

## Senate

## COMMITTEE ON GOVERNMENT AFFAIRS

Minutes of Meeting - February 20, 1975

Present: Chairman Gibson  
 Sen. Walker  
 Sen. Dodge  
 Sen. Hilbrecht  
 Sen. Schofield  
 Sen. Gojack  
 Sen. Foote

## Also Present:

Ed Green, Clark Cnty. School Dist.  
 Dick Wryth, Washoe Cnty. School Dist.  
 Richard Stebbins, Lyon County Schools  
 Bob Best, Nev. State School Boards Assn.  
 Evelyn Mathis, Nev. Tax Comm.  
 Jim Lien, Nev. Tax Comm.  
 Harry Dickson, Carson City Schools  
 Joyce Woodhouse, Clark Cnty. Teachers  
 Leslie B. Gray, Individual interest in AJR 1-73  
 Donald Klosie, Attorney General rp.  
 Dick Morgan, N.S.E.A.  
 Bob Warren, Nev. League of Cities  
 Bill Adams, City of Las Vegas

The eleventh meeting of the Government Affairs committee was called to order by Chairman Gibson at 3:00 P.M. The first bill to be discussed was AJR-1 (57th session).

AJR-1 Proposes to amend Nevada constitution by  
57th Session eliminating the 6-month residency require-  
 ment for electors. Fiscal Note (BDR C-329)

Mr. Leslie Gray, attorney, had a personal interest in this bill and felt that it should not be passed.

Mr. Gray indicated that there is a good deal of fraud on residency establishment now and with the 6-month residency requirement eliminated it would be twice as bad.

Discussion followed and later in the meeting Senator Walker motioned for "Do Pass", seconded by Senator Hilbrecht. Motion carried unanimously.

SB-3 Allows local governments to issue purchase  
 orders in current fiscal year for payment  
 in ensuing fiscal year. Fiscal Note (BDR 31-9)

After several meetings and hearings regarding SB-3 the following language has been added to the amendment, "Purchase Orders are public records available to any person on demand". With further discussion it was decided to also add the words after Purchase Orders, "and contracts".

## Senate

Government Affairs  
Minutes of Meeting No. 11  
February 20, 1975  
Page 2

Mr. Best, N.S.B.A., was in favor of SB-3 with the new language added.

Mr. Stebbens, Auditor for Lyon County Schools, is also in favor of passage of SB-3 with the new language added.

Motion of "Amend with new language and Do Pass" by Senator Dodge, seconded by Senator Walker, motion carried unanimously.

Senator Dodge was responsible for the changes in SB-3

SB-46                      Allows certain counties to establish  
non-partisan election for county  
officers. Fiscal Note (BDR 20-454)

Chairman Gibson asked if there was anyone here to testify on this bill and it was noted that Mr. Broadbent, representing the County Commissioners, was not present. Chairman Gibson indicated that the large counties were not interested in this bill and there was little response from the smaller counties.

Senator Dodge indicated there was some objection to this bill from Lyon County.

Mr. Bob Warren, Nev. League of Cities, indicated that at the Tonopah meeting the County Commissioners were not in favor of this bill.

Motion to "Indefinitely Postpone" from Senator Walker, seconded by Senator Hilbrecht. Motion carried unanimously.

SB-145                      Enables county clerk to issue marriage  
licenses at places in addition to county  
seat. Fiscal Note (BDR 11-431)

Chairman Gibson indicated to the committee that the county clerk for Clark County was not in favor of this bill.

Senator Foote suggested the committee add an amendment which would make it only pertain to counties with a population between 100,000 and 200,000. This in effect would pertain to Washoe County and would only allow one other office in addition to the county seat.

Motion to "Amend & Do Pass" from Senator Walker, seconded by Senator Gojack. Motion carried unanimously.

AB-25                      Makes voting hours the same in all counties.  
Fiscal Note (BDR 24-426)

Discussion on the problems that are involved when people work in one county and live in another, i.e. not getting home in time to vote.

Mr. Bob Warren, Nev. League of Cities, indicated that this problem

## Senate

Government Affairs  
Minutes of Meeting No. 11  
February 20, 1975  
Page 3

has caused a great deal of controversy and due to this it was decided that there was a need for a uniform time schedule in all the counties.

Motion of "Do Pass" by Senator Walker, seconded by Senator Foote. Motion carried unanimously.

Chairman Gibson introduced, for the committee's approval, several bill requests for introduction:

1. An act that increases related fees charged by county recorders and increases certain fees providing other matters properly relating thereto.

