

Assembly

4- 1526

GOVERNMENT AFFAIRS COMMITTEE

MINUTES OF THE MEETING

May 15, 1975

MEMBERS PRESENT:

CHAIRMAN DINI
VICE-CHAIRMAN MURPHY
ASSEMBLYMAN CRADDOCK
ASSEMBLYMAN MOODY
ASSEMBLYMAN SCHOFIELD
ASSEMBLYMAN FORD
ASSEMBLYMAN YOUNG

MEMBERS ABSENT:

ASSEMBLYMAN HARMON
ASSEMBLYMAN MAY

ALSO PRESENT:

Senator Schofield
Mr. Will Diess

The following bills were discussed: S.B. 573, A.B. 727, S.B. 491, S.B. 498, S.B. 505, S.B. 186, A.B. 796, S.B. 250, S.B. 597 and A.B. 637).

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

The first bill the committee discussed was S.B. 573, which expands the definition of "peace officer" to include bailiffs of district courts and deputy constables. Mr. Moody moved for a rescision of the action which the committee took yesterday for the indefinite postponement of this bill. The motion was seconded by Mr. Schofield. The motion carried unanimously.

Senator Schofield testified on this bill and introduced Mr. Will Diess to the committee. Mr. Diess represents the Nevada Peace Officer Association. Senator Schofield stated that he had a request by the Peace Officers Association that we consider **this**. Last year they made over 2,000 arrests and served 10,000 subpoenas. They have not enjoyed the protection of peace officer status. They did do some research and discovered that they do not come under early retirement because they have to designate police officers and they are peace officers. Senator Schofield presented a letter from Vernon Bennett, a copy of which is attached hereto and made a part hereof.

Mr. Dini asked if a bailiff carries a gun. Mr. Diess stated that some of the bailiffs are police officers serving as bailiffs. They ~~were~~ were not part of the merger. They make more

arrests than any police officer in the state. The bill includes all bailiffs.

Mr. Murphy moved for a do pass on S.B. 573, which was seconded by Mr. Schofield. The motion carried unanimously. Mr. Harmon and Mr. May were not present at the vote.

Mr. Murphy moved for indefinite postponement on A.B. 727, which was seconded by Mr. Young. The motion carried unanimously.

The next bill to be discussed was S.B. 491. Mrs. Ford stated that she met with Mr. Broadbent and that the amendment on this bill has been drafted by Jan Wilson. The entire bill applies to counties over 200,000 and is permissive in other counties upon approval of the Board of County Commissioners. She stated that they would be calling it the Town Advisory Board. Mrs. Ford presented a copy of the amendment to the committee, which is attached to the minutes of this meeting and made a part hereof. The committee then discussed the amendments. Mrs. Ford indicated that it is flexible in each county for the group to decide how they want to run the town board.

Mr. Schofield moved for an amend and do pass on S.B. 491 and an indefinite postponement on S.B. 498 and S.B. 505, which was seconded by Mr. Murphy. The motion carried unanimously.

Mr. Dini stated that Mrs. Ford had done a tremendous job on this bill with regard to the amendments. He stated that rather than kill the other two bills, S.B. 498 and S.B. 505 that the committee would just let them die.

The committee next discussed S.B. 186 and Mrs. Ford informed the committee that ~~Mr.~~ Daykin has the amendment.

Mr. Dini stated that the state employees have a resolution that they wanted introduced. He read the resolution to the committee, a copy of which is attached to the minutes of this meeting and made a part hereof. He stated that Mr. Bob Gagnier had given this to him.

Mr. Dini stated that the committee would meet with Mr. Russ MacDonald at 1:30 This afternoon to discuss A.B. 796.

The next bill the committee discussed was S.B. 250. Senator Hilbrecht testified. He stated that he had brought Mr. Broadbent who has expressed enthusiastic support of this measure before the Senate Committee. He stated that they were not dealing with traffic law at all. They did not have the manpower. The situation is getting worse. They now have a six month backlog. As recently as one week ago they were one month further behind than they were at the beginning of the session.

Mr. Broadbent testified. He stated that the county is not in a position to come forward and suggest this. He stated that he supports this bill.

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Mr. Young asked what the salary of the Justice of the Peace was.

Mr. Broadbent stated it was \$23,500.

Mr. Schofield moved for a do pass which was seconded by Mr. Moody. The motion carried unanimously.

The next bill to be discussed was S.B. 597. Senator Sheerin testified and stated that this bill was requested by Carson City. He stated that when this was passed, Carson was not in existence yet. It requires 4 years. If it is more than four years you receive an additional salary of 1% of the base. Carson only has three and 1/2 years. It gives them six months so that they are eligible for the four year situation. It would affect only two people, Mayor Schrivner and George Creitzer.

Mr. Moody moved for a do pass, which was seconded by Mr. Schofield. The motion carried unanimously.

