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APPENDIX D
EXAMPLES OF BILLS, RESOLUTIONS,
AND
A FISCAL NOTE

THIS IS AN EXAMPLE OF A SENATE BILL

S.B. 482

SENATE BILL NO. 482—COMMITTEE ON TRANSPORTATION

MARCH 24, 2003

Referred to Committee on Transportation

SUMMARY—Provides that certain leases of motor vehicles or trailers do not constitute sales or create security interests under certain circumstances. (BDR 43-1043)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to vehicles; providing that certain leases of motor vehicles or trailers do not constitute sales or create security interests under certain circumstances; 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 482 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *Notwithstanding any specific statute to the contrary, the lease*
4 *of a motor vehicle or trailer for use primarily in a trade or*
5 *business of the lessee does not constitute a sale or create a security*
6 *interest merely because the lease permits or requires that the*
7 *rental price be adjusted upward or downward by reference to the*
8 *amount realized by the lessor upon the sale or other disposition of*
9 *the motor vehicle or trailer upon the termination of the lease.*

THIS IS AN EXAMPLE OF AN ASSEMBLY BILL

A.B. 94

ASSEMBLY BILL NO. 94—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE COUNTY FISCAL
OFFICERS ASSOCIATION)

FEBRUARY 13, 2003

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing hours of operation for office of commissioner of civil marriages in certain larger counties. (BDR 11-292)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the office of the commissioner of civil marriages; revising the provisions governing the hours of operation for the office of the commissioner of civil marriages in certain larger counties; 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.** NRS 122.183 is hereby amended to read as follows:
2 122.183 ~~1. In a county whose population is 400,000 or~~
3 ~~more, the hours of operation for the office of the commissioner of~~
4 ~~civil marriages must be the same as the hours of the office in which~~
5 ~~marriage licenses are issued at the county seat.~~

6 ~~2. In a county whose population is less than 400,000, the~~ *The*
7 board of county commissioners may, by ordinance, determine the
8 hours of operation for the office of the commissioner of civil
9 marriages.

10 **Sec. 2.** This act becomes effective on July 1, 2003.

THIS IS AN EXAMPLE OF A SENATE JOINT RESOLUTION

Senate Joint Resolution No. 1—Committee on
Natural Resources

FILE NUMBER 50

SENATE JOINT RESOLUTION—Urging the Secretary of the Interior to amend certain regulations concerning the allocation of water rights for watering livestock on public lands.

WHEREAS, Approximately 87 percent of the land in Nevada is held by the Federal Government and approximately 68 percent of the land in Nevada is administered by the Bureau of Land Management of the Department of the Interior; and

WHEREAS, Proper management and allocation of water resources on those lands are critical to the State of Nevada as those lands comprise a vast majority of the land in Nevada and as Nevada is one of the most arid states in the nation; and

WHEREAS, The State of Nevada has traditionally allocated water rights on public lands managed or controlled by the Federal Government pursuant to a system that provides an option for a range user to hold water rights for watering livestock solely in his own name; and

WHEREAS, In the mid-1990s, the Secretary of the Interior adopted regulations to be administered by the Bureau of Land Management which departed from that system by establishing a new approach to the allocation of water rights for watering livestock on public lands; and

WHEREAS, This new approach is codified in the second sentence of 43 C.F.R. § 4120.3-9 and has the effect of significantly interfering with a range user holding such water rights solely in his own name even if the range user was fully responsible for the development of the water rights and putting the water at issue to beneficial use; and

WHEREAS, Since the adoption of the federal regulation at issue, important water developments on the public lands in Nevada have been postponed while the State of Nevada and the Bureau of Land Management attempt to resolve issues concerning the allocation of water rights for watering livestock on public lands; and

WHEREAS, If the sentence of 43 C.F.R. § 4120.3-9 which is at issue were deleted:

1. The State of Nevada could provide a range user the option of holding water rights for watering livestock on public lands in Nevada solely in his own name, without interference, as the State has done successfully for many years;

SENATE JOINT RESOLUTION EXAMPLE CONTINUED

- 2 -

2. A range user who is fully and solely responsible for the development of water rights and putting those water rights to beneficial use would be authorized to hold such water rights in his own name; and

3. Important water developments on the public lands in the State of Nevada could be resumed; now, therefore, be it

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That the members of the 72nd Session of the Nevada Legislature hereby urge the Secretary of the Interior to amend the regulations set forth in 43 C.F.R. § 4120.3-9 by deleting the second sentence of that regulation in its entirety; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as presiding officer of the United States Senate, the Speaker of the House of Representatives, the Secretary of the Interior, the Director of the Bureau of Land Management and each member of the Nevada Congressional Delegation; and be it further

RESOLVED, That this resolution becomes effective upon passage.

