

S. B. 472—Committee on Government Affairs, Apr. 16.

Summary—Provides requirements for appointment of town advisory boards in certain unincorporated towns. (BDR 21-1594) Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No.

Apr. 16—Read first time. Referred to Committee on Government Affairs. To printer.

Apr. 17—From printer. To committee. 4/23

May 2—From committee: Amend, and do pass as amended.

May 3—Read second time. Amended. To printer.

May 4—From printer. To engrossment. Engrossed. First reprint.

May 7—Read third time. Passed, as amended. Title approved, as amended. To Assembly.

May 8—In Assembly. Read first time. Referred to Committee on Government Affairs. To committee. *No minutes*

May 16—From committee: Amend, and do pass as amended.

May 17—Read second time. Amended. To printer.

May 18—From printer. To re-engrossment. Re-engrossed. Second reprint.

May 19—Read third time. Passed, as amended. Title approved. To Senate.

May 21—In Senate.

May 22—Assembly amendment not concurred in. To Assembly.

May 23—In Assembly. Assembly amendment not receded from. Conference requested. First Committee on Conference appointed by Assembly. To Senate.

May 24—In Senate. First Committee on Conference appointed by Senate. To committee.

May 25—From committee: Concur in Assembly amendment. First Conference report adopted by Senate. First Conference report adopted by Assembly. To enrollment.

May 28—Enrolled and delivered to Governor. Approved by the Governor. Chapter 582.

Effective July 1, 1979.

SENATE BILL NO. 472—COMMITTEE ON  
GOVERNMENT AFFAIRS

APRIL 16, 1979

Referred to Committee on Government Affairs

SUMMARY—Provides requirements for appointment of town advisory boards in certain unincorporated towns. (BDR 21-1594)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.



EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to certain unincorporated towns; providing requirements for appointment of town advisory boards; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

1 SECTION 1. Chapter 269 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:

3 *Each ordinance which establishes an unincorporated town pursuant*  
4 *to NRS 269.500 to 269.625, inclusive, and this section must provide for:*

5 1. *Appointment by the board of county commissioners of three or*  
6 *five qualified electors who are residents of the unincorporated town to*  
7 *serve as the town advisory board without compensation.*

8 2. *Terms for members of the town advisory board, which must*  
9 *expire on the first Monday in January of each odd-numbered year.*

10 3. *Removal of a member of the town advisory board if the board*  
11 *of county commissioners finds that his removal is in the best interest*  
12 *of the residents of the unincorporated town, and for appointment of a*  
13 *member to serve the unexpired term of the member so removed.*

14 4. *The duties of the township advisory board, which are to:*

15 (a) *Assist the board of county commissioners in governing the unin-*  
16 *corporated town by acting as liaison between the residents of the town*  
17 *and the board of county commissioners; and*

18 (b) *Advise the board of county commissioners on matters of import-*  
19 *ance to the unincorporated town and its residents.*

20 SEC. 2. NRS 269.545 is hereby amended to read as follows:

21 269.545 1. The initiative petition presented to the board or the  
22 question placed on the ballot, as provided in NRS 269.540, [shall]  
23 *must* contain a statement substantially as follows:

1 The undersigned declare their purpose to be the support of the  
2 concept of unincorporated town government, that they desire hereby  
3 to make provision for the supplying of one or more of the town  
4 services enumerated in NRS 269.575 and that they acknowledge  
5 the fact that the supplying of such service or services will require  
6 a special tax levy, the establishment of a user fee schedule or a  
7 combination of both.

8 2. The boundaries of such area sought to be brought within an  
9 unincorporated town area [shall] *must* be clearly designated and  
10 declared. The area encompassed [shall] *must* be contiguous.

11 3. The petition shall state whether the town advisory board is to be  
12 composed of three members or five members. [ , and shall also state the  
13 proposed method of selection and terms of office for such members.]

14 SEC. 3. NRS 269.550 is hereby amended to read as follows:

15 269.550 1. [Notwithstanding any other provision of law, if] *If* the  
16 petition presented to the board contains the requisite number of signa-  
17 tures pursuant to subsection 1 of NRS 269.540 and otherwise meets the  
18 requirements provided in NRS 269.545, the board [shall,] *may*, by  
19 ordinance, proceed with the formation of the unincorporated town. The  
20 ordinance shall contain a clear designation of the boundaries, a listing  
21 of services to be provided [ ,] *and* the number of members to be on the  
22 town advisory board. [ , the method of their selection and their terms  
23 of office.]

24 2. If the petition presented to the board contains the requisite num-  
25 ber of signatures pursuant to subsection 2 of NRS 269.540, the board  
26 [shall,] *may*, by resolution adopted at a regular meeting, provide for  
27 submission of the question of the formation of an unincorporated town  
28 to the registered voters residing within the boundaries of the area pro-  
29 posed for such town, at a special election or at the next succeeding  
30 general election. As a part of the question there [shall] *must* be included  
31 the statement that an affirmative vote carries with it the assent to be  
32 taxed for the service or services indicated in the board's resolution.

33 SEC. 4. NRS 269.560 is hereby amended to read as follows:

34 269.560 If a majority of the registered voters residing within the  
35 boundaries of the proposed unincorporated town and voting on the  
36 question in the special or general election as provided in subsection 2  
37 of NRS 269.550 or in NRS 269.555 approve the question, the board  
38 shall by ordinance proceed with the formation of such unincorporated  
39 town. The ordinance [shall] *must* contain a clear designation of the  
40 boundaries, a listing of the services to be provided [ ,] *and* the number  
41 of members to be on the town advisory board. [ , the method of their  
42 selection and their terms of office.]

43 SEC. 5. NRS 269.565 is hereby amended to read as follows:

44 269.565 1. [Notwithstanding any other provision of law, the] *The*  
45 boards of county commissioners of the various counties in this state may  
46 enact ordinances to provide for and regulate the formation of unincor-  
47 porated towns [in the event] *if* specific unincorporated county areas are  
48 directed by federal or state law to administer one or more of the services  
49 enumerated in subsection 2.

1 2. The services to be provided include but are not limited to solid  
2 waste disposal and compliance with federal water or air quality standards.

3 3. Any such ordinance [shall] *must* contain a clear designation of  
4 the boundaries of the unincorporated town, a listing of services to be  
5 provided [,] *and* the number of members to be on the town advisory  
6 board. [,] the method of their selection and their terms of office.]

