification from the licensee. The bill sets forth appeals procedures for aggrieved parties and provides for judicial review of decisions. A gaming establishment which fails to notify the board of refusal to pay a patron his alleged winnings is subject to disciplinary action, by the Nevada gaming commission, including fines or suspension or revocation of license.

A.B. 558 (chapter 615)

Extends until July 1, 1988, the time after which greyhound race tracks in Clark County must also provide at least 50 days of horse racing each year. If a suitable track for horse racing is completed before that date, the greyhound racing licensee must provide at least 40 days of horse racing per year until July 1, 1988.

For counties whose population is less than 250,000 (all counties except Clark), the Nevada gaming commission may issue a license for greyhound racing only if certain conditions are met by the year 1988. The licensee must either provide for 40 days of horse racing per year or pay the Nevada racing commission $200,000 or 0.5 percent of all pari-mutuel money handled for greyhound racing. The money to be paid must be determined by whichever amount is greater, and must be distributed by the commission as additional purses for horse racing in Nevada.

Special provisions are made for horse racing which is conducted by an agricultural association, county fair or other authorized nonprofit organization. Such horse racing may only be used as a partial credit (between 15 and 20 percent) for the required number of days to allow for greyhound racing. Also, horse racing by agricultural associations must

be given preference in the award of dates by the racing commission and is exempt from bonding requirements before a race meet.

The bill establishes special provisions for the Las Vegas Downs race track by creating a trust account into which a portion of its pari-mutuel handle for greyhound racing must be deposited. The money in the trust account must be used for the capital improvement and maintenance of Las Vegas Downs to make it suitable for horse racing and associated pari-mutuel wagering.

S.B. 64 (chapter 60)
Requires that gaming license fees be paid monthly instead of quarterly and 3 months in advance. The measure expires by limitation on July 1, 1986.

S.B. 65 (chapter 531)
Removes the provision that the cost of administering the licensing and control of gaming by the gaming commission and gaming control board must not exceed 10 percent of the revenue collected under chapter 463 of the Nevada Revised Statutes (NRS).

This measure allows regulatory boards and commissions to apply for assistance from the contingency fund if the proceeds of their penalties are deposited in the state general fund. The legislation allows several boards and commissions to delegate their authority to take disciplinary action. It also removes provisions authorizing boards and commissions to charge persons who are subject to disciplinary action with the cost of the investigation or hearing.

S.B. 160 (chapter 82)
Removes the gaming control board's authority to charge fees for investigating the suitability of people who do business on the premises of licensed gaming establishments. Examples of these types of businesses include shoe stores, candy stores, newsstands, and other nongaming businesses.

This bill conforms the law to a state supreme court decision, Glusman v. State, 98 Nev. 412, 651 P.2d 639 (1982), which found that if the gaming control board called for a finding of suitability for the ancillary business, the board may not charge the proprietor for the investigation. The measure does not change the board's authority to charge fees for costs associated with investigating the suitability of potential licensees and other key employees of gaming establishments.

S.B. 210 (chapter 262)
Authorizes longer rest periods between rounds in boxing. Previous law required a 1-minute rest period between boxing rounds. This measure, which sunsets on July 1, 1985, permits rest periods of 60 to 90 seconds

between successive rounds and requires the Nevada athletic commission to determine the length of the rest periods. The commission is also required to hold a hearing and report to the 1985 legislature on the effect of the longer rest periods.

S.B. 329 (chapter 247)

Creates a special definition of a "regulation" which may be adopted by the Nevada gaming commission. Under the act, the term includes a rule, standard, directive or statement of general applicability which effectuates law or policy or which describes the procedure or requirements for practicing before the board or commission. The measure specifies that the term regulation does not include statements concerning internal management, declaratory rulings, interagency memoranda, decisions in contested cases or relating to applications for licenses, or notices concerning administrative fees.

S.B. 330 (chapter 402)

Clarifies the fines which the Nevada gaming commission may impose for violations of chapters 463 and 464 of the NRS or the regulations of the commission. Under the measure each separate initial violation is subject to a $100,000 fine. Any separate subsequent violation is subject to a $250,000 fine.

S.B. 331 (chapter 533)

Recasts procedures for a responsive pleading after a complaint is filed with the Nevada gaming commission. The measure also sets forth procedures for emergency orders by the commission for suspension, limitation or conditioning of a license, registration, finding of suitability, pari-mutuel license or prior approval, or the keeping of an individual licensee from the premises of a gaming establishment or for not paying such licensee for his services or profits.

S.B. 332 (chapter 248)

Requires the casino entertainment tax to be paid monthly instead of quarterly.

S.B. 335 (chapter 344)

Represents a substantial departure from previous gambling-related law in Nevada by making gaming debts collectible by licensed gaming establishments. Under the act, a debt must be evidenced by a credit instrument which is signed by a patron, dated, states the amount of the debt in figures and complies with the statutory requirements for a check. The measure allows nonrestricted gaming licensees to present credit instruments to a bank for collection of payment and ties the time allotted for presentation to the dollar amount of the debt. The measure permits debts to be satisfied in cash or gaming tokens or another credit instrument if the redemption is applied to the most recent credit instrument issued to the patron by the licensee.

S.B. 337 (chapter 249)
Broadens the immunity of gaming licensees from liability for taking action against suspected cheaters to include reporting to the state gaming control board or law enforcement authorities.

Under previous law, a gaming licensee was immune from criminal or civil liability resulting from questioning a person in his establishment whom he suspected of violating a gaming law if the licensee had a required notice posted in a conspicuous place. This measure broadens the scope of the immunity to include instances where the licensee reports the suspect to the state gaming control board or a law enforcement authority.

S.B. 342 (chapter 457)
Authorizes the Nevada gaming commission to regulate manufacturers and distributors of gaming devices who are located outside of Nevada. The measure provides that an agreement between a manufacturer and a licensee is deemed to include a provision for the agreement's termination without liability on the part of the licensee upon a finding by the commission that the manufacturer is unsuitable to be associated with a gaming enterprise. The measure also specifies that any person who is not required to be licensed as a manufacturer or distributor who involves himself in the sale of gaming devices may be required to file an application for a finding of suitability to be associated with a licensed manufacturer or distributor. Businesses failing to comply with the bill's provisions are subject to disciplinary action under the Nevada Gaming Control Act.

S.B. 355 (chapter 387)
Requires promoters of boxing or wrestling matches to file a copy of all contracts related to television rights with the executive secretary of the Nevada athletic commission at least 72 hours prior to the match. The measure also requires promoters to keep detailed records of the accounts, receipts and other documents related to television rights. The commission is authorized to inspect the records to determine the amount of the total gross receipts received by the promoter. If a promoter fails to comply with the act's provisions, the commission may calculate the amount of the total receipts derived from the television rights and assess the appropriate license fee as provided by state law.

S.B. 356 (chapter 417)
Gives the Nevada gaming commission control over live horse racing telecasts in Nevada. The measure relates to a case involving Caesar's Palace in Las Vegas which was broadcasting horse races without state approval. The measure provides that any broadcasting or display of information concerning horse racing is an incident of maintaining and operating a horse race book. It provides that the commission has the

power to condition, limit and restrict licenses of horse racing information disseminators and to prescribe the manner, terms and conditions for receiving, supplying or disseminating information concerning horse racing. The measure contains provisions allowing the commission to regulate the rates charged by disseminators. It permits the commission to require any licensee who subscribes to a disseminator's service to report financial information relating to wagering and amounts won on each track or event. It also permits the commission to publish this information to ensure that rates are just and reasonable.

S.B. 358 (chapter 515)

Creates a medical advisory board on boxing and wrestling. The five-member board is appointed by the governor. Each member of the board must be a licensed physician with at least 5 years of experience in the practice of medicine.

The board is required to prepare and submit to the Nevada athletic commission appropriate standards for the physical and mental examination of boxers and wrestlers. However, no standard is effective until approved by the commission. The board shall also make recommendations to the commission for the licensing of physicians who are qualified to examine boxers and wrestlers as well as advise the commission as to the physical or mental fitness of any boxer or wrestler if so requested.

The board must also prepare and submit to the legislature and the commission recommendations for possible revisions to state law deemed necessary to protect the health of boxers and wrestlers.

Finally, the health insurance coverage which may be required of each boxer and wrestler is increased from a minimum of $1,000 to at least $5,000. Benefits shall be payable to the physician or hospital where treatment is provided, or to the boxer or wrestler, or his beneficiary, if he has paid for that care.

S.B. 403 (chapter 304)

Prohibits the granting of an option to purchase an interest in a gaming licensee without the prior approval of the Nevada gaming commission. The measure also provides that any disposition of such an interest or granting of such an option is void without the commission's approval.

S.B. 445 (chapter 492)

Increases various gaming fees and imposes an added fee for licensing operators of slot machine routes. Under the measure:

1. The annual license fee for operators of slot machine routes is set at $500, effective January 1, 1984;

2. The quarterly slot machine fee for restricted licensees is increased from $35 to $55 per machine if the licensee has at least six machines, but less than 16 machines, effective July 1, 1983 (the increase of which expires on July 1, 1985);

3. The annual manufacturer's license fee is increased from $500 to $1,000, effective January 1, 1984; and

4. The distributor's annual license fee is increased from $200 to $500, effective January 1, 1984.

A.J.R. 31 (File No. 131)

Requests the Congress of the United States to enact legislation exempting the winnings of individual gaming patrons from the federal income tax.

HIGHWAYS AND TRANSPORTATION

A.B. 291 (chapter 233)
Authorizes the director of the department of transportation to designate scenic routes. The director may make this designation if the highway leads to a point of interest such as a federal or state park, historical site or areas for camping, picnics and recreation, and if there is an alternate route which parallels the proposed scenic route. The bill also requires that all official maps published by the department, which are intended primarily for the use of tourists, must identify highways which have been designated as scenic routes.

A.B. 367 (chapter 603)
Exempts buses used for public transportation from special fuel and privilege taxes. The public transportation must be part of a system which:

1. Operates buses on regular routes and fixed schedules in an urban area;

2. Transports persons who pay the established fare; and

3. Uses public money to operate the system or acquire new equipment.

Such exemptions are an encouragement to public transportation and remove taxation on a public entity.

A.B. 369 (chapter 566)
Expands the optional qualifications for the director and deputy director of the department of transportation from being a registered professional engineer to holding a master's degree in public or business administration, holding a bachelor of science degree in civil, structural, mechanical, or industrial engineering, or being a registered professional engineer. Statutory experience conditions are no longer alternative qualifications either, but rather are required in addition to one of the academic options. The deputy director must also have at least 2 years of administrative experience as the assistant director, the chief engineer, or the head of an engineering or planning division of the department, or have equivalent experience.

Finally, qualifications for the chief engineer are established. The chief engineer must be a registered professional engineer and have at least 3 years' experience as the final engineering authority for a state's agency which has duties similar to those of the department of transportation. If the director or deputy director is a registered professional engineer, he may also act as the department's chief engineer.

A.B. 661 (chapter 623)
Appropriates $200,000 for each of the fiscal years beginning July 1, 1983, and July 1, 1984, to the taxicab authority to fund a program in Clark County providing transportation for the elderly in taxicabs. This appropriation supplements an appropriation made through chapter 266, Statutes of Nevada 1983, which establishes the program for the elderly and provides a $70,000 appropriation for each fiscal year of the biennium.

S.B. 98 (chapter 146)
Permits the department of transportation to relinquish any portion of any state highway which the department determines exceeds its needs to a county or city. The highway or portion thereof, if accepted by the county or city, becomes a county road or city street as long as it is used for any public purpose. If the public purpose is abandoned or ceases to exist, then all right, title and interest to the county or city reverts to the department.

S.B. 99 (chapter 176)
Requires that the lease or rental of state highway property not used for highways and the space above and below highways be at fair market value.

The department of transportation has been permitted to lease right-of-way and improvements acquired in advance of construction for such sums as determined by the director of the department to be in the best interests of the State of Nevada. The bill eliminates the discretionary powers of the director. It requires that all leases be based on fair market value, including those for the space above and below the established highway grade line.

A.J.R. 15 (File No. 54)
Urges the United States Congress to support the construction and operation of a high-speed train between Las Vegas, Nevada, and Los Angeles, California.

INSURANCE

A.B. 273 (chapter 445)
Requires the commissioner of insurance to hire or contract with a person who is a specialist in cost containment for health care facilities. This person, under the supervision of the commissioner, must perform the duties specified in state law concerning costs of health care. The commissioner may, by regulation, impose fees upon health and care facilities and authorized health insurers to carry out his program for the accounting and financial reports regarding costs of health care. The fee schedule established by the commissioner must provide for the payment of approximately one-half of those costs by health and care facilities and the other half by authorized health insurers.

A.B. 303 (chapter 516)
Requires the commissioner of insurance to establish a program to investigate certain claims of insurance fraud. The bill specifies the ways in which the commissioner may investigate fraudulent claims for benefits from an insurance policy.

A special investigative account is established in the state general fund, for use by the commissioner, to pay expenses for investigating fraudulent claims. All costs of this program must be paid on an equitable basis by insurers conducting business in Nevada. The annual assessment must not exceed $500 per authorized insurer.

The bill also provides for the exchange of information on fraud with other entities in the state, establishes unlawful acts and prescribes penalties.

A.B. 328 (chapter 199)
Requires an administrator licensed under the Nevada Insurance Code to maintain adequate records at his principal office concerning all insurance transactions. The books and records must be maintained for at least 5 years after the transaction to which they relate. After the 5-year period, the administrator may remove the books and records from the state, store their contents on microfilm or return them to the appropriate insurer.

A.B. 374 (chapter 441)
Adds a new section to chapter 687B of the Nevada Revised Statutes (NRS) pertaining to insurance contract binders. The bill defines a "binder" as an oral or written contract for temporary insurance, which is used when a policy is not immediately issued, to evidence that the coverage attaches at a specified time and continues until the policy is issued or the risk is declined. The bill requires that binders may be issued only

by resident or nonresident agents of the insurer and that binders are effective for not more than 90 days unless extended for 30 days at a time upon written approval by the state insurance commissioner. Other important provisions of this bill include the following:

1. Written binders must be on forms approved by the commissioner;

2. One copy of written binders must be provided to the insured and the insurer within 24 hours after the binder becomes effective;

3. Insurance policies issued to replace a binder must include the same limits of coverage and effective dates;

4. Issuance of a binder does not prevent the insurer from disapproving insurance coverage under certain circumstances;

5. An insurer may not use a binder as a means to lower a premium which an insured person is charged; and

6. A binder is deemed a policy for the purpose of proving that a person has insurance coverage.

A.B. 375 (chapter 343)
Generally increases the fees charged by the state insurance commissioner for issuing licenses, certificates and performing other services. The bill also establishes a $500 fee for the filing of an initial application and making a related examination for an insurer's certificate of authority. Fees are also established for the filing of various documents by a surplus lines broker.

A.B. 399 (chapter 364)
Allows a person with health insurance coverage to assign his rights to benefits to the provider of health care who provided the services covered by the policy. The insurer is required to pay benefits to the assigned person or entity rather than to the insured person.

A.B. 431 (chapter 591)
Requires an employer who provides group health or group life insurance covering his employees to notify the employees if he is unable to pay a premium when it is due or of his intention to stop paying premiums. This notice must be conspicuously posted or given to the employees at least 30 days before the coverage will cease.

This bill also makes an employer liable to an employee for any money deducted from wages for insurance coverage if the money was not so used.

A.B. 461 (chapter 394)

Requires that certain persons provide proof of their compliance with the Nevada Insurance Code or regulation by another state agency or political subdivision. This law applies to those persons providing group insurance coverage in Nevada for medical care, surgery, chiropractic, physical therapy, speech pathology, audiology, professional care of mental health, dental care, hospital care, or ophthalmic care. The bill also provides for notification, administrative fines, orders, and related matters.

A.B. 529 (chapter 391)

Revises provisions in state law concerning standard valuations and the prevention of forfeitures under certain insurance policies. This bill brings modern mortality tables for life insurance into state law. The tables formerly used in Nevada law were adopted in 1961. Life expectancy has significantly increased since that time. This bill should substantially reduce the cost of life insurance to individuals purchasing policies in the future because of longer life expectancy and also because payments could be spread out over a longer period of time.

This bill is based on an updated model law developed for use in all states by the National Association of (state) Insurance Commissioners. Nevada's commissioner of insurance belongs to the association. The model act was approved by that association in 1980, and since that time, at least 45 states have adopted this law.

A.B. 615 (chapter 600)

Provides certain health insurance coverage for persons in hospices, which are facilities staffed and equipped to provide care to the terminally ill. The bill relates to individual health insurance policies, group health insurance policies, contracts for health services and health care plans issued in this state. If such insurance provides coverage for services rendered in a hospital or other health and care facility, it must also provide coverage for such services when rendered in a hospice.

S.B. 61 (chapter 263)

Requires health insurance policies which provide coverage for mastectomies to also provide commensurate coverage for at least two prosthetic devices and for related reconstructive surgery. The bill requires that reconstructive surgery must commence within 3 years of the mastectomy for maximum insurance benefits. These same provisions also apply to industrial insurance and health benefits if compensation is paid to an employee for a mastectomy.

S.B. 81 (chapter 181)

Allows an insurer, with the approval of the state commissioner of insurance, to reinsure all its risks in an authorized insurer. This authorization allows a smaller subsidiary insurance company to reinsure all of its risks in its parent company and, by so doing, increase its rating strength.

S.B. 166 (chapter 621)

Establishes a 13-member advisory committee on insurance covering alcoholism and drug abuse. The governor must appoint this committee according to the criteria and representation specified in the bill.

The committee is required to review provisions in law relating to insurance coverage, benefits, cost containment and incentives to employers relating to the cost of treatment of alcohol or drug abuse. The committee must also review and develop procedures for certifying personnel, accrediting programs, and licensing facilities as well as prepare an annual report of recommendations.

Benefits included in individual health insurance policies, group health insurance policies, medical service corporation health insurance policies, health care plans and employer-provided health benefits for the treatment of alcohol and drug abuse must provide for:

1. Treatment of withdrawal for up to 7 days per year;

2. Inpatient treatment costs up to $10,000 per year; and

3. Outpatient treatment costs for counseling up to $1,500 per year.

The insured is entitled to three courses of each of these types of treatment during his lifetime.

S.B. 303 (chapter 380)

Makes several changes in Nevada's insurance laws. The bill specifies that a resident insurance firm, which has more than one office in the state, need only obtain one original license as an agent or broker. However, a copy of the license must be obtained for each location. The bill also prohibits the naming or registration of a resident natural person to the license of a nonresident agent or broker.

Appointments of agents by insurers become effective upon filing with the state insurance commissioner. An agent's license expires if his appointment is removed from the file and is not reinstated within 60 days.

Finally, the bill provides that persons licensed as agents, brokers, solicitors or surplus lines brokers cannot also be licensed as associate adjusters.

S.B. 305 (chapter 288)
Makes several changes in state insurance law concerning domestic and foreign insurers. The bill provides new definitions for both domestic and foreign insurers. The major change concerns conversions from foreign to domestic or vice versa.

The bill allows a foreign insurer with a certificate of authority to transact business in Nevada to become a domestic insurer by complying with requirements for domestic insurers. The bill also specifies that if a domestic insurer transfers its domicile to another state, it ceases to be a domestic insurer. Finally, the bill allows the state insurance commissioner to enforce additional requirements on insurers which transfer their domicile into or out of the state.

S.B. 306 (chapter 434)
Allows the commissioner of insurance to investigate any person he has reason to believe may be engaging in the business of insurance. The commissioner may investigate the accounts, records and transactions of any person he has reason to believe may be acting as any of the following: insurance agent; solicitor; broker; surplus lines broker; general agent; adjuster; insurer representative; bail bondsman; motor club agent; or any other insurance licensee.

S.B. 363 (chapter 431)
Removes from state law the exemption from the examination of the commissioner of insurance which was formerly provided to persons serving as insurance agents for fraternal benefit societies.

S.B. 364 (chapter 619)
Relates to organizations for dental care, which are defined to include any person who agrees to provide coverage for dental care, through one or more insurance agreements, for the persons enrolled in a plan for dental care. The commissioner of insurance is authorized to adopt any regulations necessary to carry out the provisions of this bill. No person may establish or operate a dental care plan without first being certified by the commissioner.

This bill also establishes the following provisions:

1. Limits rates to be charged by organizations for dental care;

2. Broadens the choice of a dentist by an insured person or member of a plan for dental care;

3. Regulates prior approval of such care by an insurer or organization;

4. Establishes standards for payment of fees for dental care by insurers or organizations; and

5. Provides penalties for violations of this act.

INTERIM STUDIES

S.B. 33 (chapter 56)
Revises provisions governing legislative committee on public lands.

S.B. 375 (chapter 572)
Creates legislative committee to study function of parole in the system of criminal justice.

A.C.R. 18 (File No. 117)
Directs legislative commission to conduct interim study of effect of federal antitrust laws on licensing of businesses by local governments.

A.C.R. 24 (File No. 118)
Directs legislative commission to study feasibility and desirability of establishing veterans' cemetery in Nevada.

A.C.R. 31 (File No. 119)
Directs study by legislative commission to determine zoning problems resulting from placement of manufactured homes on residential lots.

A.C.R. 47 (File No. 137)
Directs legislative commission to study means to aid abused and neglected children.

A.C.R. 49 (File No. 139)
Directs legislative commission to study providers of health care and health and care facilities.