THIS IS AN EXAMPLE OF AN ASSEMBLY JOINT RESOLUTION

A.J.R. 5

ASSEMBLY JOINT RESOLUTION NO. 5—ASSEMBLYMEN HETTRICK, PERKINS, ANDERSON, ANDONOV, ANGLE, ARBERRY, ATKINSON, BEERS, BROWN, BUCKLEY, CARPENTER, CHOWNING, CHRISTENSEN, CLABORN, COLLINS, CONKLIN, GEDDES, GIBBONS, GIUNCHIGLIANI, GOICOECHEA, GOLDWATER, GRADY, GRIFFIN, GUSTAVSON, HARDY, HORNE, KNECHT, KOIVISTO, LESLIE, MABEY, MANENDO, MARVEL, MCCLAIN, MCCLEARY, MORTENSON, OCEGUERA, OHRENSCHALL, PARKS, PIERCE, SHERER, WEBER AND WILLIAMS

MARCH 10, 2003

Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Urges Congress to appropriate just compensation to State of Nevada for losses of revenue for public education from impact of land in Nevada held by Federal Government. (BDR R-1070)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

ASSEMBLY JOINT RESOLUTION—Urging Congress to appropriate just compensation to State of Nevada for losses of revenue for public education from impact of land in Nevada held by Federal Government.

1 WHEREAS, For many years, the State of Nevada, along with the
2 States of Alaska, Arizona, California, Colorado, Hawaii, Idaho,
3 Montana, New Mexico, Oregon, Utah, Washington and Wyoming,
4 have grappled with the challenge of providing the best education for
5 their residents; and

6 WHEREAS, The State of Nevada and the other western states
7 face unique challenges in achieving this goal; and

8 WHEREAS, From 1979 to 1998, the expenditures per pupil
9 increased approximately 28 percent in the western states, 34 percent

ASSEMBLY JOINT RESOLUTION EXAMPLE CONTINUED

- 2 -

1 in the State of Nevada and 57 percent in the remaining states in the
2 Nation; and

3 WHEREAS, In the 2000-2001 school year, the pupil-teacher ratio
4 in public schools was approximately 18 to 1 in the western states, 19
5 to 1 in the State of Nevada and 15 to 1 in the remaining states in the
6 Nation; and

7 WHEREAS, The difficulty experienced by Nevada and the other
8 western states in providing quality education to their residents is
9 exacerbated by projections that enrollment in public schools from
10 2002 to 2011 is expected to increase by approximately 7 percent in
11 Nevada and the other western states and decrease by approximately
12 3 percent in the remaining states in the Nation; and

13 WHEREAS, The ability of the State of Nevada and other western
14 states to fund public education is further hindered by and directly
15 related to the fact that the Federal Government holds large
16 percentages of the land located in those states; and

17 WHEREAS, While states fund public education largely with
18 revenue earned from the assessment of state and local property
19 taxes, states cannot assess such property taxes on land in the state
20 held by the Federal Government; and

21 WHEREAS, The State of Nevada and the other western states
22 face greater burdens than the remaining states in the Nation in
23 raising revenue from state and local property taxes to fund public
24 education as the Federal Government holds approximately 52
25 percent of the land located in the western states, 87 percent of the
26 land located in the State of Nevada and only 4 percent of the land
27 located in the remaining states; and

28 WHEREAS, According to the Action Plan for Public Lands and
29 Education (APPLE) developed by the APPLE Steering Committee
30 established by Speaker Marty Stephens of the Utah House of
31 Representatives, the estimated annual loss of revenue from the
32 inability of a state to assess property taxes for public education on
33 land in the state held by the Federal Government is approximately
34 \$4 billion in the western states and approximately \$116 million in
35 the State of Nevada; and

36 WHEREAS, The ability of the State of Nevada and other western
37 states to fund public education is also limited by the fact that the
38 Federal Government shares with states only a portion of the royalty
39 revenues that the Federal Government receives from the natural
40 resources on land in the state held by the Federal Government; and

41 WHEREAS, The amount of such royalties received by states for
42 public education is further reduced because land held by the Federal
43 Government is less likely to be developed and federal laws often
44 place stipulations on the use of royalty payments made to states; and