7 SEC. 6. NRS 269.570 is hereby amended to read as follows:

8 269.570 The board of county commissioners may amend any ordi-  
9 nance providing for the formation of an unincorporated town to adjust  
10 [one or more of the following:

11 1. The] *the* list of services to be provided.

12 [2. The method of selection of members of the town advisory board.

13 3. The terms of office of the members of the town advisory board.]

14 SEC. 7. NRS 269.623 is hereby amended to read as follows:

15 269.623 The board of county commissioners in any county to which  
16 the Unincorporated Town Government Law applies may [, upon request  
17 of the town boards involved,] adopt ordinances to:

18 1. Amend the boundaries of any unincorporated town; or

19 2. Merge two or more unincorporated towns.

20 Such ordinances may be adopted whether or not the unincorporated  
21 town was created under the provisions of the Unincorporated Town  
22 Government Law.

23 SEC. 8. NRS 269.625 is hereby amended to read as follows:

24 269.625 An unincorporated town [formed] *operating* pursuant to  
25 the provisions of the Unincorporated Town Government Law may be  
26 dissolved by resolution of the board of county commissioners following  
27 a public hearing at which residents of [such] *the* town are given an  
28 opportunity to speak. The resolution [shall] *must* specify the reasons  
29 for the dissolution.

Present: Chairman Gibson  
Senator Dodge  
Senator Echols  
Senator Ford  
Senator Kosinski  
Senator Raggio

Also Present: See Attached Guest Register

Chairman Gibson called the thirty-sixth meeting of the Government Affairs Committee to order at 2:00 p.m., Senator Keith Ashworth was excused from the meeting.

SB-485 Requires analysis of use of renewal resources as part of accounting system covering costs of state buildings.

Noel Clark, Administrator of the Department of Energy testified to the committee that the intent of the bill was to require state and local governments to examine the feasibility of using renewable resources prior to the time that construction plans are authorized. Mr. Clark felt that the state capitol is an excellent place to begin an analysis of renewable resources.

Mr. Clark noted that "renewal" was incorrect and should be amended to read, "renewable".

Chairman Gibson noted that in the capitol budget there is an operating costs for the useful life and renewable resources is a matter that should be considered.

Bill Hancock, State Public Works Director testified that at the present they are already considering the renewable resources as part of the accounting system and do not feel that this bill is necessary.

Chairman Gibson questioned whether or not the committee could add the city and counties to this bill so they will also consider renewable resources.

Mr. Clark stated that he felt that all the entities should take this into consideration when a new building is considered.

Mr. Hancock stated that all public facility buildings are under the Energy Conservation Standards and renewable resources is one of the areas that they are looking into.

Senator Dodge asked if the standards for considering renewable resources could be given to the architects so that they could take that aspect into consideration when designing a new building.

Mr. Clark felt that with something from the legislature it would carry more weight and have more impact.

SB-506 Authorizes general improvement districts to provide space heating.

Noel Clark, Administrator for the Department of Energy, supports the concept of the bill and stated that Caliente would be an example of a general improvement district that could use this bill. He further noted that the local districts could be a source of financing for this type of heating.

Senator Ford moved, Do Pass on SB-506  
Seconded by Senator Raggio - Motion carried unanimously.

SB-472 Provides requirements for appointment of town advisory boards in certain unincorporated towns.

Pat Gallagher, representing Clark County, testified in favor of this bill and provided possible amendment language regarding the unincorporated town government law. (See Attachment #1). Mrs. Gallagher went over the bill and the suggested amendments stating that they feel with these changes the process will run more smoothly and provide clear guidelines to follow.

Mrs. Gallagher felt that they needed discretionary power when determining whether or not it is necessary for a group or individual to become part of an unincorporated town. The bill also addresses the appointment of electors to serve as the town advisory board in the unincorporated town.

Pat Steckman, County Manager's Office, Staff Coordinator, testified in support of the bill and concurred with Mrs. Gallagher's testimony. Mrs. Steckman noted that if 51% sign a petition for an unincorporated town they must comply. It could be as few as three people in an area to create the 51%. There is currently no provision in the statutes regarding the size. Mrs. Steckman stated that they would like to be in conformance with the other counties, section 7 provides permissive language in order to give them the flexibility they need to make decisions.

Senator Ford stated that in other counties, especially the smaller ones, it was felt that the flexibility should be left in the bill so that the people would be able to elect their own town members to the advisory board.

Mrs. Steckman stated that the smaller towns will elect their own and submit five to the county for a final decision.

Scott Doyle, District Attorney office, Clark County, stated that this bill will not affect the manner in which the town advisory board is chosen for the unincorporated towns.

Senator Ford asked how this bill would affect the existing town boards and Mrs. Steckman felt that they would probably reappoint the existing

members and then when the new members replace the members who have served their term the new statute could go into effect.

Mr. Doyle noted that there is an error in page 1, line 14. The reference to "township" should be deleted and "town" should be the corrected reference.

Bob Sullivan, Carson River Basis for Local Governments, stated that they were opposed to the bill unless some options were written into the amendments.

Senator Ford stated that this bill would not apply to the areas that he represented and Mr. Sullivan then stated that since it would not affect the areas he represents he did not object to the bill.

Senator Ford moved "Amend and Do Pass" on SB-472  
Seconded by Senator Dodge - Motion carried unanimously.

Amendment: Amend the bill using the proposed amendments in Attachment #1 and change "township" to "town" on line 14 of page 1.

Chairman Gibson assigned Senator Ford to get the appropriate amendments.

AB-628 Authorizes creation of advisory boards by boards of county commissioners.

Russ McDonald, representing Washoe County, noted that this bill would not affect the requirements set forth in unincorporated towns, SB-472. Mr. McDonald felt that communication and better insight will result from the passage of this bill. The Advisory board can speak directly to the people and report their findings to the County Commissioner at their regular meetings.

Mr. McDonald asked the committee to consider amending the bill to delete any reference to payment for the advisory board members.

The committee concurred with the suggestion made by Mr. McDonald and Chairman Gibson placed the specific language in with the bill for the bill drafter.

Senator Ford moved, "Amend and Do Pass"  
Seconded by Senator Kosinski - Motion carried unanimously

AB-287 Requires annual computation of longevity pay for county officers.

Russ McDonald, Washoe County, stated that this bill involves the Commissioners Association. The bill makes it clear that after four years you are eligible to receive 1%. It also makes the County Commissioners come in line with the other entities affected by the longevity system.