A.C.R. 50 (File No. 140)
Directs legislative commission to study taxation of aircraft, fuel and promotion of aviation in Nevada.

A.C.R. 54 (File No. 141)
Creates special committee to study dyslexia and other specific learning disabilities.

A.C.R. 55 (File No. 142)
Directs legislative commission to study mining laws.

S.C.R. 2 (File No. 126)
Directs legislative commission to study fiscal notes for local governments on bills submitted to legislature.

S.C.R. 10 (File No. 127)
Directs legislative commission to study grand juries in Nevada.

S.C.R. 24 (File No. 128)
Directs legislative commission to study public broadcasting in Nevada.

S.C.R. 29 (File No. 129)
Directs legislative commission to study problems of compensation for certain victims of criminal acts.

S.C.R. 42 (File No. 124)
Directs legislative commission to study methods of taxing electrical power plants and distributing resulting revenue.

S.C.R. 45 (File No. 158)
Directs study of the feasibility of establishing regional water authorities; prohibits the transfer of certain water; and prohibits the state engineer from acting upon applications to export water from certain counties.

S.C.R. 49 (File No. 133)
Directs legislative commission to study laws affecting depository financial institutions.

S.C.R. 52 (File No. 135)
Directs interim study of disposal of highly radioactive wastes.

S.C.R. 55 (File No. 159)
Directs legislative commission to study education.

LABOR, LABOR UNIONS, INDUSTRIAL INSURANCE, INDUSTRIAL RELATIONS, AND UNEMPLOYMENT COMPENSATION

A.B. 5 (chapter 332)
Increases the monthly wage, from $600 to $900, that may be deemed earned by volunteer firemen for the purposes of industrial insurance.

A.B. 96 (chapter 222)
Relates to discrimination in employment. The act clarifies procedures leading to resorting to district court and removes the power of the labor commission to hear and apply for injunctions in cases relating to discrimination in employment.

A.B. 111 (chapter 112)
Amends a portion of state industrial insurance law by expanding the circumstances under which persons may be admitted to facilities of the state industrial insurance system (SIIS) for rehabilitation. This bill deletes the requirement that persons must be suffering from an injury caused by trauma, and instead allows admission of persons who may benefit from such rehabilitation services when referred by a physician and approved by the medical director of the facility. However, admission is not allowed for nonclaimants who are either terminally ill or who have been referred solely for treatment of alcohol or drug abuse.

A.B. 128 (chapter 88)
Requires employers to record the number of hours worked by each employee per day instead of noting the number of overtime hours worked per pay period.

A.B. 160 (chapter 113)
Increases the annual license fee for private employment agencies from $50 to $100. This nonrefundable fee must be paid to the labor commissioner, and license renewals must be made before the last day of the year in order to conduct business during the following year.

A.B. 226 (chapter 265)
Allows a hearing officer of claims for compensation under industrial insurance to refer the claimant to a physician for a medical examination. However, if the medical question concerns a permanent disability, the claimant may be referred to a physician designated by the administrator of the state division of insurance regulation. Such examinations ordered by the hearing officer must be paid for by the insurer.

The bill also amends portions of state law concerning lump sum disability compensation. These changes allow awards for permanent partial disability to be paid in a lump sum under certain conditions:

1. For persons injured after July 1, 1973, but before July 1, 1981, if the disability does not exceed 12 percent;

2. For persons injured after July 1, 1981, if the disability does not exceed 25 percent; and

3. If a claimant elects to receive a lump sum payment, all of his benefits for further compensation for the injury terminate, except for certain rights to reopen a claim or obtain rehabilitation services provided by the insurer.

The bill provides that an employee receiving a lump sum compensation for a permanent partial disability who is subsequently injured in another work-related accident, will not receive a reduced amount of compensation for the subsequent injury if it is distinct from the previous injury.

A.B. 251 (chapter 179)

Adds two new sections to the Nevada Industrial Insurance Act. The bill requires the administrator of the state's division of industrial insurance regulation to withdraw his approval of an employer's provision of accident benefits for his employees and require the employer to pay the premium collected by the state industrial insurance system if the employer intentionally:

1. Determines incorrectly that a claimed injury was not work-related;

2. Fails to advise an injured employee of his rights under state law;

3. Delays a needed change of an injured employee's physician;

4. Causes an injured employee to file a legal action to recover benefits due him from the employer;

5. Violates any of his or state regulations regarding accident benefits; or

6. Discriminates against an employee who claims benefits under state law.

Hearings may be requested by employers concerning the withdrawal of approval as provided in the bill.

A.B. 252 (chapter 197)

Makes various changes in the Nevada Occupational Diseases Act (NODA). Many of these changes are designed to tie the provisions of the NODA more closely with the Nevada Industrial Insurance Act (NIIA). It provides that questions concerning compensation claims for occupational diseases may be referred to the medical review board in the same manner as provided in NIIA.

It extends the exclusive remedy provided by NODA to every architect or engineer employed by a contractor. An employee's ability to collect certain other benefits is limited if he receives any compensation or medical benefits under the NODA.

It requires the administrator of the state division of industrial insurance regulation to assign claims of employees of uninsured employers to the state industrial insurance system for settlement and payment of benefits. The administrator must also reimburse the system for claims adjusted and benefits paid. It requires self-insured employers to bear a proportionate amount of claims made under the NODA and entitles such self-insured employers to a proportionate amount of an assignment.

The bill requires that an employee show the relationship of an occupational disease to his employment within the prescribed times. It makes the same provisions for medical examinations of claimants under the NODA that currently exist in NIIA. It also requires that for claims relating to lung or heart disease, the person must have been employed or worked in the state for at least 2 years.

Finally, the bill requires that claims for compensation on account of silicosis, whether based on disability or death, must be made within 1 year.

A.B. 253 (chapter 485)

Requires the manager of the state industrial insurance system to provide an incentive for employers to control industrial injuries and occupational disease. This incentive is in the form of dividends based on experience when the balance in the state insurance fund exceeds by $1 million or more the amount necessary to pay obligations and expenses and to provide for contingencies. The manager may declare and distribute a dividend not more than once a year to any employer. Such dividends must be computed in a manner which relates the amount of the dividend to the experience of the employer in controlling industrial injuries and occupational disease. The experience may be determined on the basis of 1, 2 or 3 years as established in regulations of the manager.

The bill also provides for the following:

1. Public hearing required to determine the aggregate amount of dividends to be distributed;

2. Appeal procedures if an employer objects to the amount of a dividend distributed to him; and

3. Provisions for the establishment and filing of revised premium rates and classifications of employment by the manager, including notice to employers and optional public hearing.

A.B. 254 (chapter 483)

Makes various changes in state law regarding industrial insurance. The bill adds a new section to state industrial insurance law requiring providers of health care to charge the insurer, and not the patient, if such patient is referred for the treatment of an industrial injury or occupational disease. The insurer is liable for all charges for approved services if the fees do not exceed the criteria specified in the bill. Administrative fines are also established for violations of these provisions.

This measure includes money for rehabilitative services under the definition of "compensation."

The Nevada highway patrol is added to those law enforcement agencies whose volunteer officers (e.g., search and rescue volunteers) are entitled to certain benefits under the state industrial insurance law.

Apprentices are made eligible for benefits if injured during the course of instruction required as part of the apprenticeship.

The bill also requires the state industrial attorney to maintain an office in Carson City or Reno, in addition to the other required office in Las Vegas.

Fee schedules for accident benefits adopted by the department of industrial relations must not establish maximum fees and charges less than the statistical mode of fees and charges for similar treatment available in the "community." These schedules must be updated annually. The bill establishes three communities: (1) Clark County; (2) Washoe-Douglas-Carson City; and (3) the remaining 13 counties.

A person, aggrieved by a decision of an insurer, may appeal the decision within 30 days in order to receive a hearing before a hearing officer.

The bill also amends a portion of Assembly Bill 278, passed earlier in 1983, relating to claimants for compensation because of a permanent partial disability. If the claimant would receive more money by electing to receive compensation in a lump sum rather than in installment payments, he may elect to receive the lump sum payment.

A.B. 255 (chapter 156)

Clarifies where final administrative hearings concerning employer account disputes will be held. Prior to the 1981 legislative session, such employer hearings were held by the three commissioners of the

Nevada industrial commission (NIC), who had specific statutory authority to hold such hearings. Unfortunately, Senate Bill 548 (chapter 642, Statutes of Nevada 1981), which provided for the reorganization of the NIC, contained an oversight.

The reorganization under S.B. 548 did not address the necessity to provide for employer appeals of nonclaims-related issues. The issues of correct classification assignments and payroll/premium audit determinations can result in employer protests. Past practice has demonstrated the need for an appeals process so that employers can have their grievances heard by the agency on such issues as:

1. Subcontractor/independent contractor determinations;

2. Clerical employee determinations and proper corporate officer reporting;

3. Proper payroll division and prime contractor responsibility;

4. Whether or not there is an employer/employee relationship; and

5. Whether or not the business is a multiple enterprise or a single enterprise industry.

The bill provides a forum for the protest and further provides that if the employer disagrees with the decision of the manager, he may seek review in district court. The other main provision in the bill clarifies the system's authority to levy fines for an employer's failure to promptly report payroll.

A.B. 264 (chapter 107)
Requires that all real property owned or acquired by the state industrial insurance system must be held by the division of state lands in the name of the State of Nevada. The industrial insurance system retains the sole power to sell or exchange the property, and any money received therefrom must go into the state insurance fund. Within 5 days after this act becomes effective, the manager of the industrial insurance system is required to convey, by quitclaim deed, all real property owned by the system to the division of state lands.

A.B. 278 (chapter 180)
Extends gradually the limit on duration of payments past age 65 for permanent partial disabilities under the Nevada Industrial Insurance Act.

A.B. 286 (chapter 109)
Permits chiropractors to certify applications for an increase or rearrangement of compensation, or a reopening of a closed claim of an injured workman under state industrial insurance law. Formerly, only

physicians were allowed to submit such certificates. This bill allows chiropractors to submit certificates if the change in circumstances reasonably indicates treatment that is within the lawful scope of chiropractic.

A.B. 289 (chapter 137)
Prohibits unfair discrimination in the reimbursement of services payable as a benefit under policies or contracts of industrial, health and casualty insurance. In particular, this bill requires that chiropractors receive reimbursement equal to that of physicians for similar treatments provided to patients.

A.B. 386 (chapter 228)
Decreases the amount in the vocational rehabilitation revolving fund from $50,000 to $35,000.

A.B. 432 (chapter 208)
Concerns a claimant's request for appointment of the state industrial attorney to represent him in matters relating to industrial insurance. The bill removes the requirement that the claimant must be found to be financially unable to employ his own attorney.

A.B. 433 (chapter 209)
Prohibits an employer from requiring an employee injured in an industrial accident to disclose any other information concerning his physical condition. This bill will help ensure an employee's right to keep his medical records confidential.

A.B. 472 (chapter 318)
Increases the monthly wage, from $250 to $900, that may be deemed earned by volunteer peace officers for the purposes of industrial insurance.

A.B. 483 (chapter 436)
Requires that all payments of wages be in cash or negotiable check unless the employee has agreed in writing to some other disposition of his wages.

A.B. 527 (chapter 338)
Requires the department of industrial relations to allow, as a credit against assessments made pursuant to state law against the state industrial insurance system, the sum of $1 million to be transferred from the state insurance fund. The interest must be computed from July 1, 1982, on the outstanding balance of the amount transferred until it is exhausted by credits against successive appropriations.

A.B. 530 (chapter 399)
Relates to apprenticeship agreements entered into pursuant to chapter 610 of state law. This bill changes the period of probation from the

current maximum of 500 hours of employment and 6 months of instruction, to a maximum of 1,000 hours of employment and 72 hours of related instruction.

A.B. 555 (chapter 406)
Reduces the term of office, from 4 years to 2 years, for appeals officers appointed by the governor to conduct hearings regarding contested claims for compensation under Nevada's industrial insurance laws.

A.B. 571 (chapter 349)
Adds chiropractors and psychiatrists to medical panels and boards which review industrial insurance claims.

S.B. 238 (chapter 259)
Excludes employment from coverage for unemployment compensation if all of the following provisions are met:

1. Sale or solicitation for sale of products to be sold or resold is in a place other than a retail store;

2. Compensation is based on sales or service volume rather than hours worked; and

3. Employee works under a written agreement with employer that he is not an "employee" for the purposes of state unemployment compensation law.

The bill repeals the provision that certain student employees must be under 22 years of age to be excluded for benefits under unemployment compensation law. It further provides that benefits are not available to persons performing services for a governmental agency operated to provide services to educational institutions which may make reimbursements in lieu of contributions under this law. Retroactive payments of benefits for employees of educational institutions are allowed if the employee is not retained the second academic year as previously anticipated. Retroactive to December 31, 1982, the definition of "employment" excludes full-time students employed by organized seasonal camps less than 13 weeks for services performed in 1983.

S.B. 262 (chapter 317)
Makes the state industrial insurance system (SIIS) subject to the State Budget Act. Previously, the state industrial insurance system submitted a copy of its budget to the legislature through the chief of the budget division of the department of administration. This bill makes the State Budget Act fully applicable to SIIS as with most other state departments and agencies. This requires officials of SIIS, on or before September 1 of each even-numbered year, to prepare estimates of the expenditure requirements, anticipated income for the next 2 fiscal years compared

with such figures of the last completed fiscal year and the estimated figures for the current fiscal year. The state industrial insurance system may no longer change a "job" position for which money has been appropriated or authorized from one classification to another.

The bill was supported by the general manager of the SIIS to eliminate the adversarial role that has developed. It also provides that the agency's budget should be subject to accountability and budgetary control.

S.B. 264 (chapter 198)
Provides that wages paid to a person in another state, upon which contributions were required to be paid to the employer under that state's unemployment compensation law, must be included as part of the wages used to calculate contributions required under Nevada law.

S.B. 265 (chapter 200)
Changes certain unnecessary or cumbersome administrative requirements of the employment security department concerning the effective date for regulations and dates of establishing rate schedules for taxes.

S.B. 269 (chapter 173)
Allows the executive director of Nevada's employment security department to provide information on names of employers, their geographic locations, types of business or industry and numbers of employees, to the Nevada department of economic development for its use in developing and diversifying the state's economic interests.

S.B. 340 (chapter 359)
Changes various provisions in Nevada's unemployment compensation law (chapter 612 of NRS) to comply with federal laws. The bill does the following:

1. Adjusts the rate for extended benefits;

2. Provides for enforcement of obligations for child support;

3. Provides for testing after disqualification for unemployment and disqualification after a suitable job offer;

4. Clarifies benefits;

5. Increases employer's tax rates; and

6. Removes solvency assessment.

S.B. 350 (chapter 419)

Requires an employer who withholds some of an employee's wage for deposit in a financial institution to actually deposit such money within 5 working days after the employee is paid the wage. An exception is provided if the employer and employee have entered into an agreement which contains other provisions.

S.B. 466 (chapter 605)

Authorizes a limited amount of an employee's tips to be included as wages for purposes of unemployment compensation benefits. Employees whose annual wage is less than $10,200 may include tips along with wages until a combined amount of $10,200 is reached.

The employer of such an employee is required to pay the required contribution to the employment security department for unemployment compensation benefits based on these calculations. However, when annual calculations are made by that department concerning maximum weekly unemployment benefit amounts, any tips which were included in reported wages are not counted.

LANDLORD AND TENANT, PROPERTY RIGHTS, MOBILE HOMES AND MANUFACTURED HOUSING

A.B. 11 (chapter 23)
Clarifies the homestead law by specifying that the law does not cover mechanics liens as process to enforce the payment of obligations contracted for the purchase of the premises.

A.B. 41 (chapter 45)
Changes the requirements in state law which allow for the conversion of mobile homes to real property. After removing the running gear and permanently affixing a mobile home to land owned by the mobile home owner, the owner may file with the county assessor to have the mobile home classified as real property. Before adoption of this measure, the owner only needed to record an affidavit of conversion with the county recorder in order for the county assessor to place the mobile home on the tax roll as real property. The new law requires the assessor to also receive verification from either the manufactured housing division of the department of commerce or holders of security interests as to any liens or security interests in the mobile home.

A.B. 43 (chapter 325)
Introduced at the request of Nevada's manufactured housing division in the department of commerce, the primary purpose of the bill is to bring state law into conformity with the 1980 amendments to Title VI of the 1974 Federal Housing and Community Development Act, by adding a definition of "manufactured home."

The bill also adds new provisions to chapter 489 of the Nevada Revised Statutes (NRS) to expand the grounds for disciplinary action in the areas of poor workmanship and the falsification of credit applications and purchase agreements.

The bill clarifies language presently in state law relating to construction standards and the issuance of certificates and labels of compliance and deletes redundant language. Another important provision of the bill requires that persons seeking a license in mobile home service and installation must post a $5,000 bond as a condition of being granted a license.

A.B. 241 (chapter 102)
Establishes certain new provisions and corrects existing language in chapter 119 of the NRS which deals with the licensing and regulation of land sales.

The bill establishes various provisions and requirements for a registered representative of a real estate broker, developer or salesman.

Such a registered representative must apply with the state division of real estate and pay the required fees. A registered representative must limit his activities to inducing and soliciting persons to attend an offer or sale of subdivision property. He may also hand out information approved by the real estate division and must conform to the written sales plan approved by the division. The registered representative must not make statements of any kind regarding prices, interests or values of subdivision property. Real estate brokers and salesmen licensed in Nevada are allowed to function as registered representatives upon meeting the requirements and paying the fees of the real estate division.

The bill also requires that persons proposing to offer or sell any subdivision must give and review with the purchaser the information submitted to the state real estate division at the time he applied for his license. Revocations of purchase agreements are allowed under certain conditions where this information was not provided.

The approval of the state real estate division is required for all advertising and offerings of subdivisions located within Nevada.

A.B. 242 (chapter 174)

Makes several changes to Nevada's land sales law concerning the licensing and regulation of land sales. The primary thrust is to exempt land sales or leases in Nevada from the provisions of the land sales law if the parcel is free and clear of all liens, encumbrances and adverse claims and if the purchaser or his agent has personally inspected the land before purchase and the developer executes a written statement to that effect in accordance with state regulations.

The bill also provides exemptions from the land sales law for cemetery lots, offers of any evidence of indebtedness secured by way of mortgage or deed of trust, or securities of interest issued by an investment trust unless objected to by the state real estate division.

The bill allows the division of real estate, by regulation, to exempt any other subdivision from the provisions of state land sales if enforcement thereof is not necessary to protect the public interest or the purchasers.

It allows the filing of an effective statement of record, previously filed with the Federal Government, to be used as at least a partial substitute for information otherwise required by state land sales law.

The bill specifies that any exemption provided under state land sales law is not an exemption from state planning and zoning law.

A.B. 329 (chapter 162)

Requires separate accounting of certain money received by mobile home dealers. This money includes all downpayments, deposits of earnest money, proceeds of loans, or money received on behalf of another person.

The money is to be deposited in a federally insured financial institution in Nevada and placed in a separate checking account which is designated as a trust account. The mobile home dealer is required to keep detailed records concerning money in this account, including that money received from each individual under the conditions previously specified. All such records and money are subject to inspection and audit by the manufactured housing division of the department of commerce. The dealer must also notify the division on each trust account established and submit an annual report to the division prepared by a registered or certified public accountant. A mobile home dealer is guilty of a gross misdemeanor if he knowingly fails to maintain such a trust account or if he commingles the money, or other property of a seller or purchaser of a mobile home, with his own.

The bill also repeals sections of NRS which relate to escrow accounts for the sale of mobile homes. It handles this general subject matter in a much simplied form.

A.B. 425 (chapter 212)

Requires the repossessor of a mobile home or slide-in camper to pay any personal property tax owing upon repossession.

This is in addition to the NRS provision that a purchaser of a mobile home or slide-in camper is responsible for paying the appropriate personal property tax.

A.B. 426 (chapter 504)

Requires mobile home park landlords to meet with tenants to hear complaints and suggestions. It specifies that within 20 days after the receipt by the landlord or his agent of a written request which has been signed by 25 percent of the tenants occupying the park, the landlord, or his agent, must meet with a representative group of tenants to hear any complaint or suggestions which concern a matter relevant to the park.

The measure also requires mobile home park landlords to maintain recreational facilities in good order and to give the tenants at least 30 days' written notice before changing any rule or regulation pertaining to the park's recreational facilities. Previous law required 10 days' notice.

The act adds two new provisions to the mobile home park law specifying that landlords must not prohibit:

1. Any tenant from soliciting dues from the members of any association which is formed by the tenants who live in the park, and

2. A public officer or candidate for public office from walking through the park to talk to the tenants.

The bill provides that a service of notice by the landlord to terminate a rental or lease agreement does not enhance a landlord's right to enter a tenant's mobile home. Under the bill, a landlord is not permitted to enter a tenant's mobile home, except in an emergency, without the tenant's permission or a court order. The measure raises the lien of a trailer park keeper from $200 to $2,000, or the total amount due and unpaid, for rentals and utilities, whichever is the lesser.

The measure also repeals the criminal penalties for violation of the "Landlord and Tenant: Mobile Home Lots" law and adds civil penalties or fines up to $1,000 for third or subsequent violations. First-time offenders are subject to a civil penalty of not more than $250.

A.B. 441 (chapter 535)
Prohibits a landlord from increasing the rent payable by a tenant until 45 days after he has served a written notice to that effect. The law formerly required a 30-day notice. In the case of tenancy less than 1 month, an increase in rent must be preceded by a 15-day notice instead of the former 7-day requirement.

