

JOINT HEARING NEVADA MUNICIPAL ASSOCIATION
GOVERNMENT AFFAIRS COMMITTEE
FEDERAL, STATE AND LOCAL GOVERNMENTS COMMITTEE
FEBRUARY 1, 1973

MEMBERS PRESENT:

GOVERNMENT AFFAIRS
CHAIRMAN DINI
VICE-CHAIRMAN ULLOM
ASSEMBLYMAN BROOKMAN
ASSEMBLYMAN MAY
ASSEMBLYMAN GOJACK
ASSEMBLYMAN FORD
ASSEMBLYMAN SMITH
ASSEMBLYMAN GETTO
ASSEMBLYMAN YOUNG

FEDERAL, STATE AND LOCAL GOVERNMENTS
CHAIRMAN GIBSON
SENATOR SWOBE
SENATOR HETCH
SENATOR DELUTCH
SENATOR DODGE
SENATOR WALKER
SENATOR FOLEY

ABSENT: NONE

ABSENT: NONE

ALSO PRESENT: MEMBERS OF THE NEVADA MUNICIPAL ASSOCIATION
(SEE ATTACHED LIST)
MEMBERS OF THE PRESS

The hearing was called to order by Chairman Dini.

Mayor Donomoski of Fallon, President of the Nevada Municipal Association, acted as spokesman for the NMA, explaining that its' membership consisted of sixteen of the seventeen incorporated cities in Nevada. He introduced the Associations' officers to the committees. The Nevada Municipal Association presented the following program for consideration:

Item 1-73. Amend statute to remove 10% limitation on distribution of county road fund to municipalities.

It was explained that the Association wanted this in order to allow cities to spend the necessary money for streets. In many cities the majority of the residents live within the city limits and the growth factor is such that many new streets and street repairs are necessary and the money for such services is not available.

Item 2-73. Clarify local governments' right to exercise power of eminent domain over rail-road property.

It was explained that the cities of Reno and Elko are presently doing street work and would like this matter clarified as they are unable to find any existing legislation which clearly allows them to exercise the power of eminent domain over rail-road property.

JOINT HEARING
NEVADA MUNICIPAL ASSOCIATION
GOVERNMENT AFFAIRS COMMITTEE
FEDERAL, STATE AND LOCAL GOVERNMENTS COMMITTEE
PAGE 2

Item 3-73. Amend statute in the Public Employees Retirement System to include employees of the Nevada Municipal Association.

The NMA feels that since its' employees work full time in behalf of the cities their employees are entitled to be covered under the same retirement plan as city employees. Assemblyman Getto questioned if this type of legislation would open the door for other such association personnel.

Item 4-73. Amend the Good Samaritan Law NRS 41.500, to include that no civil action may be brought against a person who is a volunteer ambulance attendant or driver in the State of Nevada.

Assemblyman Getto explained that he presently has a bill before the Government Affairs Committee to accomplish this.

Item 5-73. Amend statute to declare Nevada Municipal Association to be an "instrumentality" of municipalities to clarify the Association's status as a tax exempt organization.

Mayor Donomoski explained that the NMA had never been questioned as to its' tax exempt status, but does desire legislation to clarify this point.

Item 6-73. Expand present local option "motor vehicle" fuel tax to cover "special" fuels such as diesel, butane and propane fuels.

It was explained that the vehicles that use the streets the most use special fuel and therefore, at present they are not paying their fair share of the cost of street repair and construction.

Item 7-73. Authorize levy of an additional optional 1¢ per gallon "special fuel" and "motor vehicle" fuel tax which would be city or state collected and distributed (a) to the county of origin, and (b) within said county based on population. Additional funds to be used for road repair and maintenance.

It was explained that this item merely specified the method of collection and did not increase the amount of the tax.

Item 8-73. Amend statutes and charters to provide that cities may make an ordinance violation a civil liability instead of a criminal violation, thus removing the possibility of jail sentences and the possibility of having to provide legal counsel for indigent defendants.

Senator Swobe asked if this was being done in other states. Mr. Adams replied that it was.

JOINT MEETING
NEVADA MUNICIPAL ASSOCIATION
GOVERNMENT AFFAIRS COMMITTEE
FEDERAL, STATE AND LOCAL GOVERNMENTS COMMITTEE
PAGE 3

Item 9-73. Amend statutes and charters to provide that violations of misdemeanors under statutes may be violations punishable as misdemeanors under municipal law. Provide local option enforcement.

Senator Dodge asked if this would cause any conflict over the disposition of the money collected

Item 10-73. Amend statutes and charters to allow municipalities the right to control traffic on publicly owned parking lots and parking areas to which the public is invited, such as supermarket and shopping center parking lots.