AB 637 Senator Sheerin then stated that the committee had done a good job on the Marlette Lake Bill. He indicated that the Senate had inserted a "vote of the people" in the bill.

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

Respectfully submitted,



Barbara Gomez
Committee Secretary

VERNON BENNETT
EXECUTIVE OFFICER

WILL KEATING
ASSISTANT EXECUTIVE OFFICER

STATE OF NEVADA

4-1530



RETIREMENT BOARD
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PUBLIC EMPLOYEES RETIREMENT SYSTEM

P.O. Box 1569
CARSON CITY, NEVADA 89701
TELEPHONE (702) 885-4200

May 14, 1975

The Honorable Joseph E. Dini
Assemblyman
Nevada State Legislature
Carson City, NV 89701

RE: SENATE BILL 573

Dear Assemblyman Dini:

Senator Jack Schofield and Mr. Will Diess, President of the Las Vegas Police Protective Association, have requested that we write your Committee to advise that the designation of "peace officer" under NRS 169.125 does not qualify a group of employees under the early retirement provisions provided for police officers and firemen in NRS 286. NRS 286.060 in the present retirement law defines "police officers" and "firemen", but does not mention "peace officers". Attorney General's Opinion No. 6A dated June 30, 1971 clearly stipulates that the mere designation of "peace officer" status does not provide eligibility for said groups under the early retirement provisions for police and firemen. Senate Bill 336, section 8, page 2, specifically defines a "police officer" and lists those groups which are presently covered under the early retirement provisions. The Senate Finance Committee placed a two-year moratorium on adding new groups to this category. Bailiffs of district courts, justice courts and municipal courts are not listed in section 8 of Senate Bill 336. Therefore, they are not eligible for early retirement benefits provided for police officers and firemen. This will certify that the designation of "peace officer" status in NRS 169.125 will not provide eligibility for said persons under the early retirement provisions for police officers and firemen.

Please be assured that we are available to answer any further questions you or any member of your Committee may have regarding this matter.

Sincerely,

Vernon Bennett
Vernon Bennett
Executive Officer

VB/sm

cc: Government Affairs Committee
The Honorable Jack Schofield
Mr. Will Diess

ASSEMBLY ACTION	SENATE ACTION	ASSEMBLY / SENATE AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	Amendments to Assembly Senate
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Bill / Joint Resolution No. 491 (BDR 29 370)
Date:	Date:	Proposed by <u>Committee on Government Affairs</u>
Initial:	Initial:	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>	
Date:	Date:	
Initial:	Initial:	

Amendment No 9031

"Inconsistent with Amendment No. 8442."

- Amend section 1, page 1, line 2, delete "23," and insert: "28,".
- Amend section 1, page 1, line 3, delete "23," and insert: "28,".
- Amend section 1, page 1, ~~line~~ line 5, delete "23," and insert: "28,".
- Amend sec. 3, page 1, line 7, delete "4" and insert: "3.5".
- Amend the bill as a whole by inserting a new section to be designated as section 3.5, following section 3, to read:
 "Sec. 3.5. "Board" means the board of county commissioners."

Amend sec. 4, page 1, line 9, delete "Advisory" and insert: "Town advisory".

Amend sec. 4, page 1, line 10, after "provisions" insert:

"of sections 2 to 28, inclusive,".

Amend sec. 5, page 1, delete line 12 and insert:

"Sec. 5. (Deleted by amendment)."

Amend sec. 7, page 1, delete lines 24 and 25 and insert:

"3. It is further found and declared that unincorporated town government is an adjunct of county government."

Amend sec. 7, page 1, line 26, delete "Finally, it is" and insert:

"It is further".

Amend sec. 7, page 2, delete line 2 and insert:

"for such areas and should be provided a role whereby they may assist the board of county commissioners in the management of government as it relates to such towns."

5. Finally, the purposes of sections 2 to 28, inclusive, of this act are to provide for the formation of unincorporated towns and their government according to a uniform plan within the framework of county administration of the unincorporated area."

Amend sec. 8, page 2, delete lines 3 through 8 and insert:

"Sec. 8. The provisions of sections 2 to 28, inclusive, of this act apply:

1. 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.

2. In any county having a population of less than 200,000, as determined

by the last preceding national census of the Bureau of the Census of the United States Department of Commerce, upon approval by the board of county commissioners of such county."

Amend sec. 9, page 2, line 12, delete "23," and insert: "28,".

Amend sec. 11, page 2, after line 40, insert:

"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."

Amend sec. 12, page 2, line 42, after "signatures" insert:

"pursuant to subsection 1 of section 10 of this act".

Amend sec. 12, page 2, delete lines 44 through 48 and insert:

"the board shall, 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, 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 section 10 of this act, the board shall, 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 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."

Amend sec. 13, page 2, delete line 50 and insert:

"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 or"

Amend sec. 13, page 3, line 3, delete "resolution as" and insert:

"resolution."