Amendments to S.B. 472

NRS 269.530 is hereby amended to read as follows:

SECTION 1

269.530 The provisions of the Unincorporated Town Government Law apply:

- A. To each unincorporated town in any county having a population of 200,000 or more, as determined by the last preceding national census of the Bureau of the Census of the United States Department of Commerce.
- B. To each unincorporated town in any other county, upon passage of an ordinance adopting the Unincorporated Town Government Law by the board of county commissioners.

SECTION 2

1. Ordinances creating unincorporated towns prior to the adoption of the Unincorporated Town Government Law in those counties included in subsections 1 and 2 shall be amended by the board of county commissioners to conform to the provisions of NRS 269.500 to 269.625, inclusive, and the towns shall be managed and administered in accordance with the Unincorporated Town Government Law.



Senate Committee on Government Affairs

Date Monday, April 23, 1979

Time 2:00 P.M. Room 243

Bills or Resolutions  
to be considered

Subject

Counsel  
Requested\*

S.B. 472- Provides requirements for appointment of town advisory boards in certain unincorporated towns.

S.B. 476- Increases salaries of certain officers of Douglas County and Carson City.

S.B. 479- Provides exception to general prohibition against purchases from trustees of general improvement districts.

A.B. 287- Requires annual computation of longevity pay for county officers.

A.J.R. 16- Proposes to amend Nevada constitution to extend terms of Assemblymen to 4 years.

A.B. 277- Changes certain fees of constables.

A.B. 588- Permits county hospitals to employ certain medical personnel as independent contractors and purchase certain items without receiving bids.

A.B. 566- Removes limit on accumulation of sick leave which a county may provide for its officers and employees.

(SB-497 & 498 were re-scheduled to be heard on 4-28-79 at the request of the sponsor.)

⇒ Note: The following bills were added to the agenda - eff. 4-21-79

S.B. 485- Requires analysis of use of renewal resources as part of accounting system covering costs of state buildings.

S.B. 486- Requires state and local governments to consider economy in use of energy when purchasing property.

SB-500

503, 522; Assembly Bill No. 441, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOE NEAL, *Chairman*

*Mr. President:*

Your Committee on Finance, to which was re-referred Senate Bill No. 243, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

FLOYD R. LAMB, *Chairman*

*Mr. President:*

Your Committee on Finance, to which were referred Assembly Bill No. 738; Senate Joint Resolution No. 24, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

FLOYD R. LAMB, *Chairman*

#### SECOND READING AND AMENDMENT

##### Senate Bill No. 472.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 869.

Amend section 1, page 1, line 14, by deleting "township" and inserting "town".

Amend the bill as a whole by adding new sections, designated sections 9 and 10, following section 8, to read as follows:

"Sec. 9. A member of a town advisory board who was serving on June 30, 1979, may serve until the expiration of the term to which he was appointed unless he is removed before that time. A member who is appointed or reappointed on or after July 1, 1979, may serve until the term to which he is appointed expires pursuant to section 1 of this act.

Sec. 10. The board of county commissioners shall amend any ordinance pertaining to an unincorporated town in a county in which the Unincorporated Town Government Law applies which does not conform to the Unincorporated Town Government Law, to conform to that law, on or before December 31, 1979."

Amend the title of the bill on the second line by inserting after "boards;" the words "requiring the amendment of certain ordinances;"

Senator Gibson moved the adoption of the amendment.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 509.

Bill read second time.

The following amendment was proposed by the Committee on Finance:

Amendment No. 879.

Amend section 1, page 1, line 1, by inserting after "Section 1." the number "1."

Amend section 1, page 1, lines 2 and 3, delete "for the purpose of matching a federal subsidy".

Amend section 1, page 1, by inserting after line 4 the following:

SENATE BILL NO. 472—COMMITTEE ON  
GOVERNMENT AFFAIRS

APRIL 16, 1979

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in certain unincorporated towns. (BDR 21-1594)

FISCAL NOTE: Effect on Local Government: No.  
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EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to certain unincorporated towns; providing requirements for  
appointment of town advisory boards; requiring the amendment of certain  
ordinances; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly,  
do enact as follows:*

1 SECTION 1. Chapter 269 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:

3 *Each ordinance which establishes an unincorporated town pursuant*  
4 *to NRS 269.500 to 269.625, inclusive, and this section must provide for:*

5 1. *Appointment by the board of county commissioners of three or*  
6 *five qualified electors who are residents of the unincorporated town to*  
7 *serve as the town advisory board without compensation.*

8 2. *Terms for members of the town advisory board, which must*  
9 *expire on the first Monday in January of each odd-numbered year.*

10 3. *Removal of a member of the town advisory board if the board*  
11 *of county commissioners finds that his removal is in the best interest*  
12 *of the residents of the unincorporated town, and for appointment of a*  
13 *member to serve the unexpired term of the member so removed.*

14 4. *The duties of the town advisory board, which are to:*

15 (a) *Assist the board of county commissioners in governing the unin-*  
16 *corporated town by acting as liaison between the residents of the town*  
17 *and the board of county commissioners; and*

18 (b) *Advise the board of county commissioners on matters of import-*  
19 *ance to the unincorporated town and its residents.*

20 SEC. 2. NRS 269.545 is hereby amended to read as follows:

21 269.545 1. The initiative petition presented to the board or the

1 question placed on the ballot, as provided in NRS 269.540, [shall]  
2 *must* contain a statement substantially as follows:

3 The undersigned declare their purpose to be the support of the  
4 concept of unincorporated town government, that they desire hereby  
5 to make provision for the supplying of one or more of the town  
6 services enumerated in NRS 269.575 and that they acknowledge  
7 the fact that the supplying of such service or services will require  
8 a special tax levy, the establishment of a user fee schedule or a  
9 combination of both.

10 2. The boundaries of such area sought to be brought within an  
11 unincorporated town area [shall] *must* be clearly designated and  
12 declared. The area encompassed [shall] *must* be contiguous.

13 3. The petition shall state whether the town advisory board is to be  
14 composed of three members or five members. [, and shall also state the  
15 proposed method of selection and terms of office for such members.]

16 SEC. 3. NRS 269.550 is hereby amended to read as follows:

17 269.550 1. [Notwithstanding any other provision of law, if] *If* the  
18 petition presented to the board contains the requisite number of signa-  
19 tures pursuant to subsection 1 of NRS 269.540 and otherwise meets the  
20 requirements provided in NRS 269.545, the board [shall.] *may*, by  
21 ordinance, proceed with the formation of the unincorporated town. The  
22 ordinance shall contain a clear designation of the boundaries, a listing  
23 of services to be provided [.] *and* the number of members to be on the  
24 town advisory board. [, the method of their selection and their terms  
25 of office.]