Mr. Lynch explained that this is very necessary. Many accidents occur on private parking lots and the cities have no jurisdiction over these lots. Assemblyman Brookman questioned if this would be done with the owners permission. Mr. Lynch assured her that the owners permission would be required.

Item 11-73. Establish state-level contingency fund for use by cities in case of epidemics, riots or natural disasters.

This was requested by the cities in order that they could be sure money was quickly available to them in cases of emergency.

Item 12-73. Amend statutes and charters to allow cities through contracts, franchises or other means, to provide specific services required, such as ambulance, computer services, fire protection and suppression, garbage and disposal, police protection and watchmen service, search and rescue, specific inspection and other citizen-demanded services.

It was explained that if the cities had this privilege, they could then contract on a long range bases and save considerable money.

Item 13-73. Amend NRS Chapter 239 to provide a record management program for cities, and guidelines for retention, destruction and audit of records. To be known as the Local Government Management Act, this refers to retention and destruction of records.

This was explained as a bill which would clarify just what cities are to do with their records.

Item 14-73. Amend statutes to permit certain exemption of districts from full compliance with the Local Government Budget Act. This applies only to the Districts created under the Provisions of NRS 318.

It is to apply to the very small districts such as T.V. districts.

Chairman Dini was called from the meeting and Chairman Gibson took over the chair.

JOINT MEETING
NEVADA MUNICIPAL ASSOCIATION
GOVERNMENT AFFIARS COMMITTEE
FEDERAL, STATE AND LOCAL GOVERNMENTS COMMITTEE
PAGE 4

Item 15-73. In support of the recommendation of the Local Government Advisory Committee to the Nevada Tax Commission, amend NRS 354.615 to permit local governments to amend budgets by majority rather than unanimous vote.

Since budgets are adopted by majority vote it seems reasonable that amendments to the budget should be adopted the same way.

Item 16-73. Restore authority for governing body of a city to issue general obligation bonds without election requirement. Authority to be limited by easing of referendum requirements to allow lesser percentage to require referendum.

Mr. Lynch explained that this practice worked well when it was used in North Las Vegas and allowed the city to buy bonds when the market was the best instead of waiting for an election.

Item 17-73. Amend certain charters and general laws to assure municipalities' power to issue bonds and other securities.

Item 18-73. Amend or clarify statute providing for underground wiring to make possible the issuance of bonds and the levy of special assessments.

The cities stated they would like a more detailed law concerning bonding to satisfy their bonding companies.

Item 19-73. Provide for revocation for cause of business licenses without incurring liability for such revocation.

This was request as a result of the trouble in the City of Sparks regarding the bookstore issue and the city would like to have the power to revoke a business licenses when they thought it necessary.

Item 20-73. Require That Department of Employment Security make available, in a confidential manner, information enabling municipalities to control business license issuance with more accuracy.

It was pointed out the federal government does not allow the Emolvment Security Department to give out the information.

Item 21-73. Amend special assessment act to provide standards for "benefits" from park projects so as to allow creation of districts for that purpose.

Chairman Gibson pointed out that at times it was not really a privilege to live near a park.

JOINT MEETING
NEVADA MUNICIPAL ASSOCIATION
GOVERNMENT AFFAIRS COMMITTEE
FEDERAL, STATE AND LOCAL GOVERNMENTS COMMITTEE
PAGE 5

Item 22-73. Amend special assessment act to as to provide method of dividing unpaid liability for special assessments when assessed property is divided and sold.

This is currently possible if the county cooperates, but legislation is wanted to make certain that the county will cooperate.

Item 23-73. Amend statutes to require each political subdivision to establish, define and set what their community standards shall be in regard to what shall be and shall not be obscene, thereby giving the citizens of each political subdivision the right to determine for their own community what standards they use.

The cities want to be able to draft ordinances individually which will outline what is considered orscene. They feel that should be a matter of city preference.

Item 24-73. Amend statute to re-design the drivers' license of the State of Nevada to provide a better means of identification for adults and minors.

It was stated that a picture on a drivers' license would help business men make identification when they are presented with a check. They also felt that if the picture was taken at a different angle for minors that it would help in determining the age of the licensee.

The question of the moratorium was discussed and it was agreed that the only city that was totaly committed to the moratorium was the City of Sparks. The other cities felt that the objections they had to the charter charges could be worked out. Sparks presented a list of objections to their charter and it was decided to see if there was not some way to amend the charter to satisfy the City.

Chairman Gibson asked if these proposals would be introduced and was assured that they were all being drafted and would be introduced. The chairman stated that each bill would have a hearing and be consider after introduction.

The meeting was adjourned.