A.B. 636 (chapter 569)
Pertains to the rental of individual spaces for the storage of personal property, such as ministorage facilities. The bill prohibits the use of such a storage facility as a residence. Such a facility is also not to be deemed as either a warehouse or a public utility.

The measure provides for the attachment of a lien for the rent or other charges made for use of such spaces. The lien is made on all personal property stored in the space.

All rental agreements for the use of such storage facilities must be in writing. The rental agreement must include a statement that the occupant's personal property is subject to a claim for a lien and may be sold to satisfy that lien if the rent due or other specified charges are unpaid for 14 consecutive days. The bill describes in detail the provisions relating to the lien, notices, and subsequent sale of involved personal property.

S.B. 110 (chapter 271)
Increases the homestead exemption from $75,000 to $90,000. The measure also clarifies provisions relating to the right of survivorship and the disposition of the property in case of death. It also provides an

alternative method of establishing the termination of an interest in community property with right of survivorship and establishes a related presumption.

The bill specifies that if the property declared upon as a homestead is community property, the husband and wife are deemed to hold the homestead as community property with a right of survivorship. It also describes continuation of the homestead from execution in cases of community and separate property.

S.B. 176 (chapter 401)

Adds a new chapter to Title 10 of the NRS providing for the regulation of time shares. A time share means, as defined by the act, the right to use and occupy a unit on a periodic basis according to an arrangement allocating this right among various time share owners. The measure contains definitions, permits the real estate division to adopt regulations and employ staff to enforce its provisions, and gives authority to the administrator of the division or hearing officer to take testimony, administer oaths, issue subpenas and obtain various information.

The measure requires any developer proposing to offer to sell time shares in a time share property, which is intended to have more than 12 time shares, to apply to the real estate division and submit various information about the project, its budget and financing and the condition of its title and encumbrances.

The bill also requires the division to make an investigation before issuing any public offering statement or amendment to such statement to any time share developer and provides reasons for the administrators to deny a statement or an amended statement. An appeals process and provisions for cease and desist orders are contained in the bill.

The measure provides for the licensing of project brokers and sales representatives, specifies qualifications for those persons, contains disciplinary procedures and provides for the continuing education of sales agents.

The measure requires disclosure by developers about programs for exchange of occupancy rights with persons in other time share projects, provides a 5-day cooling off period for purchases of time shares, and makes developers and project brokers responsible for the activities of their sales agents.

The bill gives the real estate division authority to review time share literature, including advertisements, and contract information. Notice requirements for time share licenses are defined, and the measure contains provision for bonding. It also provides for monetary compensation if a unit is unavailable and a comparable unit is not provided.

Under the measure, a developer or an affiliate of the developer is required to provide for the management of the time share plan and the project by written agreement with the time share owners. The initial term of the agreement must expire upon the first annual meeting of the members of the association or at the end of 5 years, whichever comes first.

The measure also contains property and liability insurance requirements and mechanisms for existing time share property to come under its provisions and permits the real estate division to except other existing time share property which meets the requirements of chapter 119 of state law.

The bill contains misdemeanor penalties for violations of its provisions.

S.B. 189 (chapter 291)
Provides a specific legal framework for establishment and transfer of conservation easements in Nevada.

S.B. 298 (chapter 397)
Permits the acquisition of mobile home parks by rural housing authorities and authorizes the housing division of the department of commerce to provide mortgages for mobile home parks and manufactured homes.

S.B. 366 (chapter 620)
Provides additional regulation of charges for utility services in mobile home parks. The bill provides for the examination and testing of utility lines or equipment in such parks regarding their safety. If the public service commission of Nevada finds or deems any lines or equipment to be unsafe, the commission must take appropriate action to protect the safety of residents of the mobile home park. This action may include an order for the landlord to expend money in his utility service charge account to repair or replace the unsafe lines and equipment.

The bill also establishes various provisions related to utilities in mobile home parks, optional metering for mobile home lots, prorated costs for nonmetered lots, rates commensurate with actual utility charges to the landlord, itemization of utility charges on rent bills, and related matters.

The public service commission of Nevada is given authority to hear complaints by mobile home tenants of possible violations of this law, as well as issue cease and desist orders and require refunds, if necessary.

LEGISLATURE, LEGISLATIVE COUNSEL BUREAU

A.B. 3 (chapter 3)
Makes changes in the persons, offices and organizations who may receive free copies of bills and other legislative publications and the number of copies of these materials to which they are entitled.

A.B. 4 (chapter 2)
Increases the fee to be charged for a set of bill books from $100 to $150.

A.B. 6 (chapter 29)
Revises the procedures whereby executive agencies arrange for audits to be performed by the legislative auditor and modifies the procedures relative to arranging for hearing of audit reports by the legislative commission and distribution of the report.

A.B. 119 (chapter 46)
Permits certain vocational boards and commissions, which have relatively small budgets and a limited number of financial transactions, to have their fiscal records audited biennially instead of annually. The measure also requires that the audits and financial statements conform to generally accepted principles rather than being subject to standards and style prescribed by the legislative auditor.

A.B. 215 (chapter 124)
Provides that state legislators who attend more than one official legislative meeting on the same day are entitled to receive only one legislative salary allowance or compensation for that day. Under previous law, a legislator was not prohibited from claiming more than one legislative salary when he participated in more than one official legislative meeting on the same day.

A.B. 569 (chapter 508)
Authorizes former commissioners on uniform state laws to continue or resume service on the commission.

S.B. 33 (chapter 56)
Consolidates the existing legislative committee for the review of federal (public lands) regulations with the legislature's select committee on public lands. The combined committee is retitled the "legislative committee on public lands."

The bill broadens the legislative findings. It provides that the legislative commission appoint the members of the legislative committee on public lands, including three senators, three assemblymen and one elected official representing the governing body of a local government

and requires that the legislative members of the committee be appointed with regard for their knowledge of, and experience with, public lands matters. The appointees also must represent the various geographical regions of the state. The members of the committee are responsible to select their own chairman and vice chairman. These officers must be from different houses of the legislature and hold office for a term of 2 years commencing on July 1, 1983. Expenses of the local government representative on the committee must be paid by his local government.

The governor's state multiple use advisory committee on federal lands is required to advise the legislative committee on public lands of its activities and those matters which may require further consideration.

Reasons for the establishment of a permanent legislative committee on public lands are documented in Legislative Counsel Bureau Bulletin No. 83-8, "Select Committee on Public Lands," and Legislative Counsel Bureau Bulletin No. 83-10, "Federal Regulations Review."

S.B. 44 (chapter 76)

Creates a special account for intergovernmental activities of the state legislature. The money in this account may only be used for intergovernmental activities of the legislature as authorized by the legislative commission. Examples of such use include the hosting of national or regional meetings relating to state legislatures, their operations or issues they face. Initial funds for the account are derived from excess contributions obtained for a 1981 meeting in Reno of the Western Conference of The Council of State Governments.

S.B. 380 (chapter 424)

Under existing law a fiscal note, or estimate of a legislative measure's fiscal effect, is required to be prepared for any bill or joint resolution which creates or changes any fiscal liability or revenue which appears to be in excess of $2,000. Fiscal notes are also required for bills proposing to make an appropriation. In addition to these two instances, this bill requires the fiscal analysis division to obtain a fiscal note on any bill or joint resolution which increases or newly provides for a term of imprisonment or makes release on parole or probation less likely.

S.B. 414 (chapter 512)

Is directed toward speeding up the legislative process by ensuring that bill draft requests from executive branch agencies, local governments and interim studies are received by the legislative counsel earlier so that drafting them interferes as little as possible with legislators' bill draft requests during the legislative session.

The bill makes several important changes to the law:

1. It moves back the deadline for executive agency bill draft requests from October 1 to September 1 preceding the convening of the session. It specifies that local governments must also comply with this deadline.

2. It requires that local governments' bill draft requests be approved by a responsible local government official.

3. The bill requires that any of the governor's proposed legislation during any regular session not be drafted except on his personal written request. The bill removes the requirement that legislators' requests be written.

4. It requires that all interim study bill draft requests be made before July 1 of the year preceding the legislative session.

5. It requires the legislative commission to establish a standing committee of three members to meet at specified times and determine how the act's provisions are working. This committee is also required to recommend to the commission any changes in the number or salary of employees of the legal division to ensure the timely drafting of legislation.

6. The measure provides that an agency or officer of the executive branch of state government or a local government cannot request a legislator to have legislation drafted on its behalf. The measure, however, does allow for such bill drafts after the deadlines in emergency situations when approved by the legislative commission or by standing committees when the legislature is in session.

Finally, the measure repeals Nevada Revised Statutes 218.270 which says that the provisions of NRS 218.240 to 218.260, inclusive, must not operate to relieve the attorney general of any duties now imposed upon him by law.

S.B. 460 (chapter 538)

Specifies that the administrative division of the legislative counsel bureau is responsible for preserving order and security in and on the grounds surrounding the legislative building. The measure also requires the administrative division to assist the sergeant at arms of either house, upon request, in preserving order in the chambers and private lounges of the respective houses when the legislature is in session.

S.C.R. 21 (File No. 87)

Directs the legislative commission to complete its interim studies by September 1, 1984.

LIBRARIES

A.B. 19 (chapter 168)
Abolishes the division for cooperative services in the Nevada state library.

A.B. 311 (chapter 147)
Increases the terms of the members of a board of law library trustees from 1 year to 2 years and requires that half of the terms expire each year. The measure also makes several technical changes in the procedures, authorities and responsibilities of the board and the librarian of a law library.

A.B. 312 (chapter 141)
Increases the amount of support which a county may allocate to law libraries from county fees related to civil actions. The maximum amount of a fee that may be allocated is changed from $15 to $30.

A.B. 567 (chapter 521)
Specially requires the creation of a county library district for the town of Pahrump in Nye County.

S.B. 141 (chapter 58)
Creates a dedicated trust fund for the Nevada historical society and allocates the interest earned thereon to the society.

S.B. 359 (chapter 328)
Directs that a proposal to issue a maximum of $10 million in state general obligation bonds for building and expanding public libraries be submitted to a vote of the people at the general election in 1984. Local governments may apply for state supported construction project funds. The bill establishes a formula for determining the amount of the local matching money which is required. If approved by the voters, the program will be administered by the state librarian. However, the Nevada council on libraries is directed to make recommendations on all grant applications, and the interim finance committee has final authority to approve or disapprove the grants.

S.B. 427 (chapter 382)
Requires that 12 copies of state agency publications which are not printed by the state printing and records division be deposited with the state publications distribution center. The number of additional copies of items printed by the state printer is reduced from 50 to 12. Finally, every city, county and regional agency, and every school district and special district must deposit six copies of their publications with the state publications center.

LOCAL GOVERNMENTS, SPECIAL DISTRICTS, MISCELLANEOUS MATTERS RELATING TO GOVERNMENT AND PUBLIC AFFAIRS

A.B. 13 (chapter 139)
Under previous law, the open public meeting law did not apply to judicial proceedings, except those at which consideration of rules or deliberations upon the issuance of administrative orders are conducted. This measure removes that exception, thereby completely exempting judicial proceedings from the open public meeting law.

A.B. 39 (chapter 121)
Requires notaries public, who are not licensed attorneys and who advertise in a language other than English, to include in the advertisement a statement to the effect that they are not attorneys. Violation of the bill's provisions results in a 1-year suspension of appointment or revocation of appointment for a third or subsequent offense. If a notary public is found guilty in a criminal prosecution of violating the provisions of the act, he is subject to a fine of up to $2,000.

A.B. 71 (chapter 37)
Corrects a technical discrepancy between Nevada Revised Statutes (NRS) 244.014 and 244.016 concerning the number and terms of county commissioners by changing an obsolete classification by population. No changes are made in the actual structure of any county commissions in the state.

A.B. 139 (chapter 166)
Authorizes the supreme court to provide by rule for destruction, without prior microfilming, of public records for which no specific requirement for their preservation exists. These documents must no longer serve any legal, financial, or administrative purpose and must not have any historical value.

A.B. 221 (chapter 160)
Lengthens the time required for counties and cities to publish the notice of filing proposed ordinances to 10 days.

A.B. 250 (chapter 152)
Reduces from 30 days to 10 days the time allowed for recording a certificate of marriage. The bill also allows the county recorders to index documents by an optical scanner or magnetic tapes produced by a computer and reduce the fees (no charge if tapes are furnished and half the usual fee for optically readable materials). Finally, the measure clarifies the fees charged for the relocation of an abandoned lode claim.

A.B. 265 (chapter 333)
Establishes January 15 of each year as a day to memorialize the birthday of Martin Luther King, Jr., through a gubernatorial proclamation, appropriate exercises in the public schools, and display of the United States flag.

A.B. 308 (chapter 172)
Restores the power to incorporate to owners of property and requires a public hearing and notice of the hearing before petitioning for incorporation.

A.B. 318 (chapter 315)
Declares that local business licenses may not be issued unless the applicant presents written evidence that the state department of taxation has issued a permit for the business or another state regulatory agency has issued, or will issue, a license required for the activity. The act also authorizes agreements between local governmental entities and the state department of taxation for the exchange of information concerning taxpayers.

A.B. 321 (chapter 484)
Changes the name of the Nevada state library's division of state, county and municipal archives to the division of archives and records. The act also vests the state librarian with rights concerning records submitted by state agencies and accepted for the archives. It directs him to establish and implement a program for efficient and economical administration of the records. It makes special provisions for handling of the records of constitutional officers, or former officers, and specifically addresses management of the records of the governor's office.

A.B. 378 (chapter 408)
Provides that actions taken in violation of the state's open public meeting law are void and authorizes the attorney general to maintain a suit to have these actions enjoined or declared void. A person who is denied a right conferred by the open meeting law already could bring such a suit; however, before enactment of this measure, he could not seek to have the public body's action declared void. He could only sue to require compliance with, or prevent violation of, the law.

A.B. 406 (chapter 586)
Allows county commissioners to enter into contracts extending beyond their terms of office, but provides that the contracts are binding beyond those terms only to the extent that money is appropriated for them.

A.B. 468 (chapter 446)
Relates to unincorporated towns in the state. The act provides staggered terms for members of town advisory boards in all counties except Clark, and it authorizes the election of the boards in those counties.

A.B. 512 (chapter 250)
Conforms the boundaries of Churchill, Pershing and Washoe counties to the section, township and range lines.

A.B. 522 (chapter 300)
Makes changes in the law governing annexation by cities in Clark County. The act contains three primary aspects as follows:

1. It abolishes the previous constraints relative to:

   (a) A city not being allowed to initiate annexation proceedings on its own motion;

   (b) A city not being allowed to solicit the commencement of annexation proceedings; and

   (c) A city being limited in the size and location of property it may annex;

2. These eliminated constraints are replaced by the provision that no part of the territory proposed for annexation may be within the boundaries of an unincorporated town as those boundaries exist on July 1, 1983; and

3. The remainder of the changes are considered to be primarily technical, "cleanup" measures which make the annexation law for Clark County more consistent with the law relative to the other counties in the state.

The intent of the act is to stabilize the boundaries of areas which receive urban-type services from the county, while still allowing the cities an opportunity to grow. Practically, under these new provisions, the City of Las Vegas will be able to expand its boundaries to the west and northwest without the constraints associated with the old law. However, existing unincorporated towns located adjacent to the other boundaries of the city preclude significant annexation in those directions. The act is not considered to affect the cities of North Las Vegas, Henderson or Boulder City in a substantive manner.

A.B. 548 (chapter 567)
Changes the composition of the county fair and recreation board (Reno-Sparks Convention and Visitors Authority) in Washoe County. Generally, the membership is changed from nine to 11 persons by adding a

second representative of the gaming association in the county and one representative of the airlines. The act also provides that each member may succeed himself only once, and it reduces from three to one the number of nominees to each position for which the Reno Chamber of Commerce makes nominations.

A.B. 550 (chapter 361)
Empowers local governments to erect walls around residential subdivisions to secure them against vandalism and to defray the cost by means of special improvement districts.

A.B. 551 (chapter 285)
Allows public administrators in counties with less than 100,000 inhabitants to secure execution of their duties with their official bonds to the extent of the bond. The court, under the measure, may require the public administrator to execute a separate bond for any estate.

A.B. 573 (chapter 303)
Requires that deputy sheriffs in Washoe and Clark counties be appointed and removed in accordance with the counties' merit personnel system.

A.B. 583 (chapter 284)
Authorizes counties to acquire and operate cemeteries and to convey property used as a cemetery to a nonprofit charitable or civic organization for the purpose of maintaining the cemetery.

A.B. 613 (chapter 558)
Provides payment for longevity for public administrators.

A.B. 623 (chapter 481)
Authorizes the board of trustees of general improvement districts to enter into contracts extending beyond the terms of office of the members serving on the board if they do so in the manner provided in NRS 244.320. The act authorizes the board specifically to enter into contracts, without an election, for a time not to exceed 50 years with a person or public agency to perform services necessary to test and report the discharge of pollutants into the state's waters. It also permits the board of county commissioners to designate the district's name.

A.B. 625 (chapter 544)
Authorizes the appointment of deputy public administrators and modifies administrative procedures concerning letters of administration, retention of an attorney to assist in administration of a guardianship, and release of financial information to a public administrator.

A.B. 631 (chapter 565)
Relates to establishment of town boards for unincorporated towns. The act changes the law to make procedures for Washoe County consistent with

those for Clark County in that these counties may establish town boards only by use of NRS 269.500 through 269.625, the Unincorporated Town Government Law. Previously, Washoe County also had the option of establishing town boards through the provisions of NRS 269.016 through 269.022 and 269.024 through 269.0248, which did not require a vote of the people in the affected areas.

A.B. 653 (chapter 451)
Authorizes variable rates of interest on revenue bonds for economic development projects as defined in NRS 244A.689.

A.B. 666 (chapter 499)
Designates the state colors as silver and blue.

A.B. 541 of the 61st session (chapter 5)
Requires the governor to fill vacancies among county commissioners, except in Carson City, with persons from the same political party as the most recent holder of the office.

S.B. 50 (chapter 42)
Reduces the number of copies of county codes that must be reproduced and available from 50 to 25. Because complete copies of the county code are not generally in demand, the legislature decided it was not necessary to go to the expense of unnecessarily reproducing the voluminous documents.

S.B. 92 (chapter 227)
Authorizes counties to sell or lease rights of way and water rights to public utilities without public bidding. The bill also authorizes the board of directors of the state department of transportation to sell or lease water rights, which are appurtenant to property purchased for highway use, to utilities without public bidding. In both cases, the utilities may dispose of the rights only to the county or state from which they were obtained.

S.B. 268 (chapter 239)
Clarifies provisions relative to fees which governmental entities must pay to the county recorder when he records or copies documents in which they have an interest and generally increases fees for recording documents.

S.B. 275 (chapter 326)
Enables the governor and local governments to take action required under any federal law providing for the establishment and administration of a trade district in Nevada.

S.B. 278 (chapter 477)
Creates the Moapa Valley Water District in Clark County.

S.B. 345 (chapter 296)
Authorizes contracts between counties or cities and a metropolitan police department for the operation and maintenance of jails by the department.

S.B. 429 (chapter 405)
Increases the compensation for the members of coroners' juries from $6 per day to $15 per day.

MILITARY AND VETERANS AFFAIRS

A.B. 346 (chapter 236)
Authorizes a reduction in the percentage (from 50 percent to not more than 50 percent) of the consolidated fee which may be paid as an educational benefit for members of the Nevada National Guard attending college in Nevada.

A.B. 401 (chapter 302)
Changes the terms of the commissioner and deputy commissioner of veteran affairs from 2 to 4 years, terminating on July 1 of the first year of the governor's term of office. The measure also specifies that the veterans' organizations from which representatives are chosen to be members of the Nevada veterans' advisory commission must be nationally recognized, and it allows the governor to remove members of the commission for good cause. The act also provides for expiration of the terms of the persons who hold the offices of commissioner and deputy commissioner on June 30, 1983, and appointment of successors.

S.B. 16 (chapter 31)
Changes the name of the division of civil defense and disaster assistance to the division of emergency management in order to reflect more accurately its broad responsibilities.

S.B. 271 (chapter 503)
Creates the board of search and rescue, consisting of eight members appointed by the director of the division of emergency management, and authorizes the board to formulate policy regarding search and rescue in the state. The act also establishes the position of coordinator of search and rescue, outlines the duties associated with the office, and declares that the board of search and rescue provides direction and guidance for the coordinator. A committee on training in search and rescue is also created, and its responsibilities are specified.

The act officially declares that the sheriff is responsible for searches and rescues within his county. It also authorizes industrial insurance coverage for members of the Nevada Wing of the Civil Air Patrol who participate in a search and rescue mission or training program.

PUBLIC LANDS, PLANNING AND ZONING, AND LAKE TAHOE

A.B. 34 (chapter 61)
Removes obstacles imposed by local zoning ordinances which prevent persons who are mentally retarded from living in normal residences by requiring definitions of "single-family residence" to include a home in which six or fewer unrelated persons who are mentally retarded reside with one or two additional persons to act as house parents or guardians who need not be related to each other or any of the mentally retarded persons who reside in the house.

