

Assembly

3-1031

GOVERNMENT AFFAIRS COMMITTEE

MINUTES OF THE MEETING

April 16, 1975

MEMBERS PRESENT: CHAIRMAN DINI
VICE CHAIRMAN MURPHY
ASSEMBLYMAN CRADDOCK
ASSEMBLYMAN HARMON
ASSEMBLYMAN MAY
ASSEMBLYMAN MOODY
ASSEMBLYMAN SCHOFIELD
ASSEMBLYMAN FORD
ASSEMBLYMAN YOUNG

ALSO PRESENT: Richard Bunker, County of Clark
Bob Broadbent, Nevada Association of County
Commissioners
Lou Tabat, Constable, North Las Vegas.

(The following bills were discussed at this meeting: A.B. 527,
A.B. 528, A.B. 557, A.B. 529.)

Chairman Dini called the meeting to order at 8:00 A.M.

A.B. 527. Mr. Broadbent testified. This is a result of an opinion from the auditors last year. It has been the practice of the convention authority to refund 10% of the room tax collected to cities and counties for the purpose of recreation. Their auditor stated that in order to clarify the act, they should attempt to get an amendment passed. This bill just clarifies the return of 10%.

Mr. Dini asked if he felt that the language was not clear.

Mr. Broadbent stated that they had gotten new auditors and that the new auditors believes it should be clarified. They have an agreement which was entered into by all of the counties and cities. It would be to the detriment of the cities if we could not enter into this agreement.

Mr. Young asked how it was divided.

Mr. Broadbent stated that it is divided on the basis of population and not where the tax is collected.

Mr. Young asked what happened in unincorporated towns.

Mr. Broadbent stated that that money goes to the county commission and they have built many parks with it.

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Mr. May asked if the cities have ever gotten in excess of 10%?

Mr. Broadbent stated no. He informed the committee that they have another grant of \$420,000 but that is a direct grant. This is a general agreement among all of them.

Mr. May asked what the expiration date of the agreement was.

Mr. Broadbent stated that it was revised after the last census. To North Las Vegas it means \$200,000. Mr. Young asked if there was a difference in counties. Mr. Broadbent stated that this just applies to Clark County. NRS 244.243 is the Clark County portion of the statute.

Mr. Dini stated that 647 is the one on counties over 200,000.

Mr. May stated that he did not see any difference in what the present law does.

Mr. Broadbent stated that it is not much different, but that their auditors insist on it.

Mr. Bob Warren stated that the cities have no problem with it. He stated that he was pleased to see Mr. Broadbent doing something for the cities.

The next bill to be discussed was A.B. 528, which increases the term of certain members of county fair and recreation board.

Mr. Broadbent testified. This bill applies to the membership on the Board of Clark county. One of the members is appointed from the unincorporated city. That person is only on for a term of one year. They wish to make it two years. When a person is on for only one year he does not have a chance to be an officer.

Mr. Craddock asked who fills that position now.

Mr. Broadbent stated that right now it is Boulder. On July list, it will be either North Las Vegas or Henderson.

The next bill to be discussed was A.B. 557, which permits board of county commissioners in all counties having a population of less than 100,000 to determine whether any township within their county requires services of constable.

Mr. Bob Griffin, Lyon County Board of Commissioners testified. He stated that this is a good bill and that he supports it. It is a tool that most counties can use. If any of the committee has been sued because they represent an entity, this bill is good. They feel very strongly that a lot of people seeking these offices are not qualified for what they are trying to do. They are strongly in favor of being able to designate what townships do need the services of a constable. They have four townships. The salary is nill. People are

interested in these jobs. One has submitted a budget of \$8,000. If all four townships would care to elect a constable, the budget would run over \$50,000. They are duplicating the job of sheriff. There are no qualifications at all. He is also a member of the Directors of the Nevada Association of County Commissioners and they unanimously support this without exception.

Mr. Dini asked if this excluded Washoe and Clark Counties.

Mr. Griffin stated yes.

Mr. Broadbent stated that the constable is just elected and does not do anything. He stated that they do ask for permission to carry a gun and give out badges. There are not enough people to have a constable in small counties. They would like this language to be permissive. In North Las Vegas, Las Vegas or Reno there may be a need for a constable, but in small townships there is no need for them.

Mr. Dini stated that the committee should understand the ramifications of this. He stated that the conflict between sheriff and constable being peace officers involved conflict.

Mr. Griffin stated that it was mostly a conflict of personality. He referred to the Dayton conflict.