26 2. If the petition presented to the board contains the requisite num-  
27 ber of signatures pursuant to subsection 2 of NRS 269.540, the board  
28 [shall.] *may*, by resolution adopted at a regular meeting, provide for  
29 submission of the question of the formation of an unincorporated town  
30 to the registered voters residing within the boundaries of the area pro-  
31 posed for such town, at a special election or at the next succeeding  
32 general election. As a part of the question there [shall] *must* be included  
33 the statement that an affirmative vote carries with it the assent to be  
34 taxed for the service or services indicated in the board's resolution.

35 SEC. 4. NRS 269.560 is hereby amended to read as follows:

36 269.560 If a majority of the registered voters residing within the  
37 boundaries of the proposed unincorporated town and voting on the  
38 question in the special or general election as provided in subsection 2  
39 of NRS 269.550 or in NRS 269.555 approve the question, the board  
40 shall by ordinance proceed with the formation of such unincorporated  
41 town. The ordinance [shall] *must* contain a clear designation of the  
42 boundaries, a listing of the services to be provided [.] *and* the number  
43 of members to be on the town advisory board. [, the method of their  
44 selection and their terms of office.]

45 SEC. 5. NRS 269.565 is hereby amended to read as follows:

46 269.565 1. [Notwithstanding any other provision of law, the] *The*  
47 boards of county commissioners of the various counties in this state may  
48 enact ordinances to provide for and regulate the formation of unincor-  
49 porated towns [in the event] *if* specific unincorporated county areas are

1 directed by federal or state law to administer one or more of the services  
2 enumerated in subsection 2.

3 2. The services to be provided include but are not limited to solid  
4 waste disposal and compliance with federal water or air quality standards.

5 3. Any such ordinance [shall] *must* contain a clear designation of  
6 the boundaries of the unincorporated town, a listing of services to be  
7 provided [ , ] *and* the number of members to be on the town advisory  
8 board. [ , ] the method of their selection and their terms of office.]

9 SEC. 6. NRS 269.570 is hereby amended to read as follows:

10 269.570 The board of county commissioners may amend any ordi-  
11 nance providing for the formation of an unincorporated town to adjust  
12 [one or more of the following:

13 1. The] *the* list of services to be provided.

14 [2. The method of selection of members of the town advisory board.

15 3. The terms of office of the members of the town advisory board.]

16 SEC. 7. NRS 269.623 is hereby amended to read as follows:

17 269.623 The board of county commissioners in any county to which  
18 the Unincorporated Town Government Law applies may [ , upon request  
19 of the town boards involved.] adopt ordinances to:

20 1. Amend the boundaries of any unincorporated town; or

21 2. Merge two or more unincorporated towns.

22 Such ordinances may be adopted whether or not the unincorporated  
23 town was created under the provisions of the Unincorporated Town  
24 Government Law.

25 SEC. 8. NRS 269.625 is hereby amended to read as follows:

26 269.625 An unincorporated town [formed] *operating* pursuant to  
27 the provisions of the Unincorporated Town Government Law may be  
28 dissolved by resolution of the board of county commissioners following  
29 a public hearing at which residents of [such] *the* town are given an  
30 opportunity to speak. The resolution [shall] *must* specify the reasons  
31 for the dissolution.

32 SEC. 9. A member of a town advisory board who was serving on  
33 June 30, 1979, may serve until the expiration of the term to which he  
34 was appointed unless he is removed before that time. A member who is  
35 appointed or reappointed on or after July 1, 1979, may serve until the  
36 term to which he is appointed expires pursuant to section 1 of this act.

37 SEC. 10. The board of county commissioners shall amend any ordi-  
38 nance pertaining to an unincorporated town in a county in which the  
39 Unincorporated Town Government Law applies which does not conform  
40 to the Unincorporated Town Government Law, to conform to that law,  
41 on or before December 31, 1979.

Senator Lamb moved that Senate Bill No. 306 be taken from the Secretary's desk and be placed on the General File for the next legislative day.

Motion carried.

Mr. President announced that if there were no objections the Senate would recess subject to the call of the Chair.

Senate in recess at 11:46 a.m.

### SENATE IN SESSION

At 11:57 a.m.

President Leavitt presiding.

Quorum present.

### REPORTS OF COMMITTEES

*Mr. President:*

Your Committee on Human Resources and Facilities, to which were referred Senate Bills Nos. 164, 470, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Finance.

KEITH ASHWORTH, *Chairman*

*Mr. President:*

Your Committee on Judiciary, to which were referred Senate Bills Nos. 453, 500; Assembly Bills Nos. 599, 334, 546, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MELVIN D. CLOSE, JR., *Chairman*

*Mr. President:*

Your Committee on Judiciary, to which was referred Assembly Bill No. 480, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MELVIN D. CLOSE, JR., *Chairman*

*Mr. President:*

Your Committee on Legislative Functions, to which was referred Assembly Concurrent Resolution No. 29, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

GENE ECHOLS, *Chairman*

### GENERAL FILE AND THIRD READING

Senate Bill No. 442.

Bill read third time.

Roll call on Senate Bill No. 442:

YEAS—19.

NAYS—None.

Absent—Keith Ashworth.

Senate Bill No. 442 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 472.

Bill read third time.

Remarks by Senators McCorkle and Gibson.

Roll call on Senate Bill No. 472:

YEAS—19.

NAYS—None.

Absent—Keith Ashworth.

Senate Bill No. 472 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 503.

Bill read third time.

Roll call on Senate Bill No. 503:

YEAS—18.

NAYS—McCorkle.

Absent—Keith Ashworth.

Senate Bill No. 503 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 509.

Bill read third time.

Remarks by Senators Ford, Lamb and Gibson.

Roll call on Senate Bill No. 509:

YEAS—19.

NAYS—None.

Absent—Keith Ashworth.

Senate Bill No. 509 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 512.

Bill read third time.

Roll call on Senate Bill No. 512:

YEAS—19.

NAYS—None.

Absent—Keith Ashworth.

Senate Bill No. 512 having received a constitutional majority, Mr. President it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 522.

Bill read third time.

Roll call on Senate Bill No. 522:

YEAS—20.

NAYS—None.

Senate Bill No. 522 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 528.

Bill read third time.

Roll call on Senate Bill No. 528:

YEAS—20.

NAYS—None.



the licensed agency to locate a suitable adoptive home for such child where financial assistance would not be required.

(b) The state welfare administrator has reviewed and approved in writing the proposed adoption and grant of assistance.