A.B. 151 (chapter 532)
Makes substantial changes to statutory provisions which empower cities and counties to require the dedication of land or the imposition of a residential construction tax for parks and playgrounds. Major changes in the law include requirements that:

1. If dedication of land is required, the amount of land is limited to that quantity whose value does not exceed the amount of the construction tax if this tax were to be imposed on the development;

2. When land is dedicated, the local entity must allow an increase in the number of units in the development equal to the number which would otherwise have been allowed on the dedicated property;

3. When 25 percent of the property is developed, the local government must prepare a plan for construction, operation, and maintenance of the park to be placed upon the dedicated property;

4. The rate of the residential construction tax in Clark County must not exceed 1 percent of the valuation shown on the building permit for single-family residences, and the rate for the remainder of the state cannot exceed 2 percent of the valuation of the building permit for single-family residences in these areas; and

5. A credit must be allowed for the amount and value of the developed open space within planned unit developments.

The act also modifies other procedural and administrative aspects of the law relative to requiring local programs to be established by ordinance rather than regulation, the timing of collection of the tax or transfer of title to the property, requiring that interest on the tax revenue remain in the special park fund, and reversion of property or money if parks are not constructed.

A.B. 248 (chapter 475)
Allows the division of state lands, state department of conservation and natural resources, to acquire and hold land required for any public purpose, including the production of public revenue. The state land registrar, as administrator of the division of state lands, is also allowed to lease for private development any state-owned land, except contract land, to produce public revenue. However, the terms of these leases may not exceed 99 years.

A.B. 345 (chapter 629)
Establishes a cause of action for damages caused by specific actions taken by a state or local agency upon an application for a permit to improve or change the use of private land.

A.B. 534 (chapter 611)
Contains two major provisions relative to Lake Tahoe. First, it directs that a proposal to issue a maximum of $20 million worth of bonds for the purchase of environmentally sensitive property and erosion control within the Tahoe Basin be submitted to a vote of the people. Second, if the vote is favorable, it establishes a mechanism for management of the program. This mechanism includes:

1. Analysis by a commission of the details associated with administration of the program;

2. Issuance of the bonds at the direction of the board of examiners; and

3. Purchase of the property by the state land registrar and commencement of erosion control projects.

The $20 million figure is the maximum amount of bonds that may be issued, and the expenditure will be spread over a number of years. A vote of the people is necessary to authorize the program. The controls on amounts of expenditures, timing, and approval of actions are all in the hands of the board.

A.B. 595 (chapter 528)
Repeals special requirement that common walls in planned unit developments must have 2-hour fire resistance.

A.B. 619 of the 61st session (chapter 6)
Requires legislative approval of leases on state lands which extend beyond 1 year by concurrent resolution when the legislature is in session and, when it is not in session, by the interim finance committee. This measure was adopted by overriding a veto by Governor List in 1981.

S.B. 40 (chapter 587)

Relates to local and state planning of the use of federal lands in Nevada. Under existing law (Nevada Revised Statutes 321.640 through 321.770), the state land use planning agency, within the division of state lands, is directed to assist local governments in their land use planning programs. The agency is also required to evaluate land use policies and activities of the Federal Government and may represent the interests of the state, its local entities and citizens on these matters.

The bill takes this program one step further by directing the state land use planning agency to work cooperatively with local units of government in the preparation of plans and policy statements concerning the use of federal lands in Nevada. After public input and comment during its preparation, each plan or policy statement must be approved by the governor and the governing bodies of affected counties and cities.

Of particular importance is the fact that section 202 of the Federal Land Policy and Management Act of 1976 requires that all federal land use plans prepared by the Bureau of Land Management are to be consistent with state and local plans to the maximum extent possible. For this reason, cooperative efforts between Nevada's local and state planning agencies are especially relevant.

S.B. 48 (chapter 472)

Allows all local governments to pay compensation to members of their planning commissions, and establishes a procedure for the granting of variances, special use permits and other special exemptions by the local planning commission or board of adjustment.

S.B. 107 (chapter 89)

Exempts the department of transportation from filing parcel maps. This change clarifies the department of transportation exemption for properties acquired for purposes contained in chapters 408 and 409 of NRS. These chapters deal with highways and roads and acquisition of property for future highway needs.

S.B. 229 (chapter 211)

Allows areas to be added to a redevelopment project if it is shown that the added area will benefit from the project. The measure also specifies the method of computing taxes allocated to redevelopment projects, tax increment districts, and areas which have been converted from tax increment districts to redevelopment projects. It eliminates a provision whereby taxes which were paid into a tax increment account before the merger with a redevelopment project had to be used only for the undertaking for which the tax increment area was designated. The act also clarifies the way that a portion of the supplemental city-county relief tax is allocated to the redevelopment agency.

S.B. 441 (chapter 450)

Proposes an amendment of the Tahoe Regional Planning Compact to confer additional powers upon the Tahoe transportation district. These powers are associated with financial administration of the district, authority to acquire privately owned, as well as public transportation systems, and authority to contract with private companies to supplement the district's services. The act also proposes to reduce from two-thirds to a simple majority the number of favorable votes necessary for the public to approve the adoption of a tax to support the activities of the district.

The amendments to the bistate compact become effective upon California's enacting substantively identical amendments as those which are included in this Nevada act.

A.C.R. 52 (File No. 132)

Reaffirms the legislature's intent that the actions of the Tahoe Regional Planning Agency should not restrict construction of single-family residences within approved subdivisions. This has been the consistent position of the Nevada legislature since the bistate compact was amended in 1980.

A.J.R. 21 (File No. 101)

Urges Congress to ratify the California-Nevada Interstate Compact. The expressed purpose of the compact is to provide for the equitable apportionment of the waters of Lake Tahoe, the Truckee River, Carson River, and Walker River between the two states.

Negotiations on this compact were initiated in 1955. Sixteen years later, in 1971, the states finally agreed upon what each considered to be fair and equitable terms. The two states passed identical measures which were to become effective upon ratification by Congress. The proposed compact is still on the books in California and Nevada, but Congress never has acted to ratify it.

S.J.R. 14 (File No. 114)

Memorializes the Congress to sell public lands within the "checkerboard" area of northern Nevada, excluding mineral interests, to the State of Nevada for $2.50 per acre. These lands are then to be sold by the state, except for those lands identified by state and local planning agencies for retention as parks or for wildlife, recreation or other public purposes. The proceeds of these land sales by the state are to be used to eliminate grade crossings of railroads over streets and highways in Nevada.

This measure was introduced as a followup to the successful demonstration project to relocate the railroad in the City of Elko. Proponents say the transfer of the checkerboard lands to eliminate grade crossings will accomplish several important objectives including:

1. Providing safety to the traveling public;

2. Removal of major planning barriers to local governments;

3. Elimination of the unmanageable "checkerboard" land pattern;

4. Reduction of pollution and energy waste;

5. The addition of 6 percent to existing 10 percent land tax base;

6. Improvement of the economic status of construction industry in Nevada;

7. The provision of lands for commercial diversification and economic stability;

8. Facilitation of future high-speed rail transportation; and

9. The demonstration of the feasibility to other states with "checkerboard" land patterns of what can be accomplished with those lands.

S.J.R. 15 (File No. 113)

Memorializes Congress to grant Nevada an additional 6,205,522 acres of public land for the benefit of the public schools. This measure was introduced at the recommendation of the legislature's select committee on public lands.

The 1965 session of the Nevada legislature initiated a program to develop a state position on public lands for presentation to the Federal Land Law Review Commission. Assembly Bill 152 of that session provided for the establishment of a state committee on federal land laws. The final report of the committee which was released in early 1970, recommends that an additional 6,205,522 acre land grant be made to Nevada by the Federal Government. This request apparently did not receive serious consideration because most congressional efforts at that time were focused on the revision of public land laws.

The Nevada legislature is now asking Congress to reconsider the 1970 report.

S.J.R. 25 (File No. 149)

Memorializes Congress to enact legislation which would ratify the legal adequacy of the 1979 Final Environmental Statement of the United States Forest Service concerning "RARE II" wilderness recommendations. Because of a recent federal court ruling in the State of California, the U.S. Forest Service will have to redo its wilderness studies in the form of a "RARE III" program, at considerable expense to American taxpayers. However, it is doubtful that such an effort will result in findings much different than those contained in the "RARE II" document.

In order to avoid unnecessary and costly "RARE III" studies, Congress has recently ratified the legal adequacy of "RARE II" Environmental Statements in six states. The same should be done for Nevada.

This resolution is not intended, however, to endorse the proposal by the U.S. Forest Service to designate certain areas of Nevada as wilderness.

S.J.R. 26 (File No. 161)

Requests Congress to transfer 60 acres of land adjacent to the former Stewart Indian School to the State of Nevada. The Federal Government deeded the 50-acre former school site to the state in 1982. At the same time, Congress transferred approximately 3,000 acres of ranch lands that had been part of the school property to the Washoe Indian Tribe.

PUBLIC OFFICERS AND EMPLOYEES AND PUBLIC EMPLOYEES RETIREMENT

A.B. 24 (chapter 79)
Provides that the chief of the personnel division may suspend the requirement of competitive examination for positions requiring highly professional qualifications, if past experience or current research indicates a difficulty in recruitment.

A.B. 25 (chapter 85)
Requires that the chief of the state personnel division establish objectives for the division in terms which are specific, measurable and conducive to reliable evaluation, and that a plan for accomplishing those objectives be developed. The measure also directs the chief to establish a system of appropriate policies for each function within the division.

A.B. 28 (chapter 323)
Specifies that the composition of the five-member advisory personnel commission must include three members who are representatives of the general public and who have a demonstrated interest in, or knowledge of, the principles of public personnel administration, one member who is a representative of labor and has a background in personnel administration, and one member who is a representative of employers or managers and has a background in personnel administration.

A.B. 29 (chapter 86)
Revises provisions governing disciplinary proceedings in the state personnel system.

In order to reduce the overall time involved in the disciplinary appeals process, the measure:

1. Reduces the number of days during which an employee may file an appeal involving involuntary transfer, dismissal, demotion or suspension from 30 calendar days to 10 working days;

2. Changes the time for an employee to appeal a disciplinary action to the hearing officer from 30 calendar days from the effective date of the action to 10 working days from the effective date of the action; and

3. Changes the time for an aggrieved party to appeal the final decision of the hearing officer on a disciplinary matter from 30 calendar days to 30 working days.

The act also eliminates review of the hearing officer's decisions by the advisory personnel commission and provides that hearing officers are

appointed by a majority of the members of the advisory personnel commission instead of just by the chairman of that body.

A.B. 66 (chapter 34)
Removes a limitation upon the authority of the legislative commission to prescribe the duration of leaves of absence for the personnel of the legislative counsel bureau.

A.B. 67 (chapter 35)
Corrects the definition of "mediation" in relation to local governments and their employees.

A.B. 68 (chapter 38)
Removes inappropriate references to the applicability of the State Budget Act to the public employees' retirement system.

A.B. 116 (chapter 381)
Prohibits discharge of volunteer firemen from employment as a result of their service as firemen and authorizes a civil action against an employer who violates this law.

A.B. 282 (chapter 159)
Creates an employee-management committee associated with the state personnel system and provides its powers and duties. The act also revises provisions governing the adjustment of grievances for which a hearing is not provided under Nevada Revised Statutes (NRS) 284.376 or 284.390. A procedure is established for consideration and adjustment initially through the agency within which the grievance arose, then through the personnel division for its recommendation, and ultimately through the employee-management committee for final decision.

A.B. 383 (chapter 432)
Allows legislators who have served for 8 years or more to retain membership in the state's group health insurance program without retiring.

A.B. 402 (chapter 210)
Makes various administrative changes to the public employees' retirement system. The act also changes the maximum amount which may be earned by retired employees from $6,000 per fiscal year to one-half the average salary of participating public employees, and it requires contributions on any award of back pay.

A.B. 416 (chapter 552)
Relates to local government collective bargaining. The act clarifies that the subject of the safety of an employee is within the scope of mandatory bargaining, but safety of the public is only within the purview of the local government employer and is not subject to mandatory bargaining. It also provides that a local government employer may

withdraw recognition of an employee organization for the purpose of collective bargaining only after receiving written permission from the local government employee-management relations board. The measure requires that a factfinder consider whether a party has bargained in bad faith in ascertaining the terms and provisions which should be included in an agreement and in assessing the reasonableness of the positions of the parties in the dispute.

A.B. 446 (chapter 624)

Requires that the State of Nevada pay the entire contribution into the police and firemen's retirement fund for members of the Nevada highway patrol, inspectors and field agents of the motor carrier division, and firemen in the state division of forestry who participate in the fund. The measure also extends the benefits provided for spouses of deceased, retired police officers and firemen to the spouses of deceased, retired highway patrolmen, inspectors and field agents of the motor carrier division, and firemen in the division of forestry.

A.B. 458 (chapter 628)

Is the so-called "police officers' bill of rights act." It enumerates employment rights and establishes standards of conduct for investigation of alleged misconduct by police officers. Under the measure, a police officer must undergo a polygraphic examination if his accuser does so first and the test indicates that the accuser is telling the truth. Another of the bill's provisions says a police officer need not disclose his assets, debts, sources of income or other financial information as a condition of getting a job, assignment or promotion. There are exceptions, including an investigation to determine whether the officer has engaged in unlawful activity, as a condition to assigning an officer to a specialized unit, or to prevent any conflict of interest in an officer's new assignment.

A police officer, under the measure, is permitted to have an attorney present when he is being interrogated and is permitted to make a stenographic or tape recording of the interrogation. If the agency records the proceedings, the agency is required, at the officer's request and expense, to provide a copy of the transcript or tape.

The measure provides that no law enforcement agency is allowed to enter an unfavorable comment in an officer's record unless the officer has had the opportunity to read and, if he chooses, initial it.

A.B. 504 (chapter 422)

Requires that, as part of the bargaining process, financial information on metropolitan police departments be furnished by the local government employers to the recognized employee organization upon request.

A.B. 542 (chapter 316)
Authorizes the state board of examiners to delegate prior approval of contracts with independent contractors to its clerk when the contracts are less than $1,200. The requirement that the contract must be in writing can be waived in the case of contracts for repair or maintenance whose amount is less than $500.

A.B. 604 (chapter 557)
Exempts elective officials from the requirement that contributions paid by employers for employees be offset by reductions in salary.

A.B. 633 (chapter 427)
Authorizes the repayment of unpaid travel advances from the reserve for statutory contingency fund.

S.B. 131 (chapter 421)
Provides a quarterly allowance for uniforms for state employees who are required to wear uniforms and provides for an initial reimbursement for the cost of one uniform and accessories for new employees in these types of positions. The act also requires prior approval by the budget division of the department of administration before an agency requires that a uniform be worn.

S.B. 132 (chapter 272)
Requires the continued payment by the state of group insurance premiums for persons who are temporarily totally disabled due to injury in the course of state employment and who were members of the state's group insurance program at the time of the injury. The time limit on payment of premiums is 9 months or until the employee is able to return to work, whichever is less.

S.B. 227 (chapter 617)
Increases the amount which public agencies may pay for monthly premiums on group insurance to a maximum of $103.50 for the 1983-1984 fiscal year and $124.20 for each fiscal year thereafter.

S.B. 232 (chapter 264)
Creates a state department of personnel by removing the personnel division from the department of general services and renaming the division a department. Under the measure, the department of personnel will, as was done by the personnel division, administer the provisions of chapter 284 of NRS, "State Personnel System." The bill places the director of the department in unclassified service to be appointed by and serve at the pleasure of the governor. The act does not affect those employees in other state agencies who perform personnel-related tasks for those agencies.

S.B. 370 (chapter 494)
Allows the committee on group insurance to establish a plan of self-insurance for life, accident or health insurance of state employees. The act creates a self-insurance fund, if such a plan is adopted, provides for management of money in the fund, and allows the committee on group insurance to employ staff required to administer the self-insurance program.

S.B. 377 (chapter 467)
Clarifies that NRS 284.180, which addresses overtime worked by state employees, does not supersede or conflict with existing contracts of employment for employees hired to work 24 hours per day in a home setting. It stipulates, however, that any future contracts of this type must be approved in advance by the advisory personnel commission.

S.B. 413 (chapter 312)
Provides that the people selected to fill major executive positions under the chief law enforcement officer of a metropolitan police department must be selected from the highest civil service rank in the department, and they are entitled to return to that rank if removed from one of the executive positions. The act also requires that no appointments to these positions may be made of persons from outside the department.

S.B. 456 (chapter 599)
Augments previously approved increases in post-retirement benefits provided by the public employees' retirement system. The measure specifies a schedule for shifting from a procedure whereby the employer and the employee each pay part of the contributions into the retirement fund to a procedure by which the employer pays all of the contribution. The act also provides that, regardless of the schedule, an employee may choose to have his employer pay all of the contribution to the retirement fund.

S.B. 458 (chapter 590)
Provides an additional post-retirement increase to a limited number of retired public employees who are receiving small benefits.

S.B. 474 (chapter 606)
Increases the amounts payable by the state for group insurance for the retired employees of the state to $24.84 per month for the fiscal year 1983-1984 and $29.81 per month for the fiscal year 1984-1985.

A.C.R. 1 (File No. 32)
Directs the personnel division of the department of general services to reduce the time required for certification of lists of persons eligible to fill vacancies in positions in the classified service of the state to 60 days for new lists and 2 days for existing lists.

A.C.R. 48 (File No. 138)

Directs the department of personnel to study and report to the 63rd session of the legislature the desirability of considering other factors, in addition to the prevailing rate, when determining salaries for the classified service. The resolution specifies that the department include in its study such factors as difficulty in recruitment, rate of turnover, cost of living and comparability of the value of the work.

PUBLIC WELFARE, MENTAL HEALTH AND RETARDATION, AND PUBLIC HEALTH AND SAFETY

A.B. 78 (chapter 371)
Requires the state registrar of vital statistics to charge $1 each for blank birth, stillbirth, and death certificates and imposes a charge of $2 for each registration of death or birth.

A.B. 156 (chapter 194)
Permits hospital pharmacies or other pharmacies designated for such purpose by a district health officer to sell the holder of a permit for the operation of an ambulance service or air ambulance service supplies of controlled substances to stock or replenish the stock in his ambulances, if the purchase order is countersigned by a physician and the person in charge of the controlled substances is appropriately certified by the health division or licensed by the state board of nursing.

A.B. 162 (chapter 186)
Expands the list of property subject to forfeiture in crimes involving controlled substances to include everything of value, including money, negotiable instruments and securities. If an amount of cash which exceeds $300 is found in the possession of a person who is arrested for a crime involving a controlled substance, the bill creates a rebuttable presumption that the cash is traceable to an exchange for a controlled substance and is subject to forfeiture. The measure provides for distribution of the forfeited money or the proceeds of the forfeited property among those jurisdictions which employ the agents who seized the property.

A.B. 216 (chapter 138)
Revises state law concerning the use of an individual system for the disposal of sewage. The bill deletes the current inflexible standards prescribed in state law, and instead requires the state board of health to adopt regulations to control the use of an individual system for disposal of sewage in Nevada. These regulations are effective statewide except for jurisdictions where district boards of health control such sewage disposal. All regulations are required to take into account the varying geological, hydrological and topographical characteristics from area to area. Varied soil types, slope limitations and land ownership patterns are additional factors which necessitate a more regionalized approach to the regulation of individual systems for sewage disposal.

A.B. 218 (chapter 602)
Provides reimbursement of the cost of hospital care for indigents injured in motor vehicle accidents. The purpose of this bill is to assist counties in meeting catastrophic medical care costs of indigents injured in motor vehicle accidents.

The hospital providing care is allowed to request recovery of costs in excess of $1,000 from the county where the accident occurred if the indigent was a non-Nevadan or from the Nevada county of the indigent's residence. When indigents are transferred, the first hospital is entitled to full reimbursement although the second is not. Hospitals are liable for the first $1,000 of unpaid charges. Counties are liable for charges between $1,000 and $4,000. The fund is thus to be used for the charges over $4,000. A hospital or physician may not collect from the county and also the indigent.

An administrative board for the fund, composed of five county commissioners appointed by the governor from a list of 10 recommended by the Nevada Association of Counties, is created. The powers and duties of the board include purchasing insurance to cover claims to be paid from the fund. Counties are allowed to assess a three-quarters of one cent ad valorem tax for the fund. This amount is not to be included in computing the maximum amount of ad valorem tax a county can receive.

A.B. 277 (chapter 339)

Provides for patients' rights in health and care facilities. They include the following:

1. Patient transfers from one facility to another must be explained to the patient when possible;

2. Patients are entitled to:
   a. Information about the health and care facilities;
   b. Professional credentials of staff;
   c. Any experiments to be conducted while under care at the facility;
   d. Complete and current diagnosis, procedure or treatment to which patient must give consent (risks and alternatives);
   e. The entire bill for care;
   f. Regulations concerning patient privileges while in the facility;

3. Patients have a right to:
   a. Considerate and respectful care;
   b. Refuse treatment;
   c. Refuse participation in medical experiments;
   d. Retain confidentiality;
   e. Have reasonable requests for service satisfied;
   f. Receive continuous care; and

4. Patients must be informed of these rights upon admission.

A.B. 315 (chapter 442)

Serves three purposes relative to hazardous waste. First, it allows the state department of conservation and natural resources to disclose confidential information relating to hazardous waste to federal or state officials carrying out related duties.

Second, the bill provides additional safeguards to various minerals operations in Nevada concerning the protection of confidential information and trade secrets obtained by the state during inspections for hazardous waste. The bill provides that any information which specifically relates to certain trade secrets, operations, processes and financial records is confidential whenever it is established to the satisfaction of the director of the state department of conservation and natural resources that the information is entitled to protection as a trade secret. In determining whether the information is entitled to such protection, the director must consider, among other things, whether the disclosure of that information would tend to adversely affect the competitive position of the owner or operator.