Mr. Lou Talbat, Constable of North Las Vegas testified next.

He stated that he was amazed to see this bill come up. He stated that he did not see why the bill was before the committee.

Mr. Dini asked how in the large counties, they work with the sheriff.

Mr. Talbat stated that they work out of the Justice Courts. He stated that he served papers in the Clark County, Las Vegas and township areas. As far as the sheriff's department goes, they have no problems.

Mr. Dini asked if his function was processing papers.

Mr. Talbot stated yes.

Mr. Broadbent indicated that one of the problems is that the constables have issued permits to carry concealed weapons.

Mr. Talbat stated that he has never seen any deputy misuse a gun.

Mrs. Ford asked if they operated on a commission.

Mr. Talbat stated yes, that he got \$150.00 a month from the county.

Mr. Frank Schenck testified next. He presented an affidavit

article from the Gold Hill News, a copy of which is attached to the minutes of this meeting and made a part hereof. Mr. Schenck stated that we need someone to take care of civil matters. All officers have to be peace officers. The term peace officer is wrong here. He stated that he was an officer of the court.

He stated that the problem was that nothing has ever been spelled out. He feels that the committee should make the office more compabable, and not eliminate it. In the last election the man that ran for constable got more votes than the man who was elected sheriff. Law enforcement in this state is 20 years behind.

Mr. Adams, Constable of Dayton testified next. He stated that Dayton seems to be the only one that is having a problem.

Mr. Murphy asked how many papers were served in a week.

Mr. Adams stated that it has been averaging about \$50.00 a month. Mr. Adams stated that the Justice Court should have an officer.

Mr. Murphy asked what the population was. Mr. Adams replied that it was a little over 2,000, in the Dayton Township.

Mr. May asked if he performed any functions.

Mr. Adams replied that he is letting the office lay dormant.

Mr. John Poli testified next. He stated that they would like to do away with them. They have ten deputy sheriffs in the north end of Lyon County. Five of them are in Dayton and five of them are in Fernley. He stated that the budget was set at zero.

Mr. John Hart testified next. He stated that his concern was that if they were doing away with this in counties of less than 100,000 will this do away with it in the large counties. Mr. Hart stated that they had two process services. They do not have enough work for two but that right now they had a lot of work.

Mr. Talbat stated that he thought that the Attorney General could help in small counties.

Mr. Dini stated that they would take no action on this bill at the present.

The next bill on the agenda was A.B. 529. Mr. Schofield testified. He stated that the intent of this bill is to try to bring up the standard form used throughtout the United States according to marriage license division and to make it uniform. He stated that he had a statement from Loretta Bowman, a copy of which is attached to these minutes and made a part hereof. He stated that this was a request by the clerk of Clark County.

The committee took the following action:

A.B. 527. Mr. Moody moved for a do pass which was seconded

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by Mr. Murphy. The motion was unanimously carried. Mr. Harmon was not present at the time of the vote.

A.B. 528. Mr. May moved for a do pass which was seconded by Mr. Schofield. The motion was unanimously carried. Mr. Harmon was not present at the time of the vote.

A.B. 529. Mr. Moody moved for a do pass which was seconded by Mr. Murphy. The motion carried unanimously. Mr. Harmon was not present at the time of the vote.

Mr. Dini stated that the committee would hold A.B. 557 for the present time and would work on it.

There being no further business to come before the meeting, the meeting adjourned.

Respectfully submitted,



Barbara Gomez
Committee Secretary

ASSEMBLY

AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS
WEDNESDAY,
Date April 16, 1975 Time 8:00 am Room 214

3-1030

Bills or Resolutions to be considered	Subject	Counsel requested*
A.B. 527	Permits alternative method of defraying costs of collecting license taxes for county fair and recreation booths. Notify: Dr. Robinson, Mr. Broadbent, Mr. Bob Warren	
A.B. 528	Increases term of certain members of county fair and recreation board. Notify: Dr. Robinson, Mr. Broadbent, Mr. Warren, Mr. Fahrenkopf	
A.B. 529	Makes changes in marriage license fee and form. NOTIFY: Assemblyman Schofield	
A.B. 557	Permits board of county commissioners in all counties having a population of less than 100,000 to determine whether any township within their county requires services of constable. Notify: County Commissioners (Mr. Broadbent) Mr. Poli (Yerington); Mr. Griffin (Smith Valley).	

*Please do not ask for counsel unless necessary.