3. The financial assistance grant [shall] *must* be limited by agreement in writing between the welfare division and the adoptive parents, both as to amount and duration, which agreement [shall] *does* not become effective [unless presented to and approved by the court at the time of making] *until the entry of* the order of adoption.

4. Any grant of financial assistance [shall] *must* be reviewed and evaluated at least once annually by the welfare division. Such evaluation [shall] *must* be presented for approval to [the court with a recommendation by] the state welfare administrator. Financial assistance [shall] *must* be discontinued immediately upon written notification to *the adoptive parents* by the welfare division [by the court] that continued assistance is denied.

5. All financial assistance provided under this section [shall cease] *ceases* immediately when the child attains his or her majority, becomes self-supporting, is emancipated or dies, whichever [event shall first occur.] *is first*.

6. Neither a grant of financial assistance pursuant to this section nor any discontinuance of such assistance [shall in any way alter or affect] *affects* the legal status or respective obligations of any party to such adoption.

[7. The total of all grants of financial assistance made by the welfare division pursuant to this section in any one fiscal year shall not exceed \$10,000.]”.

Amend the title of the bill on the second line by inserting after “children;” the words “establishing a state register for adoptions;”.

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 404.

Bill read second time and ordered to third reading.

Senate Bill No. 458.

Bill read second time and ordered to third reading.

Senate Bill No. 472.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1186.

Amend section 7, page 3, by deleting line 21 and inserting:

“2. [Merge] *Upon request of the respective town boards, merge* two or more unincorporated towns.”.

Assemblyman Craddock moved the adoption of the amendment.

Remarks by Assemblyman Craddock.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 500.

Bill read second time and ordered to third reading.



(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

S. B. 472

SENATE BILL NO. 472—COMMITTEE ON  
GOVERNMENT AFFAIRS

APRIL 16, 1979

Referred to Committee on Government Affairs

SUMMARY—Provides requirements for appointment of town advisory boards  
in certain unincorporated towns. (BDR 21-1594)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to certain unincorporated towns; providing requirements for  
appointment of town advisory boards; requiring the amendment of certain  
ordinances; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly,  
do enact as follows:*

1 SECTION 1. Chapter 269 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:

3 *Each ordinance which establishes an unincorporated town pursuant*  
4 *to NRS 269.500 to 269.625, inclusive, and this section must provide for:*

5 1. *Appointment by the board of county commissioners of three or*  
6 *five qualified electors who are residents of the unincorporated town to*  
7 *serve as the town advisory board without compensation.*

8 2. *Terms for members of the town advisory board, which must*  
9 *expire on the first Monday in January of each odd-numbered year.*

10 3. *Removal of a member of the town advisory board if the board*  
11 *of county commissioners finds that his removal is in the best interest*  
12 *of the residents of the unincorporated town, and for appointment of a*  
13 *member to serve the unexpired term of the member so removed.*

14 4. *The duties of the town advisory board, which are to:*

15 (a) *Assist the board of county commissioners in governing the unin-*  
16 *corporated town by acting as liaison between the residents of the town*  
17 *and the board of county commissioners; and*

18 (b) *Advise the board of county commissioners on matters of impor-*  
19 *tance to the unincorporated town and its residents.*

20 SEC. 2. NRS 269.545 is hereby amended to read as follows:

21 269.545 1. The initiative petition presented to the board or the

1 question placed on the ballot, as provided in NRS 269.540, [shall]  
2 *must* contain a statement substantially as follows:

3 The undersigned declare their purpose to be the support of the  
4 concept of unincorporated town government, that they desire hereby  
5 to make provision for the supplying of one or more of the town  
6 services enumerated in NRS 269.575 and that they acknowledge  
7 the fact that the supplying of such service or services will require  
8 a special tax levy, the establishment of a user fee schedule or a  
9 combination of both.

10 2. The boundaries of such area sought to be brought within an  
11 unincorporated town area [shall] *must* be clearly designated and  
12 declared. The area encompassed [shall] *must* be contiguous.

13 3. The petition shall state whether the town advisory board is to be  
14 composed of three members or five members. [ , and shall also state the  
15 proposed method of selection and terms of office for such members.]

16 SEC. 3. NRS 269.550 is hereby amended to read as follows:

17 269.550 1. [Notwithstanding any other provision of law, if] *If* the  
18 petition presented to the board contains the requisite number of signa-  
19 tures pursuant to subsection 1 of NRS 269.540 and otherwise meets the  
20 requirements provided in NRS 269.545, the board [shall,] *may*, by  
21 ordinance, proceed with the formation of the unincorporated town. The  
22 ordinance shall contain a clear designation of the boundaries, a listing  
23 of services to be provided [ ,] *and* the number of members to be on the  
24 town advisory board. [ , the method of their selection and their terms  
25 of office.]

26 2. If the petition presented to the board contains the requisite number  
27 of signatures pursuant to subsection 2 of NRS 269.540, the board  
28 [shall,] *may*, by resolution adopted at a regular meeting, provide for  
29 submission of the question of the formation of an unincorporated town  
30 to the registered voters residing within the boundaries of the area pro-  
31 posed for such town, at a special election or at the next succeeding  
32 general election. As a part of the question there [shall] *must* be included  
33 the statement that an affirmative vote carries with it the assent to be  
34 taxed for the service or services indicated in the board's resolution.

35 SEC. 4. NRS 269.560 is hereby amended to read as follows:

36 269.560 If a majority of the registered voters residing within the  
37 boundaries of the proposed unincorporated town and voting on the  
38 question in the special or general election as provided in subsection 2  
39 of NRS 269.550 or in NRS 269.555 approve the question, the board  
40 shall by ordinance proceed with the formation of such unincorporated  
41 town. The ordinance [shall] *must* contain a clear designation of the  
42 boundaries, a listing of the services to be provided [ ,] *and* the number  
43 of members to be on the town advisory board. [ , the method of their  
44 selection and their terms of office.]

45 SEC. 5. NRS 269.565 is hereby amended to read as follows:

46 269.565 1. [Notwithstanding any other provision of law, the] *The*  
47 boards of county commissioners of the various counties in this state may  
48 enact ordinances to provide for and regulate the formation of unincor-  
49 porated towns [in the event] *if* specific unincorporated county areas are

1 directed by federal or state law to administer one or more of the services  
2 enumerated in subsection 2.

3 2. The services to be provided include but are not limited to solid  
4 waste disposal and compliance with federal water or air quality standards.