Third, the bill provides that the existing fine of not more than $25,000 for illegal disposal of hazardous waste may be applied for each day of the violation.

A.B. 388 (chapter 383)

Makes it unlawful for any person to manufacture, distribute, or sell an imitation controlled substance. Formerly, Nevada state law addressed only actual controlled substances.

A person who violates the provisions of this new law is generally subject to either a misdemeanor or gross misdemeanor penalty. However, any person who is 18 years of age or older who distributes or sells an imitation controlled substance to a person under the age of 18 is subject to imprisonment in the state prison for 1 to 6 years and/or a fine not exceeding $5,000.

A.B. 389 (chapter 218)

Provides a second degree murder penalty for a person convicted of selling a controlled substance to a minor if the minor dies of an overdose from that purchased substance. The bill also provides a penalty of life imprisonment, and a fine of up to $20,000 for a second or subsequent conviction of selling a controlled substance to a minor.

A.B. 392 (chapter 267)

Requires that hospitals licensed in Nevada present billings and charges to patients in language understandable to an ordinary lay person. The billings must itemize all charges for services, equipment, supplies and medicine. The billings must be at no additional cost, and the hospital must answer any related questions regarding the billings.

A.B. 420 (chapter 390)
Increases the penalties for abusing clients of the mental hygiene and mental retardation division. Formerly, any person who willfully abused a client was guilty of a misdemeanor. This bill increases the penalty to:

1. A gross misdemeanor if the client suffers no substantial bodily harm; or

2. Imprisonment in the state prison from 1 to 6 years, and/or a fine not to exceed $5,000 if the client suffers substantial bodily harm.

The bill defines "abuse" as meaning physical or mental injury of a nonaccidental nature, sexual abuse, sexual exploitation or negligent treatment or maltreatment.

A.B. 493 (chapter 258)
Requires that people or entities which store or transfuse products made from blood must:

1. Maintain records in accordance with standards published by the American Association of Blood Banks;

2. Test for compatibility and blood grouping; and

3. Be equipped with self-regulating refrigerators.

The act also establishes 17 years of age as the minimum age for donation of blood with the consent of a parent or guardian.

A.B. 544 (chapter 476)
Authorizes regulation of the disposal of garbage generated outside the area of disposal and authorizes the state environmental commission of the state department of conservation and natural resources to establish fees for importing garbage into the state. The department may use the money collected under these fees to pay for managing and regulating disposal in Nevada of solid waste generated outside of the state.

A.B. 582 (chapter 443)
Provides a procedure to enable a parent or guardian of a minor to obtain a card from a law enforcement agency containing the child's fingerprints to help identify the child if he is lost, kidnapped or killed. The measure prohibits law enforcement agencies from retaining a copy of the fingerprints and prohibits the use of the fingerprint card in any juvenile or criminal investigation or proceeding against the child.

A.B. 585 (chapter 530)
Specifies civil penalties of not more than 10 percent of a proposed expenditure for violation of health facility expansion restrictions and not more than $20,000 for each other violation of health care planning laws.

The bill also reduces the membership of the state health coordinating council from 16 to seven, not less than 50 percent nor more than 60 percent of whom may be recipients of health services and not providers of health services.

The thresholds for required approval of expenditures are increased: from $150,000 to $600,000 for health facilities and health maintenance organizations (HMO's); $75,000 to $250,000 for additional health service operating expenses; and $150,000 to $400,000 for acquisition of medical equipment.

A.B. 642 (chapter 575)
Transfers records of missing persons and unidentifiable dead bodies to the investigation division of the department of motor vehicles (DMV).

When a coroner is unable to establish the identity of a dead body by means other than dental records, he must have a dental examination of the body made by a dentist. The dentist must prepare a report of his findings and forward it to the investigation division of DMV.

If a person has been reported missing for more than 30 days, the appropriate law enforcement officer may request the consent of the next of kin to obtain the missing person's dental records. After receiving consent, the law enforcement official must obtain the dental records from the dentist and forward them and any other relevant information to the investigation division. The law enforcement authority must inform the investigation division when a missing person has been found.

The investigation division must maintain such records and other information to assist in locating missing persons or identifying dead bodies.

A.B. 660 (chapter 447)
Removes the statutory requirement that local boards of health file their regulations with the state board of health. After the state board approves them, the local health regulations need only be filed with the local clerk, city or county.

A.B. 677 (chapter 510)
Delays final implementation of the automobile emission inspection program in Clark and Washoe counties from July to October 1, 1983. Nevada

has until January of 1984 to act or face the possible loss of $78 million in federal highway construction funds for failure to comply with federal environmental regulations.

S.B. 41 (chapter 125)
Revises the financial provisions relating to disposal of radioactive materials. State law had required that Nevada maintain two separate funds for the accounting of matters relating to radioactive waste disposal sites. This bill abolishes the radioactive materials fund which is now used for the accounting of the Beatty commercial disposal site. Instead, two accounts are established in the "trust fund for the care of sites for the disposal of radioactive wastes"--one for the Beatty site and one for any other sites. Interest earned on both accounts will be credited to the "trust fund for the care of sites for the disposal of radioactive wastes" and accounted for separately. The general fund will not lose any interest with this change, as the state treasurer is currently crediting interest in accordance with the law to both of these functions.

The director of the department of human resources, who is responsible for both functions, may also expend money in accordance with the laws governing each function.

S.B. 57 (chapter 87)
Revises the requirements for admission to Nevada children's homes. Excluded are children who are developmentally disabled with a moderate or severe mental or physical handicap, have a contagious disease, and have been judged delinquent. Furthermore, a hearing must be conducted on the child's behalf, and immunization must be completed.

S.B. 58 (chapter 52)
Removes from the board for youth services administrative responsibilities over Nevada children's homes and ascribes them to the administrator of the youth services division.

S.B. 119 (chapter 81)
Prohibits the sale or gift to any person who is less than 18 years of age of aerosol paint, glue or cement which contains toluene. Exceptions to this prohibition include gasoline or other fuel for motor vehicles; aerosol paint, glue or cement containing less than the minimum amount of toluene which is subject to Federal Hazardous Substance Act requirements; or glue or cement which is included in a kit used for construction of model airplanes, automobiles, boats or trains or which is used in connection with another hobby. The bill also prohibits the possession of toluene-containing chemicals when the intent is to use them in a manner contrary to directions.

S.B. 139 (chapter 118)
Authorizes the bureau of services to the blind to adopt penalties for late payments or the late filing of reports concerning vending stands.

S.B. 140 (chapter 215)
Increases the permissible penalties for transportation of radioactive waste without proper packaging or labeling. For each violation on any one shipment, the penalty is increased from $2,500 to $5,000. The maximum total penalty for more than one violation on any one shipment is increased from $10,000 to $20,000.

S.B. 151 (chapter 216)
Designates certain registered nurses with a master's degree in the field of psychiatric nursing and who are employed by the mental hygiene and mental retardation division as persons professionally qualified in the field of psychiatric mental health.

S.B. 184 (chapter 474)
Adopts the Rocky Mountain Low-Level Radiactive Waste Compact. In doing so, Nevada joins Colorado, New Mexico, and Wyoming where the compact was also adopted in 1983. The compact provides for interstate coordination through a board composed of one member from each signatory. Nevada's member is to be appointed by the governor.

According to the negotiated schedule, Nevada will be the regional host until Colorado's disposal site is operational, which is expected to occur between 1986 and 1989, or 6 years from enactment, whichever comes first. Thereafter, Nevada will be exempt from being host state unless it generates 20 percent or more in cubic feet of the low-level radioactive waste generated within the region or until every other party state has served as host.

S.B. 216 (chapter 145)
Relaxes restrictions relating to Gerovital H3. Although the sale of Gerovital H3 was already lawful in the State of Nevada, it had to be accompanied by a prescription from a physician. This bill allows the sale of Gerovital H3 over-the-counter without a prescription.

S.B. 273 (chapter 411)
Allows the administrator of the aging services division to appoint division personnel in the classified service as advocates for residents of facilities for long-term care. The advocate is to deal with residents' complaints and coordinate aging services division programs for eligible residents. The measure gives the advocate the authority to investigate complaints by conducting facility inspections, reviewing records, and interviewing facility staff. Facilities which must provide an advocate include group care, intermediate care, and skilled nursing facilities, and family homes providing care for compensation.

S.B. 391 (chapter 354)
Allows an agent of a pharmacist to receive authorization to refill a prescription.

S.B. 467 (chapter 570)
Makes the provision which authorizes counties to issue, without an election, special obligation securities for hospital projects applicable to all counties in the state, rather than only applying to Clark County.

S.B. 475 (chapter 576)
Creates statutorily a state cancer registry. The information collected may be used for epidemiological studies, research, education, and treatment so long as confidentiality is maintained.

A.J.R. 1 (File No. 64)
Urging Congress to enact legislation permitting recipients of supplemental security income who are mentally retarded or physically handicapped to accumulate savings without inclusion of the amounts in the computation of income and resources for the purpose of determining eligibility.

A.J.R. 28 (File No. 104)
Memorializing Congress and the President of the United States to provide for health care for veterans exposed to atomic radiation.

PUBLIC WORKS

A.B. 126 (chapter 507)
Makes the definitions of "public body" and "contracting body" more consistent between chapters 338 and 339 of the Nevada Revised Statutes (NRS). The bill was introduced because of confusion about the status of the Washoe County Airport Authority.

The bill also authorizes the labor commissioner to adopt regulations which are necessary to carry out his duties under state law concerning public works projects.

A.B. 134 (chapter 378)
Prohibits a public body from awarding a public works contract to a person who is unlicensed at the time of the bid or if the contract would exceed the limit of his license. The act also requires the local governing body to consider these factors in determining the responsibility of the bidder. It specifies, in addition, that if a local government requires a bid bond, performance bond or payment bond, it may not also require a detailed financial statement from the bidders for a contract.

A.B. 455 (chapter 563)
Raises the threshold for competitive bidding under the local government purchasing act from $5,000 to $10,000. If, however, the estimated amount of the contract is between $5,000 and $10,000 (formerly $2,500 and $5,000), requests for bids must be submitted to two or more persons capable and available to perform the contract. Full competitive bidding is required on all contracts in excess of $10,000.

A.B. 517 (chapter 542)
Allows a public body to defer payment of the quarterly interest earned on money withheld from a contractor for public works projects if the amount of the interest is less than $50. Such interest must not be held by the public body any longer than four consecutive quarters for which no interest is paid to the contractor.

The bill also revises state law to require a contractor to pay the amount withheld under a subcontract within 15 days after his acceptance of the subcontract work. The law formerly specified payment "within a reasonable time."

S.B. 38 (chapter 98)
Requires state agencies to submit monthly reports to the purchasing division of the department of general services and the department of administration listing all equipment which has been lost, stolen, or exchanged or is deemed excess. However, a monthly physical count is not required for the preparation of the list.

S.B. 168 (chapter 608)
Makes minor changes regarding the organization of the state public works board and requires the board to consult with the interim finance committee before approval of the architecture of buildings, designs, types of construction, major repairs and designs of landscaping.

S.B. 197 (chapter 534)
Raises the threshold for the definition of "public work" in chapter 338 of the NRS from $4,000 to $20,000, and specifies that each separate unit which is a part of a project is included in the cost of the project for the purpose of determining whether the project meets this threshold.

S.B. 396 (chapter 352)
Excludes from the requirement of competitive bidding a local government's purchase of merchandise left after an exhibition.

S.B. 449 (chapter 473)
Allows the governing body or executive authority of any public body to enter into contracts to lease property which it owns in return for the right to purchase energy at reduced rates. Such property lease may also be made in order to obtain energy conservation facilities to be constructed by the lessee on the property. All contracts entered into under this law must promote energy conservation, reduce the use of fossil fuel, reduce costs spent on energy by the public body, and promote alternative energy types.

(A detailed analysis of the major tax bills can be found in the Legislative Appropriations Report--62nd Nevada Legislature from the fiscal analysis division of the legislative counsel bureau.)

A.B. 18 (chapter 36)
Makes technical changes in the handling of the money in the stale claims account and the reserve for statutory contingency fund. The measure also raises the limit of expenditures from the contingency fund for payment of a salary of a replacement employee from $2,500 to $3,500. Furthermore, it provides that the clerk of the state board of examiners is no longer required to file a report with the legislative auditor delineating each transfer from the contingency fund.

A.B. 140 (chapter 626)
Provides for a referendum at the 1984 general election on the question of whether there should be an exclusion from the state sales tax of the value of a used car or vehicle taken in trade on the sale of another car or vehicle. The referendum also includes whether an occasional (private) sale of a used car or vehicle should be taxed under the state sales tax act. The bill provides several methods for determining the original price of the vehicle and a depreciation schedule for determining taxable value. Transfers between certain family members are not taxed under this legislation. If this referendum passes, the provisions will be effective January 1, 1985.

The bill also provides a similar exemption on trade-ins and tax on "occasional sales" of vehicles under the local school support tax, the city-county relief tax, and the public transportation tax acts. These provisions are not subject to the referendum and, therefore, are currently effective.

Further, the bill repeals chapter 7, Statutes of Nevada 1983, which dealt with these same taxes in a different manner.

A.B. 144 (chapter 189)
Authorizes the use of specified proceeds of the taxes on fuel for recreational watercraft for the operation and maintenance of outdoor recreational facilities associated with boating.

A.B. 155 (chapter 554)
Provides for submission to the voters of the state at the 1984 general election the question of whether to amend the Sales and Use Tax Act to provide for collection of the tax only on the materials used in constructing a new "manufactured home" and to exempt from the tax used mobile homes and "manufactured homes" if a prior sale was taxed in this

state. The cost of materials used to construct a manufactured home is declared to be 60 percent of the price of the new home. If the amendment is adopted, the Local School Tax Law and the City-County Relief Tax Law will automatically be changed accordingly.

Currently, the sales tax is paid on the full value of mobile homes and manufactured homes, while only the materials in a conventional home are subject to sales tax.

This bill is similar to Question No. 7 (Assembly Bill 20) which was narrowly defeated at the 1982 general election. If the voters approve A.B. 155 in 1984, it will become effective on July 1, 1985.

A.B. 191 (chapter 410)
Imposes a 1-cent-per-gallon excise tax on fuel for jet or turbine-powered aircraft. This tax is to be administered in a manner similar to the existing motor vehicle fuel tax, except that the revenue from the jet fuel tax must be deposited in the state general fund. The bill also creates a revolving account for aviation fuel.

A.B. 198 (chapter 129)
Provides that any appeal to the Nevada tax commission which is taken by a taxpayer concerning his tax liability must be heard during a session of the commission which is open to the public. A hearing on such an appeal may be closed to the public if the taxpayer requests that it be closed.

The bill also provides that a member of the tax commission or the department of taxation may disclose relevant information, which otherwise would be privileged information, as evidence in an appeal by the taxpayer from a determination of tax due.

A.B. 199 (chapter 133)
Authorizes the department of taxation to deduct from the excise tax collected from cigarette dealers the actual costs of revenue stamps.

A.B. 200 (chapter 90)
Requires the department of taxation to compel the submission of proposed plans of correction for violations which were reported in annual audits of local governments, if the governing body fails to submit the proposed plan as required by statute. The bill also extends the maximum time limit for the Nevada tax commission to hold a hearing on those plans from 30 days to 90 days.

A.B. 201 (chapter 66)
Removes a provision which expired in 1978 and provided an exception to the requirement that appraisers of property for taxation be certified.

A.B. 203 (chapter 91)
Increases the limit from $30,000 to $65,000 on annual expenditures by special districts which may petition for an exemption from the Local Government Budget Act and requires these districts to file quarterly reports.

A.B. 204 (chapter 106)
Empowers the department of taxation to lock and seal a place of business if the proprietor lacks the appropriate permit or license and to seize and sell property of a person who has failed, over a specified period, to pay excise taxes due for his business.

A.B. 232 (chapter 588)
Reduces from 2 percent to 1.5 percent the depreciation allowance relative to property assessments which was established in the 1981 tax package. For payment of 1984-1985 property taxes, properties will have a 1.5 percent reduction in their assessed valuation for each year of their life up to a maximum of 50 years. As a consequence, the residual value changes from generally 20 percent to 25 percent.

The 2 percent depreciation allowance had come under criticism for creating relatively wide differences in the assessment of older and newer properties. Two buildings with essentially the same appraised value could have a substantially different taxable value due to age. This acted as a benefit to older buildings.

The bill also allows county assessors to take remodeling into account in appraising older properties, although not until the 1985-1986 tax roll.

A.B. 233 (chapter 610)
Raises the maximum income level from $12,000 to $14,000 for eligibility under the Senior Citizens Property Tax Assistance Act. The income levels in the sliding scale which determines the amount of the tax assistance are also increased commensurately. The Senior Citizens Property Tax Assistance Act provides up to $500 in tax assistance to individuals 62 years of age or older who live in their own home or rent.

A.B. 240 (chapter 363)
Removes the requirement for payment of an estimated tax on the net proceeds of mines. Prior to the passage of this act, every mine owner was required to file an annual statement, by August 31, of estimated gross yield and net proceeds from each mine owned. At the same time, each mine owner was required to pay to the county in which each mine is located 50 percent of the estimated annual tax for that year. The removal of this requirement means mine owners will only report actual net proceeds and pay taxes on these actual net proceeds once each year.

A.B. 256 (chapter 241)

Directs the Nevada tax commission to adopt regulations to provide for the collection and enforcement of the tax on lodging which was imposed pursuant to Senate Bill 170 (chapter 207, Statutes of Nevada 1983). The act also declares that any defect or informality in the imposition of, or any failure of a county or city to impose, the tax on lodging does not prevent the tax from becoming effective on May 9, 1983, at the rate and on the subjects prescribed in S.B. 170.

A.B. 292 (chapter 329)

Exempts from the property tax the value of a qualified system for conserving energy. Previously, the owner of a residential building with a qualified system for conserving energy was entitled to an allowance of up to $2,000 against the assessed property tax. Thus, this act substitutes a full exemption for the tax allowance.

Under the act, the definition of "qualified system" is expanded to include water or electricity used in a building. The exemption is also applied to residential, commercial and industrial buildings, instead of only being applicable to residential structures.

For any assessment made after July 1, 1983, any value added by a qualified system must be excluded from the assessed value of the building regardless of the date the system was installed. For taxes levied to be collected during the fiscal year beginning July 1, 1983, a claim entitles a claimant to an exemption equal to the difference between the assessed value of the building with the qualified system and the assessed value of the building without it.

A.B. 371 (chapter 604)

Mandates that each board of county commissioners increase the levy on each $100 of assessed valuation of taxable property for the support of public schools by 25 cents. In addition, a state property tax levy of 5 cents per $100 of assessed valuation is provided for fiscal years 1983-1984 and 1984-1985. This money is to be used by the State of Nevada for payment of interest and principal on state bonds as they become due. Any remainder is to be deposited in the state general fund.

This legislation provides a "trigger" device to reduce property tax rates, provide pay raises for state employees and put more money into education in 1983-1984, in that order, if the state surplus exceeds expectations. If the state 1983-1984 budget ending balance exceeds $40 million, the first $1 million in extra revenues is earmarked to reduce the state property tax rate by 1 cent. If the surplus is $42 million, $1 million would go for pay raises to state employees, who are not scheduled to receive pay increases in 1983-1984. The education budget would receive the next $1 million if the ending balance were $43 million. The three-step trigger would be repeated for the next two increments of $3 million.

The bill imposes a tax of 5 percent of the wholesale price on "soft drinks." This tax does not apply to soft drinks shipped out-of-state for use out-of-state. Any person who desires to sell soft drinks to any retail dealer in Nevada must first obtain a wholesale dealer's license from the department of taxation. Revenue collected from this tax will go to the state general fund. This tax expires on July 1, 1985.

The bill also sunsets, effective July 1, 1985, a provision in Senate Bill 97 which imposes a tax on tobacco products and increases the cigarette tax from 10 cents to 15 cents per pack.

A.B. 403 (chapter 255)
Permits the disposition of local government securities at public or private sale.

A.B. 404 (chapter 416)
Provides for the issuance of refunding securities for the state bond bank and revises the requirements for public sales of state securities by shortening the times for publication and notification. The act also revises the limitations on maturity of state and university bonds from 15 years to 25 years.

A.B. 418 (chapter 543)
Removes certain limitations in the issuance of refunding obligations by the state and its political subdivisions. These limitations were associated with the principal amount of the refunding bonds and the time of maturity of general obligation refunding bonds.

A.B. 419 (chapter 550)
Provides for the regular assessment of real property as of July 1 each year. Any improvements to real property whose existence is discovered after July 1 in each assessment year must be placed on the unsecured tax roll (personal property). "Migratory property" is defined as movable personal property which the county assessor expects will not remain in the county for a full fiscal year. The property will be on the unsecured roll, and the tax must be prorated.

The department of taxation is required to have classifications and valuations of agricultural real property by the first Monday in October (formerly June) of each year.

The bill provides that when any information concerning the budget of a local government is filed with the department of taxation or the Nevada tax commission, the executive director of the department must send a copy to the legislative counsel bureau.

A.B. 449 (chapter 425)

Gives local government the option of raising property taxes for fiscal year 1983-1984. It also, however, gives property taxpayers an opportunity to oppose increases in their 1983-1984 taxes. After local governments set their tax rates, any increases can be stalled by a petition signed by 8 percent of the registered voters owning at least 4 percent of the total assessed valuation. If a petition is submitted, the issue then has to go to the voters for final approval concerning tax increases of more than 4.5 percent. The bill also provides that the 1981 city-county relief tax increase from .5 percent to 2.25 percent and the local school support tax increase from 1 percent to 1.5 percent remain in effect indefinitely.