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Rocky and George

Constable Says Sheriff No Help

Sheriff Says "He's On His Own"



Photo by John Wise at Santa Maria Day

Dayton Constable Rocky Adamson



Lyon Sheriff George Allen

NEWS:

I had to write you a letter to make a couple of corrections on an item in the last issue of the Gold Hill News (No. 5604). If you will permit me, I would like to use this opportunity to inform the people of the progress being made in the Constable's office. (Or non-progress.)

First the corrections: The NEWS stated that I said, "Sheriff George Allen only gives me a few papers to serve." Sheriff Allen does not give me anything. He made it very clear at the meeting I had with the Commissioners in Yerington that he did not plan to cooperate with the Constable's Office in any way, shape or form.

The next item of correction: The NEWS states, "He (Adamson) recalled his pay four years ago was about \$25 a month." The correct statement is - I recall there was \$25 a month to be paid to the Constable Office in previous years.

Chester Barton was a combination Constable and Deputy Sheriff for many years (in which he did a fine job). He received \$25 a month for the Constable end of the job. When Chester retired, I was elected Constable. The \$25 was still budgeted, I didn't receive it. I never have received it.

Then in 1970 the Sheriff ran two of his deputies for Constable, Logan Denison against me in Dayton Township, and Deputy Tingsley against a Mr. Woodley in Yerington.

For their main campaign issue they told the people it would raise their taxes considerably if they separated the two offices. Result: The two deputies were elected. I don't know whether Logan Denison received the \$25 or not.

The voting public decided that Sheriff Allen was not delivering the right kind of service to their areas. So they decided they wanted someone from this area and completely separate from the Sheriff's Office. So I was elected for Dayton Township.

In the meantime, in July 1974, the Commissioners took the \$25 a month out of the Constable's office and made the figure zero. They also stated they did not intend to pass on a budget at this time and it did not look likely in the near or distant future.

The reason Sheriff Allen is bucking this issue so intensely is because he does not want to give up any of the power of his One Man Command or any of his budget money. Which incidentally has jumped from \$70,150 in 1966 to \$296,152 in 1975.

This 1975 budget is more than 25 per cent of the general fund. Now I know the Lyon County Sheriff's Office had to be upgraded since 1966, but this figure sounds ridiculous.

Now for the rest of my report. I have done a lot of leg work since January 1, 1975. All of the State agencies I have contacted have been very enthusiastic over the idea of helping this little Constable's Office in any way they can. But on the second visit they seem to have cooled off considerably. And then I'm referred to some other agency. Now there must be some reason for this, but I'm damned if I can figure it out.

So here's to more leg work until I come up with some answers. I will keep you informed.

R. H. "Rocky" Adamson
Constable
Dayton Township

Upon receipt of Rocky's letter The NEWS telephoned Lyon County Sheriff George Allen for his response. It is as follows:

"Rocky Adamson says I won't accept his prisoners. All I told him in front of witnesses - the District Attorney was there - was that any prisoner he wanted to put in my jail would have to be accompanied by a complaint and a warrant from the District Attorney's office. Which I do with my own people. There's nothing new about that. Once in a while we put someone in on an emergency basis, but we know that in the morning we're going to have a complaint and a warrant.

"All I'm telling him is that I don't intend to have him or his deputies putting a lot of people in my jail and then finding out the next morning the District Attorney is not going to prosecute them. That way I'm in for a false arrest suit.

"At night he can call the District Attorney just like we do, and say, 'Look, this is what we've got going, will you issue a complaint in the morning?' And he's going to tell us yes, or he's going to tell us no. And that's all that Rocky Adamson has to do to put someone in our jail, which I don't think is out of line.

"If he wants to go out and arrest somebody, that's his business not mine. I'm responsible for myself and my own men. There's no way I want to get responsible for anybody else. Mr. Adamson is entirely on his own and separate.

"I'm running the Sheriff's Office to the best of my ability. I make lots of mistakes - anybody who isn't making mistakes isn't doing anything - and I have plenty of trouble of my own without having more.

"He ran for the job knowing it didn't pay anything because he had it before one time. I did run two Sheriff's deputies, hoping it would solve some problems, such as this one that has come up right now. But I gave up on that. The Commissioners know how to do away with this headache they have. I don't have a headache, because I have just been ignoring Mr. Adamson, period, if you want to know.

"He's trying to tell people that I'm not cooperating with him and that's why he has no money for his office, but that's not so. I don't have anything to do with it. He's running that separate and apart from my Sheriff's Office, and that's just the way it should be as far as I'm concerned.

"I've never beat around the bush with anybody in my life.