5 3. Any such ordinance [shall] *must* contain a clear designation of  
6 the boundaries of the unincorporated town, a listing of services to be  
7 provided [.] *and* the number of members to be on the town advisory  
8 board. [., the method of their selection and their terms of office.]

9 SEC. 6. NRS 269.570 is hereby amended to read as follows:

10 269.570 The board of county commissioners may amend any ordi-  
11 nance providing for the formation of an unincorporated town to adjust  
12 [one or more of the following:

13 1. The] *the* list of services to be provided.

14 [2. The method of selection of members of the town advisory board.

15 3. The terms of office of the members of the town advisory board.]

16 SEC. 7. NRS 269.623 is hereby amended to read as follows:

17 269.623 The board of county commissioners in any county to which  
18 the Unincorporated Town Government Law applies may [., upon request  
19 of the town boards involved,] adopt ordinances to:

20 1. Amend the boundaries of any unincorporated town; or

21 2. [Merge] *Upon request of the respective town boards, merge two*  
22 *or more unincorporated towns.*

23 Such ordinances may be adopted whether or not the unincorporated  
24 town was created under the provisions of the Unincorporated Town  
25 Government Law.

26 SEC. 8. NRS 269.625 is hereby amended to read as follows:

27 269.625 An unincorporated town [formed] *operating* pursuant to  
28 the provisions of the Unincorporated Town Government Law may be  
29 dissolved by resolution of the board of county commissioners following  
30 a public hearing at which residents of [such] *the* town are given an  
31 opportunity to speak. The resolution [shall] *must* specify the reasons  
32 for the dissolution.

33 SEC. 9. A member of a town advisory board who was serving on  
34 June 30, 1979, may serve until the expiration of the term to which he  
35 was appointed unless he is removed before that time. A member who is  
36 appointed or reappointed on or after July 1, 1979, may serve until the  
37 term to which he is appointed expires pursuant to section 1 of this act.

38 SEC. 10. The board of county commissioners shall amend any ordi-  
39 nance pertaining to an unincorporated town in a county in which the  
40 Unincorporated Town Government Law applies which does not conform  
41 to the Unincorporated Town Government Law, to conform to that law,  
42 on or before December 31, 1979.

Senate Bill No. 466 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 472.

Bill read third time.

Remarks by Assemblyman Craddock.

Roll call on Senate Bill No. 472:

YEAS—35.

NAYS—FitzPatrick, Mann, Stewart, Tanner—4.

Absent—Bennett.

Senate Bill No. 472 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 522.

Bill read third time.

Remarks by Assemblyman Mann.

Assemblyman Mann moved that Senate Bill No. 522 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Weise.

Motion lost.

Remarks by Assemblymen Weise, Mello and Dini.

Assemblyman Dini moved that Senate Bill No. 522 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

#### MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Vergiels moved that Senate Bill No. 539 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 844.

Bill read third time.

The following amendment was proposed by the Committee on Education:

Amendment No. 1232.

Amend section 2, page 1, line 3, by inserting before "Unless" the number "1."

Amend section 2, page 1, line 4, by deleting "394.007 to 394.103," and inserting "394.007 to 394.098,".

Amend section 2, page 1, by inserting between lines 5 and 6:

"2. For the purposes of sections 3 to 17, inclusive, of this act, "postsecondary educational institution" means an academic, vocational, technical, home study, business, professional or other school, college or university or any person offering educational credentials or educational services, including institutions established or maintained under the laws of another state at public expense, but not one established or maintained under federal law at public expense. It includes all school grades above the twelfth grade."

Amend section 3, page 1, line 6, by deleting "private".

Amend section 4, page 1, line 10, by deleting "private".

Senator Gibson moved that the Senate do concur in the Assembly amendments to Senate Bill No. 299.

Motion carried.

Bill ordered enrolled.

Senate Bill No. 472.

The following Assembly amendment was read:

Amendment No. 1186.

Amend section 7, page 3, by deleting line 21 and inserting:

“2. [Merge] *Upon request of the respective town boards, merge two or more unincorporated towns.*”

Senator Gibson moved that the Senate do not concur in the Assembly amendment to Senate Bill No. 472.

Motion carried.

Bill ordered transmitted to the Assembly.

Senate Bill No. 550.

The following Assembly amendment was read:

Amendment No. 1203.

Amend the bill as a whole by adding a new section following section 1, which shall be designated as section 2 and read as follows:

“Sec. 2. This act shall become effective upon passage and approval.”

Senator Gibson moved that the Senate do concur in the Assembly amendment to Senate Bill No. 550.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. President appointed Senators Kosinski, Echols and Dodge as a first Committee on Conference to meet with a like committee of the Assembly for the further consideration Senate Bill No. 444.

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 27.

The following Assembly amendments were read:

Amendment No. 1206.

Amend the bill as a whole by renumbering sections 1 through 5 as sections 2 through 6 and inserting a new section designated section 1, before section 1, to read as follows:

“Section 1. NRS 12.070 is hereby amended to read as follows:

12.070 [The father and mother jointly, or the father or the mother, without preference to either, may prosecute as plaintiff for the seduction of the daughter who, at the time of her seduction, is under the age of majority; and the guardian, for the seduction of the ward who, at the time of her seduction, is under the age of majority, though the daughter or ward be not living with or in the service of the plaintiff at the time of the seduction, or afterwards, and there be no loss of service.] *Either of the parents or the guardian of a minor may, on behalf of the minor, bring an action for the seduction of the minor, against a person 3 or more years older than the minor. The parent or guardian, as plaintiff, need not show that the minor was living with him or was in his service at the time of the seduction or later, or that the parent or guardian suffered a loss of service.*”

## THE ONE HUNDRED AND TWENTY-NINTH DAY

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CARSON CITY (Wednesday), May 23, 1979

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend J. Paul Lewis.

Pledge of allegiance to the Flag.

Assemblyman Harmon moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Judiciary, to which were referred Senate Bill No. 580; Senate Joint Resolution No. 27, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

KAREN HAYES, *Chairman*

*Mr. Speaker:*

Your Committee on Government Affairs, to which was referred Senate Bill No. 545, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

### MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 22, 1979

*To the Honorable the Assembly:*

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 16, 196, 225, 444, 564, 712, 780, 796, 805, 812, 825.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 75, 327, 358, 453, 523, 580, 710, 783, 816, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolutions Nos. 28, 36.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Joint Resolution No. 30, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 470, 576.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 285, 299, 343, 550.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to concur in the Assembly amendments to Senate Bills Nos. 27, 127, 294, 472.