The measure abolishes the interim legislative committee on local government finance and gives most of its duties to the Nevada tax commission. The committee was established by the 1981 legislature, but it was declared unconstitutional in a decision by the eighth judicial district court of Nevada, filed August 5, 1982. The bill amends the Carson City Charter to provide for a single taxing district.

A.B. 451 (chapter 252)

Replaces obsolete references to the Dow Jones Municipal Bond Index with references to the Weekly Bond Buyer's Index of Twenty Bonds and the Index of Revenue Bonds in provisions limiting interest on public securities.

A.B. 469 (chapter 187)

Provides for submission to the registered voters at a special election in 1983 of the question whether the Sales and Use Tax Act of 1955 (a state tax) should be amended to impose those taxes on governmental contractors and impose the use tax wherever an out-of-state sale would have been taxable if made in Nevada.

In Nevada, the sales and use taxes include the state tax, the local school support tax, and the city-county relief tax for a combined tax rate of 5 3/4 percent. The act specifically makes the local school support tax and the city-county relief tax applicable to government contractors without a referendum. The referendum applies only to the 2 percent state portion of the tax.

The special election was held on June 7, 1983, and the referendum was defeated 29,335 yeas to 34,616 nays. The state tax commission, therefore, has declared that government contractors will only be subject to a combined 3 3/4 percent local school support tax and city-county relief tax (4 percent in Washoe County because of an additional tax for mass transportation).

A.B. 507 (chapter 308)
Allows the state treasurer to negotiate the rate of interest for time certificates of deposit and requires the depositories to send periodic reports only to the state treasurer.

A.B. 525 (chapter 353)
Authorizes a board of county commissioners to designate small amounts of delinquent taxes on personal property as uncollectible. This applies to taxes on personal property:

1. That have been delinquent for 5 years or more;

2. Whose amount, including penalties and costs is $25 or less; and

3. Where all appropriate procedures for collection have been followed and proved unsuccessful.

The bill also eliminates a procedure for examining delinquent taxpayers in court for assets to pay the taxes. The cost of procedures to try to collect some of these small tax liabilities is often higher than the tax bill.

A.B. 662 (chapter 540)
Allows a county or incorporated city to provide an additional tax on motor fuel at a rate of up to 1 cent per gallon. For the tax to be approved, an ordinance must be adopted by the appropriate governing authority and passed by the voters at least 1 month before the tax becomes effective. The tax may be repealed by an ordinance and subsequent vote of the people.

A.B. 665 of the 61st session (chapter 7)
Would have imposed the local school support tax and city-county relief tax on occasional sales of motor vehicles. An occasional sale generally refers to the private sale of a car. A sales tax credit would also have been provided for the exchange of a used vehicle in the purchase of another vehicle. (Repealed by A.B. 140, chapter 626, Statutes of Nevada 1983.)

S.B. 17 (chapter 298)
Requires that the notice of election on a proposal to issue municipal bonds contain an estimate of the tax rate necessary for debt service upon the obligations for each date when they are to be issued or incurred.

S.B. 27 (chapter 245)
Changes the distribution of property taxes from projects for the generation and transmission of electricity and provides an exception to the limitation on the rates of the taxes ad valorem of local governments.

The Nevada Revised Statutes (NRS) provides that, before establishing the valuation as a collective unit of a public utility providing electricity, the state tax commission must first segregate the value of all property under construction, whose construction began on or after January 1, 1982, and which is not yet put to use. This value is to be assessed and taxed in the county where it is located at the same rate as other property. Effective July 1, 1983, the tax commission was, under previous law, to allocate 10 percent of this valuation to the county in which the project is located and 90 percent of it among all the counties of the state in proportion to their populations.

The bill maintains the distribution of property tax to the county of location whose construction began after January 1, 1982, and which is not yet put to use. On July 1, 1985, this allocation will change. The Nevada tax commission will allocate 10 percent of the valuation to the county in which it is located and 90 percent to all counties in the state in proportion to their populations.

S.B. 28 (chapter 226)
Requires businesses which own, operate, or manage property to report the value of any construction in progress or of construction recently completed. The bill provides that a completed portion of a construction project be assessed for property tax purposes.

S.B. 29 (chapter 93)
Broadens the meaning of gross yield for purposes of the taxation of the net proceeds of mines. Gross yield must include the value of any product of the mine which was sold, exchanged for any thing or service, removed from the state in a form ready for use or sale, or used in a manufacturing process or in providing a service.

S.B. 30 (chapter 16)
Requires that a notice of delinquent taxes be mailed to the holder of a recorded security interest upon his request.

S.B. 67 (chapter 4)
Allows boards of county commissioners to establish a panel similar to their boards of equalization to determine the valuation of residential real property. The county clerk may designate, under the measure, a deputy to be the clerk to the equalization board or valuation panel.

S.B. 84 (chapter 78)
Apportions the costs of the audits required for payments in lieu of taxes among the funds to which the payments are distributed.

S.B. 93 (chapter 541)
Relates to interest earned on deposits of state money. The act makes technical changes to provisions crediting interest to individual funds

and accounts and specifies that the interest earned on money in several funds be credited to these funds.

S.B. 97 (chapter 293)

Imposes a tax of 30 percent of the wholesale price on products made from tobacco other than cigarettes. The tax is to be collected and paid by the wholesale dealer to the department of taxation before sale of these products to the customer. The revenue generated by this tax is required to go to the state general fund. Previously, there was no excise tax on the sale of tobacco products other than on cigarettes.

The bill also increases the cigarette taxes from 10 cents to 15 cents per pack of 20 cigarettes. The revenues attributed to the 5-cent increase must be deposited in the state general fund. Revenues from the current 10-cents-per-pack tax are distributed to local government.

The bill increases the insurance premium tax from 2 to 3 percent of amounts received for fiscal years 1983-1984 and 1984-1985. The rate drops to 2.5 percent after July 1, 1985. The bill provides that the insurance tax be paid quarterly rather than annually.

S.B. 170 (chapter 207)

Imposes a tax at the rate of 1 percent of the gross receipts from the rental of lodging, three-eighths of which is for support of the department of economic development and five-eighths of which must be deposited with county fair and recreation boards.

The funds are to be used to advertise the resources of cities and counties related to tourism, including available accommodations, transportation, entertainment, natural resources and climate, and to promote special events.

The funds are not to be used as additional security related to general obligation bonds, to defray costs of administering the tax, to operate and maintain county fair and recreation board recreational facilities, to improve and expand recreational facilities, or to construct, purchase, or acquire recreational facilities.

S.B. 183 (chapter 220)

Increases the tax on liquor containing more than 14 percent, and up to and including 22 percent, alcohol from 50 cents to 75 cents per gallon. The tax on liquor containing from one-half of 1 percent up to 14 percent alcohol is increased from 30 cents to 40 cents. The tax on beer and related malt beverages is increased from 6 cents to 9 cents per gallon. These increases are effective July 1, 1983, and revert back to the lower levels on July 1, 1985.

S.B. 194 (chapter 377)
Exempts the Sierra Arts Foundation from property taxes. The Sierra Arts Foundation is an umbrella organization of all the arts and cultural groups in the Truckee Meadows.

S.B. 230 (chapter 362)
Requires each county to prepare and mail individual tax bills which include an itemized list explaining the distribution of these taxes. This itemization for each property must show the rate of tax applicable for each governmental entity levying a property tax.

S.B. 276 (chapter 553)
Clarifies the requirements for identification of vehicles for the special fuel tax. The term "special fuel vehicle identification" is changed to "an appropriate device for identification."

The Nevada Revised Statutes requires notice by a licensee who pays mileage fees of the termination of his business. The bill provides that the appropriate identification devices be returned to the department of motor vehicles upon termination of business. In addition, a penalty is provided for the failure to pay mileage license fees. Any person who fails to pay the mileage fee is responsible for a penalty of 10 percent of that fee plus interest on the amount of that fee at the rate of 1 percent per month until the date of payment.

The bill clarifies the identification required for a combination of vehicles and exempts operators of motor vehicles used in the production of motion pictures to be shown in theaters and on television, industrial, training and educational films, commercials for television and video discs and tapes, from obtaining a special fuel user's license.

S.B. 285 (chapter 206)
Requires that any amount determined to be refundable by the department of taxation after an audit must be refunded or credited to any amount due from the taxpayer regardless of other statutory deadlines for the following taxes: motor vehicle fuel tax, special fuel tax, sales and use tax, local school support tax, and city-county relief tax.

S.B. 292 (chapter 224)
Extends the statement of personal property made for the purposes of assessment to include property possessed, controlled or managed by the person making the statement. Property in transit which is reconsigned to a final destination in Nevada is excluded.

It is common for a business to rent or lease items of personal property and, at the same time, not have an equitable interest in that property. Such property could escape taxation due to its not being discovered, especially if the lessor of the property was not located in Nevada. The

lessee might not report the property since he did not own it or have an equitable interest in it. The bill requires the lessee to report this property and enables the assessor to discover the rightful owner.

S.B. 294 (chapter 205)
Changes the date on or before which claims for exemptions from property tax must be filed from the first Monday in August to August 1 of the year preceding the year for which the tax is levied.

S.B. 295 (chapter 289)
Allows an assessment of overlooked real property as personal property without the consent of the taxpayer. If the amount of taxes exceeds $100, payment may be made on quarterly installments.

S.B. 309 (chapter 260)
Provides the form and manner of issuance, payment and transfer of public securities. The stated purpose of the act is to allow public bodies flexibility in developing systems for registration of the securities and to allow issuance of public securities, the interest on which is exempt from federal income taxation.

S.B. 353 (chapter 153)
Extends the time to commence an action to recover an overpayment of property taxes to not only 3 months after the date of the full payment of the tax, but also 3 months after the issuance of the decision of the state board of equalization denying relief, whichever occurs later.

S.B. 371 (chapter 455)
Clarifies the property tax exemption for household goods and provides an exemption for bees and livestock. Previously, bees and livestock were taxed as personal property if they were used for nonbusiness uses. Although initiative petitions to exempt household goods and furniture from the property tax were approved by the voters in both the 1980 and 1982 general elections, the language of the petitions was found to be inadequate. This bill defines household goods and furniture which are exempt from taxation to include without limitation:

1. Clothing;

2. Personal effects;

3. Gold and silver;

4. Jewelry; and

5. Appliances that are not attached to real property.

Proponents say the definition will assist assessors in determining items that may be considered household goods.

S.B. 383 (chapter 395)
Allows a depository bank, credit union or savings and loan association to pledge one or more pools of securities as collateral to secure deposits by governmental entities and adds certificates of the Federal Home Loan Mortgage Corporation to the statutory list of permissible public investments. Fair market value replaces amount in par value, and it is to be one-half of the unpaid principal of the promissory notes with first mortgages or first deeds of trust rather than at least twice the amount of the secured deposit.

S.B. 433 (chapter 594)
Permits the state board of equalization to remand cases back to the county board of equalization where the record on appeal is inadequate. The directions to the county board must indicate specifically the inadequacies to be remedied. If the returned record is believed to still be inadequate, the state board may hold a new hearing on the appellant's complaint or it may contract with an appropriate person to hear the matter and develop an adequate record. The costs involved in this procedure are to be charged against the county.

S.B. 435 (chapter 310)
Provides an exemption from property taxes for the Nathan Adelson Hospice. The Adelson Hospice is located on the Las Vegas campus of the University of Nevada. It is a charitable organization which serves public functions. (A hospice is a health care facility that provides care for the terminally ill.)

S.J.R. 20 (File No. 105)
Urges the Congress of the United States to enact legislation classifying the city-county relief tax as a locally imposed tax for purposes of allocating money for federal revenue sharing. Exclusion of the city-county relief tax will significantly change federal allocations to Nevada's local governments.

In 1981, the legislature lowered locally imposed property taxes and increased and made mandatory the city-county relief tax.

STATE GOVERNMENT

A.B. 1 (chapter 43)
Transfers the filing of financing statements covering movable farm equipment from the offices of the various county recorders to the secretary of state. This change was adopted because such farm equipment is often moved to other parts of the state. Also, the search of liens can be more easily accomplished in a centralized location such as Carson City.

A.B. 69 (chapter 39)
Eliminates a conflict between Nevada Revised Statutes (NRS) 233A.050 and subsection 3 of NRS 233A.065 which requires the executive director of the Nevada Indian commission, who is appointed by the governor, to act as secretary. In the past, NRS 233A.050 had required the commission to designate a secretary.

A.B. 70 (chapter 40)
Repeals and removes provisions of the law concerning the "MX" missile project.

A.B. 94 (chapter 270)
Relates to unlawful discriminatory practices. Before enactment of this measure, the law provided that a complaint could not be filed with the Nevada equal rights commission if any other administrative body or office had made a decision upon a complaint based upon the same facts and legal theory. This act specifies that in order for this prohibition to be effective, the state or federal administrative body which makes such a decision must be one which has comparable jurisdiction as the Nevada equal rights commission to adjudicate complaints of discriminatory practices.

A.B. 95 (chapter 321)
Provides that, in cases involving an unlawful employment practice, interest on the award of back pay must be granted at the rate of 12 percent per annum from the date that the Nevada equal rights commission makes its decision.

A.B. 110 (chapter 62)
Removes an obsolete reference, under the department of general services, to responsibilities for data processing which were transferred to the department of data processing created by the 1981 legislature.

A.B. 262 (chapter 24)
Permits the secretary of state to display the enrolled copy of the state constitution in the legislative building when the legislature is in session.

A.B. 322 (chapter 169)
Creates and abolishes several funds and accounts and revises the accounting practices for the funds. The bill also consolidates the provisions regarding the governor's certification of population for tax purposes.

A.B. 370 (chapter 306)
Removes the stipulation that the Colorado River Commission approves the appointment of deputy attorneys general for the agency and that deputy attorneys general be appointed for the state department of conservation and natural resources only with the advice and consent of the director of the department. The act also states that the attorney general may, upon request, act as the attorney for the Nevada Tahoe regional planning agency.

A.B. 667 (chapter 518)
Removes the requirements for a minimum or specific number of meetings by state boards, commissions, committees or councils which receive money from the state general fund.

A.B. 668 (chapter 500)
Places the chief of the motor pool division in the unclassified service of the state.

A.B. 678 (chapter 562)
Permits, instead of requires, meetings of the state board of pardons commissioners and the state board of parole commissioners to be held semiannually or more frequently.

S.B. 83 (chapter 444)
Dispenses with the requirement for notice and hearing upon the conversion of a temporary regulation to a permanent regulation.

S.B. 86 (chapter 520)
Creates the division of unclaimed property in the department of commerce and extends the termination date of the Uniform Disposition of Unclaimed Property Act from July 1, 1983, to July 1, 1987. Prior to passage of this measure, the unclaimed property act was administered by the director of the department of commerce.

The unclaimed property act was passed in 1979 to allow for a final disposition to the state general fund of property that had remained unclaimed for a number of years.

S.B. 105 (chapter 290)
Clarifies state law pertaining to terms of office of members of the multiple use advisory committee on federal lands. Nevada Revised Statutes 232A.020 currently specifies that governor's appointments to

state boards and commissions must be for terms of 3 years. This bill deletes conflicting language that requires members of the state multiple use advisory committee on federal lands to "serve at the governor's pleasure."

S.B. 207 (chapter 470)

Changes the job titles of certain positions under the department of motor vehicles. It also increases the charge for dishonored checks and raises the amount of money in the motor vehicle revolving account.

Prior to passage of this legislation, the statutes provided for positions as "field dealer inspectors" in the department of motor vehicles. These individuals were responsible for enforcement of vehicle dealer and salesman laws. These "inspectors" have been reclassified as "investigators," and the bill reflects this reclassification. The change does not reflect any change in pay status.

The service fee on all checks returned to the department of motor vehicles is increased from $5 to $10, and money in the motor vehicle revolving account is increased from $10,000 to $15,000. Revenue in this account is used as change in the department's main and branch offices. The department of motor vehicles estimates that the increase in the service fee should generate $10,000. Five thousand dollars of this increased revenue will go to the revolving fund and $5,000 will go to the highway fund.

The bill repeals two sections of NRS. One gave the department of motor vehicles the right to lease or rent accounting machine services. This is currently done through data processing and automation. The other is for maintaining an inventory of all the department's controllable equipment. Two years ago, the authority for inventory control was given to the purchasing division. This section was inadvertently not removed at that time.

S.B. 228 (chapter 225)

Removes the requirement for quarterly meetings of the state communications board and expands the authority of the board. The bill further states that equipment for microwave channels, which is purchased by a using agency, becomes the property of the board if the agency fails to use or pay for the channels. Equipment obtained in this manner must be used to replace old or obsolete equipment in the communications system.

S.B. 251 (chapter 242)

Creates the Nevada commission on aging, provides for its organization, powers and duties, and abolishes the state advisory committee on older Americans. The commission consists of 11 appointed members, two from county government, two from city government and seven others with

interest or experience in aging services and problems. At least six of the appointees must be 55 years of age or older. Ex officio membership includes, at a minimum, the director of the department of human resources and the administrator of the division for aging services.

S.B. 263 (chapter 195)
Creates an enterprise fund for administration of the activities of the Nevada Magazine.

S.B. 428 (chapter 346)
Separates the administrative duties of the health division from those relating to health care by creating a position of administrator. The administrative duties for which the state health officer was formerly responsible are transferred to the administrator.

S.B. 436 (chapter 471)
Makes various changes in the procedure for proposing and adopting temporary administrative regulations including provisions that:

1. A temporary regulation becomes effective upon filing the original and one copy of the final draft or revision of the regulation with the secretary of state; and

2. An emergency regulation expires automatically on the effective date of a temporary or permanent regulation which is substantially identical to the emergency regulation.

UTILITIES AND CARRIERS

A.B. 14 (chapter 17)
Removes the requirement that motor carriers of interstate commerce submit evidence of compliance with applicable federal laws and regulations to the public service commission of Nevada (PSCN). The PSCN has not enforced compliance in the past for lack of personnel and, furthermore, did not see the need for requiring compliance in light of impending federal deregulation of motor carriers. The bill also provides an opportunity for a hearing before the suspension of a certificate, permit or license.

A.B. 57 (chapter 266)
Authorizes the use of money in the taxicab authority fund to subsidize transportation for the elderly under certain circumstances.

A so-called "senior-ride" program was established by the taxicab authority on March 15, 1982. Between March 15 and July 30, 1982, there were a total of 39,000 senior-ride coupons used.

Because of statute limitations, the bill was needed to allow the taxicab authority to continue to operate the program.

The bill also provides a $70,000 appropriation for each fiscal year of the 1983-1985 biennium for the transportation of the elderly in taxicabs.

A.B. 102 (chapter 73)
Corrects the misplacement in the statutes of subpena powers of the PSCN in regard to requiring persons to appear before the commission if they claim to be exempt from its regulation.

A.B. 283 (chapter 486)
Enlarges the membership of the PSCN from three to five commissioners and provides requirements for minimum experience of an appointee. The act also eliminates a provision which allowed public hearings to be conducted by a deputy commissioner or administrative assistant and thus requires that all public hearings must be conducted by one or more commissioners.

A.B. 317 (chapter 237)
Exempts subsidized motor carriers from the requirement of obtaining a certificate of public convenience and necessity.

Nevada Revised Statutes (NRS) 706.401 provides that an incorporated city, county or regional transportation commission is not required to obtain a certificate of public convenience and necessity to operate a bus network to serve the public. The bill extends this exemption to

common motor carriers who enter into a purchase of service agreement with an incorporated city, county or regional transportation commission. It allows a regional transportation commission to lease vehicles to or from, or enter into other contracts with, a private operator for the provision of a system of regular public transit.

A.B. 412 (chapter 616)
Transfers the regulation of community antenna television companies in Clark County from the PSCN to the county and cities therein. Community antenna television companies in the rest of Nevada will continue to be regulated by the PSCN.

The bill also provides for:

1. Additional regulation of community antenna television companies;

2. Prohibition of activities which would impair fair competition or create monopolies;

3. Local ordinances to resolve customers' complaints;

4. Franchising of companies by local government; and

5. Punishment for violations as provided in the Nevada Unfair Trade Practice Act.

A.B. 505 (chapter 415)
Provides additional factors for the determination of allocation of the number of taxicabs by the taxicab authority and increases the fees for drivers' permits. This bill declares that whenever circumstances require the establishment of a system of allocations, the taxicab authority must allocate the number of taxicabs among the certificate holders in the county in a manner which reflects the number of taxicabs operated by each certificate holder during the 5 years immediately preceding the date of establishment of the taxicab authority in the county. Furthermore, the bill provides that whenever circumstances require an increase in existing allocations, the taxicab authority must allocate the additional taxicabs equally among all certificate holders in the county. The bill increases the original driver's permit fee from $5 to $20 and renewals from $2.50 to $5.

A.B. 540 (chapter 231)
Allows for the reduction of the assessment on public utilities to support the office of advocate for customers of public utilities by limiting the mill assessment to "not more than" 0.75 mills, rather than specifying 0.75 mills.

A.B. 592 (chapter 462)
Provides that, in the case of geothermal projects to generate electricity, the construction permit granted by the PSCN may be conditioned only on making a prior offering of the capacity of the project to the in-state public utility with a retail service area nearest to the project. But, if the offer is declined, the applicant is free to export the capacity of the project without any obligation to reoffer that capacity to an in-state public utility at any future date.