"I'll tell you this - I don't know where the Commissioners got the idea I would have anything to do with it anyway. They came to me and said, 'Are you going to pay Rocky?' Well, what am I going to pay him with? I just had \$15,000 peeled off my own budget, where am I going to get money for Rocky?

"He's complaining that I don't send him any papers to serve. Certainly I don't give him papers to serve that people are sending me. I'm responsible for those papers. I have my deputies serve them. We have a complete civil department in this office that takes care of those things. I don't know why I would give him the papers to serve. If people want to send him papers to serve, that's different, that's his affair to serve them then.

"We are probably serving eight to ten papers a day here. And any Sheriff can tell you you can get into more trouble serving civil papers than making felony arrests. I wish Rocky Adamson would serve every paper in the county, but we are charged by law to serve the papers that the lawyers send us, so that's what we do. We just go by what's in the Nevada Revised Statutes. Period."

Received at Press Time . . .

NEWS:

Since my letter of February 11, I want to inform you of a break-through with the County Commissioners. I was very pleased with our meeting. It seems there was a misunderstanding about the Constable's office. But after our discussion it turned out the misunderstanding was minor. I feel by the time we kick around a few more small items, we will end up in complete agreement.

As I told the people of Dayton Township that I would keep them informed at all times, I would like to take this means to inform them.

Thanking you in advance for your courtesy,

Rocky Adamson
Constable
Dayton

Office of County Clerk

AB529

1038

3 - marriage fee

CLARK COUNTY COURT HOUSE
LAS VEGAS, NEVADA

February 27, 1975

FRANCES McCREA
ASSISTANT COUNTY CLERK

LORETTA BOWMAN
COUNTY CLERK

EX-OFFICIO CLERK OF:
EIGHTH JUDICIAL DISTRICT COURT
BOARD OF COUNTY COMMISSIONERS
BOARD OF EQUALIZATION
COUNTY LICENSING BOARD
CLARK COUNTY SANITATION DISTRICT NO. 1
LAS VEGAS METROPOLITAN POLICE COMMISSION

TELEPHONES
DAY: 385-3156
NIGHT: 386-4415

JUSTIFICATIONS FOR CHANGES TO NRS 122.040

Following are some of the major reasons why I am proposing that marriage applications be revised to substantially conform with the U. S. standard form.

Nevada is one of eleven states (as of 1968) that does not have marriage licenses conforming to the basic requirement of U. S. standard marriage registration.

Information from marriage licenses are vital to law enforcement agencies for identification purposes and the information is also used by groups working in such fields as public health, social welfare, demography and insurance.

Practical uses made of marriage records include:

A. BY AN INDIVIDUAL

- Establishing proof of right to insurance benefits, pensions, military allowances and/or other benefits.
- Proving parentage and right to inheritance.
- Verifying facts of citizenship.
- Establishing change of name for legal purposes.
- Obtaining passports.
- Determining basis for immigration or naturalization.

B. BY PLANNING GROUPS

- Estimating intercensal populations, households and economic growth.
- Evaluating needs for new schools.
- Planning water and sewer facilities for single or multiple households.
- Providing recreational facilities.
- Forecasting the potential markets for housing, goods and services.
- Predicting needs for hospitals, clinics and churches.

C. BY PUBLIC HEALTH OFFICIALS

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- Estimating future needs for maternal and child health services.
- Formulating health programs and services based on the family.
- Studying the relation between health, marital status and the family.
- Teaching sound health planning to the newly married couple.
- Developing instruction in high school for future bride's and grooms.
- Studying problems of early marriage and the effect on the family's ability to provide health care.


D. BY SOCIOLOGISTS

- Supplying churches, universities, courts and counseling services with uniform family statistics for premarital and family counseling.
- Obtaining more knowledge about the advantages and disadvantages of early marriages.
- Determining the effects that changes in marriage and divorce laws have on family stability.
- Studying the relationship between early marriages and school dropouts.

Marriage records in the United States have been important evidence of those legal rights and obligations which each individual obtains through marriage since as early as the eighteenth century. I feel the addition of the information proposed would greatly aid to better meet the legal needs of the individual and the statistical needs of the general public, government, academic and business interests.

I would also like to you to note the proposed fee changes from \$1.00 to \$3.00 in NRS 122.060 for the County Clerk and County Recorder.

Cordially yours,


LORETTA BOWMAN, County Clerk
and Ex-Officio Clerk of the
Eighth Judicial District Court
of the State of Nevada in and
for the County of Clark.

lb.eh