ASSEMBLY JOINT RESOLUTION EXAMPLE CONTINUED

– 3 –

1 WHEREAS, According to the Action Plan for Public Lands and
2 Education (APPLE), the estimated annual loss of revenue as a result
3 of federal policies concerning royalty payments is approximately
4 \$1.8 billion in the western states and approximately \$6 million in
5 the State of Nevada; and

6 WHEREAS, The Federal Government should compensate the
7 State of Nevada and other western states for the significant impact
8 of lands in those states held by the Federal Government; and

9 WHEREAS, Just compensation provided by the Federal
10 Government to the State of Nevada and the other western states will
11 allow those states to be on equal footing with the rest of the Nation
12 in their efforts to provide education for their residents; now,
13 therefore, be it

14 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF
15 NEVADA, JOINTLY, That the members of the Nevada Legislature
16 urge Congress to appropriate just compensation to the State of
17 Nevada for the losses of revenue for public education from the
18 impact of land held by the Federal Government within the
19 boundaries of the State of Nevada; and be it further

20 RESOLVED, That the Chief Clerk of the Assembly prepare and
21 transmit a copy of this resolution to the President of the United
22 States, Vice President of the United States as the presiding officer of
23 the Senate, the Speaker of the House of Representatives, and each
24 member of the Nevada Congressional Delegation; and be it further

25 RESOLVED, That this resolution becomes effective upon
26 passage.

**THIS IS AN EXAMPLE OF A
SENATE CONCURRENT RESOLUTION**

S.C.R. 9

SENATE CONCURRENT RESOLUTION NO. 9—SENATORS RAGGIO, AMODEI, CARE, CARLTON, CEGAVSKE, COFFIN, HARDY, MATHEWS, MCGINNESS, NEAL, NOLAN, O’CONNELL, RAWSON, RHOADS, SCHNEIDER, SHAFFER, TIFFANY, TITUS, TOWNSEND, WASHINGTON AND WIENER

FEBRUARY 18, 2003

JOINT SPONSORS: ASSEMBLYMEN BUCKLEY, ANDERSON, ANDONOV, ANGLE, ARBERRY, ATKINSON, BEERS, BROWN, CARPENTER, CHOWNING, CHRISTENSEN, CLABORN, COLLINS, CONKLIN, GEDDES, GIBBONS, GIUNCHIGLIANI, GOICOECHEA, GOLDWATER, GRADY, GRIFFIN, GUSTAVSON, HARDY, HETTRICK, HORNE, KNECHT, KOIVISTO, LESLIE, MABEY, MANENDO, MARVEL, MCCLAIN, MCCLEARY, MORTENSON, OCEGUERA, OHRENSCHALL, PARKS, PERKINS, PIERCE, SHERER, WEBER AND WILLIAMS

Read and Adopted

SUMMARY—Commemorates 75th anniversary of State Bar of Nevada and designates February 18, 2003, as “State Bar of Nevada Day.” (BDR R-1022)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

SENATE CONCURRENT RESOLUTION—Commemorating the 75th anniversary of the State Bar of Nevada and designating February 18, 2003, as “State Bar of Nevada Day.”

- 1 WHEREAS, The State Bar of Nevada had its humble beginnings
- 2 in 1911 with the establishment of the Nevada Bar Association as a
- 3 private organization of lawyers from all parts of the State; and
- 4 WHEREAS, In 1928, legislation was requested to incorporate the
- 5 State Bar of Nevada by a special act of the Legislature as a public
- 6 corporation, which resulted in a series of events that would change
- 7 the governing organization of lawyers in this state forever; and

SENATE CONCURRENT RESOLUTION EXAMPLE CONTINUED

- 2 -

1 WHEREAS, On January 31, 1928, upon the signature of then
2 Governor Fred B. Balzar, the State Bar of Nevada was created as a
3 public corporation to govern the legal profession in this state subject
4 to the exclusive jurisdiction and control of the Supreme Court of
5 Nevada; and

6 WHEREAS, The State Bar of Nevada grew from 345 members
7 when first created to over 7,000 members in this 75th anniversary
8 year; and

9 WHEREAS, Since its founding, the State Bar of Nevada has
10 promoted and maintained the highest professional and ethical
11 standards for all persons involved in the practice of law; and