S.B. 69 (chapter 80)
Requires the PSCN to consider, among other things, the increased revenues of public utilities at hearings concerning possible increases in rates. The bill also provides that these adjustments to revenues, operating expenses and costs of securities must be calculated on an annual basis.

S.B. 71 (chapter 360)
Places the procedural provisions of NRS 706.6411, a section concerning transfers of certificates, permits and licenses for motor carriers, in conformity with NRS 706.391, the section which governs the original applications for certificates of public convenience and necessity. This action clarifies an area of confusion in proceedings before the PSCN. The bill provides that the PSCN must fix a time and place for a hearing on tranfers of certificates, permits and licenses unless the transfer involves those who are substantially the same persons.

S.B. 74 (chapter 51)
Transfers responsibility for the preparation of descriptive pamphlets about the PSCN and the conservation of energy from the division of consumer relations, and gives this function to the full commission. The bill clarifies the requirement that the division of consumer relations is responsible for investigating complaints concerning public utilities, carriers or brokers, and that such entities are responsible for providing a written response to each complaint. If the division of consumer relations is unable to resolve the complaint, it is required to forward the complaint, its recommendations and the results of its investigations to the full commission.

S.B. 104 (chapter 309)
Allows a public utility producing electricity by means of oil or gas to apply to the PSCN for an adjustment in its rates to recover costs of conversion to a coal-fired operation. The bill establishes the related details, provisions and procedures to be used by utilities and the PSCN.

S.B. 161 (chapter 366)
Requires public utilities supplying electricity which have an annual operating revenue in Nevada of $2.5 million or more, to submit a plan

every 2 years to the PSCN containing predictions of future demands for electricity and appropriate measures for meeting or reducing these demands.

Within 60 days after the plan is submitted, the commission must convene a public hearing to consider the adequacy of the plan. After receiving public testimony, the commission must determine whether the plan used adequate forecasting, accurate data, conservation and load management measures, and considered other specified matters. Within 105 days after the plan is filed, the commission must issue an order accepting the plan as filed or specifying those portions of it which are inadequate. All prudent and reasonable expenditures made to develop the utility's plan, including environmental, engineering and other studies, must be recovered from the rates charged to the utility's customers.

The bill prohibits the PSCN from granting a permit for the construction, operation and maintenance of an electrical utility facility unless it finds, among other things, that the facility is included in the utility's plan.

S.B. 177 (chapter 396)
Simplifies the procedures for judicial review of decisions of the PSCN concerning public utilities or motor carriers. Among other things, the bill specifies that public utilities and motor carriers must compute and refund money to persons who were required to pay rates that were later determined by the court to be excessive.

S.B. 304 (chapter 243)
Fixes the interest on deposits made by customers of public utilities at rates existing in the month before the period of interest begins.

S.B. 346 (chapter 393)
Exempts the transportation of livestock from certain regulatory provisions on motor carriers. The bill allows licensed individuals to haul cattle without obtaining all the necessary certification under the state motor carrier law.

S.B. 379 (chapter 275)
Raises administrative and inspection fees for motor vehicle carriers to support increased enforcement by the motor carrier division of the department of motor vehicles (DMV) and the transportation division of the PSCN.

The administrative fee each applicant motor carrier must pay the DMV for each motor vehicle qualified to operate in Nevada is increased from $7 to $8. The additional revenue from this fee increase is to support additional personnel in the motor carrier division of the DMV for increasing inspections and the enforcement of safety requirements pertaining to motor carriers.

The fee for inspection, which includes each original identifying device, is increased from $2 to $3. The additional revenue generated by this increase is to be used for additional personnel in the transportation and audit divisions of the PSCN to provide better regulation of the rates and tariffs of motor carriers.

S.B. 415 (chapter 536)

Pertains to energy conservation standards which are established by the Nevada department of energy for the construction of buildings started on or after October 1, 1983. Such standards must prohibit the installation of systems using electric resistance for heating spaces in buildings but do not relate to the use of incandescent or fluorescent lighting. Exceptions are provided for:

1. Systems of heating spaces by electrical resistance which are merely supplemental to another means of heating;

2. Situations where no other primary means of heating the space is a feasible or economical alternative to heating by electric resistance; or

3. Determinations made by the department that the present or future availability of other sources of energy is so limited as to justify the use of such a system.

S.B. 468 (chapter 460)

Provides for the protection of existing motor carriers from detrimental competition. The PSCN may not investigate, suspend, revise or revoke any proposed rate by a common or contract motor carrier because the rate is too high or too low if:

1. The motor carrier notifies the commission that it wishes to have the rate reviewed by the commission; and

2. The rate resulting from all increases or decreases within 1 year is not more than 10 percent above or below the rate in effect 1 year before the effective date of the proposed rate. This provision does not limit the commission's authority to investigate, suspend, revise or revoke a proposed rate, if that rate would violate the legislative declaration of purpose (NRS 706.151).

This bill broadens legislative purpose to discourage any practices which would increase or create competition that may be detrimental to the traveling and shipping public or the motor carrier business in Nevada. Competition for its own sake is viewed as not being the only factor in issuing new certificates.

The existing factors for the commission to use in determining if a certificate of public convenience and necessity should be issued are repealed. They are replaced by the following factors:

1. The applicant must be fit, willing and able to perform the services of a common motor carrier (in existing law);

2. The proposed operation will be consistent with legislative intent;

3. The granting of the certificate will not unreasonably and adversely affect other carriers operating in the territory where the certificate is sought; and

4. The proposed service will benefit the traveling and shipping public and the motor carrier business in Nevada.

A.C.R. 37 (File No. 153)
Directs the governor's office of community services to use a portion of the money received by the State of Nevada from the Federal Government for overcharges by oil companies to assist the needy in paying their utility bills and install devices to conserve energy.

S.C.R. 7 (File No. 30)
Creates a special joint committee to study the need for, and fairness of, the rates charged by public utilities within 45 days of adoption of the resolution. The committee met eight times and made 23 recommendations to the legislature on April 15, 1983. Most were concerned with assisting consumers in reducing electricity and gas consumption and with keeping utility costs down, both of which would reduce monthly utility bills. Five of the recommendations were adopted before the legislature adjourned.

S.C.R. 39 (File No. 123)
Directs the state department of energy to revise its standards for energy conservation in new building construction which will provide net savings in the costs of construction and of heating and cooling.

VEHICLES, WATER CRAFT, TRAFFIC LAWS AND AERONAUTICS

A.B. 49 (chapter 14)
Eliminates a conflict between Nevada Revised Statutes (NRS) 483.383 and 484.385 concerning the duration of the suspension of driving privileges imposed against an arrested driver for his refusal to submit to the required chemical tests. By removing the conflict, the refusal can lead to a 1 year license suspension for first-time offenders and 3 years for repeat offenders.

A.B. 50 (chapter 132)
Allows a court to order a person twice convicted of violating traffic laws to attend a drivers' training or drivers' survival school. The convicted individual is responsible for payment of tuition for this training, but he can choose a school to attend from those approved by the department of motor vehicles. A person failing to comply with such an order is guilty of a misdemeanor. The general punishment for a misdemeanor is imprisonment in a county jail for not more than 6 months, or a fine of not more than $1,000, or both.

A.B. 51 (chapter 69)
Removes a technical inconsistency in NRS 494.046 concerning the apportionment of money in a county airport fund to incorporated cities within the county.

A.B. 167 (chapter 426)
Revises several aspects of the laws relative to driving while under the influence of alcohol (DUI). Among the most significant changes, the act specifies that driving with a blood alcohol content of 0.10 percent or more by weight is unlawful. In the past, having a blood alcohol content of 0.10 percent or greater only established a presumption that the driver was under the influence of alcohol. The penalties for driving with a blood alcohol content of 0.10 or greater are declared to be the same as those for driving under the influence of alcohol.

The measure also increases the penalties for initial DUI convictions. It requires imprisonment for not less than 2 days nor more than 6 months, or performance of 48 hours of community service work while dressed in distinctive garb which identifies the offender as having violated the DUI laws. The first-time offender is also subject to a fine of not less than $200 nor more than $1,000, revocation of his driver's license for 90 days, and mandatory completion of an educational course on alcohol and drug abuse at his expense.

In the past, a second or subsequent conviction within a 5-year period required certain penalties.

This measure provides that these penalties apply to second or subsequent convictions within a 7-year period.

The bill also:

1. Provides that arrests for DUI violations may be made in parking lots and related areas;

2. Establishes a procedure for administering "preliminary" breath tests, the results of which may not be used in any criminal action, except to show there were reasonable grounds to make an arrest for DUI;

3. Provides a procedure for summary revocation of drivers' licenses whereby the officer immediately seizes the license of a person who refuses to submit to a test of blood alcohol content or has 0.10 percent or more alcohol in his blood; and

4. Increases generally the length of time for which drivers' licenses are suspended as a result of violating the DUI laws.

A.B. 225 (chapter 142)
Increases the annual fee for certificates of number for motorboats from $5 to $7.50. These fees are used primarily for motorboat safety and regulation programs.

The bill increases the minimum amount of damage from $100 to $200 that a motorboat or vessel must sustain by collision or accident before a full description of the incident must be made to the state wildlife department.

A.B. 236 (chapter 148)
Requires that allocation of the money in a county airport fund must include an airport authority if one has been created by special legislative act as a quasi-municipal corporation.

A.B. 304 (chapter 448)
Requires an applicant for original registration of a motor vehicle to furnish proof of having the required insurance or other security. A fee of $50 is provided for reinstatement of registration suspended pursuant to motor vehicle insurance requirements.

The bill additionally provides for continuing the procedure for verification of insurance by sampling a percentage of owners of registered vehicles. The sampling requirement is to be not less than 10 percent of the motor vehicles registered in Nevada.

A.B. 307 (chapter 589)

Requires that a person transporting a child under 5 years of age in a motor vehicle registered in Nevada must secure the child in a federally approved restraining device. If the child is either 3 or 4 years of age and is traveling in the rear seat of the vehicle, the bill allows the child to be secured by means of typical safety belts.

Persons violating these provisions are subject to a fine of between $35 and $100 unless they purchase or rent, to the satisfaction of the court, a child restraint device within 14 days.

Violations of this law are not considered to be moving violations nor are they to be considered acts of negligence or reckless driving.

Exemptions from the provisions of this bill are provided for the following:

1. Public transportation;

2. Taxicabs;

3. School buses;

4. Rented vehicles;

5. Emergency vehicles;

6. Persons who obtain a written statement from a physician that use of such a device would be dangerous or impractical because of the child's physical or medical condition; or

7. When all safety belts in the vehicle are already in use.

A.B. 362 (chapter 336)

Provides that an owner of a motor vehicle, who is a United States citizen or a citizen of a foreign country residing in Nevada, and who holds from a foreign country a letter of appointment as an honorary consul, may file for a special set of license plates inscribed "CONSULAR CORPS."

The bill also provides that these plates for honorary consuls may be used only on a private passenger car or a noncommercial truck weighing less than 6,000 pounds. These plates must be surrendered upon loss of status as an honorary consul. Issuance of these plates in no way implies diplomatic immunity.

A.B. 410 (chapter 335)

Requires the director of the department of motor vehicles to prepare two sizes of vehicle license plates for trailers. The smaller plates may be

used for trailers with a gross vehicle weight of less than 1,000 pounds. Registration numbers assigned to the smaller plates must consist of one letter and four numbers. Registration numbers assigned to the larger plates must continue to consist of one letter and five numbers.

A.B. 442 (chapter 407)
Requires that the expenses of administering the drivers' license division of the department of motor vehicles be paid from, and its revenues paid into, the motor vehicle fund. Under the bill, the fees for drivers' licenses for persons 70 years of age and older are increased. The fees for renewed, duplicate and altered drivers' licenses and motorcycle endorsements are also increased.

A.B. 490 (chapter 413)
Requires the owner of a motor vehicle to keep either a legible copy or the original certificate of registration in the vehicle. Previously, the original certificate of registration had to be kept in the motor vehicle.

The bill also provides that any person charged with having no certificate of registration when driving may not be convicted if he produces in court such a certificate which was previously issued to him and valid at the time of demand. This is similar to provisions in drivers' license statutes.

A.B. 533 (chapter 438)
Relates to persons with motor vehicle insurance coverage for bodily injury as a result of an accident with an uninsured motorist. This bill allows the insured person to recover damages up to the maximum legal limit provided by his own insurer which may be in excess of those damages recovered from the owner or operator of the other vehicle.

A.B. 549 (chapter 458)
Creates the Airport Authority of Lander County and provides for its administration and powers.

A.B. 599 (chapter 347)
Deletes the exemption of motorcycle dealers from the definition of "franchise" in state motor vehicle law. Only dealers in mopeds, farm tractors or special mobile equipment will retain exemption from definition as a "franchise" under this portion of the state law.

A.B. 611 (chapter 342)
Authorizes persons who transport handicapped persons to obtain special parking permits. Previous law provided special parking permits or plates only for the vehicle of a physically handicapped person.

A.B. 638 (chapter 356)
Provides additional circumstances under which motor vehicles may be removed from highways. The bill also provides that a police officer may remove a vehicle if the person in charge is unable to provide for its removal within:

1. Twenty-four hours after abandoning any vehicle on any freeway, United States highway or other primary arterial highway; and

2. Seventy-two hours after abandoning the vehicle on any other highway.

S.B. 95 (chapter 183)
Exempts certain wheelchairs and conveyances for wheelchairs from registration as motor vehicles. This measure applies to a three-wheeled motorized vehicle that is used by the handicapped to provide added mobility.

The bill also exempts motorized conveyances for a wheelchair, whose operator is a handicapped person not able to walk, from the registration requirements of motor vehicles. "Motorized conveyance for a wheelchair" means a vehicle which:

1. Can carry a wheelchair;

2. Is propelled by an engine which produces not more than three gross brake horsepower or has a displacement of not more than 50 cubic centimeters;

3. Is designed to travel on not more than three wheels; and

4. Can reach a speed of not more than 30 miles per hour on a flat surface with not more than a grade of 1 percent in any direction.

S.B. 248 (chapter 372)
Revises the definition of "moped" to depend only on performance. "Moped" had been defined as a vehicle that essentially handles like a bicycle and can be propelled by pedaling or by a small engine. It is designed to travel on not more than 3 wheels and is capable of a speed of not more than 30 miles per hour.

The bill changes part of the definition. A moped is now defined as being propelled by a small engine which produces not more than 2 gross brake horsepower and which has a displacement of not more than 50 cubic centimeters. The former wheel and speed restrictions still apply. "Moped" now includes small motorized bikes, with stationary pedals.

S.B. 249 (chapter 213)
Provides for greater flexibility in the time to renew a driver's license for motor vehicles and motorcycles. Previously, every driver's license

was renewable during a 90-day period before its expiration. The bill provides that every driver's license is renewable at any time before its expiration.

The bill also provides that the Nevada department of motor vehicles (DMV) may accept, in lieu of an eye test, a report from an ophthalmologist, optometrist or agency of another state with duties comparable to the DMV, if the reported test was performed within 90 days before the application for renewal.

S.B. 270 (chapter 403)
Allows the director of the DMV to delegate authority for the efficient conduct of the business of the department.

The bill also increases the fee for licensing automobile lessors, manufacturers, distributors, dealers and rebuilders from $25 to $125. The renewal fee is increased from $25 to $50.

The measure provides that any license plate issued to an automobile dealer, rebuilder or manufacturer be attached by secure means. No such license plate may be displayed loosely in the window or by any other unsecured method. The maximum bond required for a dealer, rebuilder or manufacturer before receiving such license plates is increased from $10,000 to $50,000. The minimum bond requirement is increased from $1,000 to $5,000.

The DMV is required to issue to each dealer a reasonable number of registration certificates and license plates. It may suspend or revoke these licenses, in addition to denial of insurance, for violation of provisions of the act.

S.B. 277 (chapter 430)
Revises various notices relating to abandoned vehicles and expands the grounds for the denial, suspension, revocation or refusal to renew a license to act as an automobile wrecker.

S.B. 321 (chapter 551)
Authorizes the county assessor to transfer his duties in regard to registration of motor vehicles to the state department of motor vehicles. This transfer is made under an agreement with DMV, if the department has established a branch office, consisting of full-time employees in the county. Previously, the law provided that the director of the DMV could designate the county assessor in counties with a population under 30,000 as agent to assist in carrying out the duties of the department in that county. The bill also requires that registration of all vehicles be on the basis of anniversary, rather than on a calendar year.

S.B. 390 (chapter 597)

Provides for certification of devices used to determine the amount of alcohol in a person's blood in relation to driving under the influence (DUI).

A committee on testing for intoxication, composed of five members, is created with the director of the DMV as chairman. The director must appoint the four other members, three of whom must be technically qualified in fields relating to testing for intoxication. The committee must adopt regulations indicating those devices, described by manufacturer and type, which are accurate and reliable in testing a person's breath to determine the percent by weight of alcohol in a person's blood. The committee may certify such devices and also devices checking a person's blood or urine for alcohol content.

The director of the DMV must issue certificates to persons who are found competent to calibrate these devices and examine others on their competence. The issuance of a certificate must be based on testing under the auspices of the committee.

The bill establishes a presumption that a person has operated a device for testing the amount of alcohol in one's blood properly if the operator and the device are certified pursuant to this act. However, the bill does not prevent the admission of evidence of a test of a person's breath, blood or urine where the test has been performed by a person or device not certified under the act. Evidence of a required alcohol test is not admissible in a criminal or administrative proceeding unless it has been documented that the law enforcement agency calibrated the testing device and maintained it as required by committee regulations on testing for intoxication.

S.B. 407 (chapter 341)

Requires slower drivers to drive to the extreme right-hand side or use alternate routes; and prohibits stopping on a roadway unless it is necessary. Nevada Revised Statutes 484.373 already provided for slower moving drivers to keep to the extreme right of the highway. The bill better defines this action. If a highway has one lane for traveling in each direction, and the width of the highway permits, a slow-moving driver must drive to the extreme right side of the highway. If the highway has two or more lanes in his direction, he must drive in the extreme right-hand lane except to pass slower moving vehicles. If a highway is a controlled access highway, he must use alternate routes whenever possible.

The bill also prohibits a complete stop on a roadway which impedes the normal flow of traffic unless the stop is necessary for safe operation in compliance with the law.

S.B. 423 (chapter 625)
Authorizes local governments operating airports to enter into exclusive agreements for facilities and services subject only to the regulatory authority vested by law in the public service commission of Nevada or the taxicab authority.

S.B. 440 (chapter 593)
Changes the designation of the Nevada Wing of the Civil Air Patrol from Wing 96 to Wing 27001. The act also changes the permitted uses by the wing of tax derived from aviation fuel by adding prohibitions against using the money for travel expenses, training expenses, or fuel for vehicles or aircraft used in an official mission of the United States Air Force.

S.B. 454 (chapter 463)
Authorizes the issuance of decals for motor vehicles to identify persons with licenses for amateur radios. These decals must be similar to those used to identify counties, and display the words "Radio Amateur." The cost of the decal is 50 cents.

S.B. 469 (chapter 418)
Adds separate provisions in state law for liens on the repair or storage of aircraft.

A.C.R. 11 (File No. 71)
Encourages local governments to form voluntary bodies to educate the public on the dangers of driving while intoxicated.

A.C.R. 62 (File No. 146)
Directs the drivers' license division of the DMV to license drivers with impaired vision who drive safely through the use of bioptic devices.

VICTIMS OF CRIME

A.B. 163 (chapter 579)
Provides penalties for the commission of acts against victims of crime, witnesses and public justice. Under the measure, any person who prevents or dissuades a victim of a crime, a person acting in his behalf or a witness from reporting a crime, commencing a criminal prosecution or a proceeding for the revocation of a parole or probation, or causing the arrest of a person in connection with a crime is punishable by imprisonment in the state prison for 1 to 6 years and a fine of up to $10,000. The measure increases the fine from $5,000 to $50,000 for preventing or attempting to prevent, by force or the immediate threat of force, another person from appearing before the court as a witness in any action, investigation or other official proceeding. It also increases the fine from $10,000 to $50,000 for conviction of using any force, threat, intimidation or deception with intent to influence the testimony of any witness, causing or inducing the witness to give false testimony, or causing or inducing the witness to withhold a record, document or other object from the proceeding.

A.B. 183 (chapter 84)
Provides that all money received by the department of parole and probation for victims of crime must be deposited with the state treasurer for credit to the restitution trust fund. The measure also transfers the expenses of determining if parolees are using controlled substances from the parole board to the department of parole and probation.

A.B. 275 (chapter 449)
Provides that all property, including any tool, substance, weapon, machine, money or security, which is used in the commission or attempted commission of the crime of murder, sexual assault, robbery, kidnapping, burglary, grand larceny or pandering is subject to forfeiture. The measure requires that all proceeds of the sale of such property, after the payment of expenses, be paid to the state treasurer for deposit in the state treasury for credit to the fund for the compensation of victims of crimes.

A.B. 557 (chapter 609)
Requires Clark County to appropriate, with the approval of the administrator of the mental hygiene and mental retardation division of the state department of human resources, 15 percent of all money which is credited to the account for victims of domestic violence to an organization in the county which has been specifically created to assist victims of rape. To be eligible for this appropriation, the organization must receive at least 15 percent of its money from sources other than the Federal Government, the state, any local government or other public body.