Also, I have the honor to inform your honorable body that the Senate appointed Senators Kosinski, Echols and Dodge as a First Committee on Conference concerning Senate Bill No. 444.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 59.

JEAN HANNA

*Assistant Secretary of the Senate*

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, May 23, 1979

*To the Honorable the Senate:*

I have the honor to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 59.

Also, I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bills Nos. 325, 848.

Also, I have the honor to inform your honorable body that the Assembly on this day passed Senate Bills Nos. 208, 351.

Also, I have the honor to inform your honorable body that the Assembly on this day respectfully refused to concur in the Senate amendment to Assembly Bill No. 358.

Also, I have the honor to inform your honorable body that the Assembly on this day respectfully refused to recede from its action on Senate Bill No. 472 and requests a conference, and appointed Assemblymen Jeffrey, Craddock and FitzPatrick as a first Committee on Conference to meet with a like committee of the Senate.

Also, I have the honor to inform your honorable body that the Assembly on this day respectfully refused to recede from its action on Senate Bill No. 127 and requests a conference, and appointed Assemblymen Robinson, Harmon and Getto as a first Committee on Conference to meet with a like committee of the Senate.

Also, I have the honor to inform your honorable body that the Assembly on this day respectfully refused to recede from its action on Senate Bill No. 27 and requests a conference, and appointed Assemblymen Stewart, Polish and Banner as a first Committee on Conference to meet with a like committee of the Senate.

Also, I have the honor to inform your honorable body that the Assembly on this day respectfully refused to recede from its action Senate Bill No. 294 and requests a conference, and appointed Assemblymen Brady, Stewart and Hayes as a first Committee on Conference to meet with a like committee of the Senate.

Also, I have the honor to inform your honorable body that the Assembly amended, and on this day passed, as amended, Senate Bills Nos. 39, 130, 173, 313, 394, 415 and, respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Assembly on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 439.

Also, I have the honor to inform your honorable body that the Assembly on this day concurred in the Senate amendments to Assembly Bills Nos. 327, 580, 710, 783, 523, 816, Assembly Joint Resolution No. 30.

Also, I have the honor to inform your honorable body that the Assembly on this day adopted the report of the first Committee on Conference concerning Senate Bill No. 174.

CAROL L. MOORE

*Assistant Chief Clerk of the Assembly*

## INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 325.

Senator Gibson moved that the bill be referred to the Committee on Finance.

Motion carried.

Assembly Bill No. 848.

Senator Gibson moved that the bill be referred to the Committee on Finance.

Motion carried.

Mr. President announced that if there were no objections the Senate would recess subject to the call of the Chair.

Senate in recess at 11:00 a.m.



Amendment No. 1267.

Amend section 1, page 1, by deleting lines 3 through 7 and inserting:  
 "1. If a defendant has:

(a) Been convicted of a felony for which he may be sentenced to imprisonment; and

(b) Never been held in any detention facility for more than 30 consecutive days,

the court may, before sentencing the defendant, commit him to the custody of the director of the department of prisons for not".

Amend the title of the bill on the first line by adding after "commitment of" the word "certain".

Senator Hernstadt moved that the Senate do concur in the Assembly amendment to Senate Bill No. 575.

Motion carried.

Bill ordered enrolled.

REPORT OF CONFERENCE COMMITTEE

Mr. President:

The first Committee on Conference concerning Senate Bill No. 472, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendments of the Assembly be concurred in.

JEAN FORD

JAMES N. KOSINSKI

WILLIAM J. RAGGIO

Senate Committee on Conference

JOHN (JACK) E. JEFFREY

ROGER G. CRADDOCK

MICHAEL T. FITZPATRICK

Assembly Committee on Conference

MOTIONS, RESOLUTIONS AND NOTICES

Senator Ford moved that the Senate adopt the report of the first Committee on Conference concerning Senate Bill No. 472.

Remarks by Senator Ford.

Motion carried.

REPORT OF CONFERENCE COMMITTEE

Mr. President:

The first Committee on Conference concerning Senate Bill No. 172, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 105 C which is attached to and hereby made a part of this report.

RICHARD E. BLAKEMORE

DON W. ASHWORTH

C. CLIFTON YOUNG

Senate Committee on Conference

ROBERT E. ROBINSON

LONIE CHANEY

ROBERT F. RUSK

Assembly Committee on Conference

Amendment No. 105 C.

Resolves conflict of section 6 with Assembly Bill No. 509.

Amend section 6, page 3, line 9, by deleting "[21] 18" and inserting "18".

Amend section 6, page 3, line 19, by deleting "same" and inserting "lenses".

Amend the bill as a whole by inserting a new section designated section 21, following section 20, to read as follows:

"Sec. 21. Section 6 of this act shall become effective at 12:01 a.m. on July 1, 1979."

REPORTS OF CONFERENCE COMMITTEES

*Mr. Speaker:*

The first Committee on Conference concerning Senate Bill No. 472, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

JOHN E. JEFFREY

ROGER G. CRADDOCK

MICHAEL T. FITZPATRICK

*Assembly Committee on Conference*

JEAN FORD

JAMES N. KOSINSKI

WILLIAM J. RAGGIO

*Senate Committee on Conference*

Assemblyman Jeffrey moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 472.

Remarks by Assemblyman Jeffrey.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bennett moved that the vote whereby Senate Bill No. 466 was passed be rescinded.

Remarks by Assemblyman Bennett.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 407.

Bill read second time and ordered to third reading.

Mr. Speaker announced that if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 2:41 p.m.

ASSEMBLY IN SESSION

At 3:08 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bill No. 523 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Dini.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 365.

Bill read third time.

The following amendment was proposed by Assemblyman Harmon:  
Amendment No. 1314.

Amend section 1, page 1, by deleting lines 9 through 13, and inserting:

"2. Except as provided in section 1 of [this act,] *Assembly Bill No. 558 of the 60th session of the Nevada legislature*, to any citizen of the United".

Amend section 1, page 2, line 1, by deleting "4." and inserting "3."

Amend section 1, page 2, by deleting line 9 and inserting:

SEC. 3. 1. The state board of examiners may submit a copy of the claim to the state fire marshal for review. The state fire marshal shall make his recommendations to the state board of examiners who shall make a final determination of the disposition of the claim.

2. All claims approved by the state board of examiners must be paid as other claims against the state are paid.

SEC. 4. NRS 353.264 is hereby amended to read as follows:

353.264 1. The reserve for statutory contingency fund is hereby created as a trust fund.