12 WHEREAS, The State Bar of Nevada, through its Admissions,
13 Discipline, Character and Fitness, and Continuing Legal Education
14 programs, has striven to allow only the most qualified professionals
15 to provide legal counsel, assistance, and representation to the
16 residents of this state and has kept its members abreast of the most
17 current information relating to the legal profession through its
18 magazine, "Nevada Lawyer"; and

19 WHEREAS, Included among the members of the State Bar have
20 been many outstanding legal practitioners and judges, 8 Governors
21 of the State of Nevada and 10 United States Senators, and a host of
22 business and civic leaders; and

23 WHEREAS, The members of the State Bar through their pro bono
24 programs provide valuable free legal assistance and representation
25 to thousands of Nevadans; and

26 WHEREAS, The State Bar of Nevada is dedicated to continuing
27 to build upon its activities of the past 75 years to guide the legal
28 profession with programs to help lawyers provide high quality
29 service to their clients and education to the general public; now,
30 therefore, be it

31 RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE
32 ASSEMBLY CONCURRING, That the members of the 72nd Session of
33 the Nevada Legislature do hereby commemorate the State Bar of
34 Nevada on its 75th anniversary as an organization dedicated to
35 making the future better and designate February 18, 2003, as "State
36 Bar of Nevada Day" at the Nevada Legislature; and be it further

37 RESOLVED, That the State Bar of Nevada is hereby commended
38 for its efforts in ensuring that the residents of Nevada are provided
39 with only the best and most knowledgeable legal assistance, in
40 fostering public confidence in the rule of law, in promoting the
41 collegiality and professionalism of its members, and in encouraging
42 and overseeing a variety of public service activities; and be it further

43 RESOLVED, That the State Bar of Nevada is hereby urged to
44 continue encouraging altruism by and among members of the legal

SENATE CONCURRENT RESOLUTION EXAMPLE CONTINUED

– 3 –

1 profession and to continue championing full and equal access to our
2 system of justice for all people; and be it further
3 RESOLVED, That the Secretary of the Senate prepare and
4 transmit a copy of this resolution to Gloria J. Sturman, President, N.
5 Patrick Flanagan III, President-Elect, and Ann Price McCarthy, Vice
6 President, of the State Bar of Nevada.

**THIS IS AN EXAMPLE OF AN
ASSEMBLY CONCURRENT RESOLUTION**

Assembly Concurrent Resolution No. 28—Committee on
Elections, Procedures, and Ethics

FILE NUMBER 71

ASSEMBLY CONCURRENT RESOLUTION—Providing for the compensation of the clergy for services rendered to the Assembly and the Senate during the 72nd Session of the Nevada Legislature.

WHEREAS, The members of the 72nd Session of the Nevada Legislature have been sincerely appreciative of the daily religious services rendered by members of the clergy representing various denominations; and

WHEREAS, The invocations offered by the clergy provided inspiration and guidance for the members of the Nevada Legislature as they faced the challenges and demands of the 72nd Session; and

WHEREAS, A reasonable compensation should be provided for the clergy who performed such services; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the State Controller is authorized and directed to pay the sum of \$35 per service out of the Legislative Fund to the members of the clergy who have performed religious services for the Assembly and the Senate during the 72nd Session of the Nevada Legislature.

THIS IS AN EXAMPLE OF A SENATE RESOLUTION

S.R. 2

SENATE RESOLUTION NO. 2—SENATORS RAGGIO AND TITUS

FEBRUARY 3, 2003

Read and Adopted

SUMMARY—Provides allowances for periodicals, stamps, stationery and communications. (BDR R-1016)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

SENATE RESOLUTION—Providing allowances to the leadership and other members of the Senate for periodicals, stamps, stationery and communications.

1 RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That the
2 sum to be allowed, as provided by law, for each member of the
3 Senate for periodicals, stamps and stationery is \$60 and for the use
4 of telephones is \$2,800, and the sum to be allowed, as provided by
5 law, for the President and President Pro Tempore of the Senate, the
6 Majority and Minority Leaders of the Senate, and the chairman of
7 each standing committee of the Senate for postage, telephone tolls
8 and other charges for communications is \$900; and be it further
9 RESOLVED, That these amounts be certified by the President and
10 the Secretary to the State Controller, who is authorized to draw his
11 warrants therefor on the Legislative Fund, and the State Treasurer is
12 thereafter authorized to pay these warrants.