A.B. 577 (chapter 607)
Changes various provisions of the aid to victims of crime law. The bill:

1. Provides that compensation officers may receive a wage of up to $50 an hour as determined by contract for performing their duties (previous law set a flat $50 per hour rate);

2. Allows for the payment of victims' expenses for psychological counseling;

3. Permits hearing officers to order emergency awards to victims to help the victims avoid financial hardship and provides for the deduction of the emergency awards from the final awards;

4. Provides that a claim with respect to which information has been requested from a claimant by the compensation officer or hearing officer remains open for 1 year after the request is made;

5. Requires that money for payment of salaries and other expenses incurred by the hearings division of the department of administration, pursuant to the aid to victims of crimes law, be paid from the fund for the compensation of victims of crime; and

6. Increases the maximum award to victims, except for child pornography victims, from $5,000 to $15,000.

S.B. 111 (chapter 190)
Broadens the class of victims of crimes who are eligible for restitution from offenders sentenced to prison to include those persons whose injuries or damages are indirectly a result of the crime.

S.B. 145 (chapter 368)
Relates to victims' rights. It provides for:

1. Protection of victims of crimes and witnesses who cooperate with the prosecuting attorney in criminal cases;

2. The prosecuting attorney or certain law enforcement officials to intercede with employers, on behalf of a victim or witness, to minimize any loss of pay or other benefits which might result from the victim's assistance or appearance in court;

3. The notification of a victim or witness of changes in court dates;

4. Return of a victim's property when it is no longer needed as evidence; and

5. A witness to be informed of the fee to which he is entitled for testifying and how to obtain the fee.

The act requires that a court trying a criminal case provide victims and witnesses a secure waiting area which is not used by the members of the jury or the defendant and his family and friends. It also provides that a victim or witness, upon written request, be informed when the defendant is released from custody at any time before or during the trial, the amount of bail required, and the final disposition of the criminal case in which he was directly involved. The measure also provides that in felony cases the warden of the prison inform the victim or witness when the defendant is released from prison.

S.B. 244 (chapter 165)
Requires the court to order full or partial restitution as a condition of probation or suspension of sentence unless it finds that restitution is impracticable. The court may, under the measure, require payment for victims' psychological treatment. If the court does not require restitution it must set forth the circumstances upon which it finds restitution impracticable.

S.B. 369 (chapter 367)
Provides for preliminary monetary awards to victims of crime. Under the act, a person is eligible for a preliminary award if his income is not more than $750 per month. Preliminary award limits are $400 for the replacement of lost money and $1,000 for the replacement or repair of lost or damaged property which is essential to the physical or psychological health of the applicant. The measure provides that the amount of any preliminary award must be deducted from any award subsequently granted and enumerates procedures for the processing of preliminary awards.

S.B. 386 (chapter 369)
Permits the attendance of a person to support the prosecuting witness at the preliminary hearing and trial in cases involving sexual assault, statutory sexual seduction, incest, lewdness or indecent exposure. The bill provides that the court must exclude any attendant who influences or affects or attempts to influence or affect the testimony of the prosecuting witness. News media representatives, unless they are the parent, child, brother or sister of the prosecuting witness, are prohibited from serving as supporting attendants.

S.B. 404 (chapter 491)
Provides victims of crimes with the opportunity to testify at the parole hearings of those offenders who carried out crimes against them and to be made aware by the state board of pardons commissioners if the offenders' fines or forfeitures are remitted, or if the offenders receive commuted sentences or pardons.

Under the act, the victims of any person applying for parole may submit documents to the state board of parole commissioners and may testify at the meeting held to consider the application. No application for parole may be considered until the board has notified the victim of his rights and he is given the opportunity to exercise those rights. The act also provides that a victim be given written notice of state board of pardons commissioners' meetings pertaining to persons who committed crimes against him. To be eligible to receive notice, victims must notify the appropriate board in writing and provide the board with their current address.

S.B. 426 (chapter 376)

Makes changes in the administration of funds used to provide assistance to victims of domestic violence. Existing law provides for assistance to victims of domestic violence by nonprofit corporations through funding provided by grants from boards of county commissioners. Money for the grants is obtained from a $5 fee which is included with the marriage license fee. Supplemental funds for aid for victims of domestic violence are also available from a general fund account administered by the mental hygiene and mental retardation division of the department of human resources.

This act, which becomes effective on July 1, 1985, shifts to the mental hygiene and mental retardation division the full responsibility for administering grants to nonprofit agencies to carry on the domestic violence programs. It specifies a formula for the division to use in allocating the grant money. The measure also requires the administrator of the division to make a comprehensive report biennially to the legislature, including an evaluation of the effectiveness of the respective organizations in aiding victims of domestic violence.

WATER

A.B. 330 (chapter 154)
Exempts the irrigation of unimproved pasture, which has a surface water right, from "waste of water" violations under Nevada water law.

The bill also allows the board of directors of an irrigation district having a water storage reservoir of less than 250,000 acre-feet capacity to acquire electric power or transmission lines without holding a special election if the cost of this acquisition does not exceed $50,000. The former limit provided by state law was $15,000.

Finally, the bill clarifies certain provisions relating to the acquisition of electric power and transmission lines by irrigation districts and matters relating to special elections.

A.B. 475 (chapter 573)
Requires the state engineer, upon receipt of a written request and agreement between affected property owners, to waive the requirements of state law regarding the use and development of water from underground wells. The well, however, must have existed on July 1, 1983, and must be used solely for domestic purposes by not more than three single-family dwellings if water usage in each of those dwellings does not exceed 1,800 gallons per day.

This provision does not apply to any groundwater basin for which the state engineer has in effect on July 1, 1983, a procedure of issuing revocable permits.

A.B. 509 (chapter 234)
Allows the state engineer to hold hearings outside a ground water basin which is proposed for special designation and administration. If there are adequate facilities within the geographic limits of the basin, however, the hearing must be held therein. If adequate facilities for a hearing do not exist within the ground water basin, the hearing must be held in another location in the county where the basin, or the major portion of it, is located.

A.B. 597 (chapter 559)
Allows the state engineer to grant extensions of time for putting water to beneficial use if the holder of the water right has demonstrated efficient ways of using the water for agricultural purposes, such as center-pivot irrigation. Use of this type of irrigation previously caused some confusion and controversy regarding the unirrigated corners of the property, and whether this should result in a partial forfeiture of water rights.

The bill also requires the state engineer to officially notify an owner of record, by means of a notice of intent, in order to declare a forfeiture of a portion of a water right because of the use of center-pivot irrigation before July 1, 1983. The notice must provide that the owner has at least 1 year from the date of the notice to put the water to beneficial use or apply for additional relief before the forfeiture is declared by the state engineer.

A.B. 612 (chapter 564)
Requires negotiations between the local governments and the ditch companies in Washoe County concerning maintenance of ditches used for irrigation and storm drainage.

S.B. 135 (chapter 171)
Raises the fee for an original well drilling license from $25 to $50, and the renewal fee from $10 to $25. This money is deposited in the state engineer's water license fund which is currently running short of money needed to operate the well drillers' advisory board. (The board meets on a quarterly basis to review applicants for well drillers' licenses.)

The bill also allows some of the money in the water license fund to be used to pay costs pertaining to adoption of state regulations for well drilling.

S.B. 153 (chapter 479)
Authorizes the director of the state department of conservation and natural resources to enter into a contract with the Elko County Recreation Board for the construction of a dam and a state park on the South Fork of the Humboldt River in Elko County. The act specifies certain provisions of the contract, and requires the state board of examiners to issue up to $4.7 million in bonds to provide money for the project. It also allocates the remaining proceeds of other authorized bonds to this project.

S.B. 241 (chapter 320)
Simplifies transfers of water rights to local governments and public utilities. This bill allows local governments and public utilities which are purveyors of water to submit affidavits to the state engineer clearly indicating that rights for diverting or appropriating water are appurtenant to land owned by these entities. Upon receipt of the affidavit, the state engineer must assign water rights to the local government or utility if he determines that they are qualified to sign the affidavit.

S.B. 274 (chapter 454)
Authorizes the Colorado River commission to issue a maximum of $3 million in bonds to pay the state's share of the purchase and

installation of replacements for pump casings and appurtenant equipment associated with the Southern Nevada Water Project.

S.B. 323 (chapter 549)
Directs Washoe County and the Cities of Reno and Sparks to acquire unused water rights which are appurtenant to land within the service area of the Sierra Pacific Power Company, prepare plans for use of the water, obtain from the power company technical assistance and money needed for the acquisition, and contract with the power company to distribute the water.

S.B. 392 (chapter 539)
Limits the fee which the state engineer may charge for issuing and recording a permit to appropriate water for generating hydroelectric power that results in nonconsumptive use of the water to a maximum of $1,000, but retains the basic rate of $100 per second-foot of water.

S.B. 399 (chapter 398)
Clarifies that the Las Vegas Valley Water District is responsible for operation and maintenance of the southern Nevada water project facilities and water treatment plants, and that the Colorado River commission is responsible for collection of user fees, transfer of necessary money to the water district, repayment of obligations to the Federal Government, administration of applicable contracts, and continued management of Nevada's allocation of water from the Colorado River.

S.B. 417 (chapter 487)
Creates the Washoe County Metropolitan Water Authority.

S.B. 444 (chapter 529)
Relates to the Colorado River commission. The act makes administrative changes, modifies the terms of the commissioners, and authorizes loans from the Fort Mohave Valley development fund to the Clark County board of county commissioners and the general improvement district in the Fort Mohave Valley.

S.B. 451 (chapter 478)
Directs the director of the state department of conservation and natural resources to participate in negotiations in an effort to prepare an agreement relative to conservation and allocation of water associated with the Truckee River and the Newlands Federal Reclamation Project. The measure authorizes the governor to enter into the agreement on behalf of the state. The act also provides for issuance of up to $8 million in state bonds to pay the state's share of costs for projects outlined as part of the agreement.

S.B. 470 (chapter 612)

Authorizes contribution toward improvements, replacements and increases of rating of facilities of the powerplant at Hoover Dam and the issuance of up to $45 million in bonds and other securities by the State of Nevada through the Colorado River commission to pay the state's share of these expenses.

WILDLIFE AND MINERALS

A.B. 48 (chapter 268)
Makes it unlawful for a group of people acting together to intentionally interfere with lawful hunting or trapping activities. The provisions of the bill do not apply to any incidental interference arising from the lawful use of public land for ranching, mining or recreation. The measure is designed to curb the activities of groups known to advocate intentional interference with the lawful hunting of certain game species.

For the purposes of this law only, hunting and trapping is "lawful" only if permitted by the owner or person in possession of the land other than the government. These latter provisions will allow private property owners to order hunters or trappers off their private land even if the land is not fenced or posted "no trespassing."

A.B. 305 (chapter 357)
Makes various changes in Nevada's wildlife laws. Among other things, the bill gives game wardens the authority to enforce, as peace officers, all laws of the State of Nevada while performing their official duties. Formerly, game wardens were only allowed to enforce fish and game laws. This amendment does not, however, give game wardens early retirement privileges provided to other peace officers.

The bill establishes a $4 fee for combined hunting and fishing licenses for senior citizens and persons with severe physical handicaps. It also requires the state wildlife commission to establish a separate price to be charged for expired duck stamps which are commonly sold to stamp collectors. Other provisions include instruction in the safe handling of firearms, increased fees for such instruction, increased fees to practice commercial taxidermy, authorization for the commission to regulate methods for taking fish other than by hook and line, and various "cleanup" measures.

A.B. 335 (chapter 627)
Creates the commission on mineral resources as a seven-member body appointed by the governor and establishes the department of minerals consisting of a division of administration and a division of regulation. The executive director of the department of minerals is appointed by the governor from a list of three nominees selected by the commission, but he serves at the pleasure of the commission. The act also makes the executive director a member of the state environmental commission.

A fund for the department of minerals is created as a special reserve fund, and a new fee of 75 cents per claim for filings made through

fiscal year 1984-1985 is established in order to provide money for the fund. The regulatory and executive powers of the commission and the department of minerals are outlined.

The act abolishes the oil, gas and mining board, the division of mineral resources in the department of conservation and natural resources, and the state department of energy. Their responsibilities are assigned to the new department of minerals and the office of community services, which the act creates as a statutory entity rather than its existence being based solely upon an executive order as was previously the case.

A permitting procedure for drilling and operation of geothermal wells is also established. The executive director of the department of minerals, with the approval of the state engineer, may issue such a permit. A fund for regulation of geothermal wells is established, and the commission on mineral resources is directed to impose and collect permit fees to provide money for the fund.

A.B. 448 (chapter 548)

Makes various changes relating to the recording of mining claims. Under previous law, which is retained in this bill, within 90 days after the posting of the location notice, the locator of a lode mining claim is required to file two copies of the map which shows boundaries and locations of the claim with the county recorder. The filing fee of $15 for each claim is used by the county to establish and maintain an accurate map of all mining claims in the county located after July 1, 1971. Under this bill, the county will also be allowed to use the money to purchase and maintain equipment used in preparing or duplicating the map, and any remaining money may be used by the county recorder for other purposes.

S.B. 162 (chapter 466)

Revises certain provisions relating to Nevada's Liquefied Petroleum Gas Act, which is contained in chapter 590 of the Nevada Revised Statutes (NRS). This bill eliminates certain fees relating to liquefied petroleum gas (LPG) dealers, and instead authorizes the Nevada LPG board to adopt regulations setting reasonable fees for applications, licenses and inspections. The bill allows this board to classify:

1. Businesses which operate one or more dispensers at a fixed location for the resale of propane to the public; and

2. Any other businesses engaged in LPG-related activities which the board determines to require a special license.

A business or utility which is subject to regulation by the public service commission of Nevada, such as Southwest Gas Corporation, is exempt from this statute.

S.B. 411 (chapter 274)

Amends the authorization of money made in the 1981 legislative session to the department of wildlife to provide that the state public works board may:

1. Utilize $55,000 to improve the Gallagher fish hatchery; and

2. Utilize $25,000 to construct a facility for fuel in southern Nevada.

This work may not be commenced until the department of wildlife so requests.

WILLS AND ESTATES OF DECEASED PERSONS

A.B. 123 (chapter 114)
Raises the limit for summary administration of estates from $60,000 to $100,000.

A.B. 562 (chapter 578)
Excludes corporate trustees from the requirement that trustees file intermediate accounts.

S.B. 21 (chapter 49)
Allows a separate statement, in addition to a will, to dispose of tangible personal property of deceased persons. The measure also allows the court to require a bond of an executor or administrator of an estate, and it removes the residency requirement which previously was associated with admitting a copy of a will to probate when the original cannot be produced in Nevada.

S.B. 22 (chapter 12)
Allows a power of attorney to remain in effect when the principal is disabled in those cases in which the written power contains language to the effect, "This power of attorney is not affected by disability of the principal."

The measure also provides that in other cases of power of attorney, the death, disability or incompetence of a person who has executed a power of attorney does not revoke that power without the person who has the power of attorney having actual knowledge of the death or disability. In those cases, any action taken by the person having power of attorney prior to the knowledge of the principal's disability, unless invalid or unenforceable, binds the principal and his heirs, devisees and personal representatives.

S.B. 24 (chapter 47)
Provides for the deduction of encumbrances from estates of decedents in determining the value of an estate for release without administration. It increases the maximum value of such an estate from $10,000 to $25,000 and the maximum value of personal property which may be transferred without administration from $5,000 to $10,000.

The bill also provides for reopening an estate for the purpose of administering other property which has been discovered or for correcting errors made in the description of the property administered.

S.B. 25 (chapter 10)
Broadens the scope of the Nevada Uniform Gifts to Minors Act to include real property and tangible personal property.

S.B. 112 (chapter 428)

Relates to escheated estates and the historical dedicated trust fund for the Nevada historical society. The measure creates a fund for escheated estates, provides for the retention and disposition of the interest and other income from escheated estates, authorizes the state treasurer to sell personal property which has escheated to the state, and requires executors and administrators to sell escheated property and transmit the money to the state. The act also permits the Nevada historical society to maintain up to $1,000 in a checking account to be used to purchase artifacts, manuscripts, references for the library and related materials which become available to the society in an emergency or upon short notice. The measure provides that money received by the society from donations, grants, sale of books and pamphlets, or any other source, except appropriations from the state general fund, be deposited in the state treasury for credit to the historical dedicated trust fund, which the bill creates.

S.B. 163 (chapter 273)

Makes various changes to statutory provisions relating to the administration of estates of decedents, including raising the monetary threshold of an estate from $1,000 to $25,000 for which an appeal may be taken to the supreme court setting aside an estate claimed. The measure also changes various notice provisions to conform to Nevada Revised Statutes 155.010.

S.B. 438 (chapter 388)

Relates to estates. The act abolishes the Rule in Shelley's Case and the doctrine of the destructibility of contingent remainders. The measure also modifies the rule against perpetuities.

VETOED BILLS

A.B. 86

Would have created a four-member legislative committee to review the activities of the Tahoe Regional Planning Agency and its adherence to the provisions of the bistate Tahoe Regional Planning Compact and to review the agency's use of money received from the State of Nevada. This committee, which would have existed only when the legislature was not in regular or special session, could have met no more than four times per year and would have been required to submit a report of its findings to each regular session of the legislature.

S.B. 136

Would have allowed private insurance carriers to compete with Nevada's industrial insurance system for industrial insurance coverage required of employers in the state. This concept is commonly referred to as three-way insurance. Industrial insurance, also referred to as workmen's compensation, must be provided by employers for just about all workers in Nevada. This type of insurance provides compensation for those employees who suffer job-related injuries or disabilities.

Employers in Nevada are required to insure their employees through the state industrial insurance system unless the business is large enough to be self-insured. Senate Bill 136 would have added a third option--insuring through private insurance carriers in Nevada.

About $120 million was paid by employers in Nevada last year for premiums through the state industrial insurance system. This measure, accordingly, was strongly supported by private insurers in Nevada. The state industrial insurance system and organized labor opposed the bill. Opponents of the bill argued that premiums would soon go up and the worker would have to pay for this in the long run.

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SENATE STANDING COMMITTEES

Sixty-second Session, 1983

(The Chairman is named first on each committee; the Vice Chairman is named second on each committee.)

COMMERCE AND LABOR--
Blakemore, Robinson, Ashworth, Faiss, Glover, Townsend, Jacobsen.

FINANCE--
Lamb, Gibson, Glaser, Horn, Mello, Neal, Raggio.

GOVERNMENT AFFAIRS--
Ashworth, Gibson, Hernstadt, Hickey, Robinson, Wilson, Wagner.

HUMAN RESOURCES AND FACILITIES--
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JUDICIARY--
Wilson, Foley, Bilbray, Hernstadt, Hickey, Ryan, Wagner.

LEGISLATIVE AFFAIRS--
Faiss, Horn, Foley, Lamb, Townsend, Wilson, Wagner.

NATURAL RESOURCES--
Glaser, Townsend, Bilbray, Glover, Lamb, Jacobsen, Raggio.

TAXATION--
Bilbray, Glover, Ashworth, Gibson, Glaser, Robinson, Raggio, Ryan.

TRANSPORTATION--
Hernstadt, Hickey, Blakemore, Mello, Neal, Jacobsen.

MAJORITY FLOOR LEADER--
James I. Gibson.

ASSISTANT MAJORITY LEADER--
Thomas R. C. Wilson.

ASSISTANT MINORITY FLOOR LEADER--
Sue Wagner.

PRESIDENT PRO TEMPORE--
Keith Ashworth.

MINORITY FLOOR LEADER--
William J. Raggio.

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Sixty-second Session, 1983

(The Chairman is named first on each committee; the Vice Chairman is named second on each committee.)

COMMERCE--
Jeffrey, Bourne, Berkley, Bremner, Chaney, Kovacs, Sedway, Bogaert, DuBois, Kerns, Redelsperger, Stone, Thomas.

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Price, Swain, Collins, Kovacs, Stewart, Getto, Joerg, Marvel, Redelsperger.

EDUCATION--
Craddock, Sedway, Nevin, Price, Beyer, Kerns, Malone.

ELECTIONS--
Sader, Perry, Berkley, Coffin, Beyer, Ham, Malone.

GOVERNMENT AFFAIRS--
Dini, Schofield, Bourne, Craddock, Jeffrey, May, Bergevin, Bogaert, Kerns, Nicholas, Thomas.

HEALTH AND WELFARE--
Chaney, Nicholas, Collins, Perry, Stewart, Swain, Bilyeu, Bogaert, Humke.

JUDICIARY--
Stewart, Berkley, Collins, Fay, Nevin, Swain, Bilyeu, Ham, Humke, Malone, Stone.

LABOR AND MANAGEMENT--
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LEGISLATIVE FUNCTIONS--
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NATURAL RESOURCES, ENVIRONMENT, AND AGRICULTURE--
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TAXATION--
May, Schofield, Banner, Craddock, Kovacs, Price, Bergevin, Francis, Getto, Joerg, Zimmer.

TRANSPORTATION--
Coffin, Nevin, Fay, Price, Swain, Thompson, Getto, Humke, Joerg, Stone, Zimmer.

WAYS AND MEANS--
Bremner, Sader, Chaney, Coffin, Dini, Perry, Sedway, Thompson, Beyer, Brady, DuBois, Marvel, Redelsperger.

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John M. Vergiels.

SPEAKER PRO TEMPORE--
James W. Schofield.

MAJORITY FLOOR LEADER--
John E. Jeffrey.

MAJORITY WHIP--
Robert M. Sader.

ASSISTANT MAJORITY FLOOR LEADER--
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MINORITY FLOOR LEADER--
Bill D. Brady.

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David D. Nicholas.