2. The reserve for statutory contingency fund shall be administered by the state board of examiners, and the money in the fund must be expended only for:

(a) The payment of claims which are obligations of the state under NRS 41.0337, 41.037, 176.485, 179.310, 212.040, 212.050, 212.070, 214.040, 282.290, 282.315, 293.253, 293.405, 298.155, 353.120, 353.262, [and] 412.154 [;] and section 3 of this act; and

(b) The payment of claims which are obligations of the state under NRS 7.125, 176.223, 177.345, 179.225, 213.153 and subsection 4 of NRS 361.055, but such claims must be approved for the respective purposes listed in this paragraph only when the money otherwise appropriated for those purposes has been exhausted.

SEC. 5. Section 4 of this act shall become effective at 12:01 a.m. on July 1, 1979.

Senate Bill No. 472—Committee on Government Affairs

CHAPTER 582

AN ACT relating to certain unincorporated towns; providing requirements for appointment of town advisory boards; requiring the amendment of certain ordinances; and providing other matters properly relating thereto.

[Approved May 28, 1979]

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Chapter 269 of NRS is hereby amended by adding thereto a new section which shall read as follows:

*Each ordinance which establishes an unincorporated town pursuant to NRS 269.500 to 269.625, inclusive, and this section must provide for:*

1. *Appointment by the board of county commissioners of three or five qualified electors who are residents of the unincorporated town to serve as the town advisory board without compensation.*

2. *Terms for members of the town advisory board, which must expire on the first Monday in January of each odd-numbered year.*

3. *Removal of a member of the town advisory board if the board of county commissioners finds that his removal is in the best interest of the residents of the unincorporated town, and for appointment of a member to serve the unexpired term of the member so removed.*

4. *The duties of the town advisory board, which are to:*

(a) *Assist the board of county commissioners in governing the unincorporated town by acting as liaison between the residents of the town and the board of county commissioners; and*

(b) *Advise the board of county commissioners on matters of importance to the unincorporated town and its residents.*

SEC. 2. NRS 269.545 is hereby amended to read as follows:

269.545 1. The initiative petition presented to the board or the question placed on the ballot, as provided in NRS 269.540, [shall] *must* contain a statement substantially as follows:

The undersigned declare their purpose to be the support of the concept of unincorporated town government, that they desire hereby to make provision for the supplying of one or more of the town services enumerated in NRS 269.575 and that they acknowledge the fact that the supplying of such service or services will require a special tax levy, the establishment of a user fee schedule or a combination of both.

2. The boundaries of such area sought to be brought within an unincorporated town area [shall] *must* be clearly designated and declared. The area encompassed [shall] *must* be contiguous.

3. The petition shall state whether the town advisory board is to be composed of three members or five members. [ , and shall also state the proposed method of selection and terms of office for such members.]

SEC. 3. NRS 269.550 is hereby amended to read as follows:

269.550 1. [Notwithstanding any other provision of law, if] *If* the petition presented to the board contains the requisite number of signatures pursuant to subsection 1 of NRS 269.540 and otherwise meets the requirements provided in NRS 269.545, the board [shall,] *may*, by ordinance, proceed with the formation of the unincorporated town. The ordinance shall contain a clear designation of the boundaries, a listing of services to be provided [ ,] *and* the number of members to be on the town advisory board. [ , the method of their selection and their terms of office.]

2. If the petition presented to the board contains the requisite number of signatures pursuant to subsection 2 of NRS 269.540, the board [shall,] *may*, by resolution adopted at a regular meeting, provide for submission of the question of the formation of an unincorporated town to the registered voters residing within the boundaries of the area proposed for such town, at a special election or at the next succeeding general election. As a part of the question there [shall] *must* be included the statement that an affirmative vote carries with it the assent to be taxed for the service or services indicated in the board's resolution.

SEC. 4. NRS 269.560 is hereby amended to read as follows:

269.560 If a majority of the registered voters residing within the boundaries of the proposed unincorporated town and voting on the question in the special or general election as provided in subsection 2 of NRS 269.550 or in NRS 269.555 approve the question, the board shall by ordinance proceed with the formation of such unincorporated town. The ordinance [shall] *must* contain a clear designation of the boundaries, a listing of the services to be provided [ ,] *and* the number

of members to be on the town advisory board. [ , the method of their selection and their terms of office.]

SEC. 5. NRS 269.565 is hereby amended to read as follows:

269.565 1. [Notwithstanding any other provision of law, the] *The* boards of county commissioners of the various counties in this state may enact ordinances to provide for and regulate the formation of unincorporated towns [in the event] *if* specific unincorporated county areas are directed by federal or state law to administer one or more of the services enumerated in subsection 2.

2. The services to be provided include but are not limited to solid waste disposal and compliance with federal water or air quality standards.

3. Any such ordinance [shall] *must* contain a clear designation of the boundaries of the unincorporated town, a listing of services to be provided [ ,] *and* the number of members to be on the town advisory board. [ , the method of their selection and their terms of office.]

SEC. 6. NRS 269.570 is hereby amended to read as follows:

269.570 The board of county commissioners may amend any ordinance providing for the formation of an unincorporated town to adjust [one or more of the following:

1. The] *the* list of services to be provided.

[2. The method of selection of members of the town advisory board.

3. The terms of office of the members of the town advisory board.]

SEC. 7. NRS 269.623 is hereby amended to read as follows:

269.623 The board of county commissioners in any county to which the Unincorporated Town Government Law applies may [ , upon request of the town boards involved,] adopt ordinances to:

1. Amend the boundaries of any unincorporated town; or

2. [Merge] *Upon request of the respective town boards, merge* two or more unincorporated towns.

Such ordinances may be adopted whether or not the unincorporated town was created under the provisions of the Unincorporated Town Government Law.

SEC. 8. NRS 269.625 is hereby amended to read as follows:

269.625 An unincorporated town [formed] *operating* pursuant to the provisions of the Unincorporated Town Government Law may be dissolved by resolution of the board of county commissioners following a public hearing at which residents of [such] *the* town are given an opportunity to speak. The resolution [shall] *must* specify the reasons for the dissolution.

SEC. 9. A member of a town advisory board who was serving on June 30, 1979, may serve until the expiration of the term to which he was appointed unless he is removed before that time. A member who is appointed or reappointed on or after July 1, 1979, may serve until the term to which he is appointed expires pursuant to section 1 of this act.

SEC. 10. The board of county commissioners shall amend any ordinance pertaining to an unincorporated town in a county in which the Unincorporated Town Government Law applies which does not conform to the Unincorporated Town Government Law, to conform to that law, on or before December 31, 1979.