Amend sec. 13, page 3, delete line 4.

Amend sec. 14, page 3, delete lines 5 through 17 and insert:

"Sec. 14. 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 section 12 of this act or in section 13 of this act approve the question, the board shall by ordinance proceed with the formation of such unincorporated town. The ordinance shall contain a clear designation of the boundaries, a listing of the services to be provided, the number of members to be on the town advisory board, the method of their selection and their terms of office."

Amend sec. 15, page 3, delete lines 18 and 19 and insert:

"Sec. 15. (Deleted by amendment.)"

Amend sec. 16, page 3, delete line 24 and insert:

"federal or state law to administer"

Amend sec. 16, page 3, after line 27, insert:

"3. Any such ordinance shall contain a clear designation of the boundaries the unincorporated town, a listing of services to be provided, the number

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

Amend sec. 17, page 3, delete line 30 and insert:

"town include, but need not be limited to:"

Amend sec. 17, page 3, line 42, delete "and".

Amend sec. 17, page 3, line 43, delete the period and insert:

" and".

Amend sec. 17, page 3, after line 43, insert:

"(n) Acquisition, maintenance and improvement of town property."

Amend sec. 17, page 3, line 46, delete "time." and insert:

time pursuant to section 17.5 of this act."

(MORE)

Amend the bill as a whole, insert a new section, to be designated as sec. 17.5, following sec. 17, to read:

"Sec. 17.5. 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 boundaries of such town.
2. The list of services to be provided.
3. The method of selection of members of the town advisory board.
4. The terms of office of the members of the town advisory board."

Amend sec. 18, page 3, delete line 47 and insert:

"Sec. 18. The board of county".

Amend sec. 18, page 3, line 50, delete "an" and insert: "a town".

Amend sec. 18, page 4, delete lines 1 through 4.

Amend sec. 19, page 4, delete lines 5 through 9 and insert:

"Sec. 19. (Deleted by amendment.)".

Amend sec. 20, page 4, delete lines 10 and 11 and insert:

"Sec. 20. The board of county commissioners shall consult with each town advisory board on matters relating to such town and shall give advance notice to the town advisory board concerning items relating to that town which will be on the board's agenda. The board shall notify town advisory boards of special projects or improvements pending and relating to such town and shall provide information thereon.".

Amend sec. 21, page 4, line 15, after "the" insert: "town".

Amend sec. 22, page 4, delete line 20 and insert:

"Sec. 22. 1. The board shall:".

Amend sec. 22, page 4, delete line 21 and insert:

"(a) Solicit the advice of the town advisory board in the preparation of the".

Amend sec. 22, page 4, delete lines 23 and 24 and insert:

"(b) Allow towns to recommend their own ordinances and codes. If the subject matter covered is the subject of an existing county ordinance, the town ordinance may not be less stringent than the county ordinance.

2. The board may allow town advisory boards to control any expenditures which are a part of a county-approved budget."

Amend sec. 23, page 4, delete lines 25 through 43 and insert:

"Sec. 23. Copies of the ordinances of an unincorporated town shall be available from the chairman of the town advisory board or from the county clerk."

Amend sec. 24, page 4, delete lines 44 through 49 and insert:

"Sec. 24. Any nonappropriated funds available for town purposes may be expended at the discretion of the town advisory board."

Amend the bill as a whole, insert new sections, to be designated as sections 25 through 29, following sec. 24, to read:

"Sec. 25. Audits of the records of unincorporated towns shall be conducted as part of the county audit.

"Sec. 26. Each town advisory committee shall establish bylaws for town meetings and other matters of internal governance.

"Sec. 27. Any property belonging to an unincorporated town on July 1, 1975, shall continue to be the property of such town as long as it exists as an unincorporated town unless, upon recommendation of the town advisory committee the board of county commissioners provides by ordinance for the disposition

of the property.

Sec. 28. An unincorporated town formed pursuant to the provisions of sections 2 to 28, inclusive, of this act may be dissolved by resolution of the board of county commissioners following a public hearing at which residents of such town are given an opportunity to speak. The resolution shall specify the reasons for the dissolution.

Sec. 29. The board of county commissioners in any county described in subsection 1 of section 2 of this act and in any other county choosing to come under the provisions of sections 2 to 28, inclusive, of this act shall submit a report to the 59th session of the legislature regarding the status of the unincorporated towns within its jurisdiction."

Assembly Concurrent Resolution

Whereas, the employees of the State of Nevada are the only sizeable group of public employees without the benefit of collective bargaining, and

Whereas, the State of Nevada Employees Association has ~~effectively~~ represented all state workers over the years.

Resolved by the Assembly, the Senate Concurring,

That the State administration represented by the governor or his designee shall meet and confer with the representatives of the State of Nevada Employees Association at reasonable times and shall endeavor to reach agreement on all matters affecting state employees salaries, wages and other terms and conditions of employment.