THIS IS AN EXAMPLE OF AN ASSEMBLY RESOLUTION

A.R. 6

ASSEMBLY RESOLUTION NO. 6—ASSEMBLYMEN PERKINS,
BUCKLEY AND HETRICK

MAY 26, 2003

Read and Adopted

SUMMARY—Designates certain members of Assembly as regular and alternate members of Legislative Commission. (BDR R-1362)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

ASSEMBLY RESOLUTION—Designating certain members of the Assembly as regular and alternate members of the Legislative Commission.

1 RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That
2 pursuant to the provisions of NRS 218.660 and the Joint Standing
3 Rules of the Legislature, the following Assemblymen are designated
4 regular and alternate members of the Legislative Commission to
5 serve until their successors are designated: Mr. Richard D. Perkins,
6 Ms. Barbara E. Buckley, Mr. Bernie Anderson, Mrs. Sharron E.
7 Angle, Mr. John C. Carpenter and Mr. David Brown are designated
8 as the regular Assembly members; Mr. John Oceguela and Mr.
9 William C. Horne are designated as the first and second alternate
10 members, respectively, for Mr. Richard D. Perkins; Ms. Peggy
11 Pierce and Mr. Kelvin D. Atkinson are designated as the first and
12 second alternate members, respectively, for Ms. Barbara E.
13 Buckley; Ms. Sheila Leslie and Ms. Genie Ohrenschall are
14 designated as the first and second alternate members, respectively,
15 for Mr. Bernie Anderson; Mr. Donald G. Gustavson and Mr. Ronald
16 L. Knecht are designated as the first and second alternate members,
17 respectively, for Mrs. Sharron E. Angle; Mr. Thomas J. Grady and
18 Mr. Roderick R. Sherer are designated as the first and second
19 alternate members, respectively, for Mr. John C. Carpenter; Mr.
20 Chad Christensen and Ms. Valerie E. Weber are designated as the
21 first and second alternate members, respectively, for Mr. David
22 Brown.

THIS IS AN EXAMPLE OF A FISCAL NOTE

**BDR 38-999
A.B. 395**

EXECUTIVE AGENCY
FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: April 07, 2003

Agency Submitting: Division of Health Care Financing & Policy, Department of Human Resources

Items of Revenue or Expense, or Both	Fiscal Year 2002-03	Fiscal Year 2003-04	Fiscal Year 2004-05	Effect on Future Biennia
BA 3158 GL 2501 State Appropriation Control (Revenue)		\$66,541	\$64,952	\$129,904
Total		\$66,541	\$64,952	\$129,904

Explanation (Use Additional Sheets of Attachments, if required)

AB395 authorizes DHCFP to establish a fund with a 6% assessment on all revenues received by nursing facilities. The fund is to be used exclusively to increase nursing facility revenues by distributing the fund and related federal funds to Medicaid providers through enhanced rates. The following fiscal impacts may occur as a result of this bill: DHCFP is responsible for extensive administrative responsibilities without any provisions for this cost. It is expected the continuous administration of this assessment would require committing one full-time Management Analyst II plus any additional staff for development of the assessment. This cost is related to State administration and does not qualify for federal funds. The cost is expected to be \$131,493 for the biennium, is entirely state funded, and is not included in the proposed executive budget. Furthermore, the funds must only be used to enhance nursing facility reimbursements. Federal regulations limit the total reimbursement for institutional care that qualifies for federal funds to the Medicare Upper Payment Limit (UPL). DHCFP will not exceed the UPL for any facility or service regardless of the available resources of the fund. Federal regulations limit provider taxes to 6% of gross revenues. The analysis provided by the Nevada Health Care Association projected a 6% assessment on gross revenues to generate \$14,071,452. After deducting \$397,335 in fees assessed by the Bureau of Licensure, the assessment cannot exceed \$13,674,117. With the SFY04 federal matching rate of 54.3%, this assessment is projected to bring in \$16,274,364 in federal funds for total revenue of \$29,921,481. With the SFY05 federal matching rate of 56.03%, this assessment is projected to bring in \$17,424,625 in federal funds for total revenue of \$31,098,742. The total projected revenue for the biennium for 3243 – Medicaid is \$61,020,223.

Name Mike Torvinen
Title DHR DO ASO IV

DEPARTMENT OF ADMINISTRATION'S COMMENT

Date April 08, 2003

Reasonable response. Administrative responsibilities of assessments does not qualify for federal funds; this part would be funded by general funds out of B/A 3158- DHCFP Administration.

Name John P. Comeaux
Title Director