No objection for introduction.

2. Relating to plats and subdivisions removing the provision for forfeiture imposed on a county recorder who files a map or plat not conforming with the statutory requirements.

No objection for introduction.

3. Mining claims repealing the provision of filing a duplicate copy of a mines location.

No objection for introduction.

4. Relating to federal tax liens. Eliminating the need for indicating the time of receipt on the county recorder's alphabetical index.

No objection for introduction.

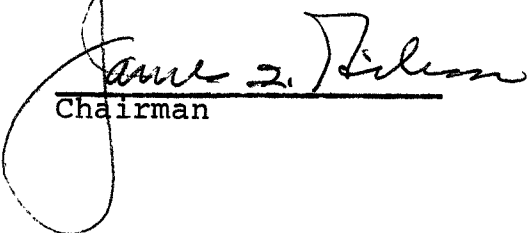
With no further business the meeting was adjourned at 3:45 P.M.

Respectfully submitted,

---

Janice M. Peck  
Committee Secretary

Approved:

---

Chairman

S E N A T E

AGENDA FOR COMMITTEE ON ..... GOVERNMENT AFFAIRS .....  
 THURSDAY  
 DATE ... 2-20-75 ..... TIME ... 2:45 P.M. .... ROOM ... 345 ..... :

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel Requested*</u>
--	----------------	---------------------------

SB-3	Allows local governments to issue purchase orders in current fiscal year for payment in ensuing fiscal year. Fiscal Note (BDR 31-9)	
	Rehearing & Committee action	
	Notify: Dick Morgan, Jim Lien	
SB-46	Allows certain counties to establish nonpartisan election for county officers. Fiscal Note (BDR 20-454)	
	Rehearing & committee action	
	Notify: Senator Sheerin County Organization, Bob Broadbent	
SB-145	Enables county clerk to issue marriage licenses at places in addition to county seat. Fiscal Note (BDR 11-431)	
	Rehearing & committee action	
	Notify: County Organization, Bob Broadbent County Clerks of Washoe & Clark	
AB-25	Makes voting hours the same in all counties. Fiscal Note (BDR 24-426)	
	Notify: Assemblyman Dini	
AJR-1 57th Session	Proposes to amend Nevada constitution by eliminating the 6-month residency requirement for electors. Fiscal Note (BDR C-329)	
	Notify: Assemblyman Dreyer	

\* Please do not ask for counsel unless necessary

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 3

SENATE BILL NO. 3—SENATOR DODGE

JANUARY 21, 1975

Referred to Committee on Government Affairs

SUMMARY—Allows local governments to issue purchase orders in current fiscal year for payment in ensuing fiscal year. Fiscal Note: No. (BDR 31-9)

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

AN ACT relating to local government budgets; allowing local governments to issue purchase orders for supplies and equipment in the current fiscal year for use and payment in the ensuing fiscal year.

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

- 1 SECTION 1. NRS 354.626 is hereby amended to read as follows:  
 2 354.626 1. No governing body or member thereof, officer, office,  
 3 department or agency shall, during any fiscal year, expend or contract to  
 4 expend any money or incur any liability, or enter into any contract which  
 5 by its terms involves the expenditure of money, in excess of the amounts  
 6 appropriated for that function, other than bond repayments, short-term  
 7 financing repayments, and any other long-term contract expressly author-  
 8 ized by law. Any officer or employee of a local government who willfully  
 9 violates NRS 354.470 to 354.626, inclusive, is guilty of a misdemeanor,  
 10 and upon conviction thereof shall cease to hold his office or employment.  
 11 Prosecution for any violation of this section may be conducted by the  
 12 attorney general, or, in the case of incorporated cities or towns, school  
 13 districts or special districts, by the district attorney.  
 14 2. Without limiting the generality of the exceptions contained in sub-  
 15 section 1, the provisions of this section specifically do not apply to:  
 16 (a) Purchase of comprehensive general liability policies of insurance  
 17 which require an audit at the end of the term thereof.  
 18 (b) Long-term cooperative agreements as authorized by chapter 277  
 19 of NRS.  
 20 (c) Long-term contracts in connection with planning and zoning as  
 21 authorized by NRS 278.010 to 278.630, inclusive.  
 22 (d) Long-term contracts for the purchase of utility service such as, but  
 23 not limited to, heat, light, sewerage, power, water and telephone service.  
 24 (e) Contracts between a local government and an employee covering

1 professional services to be performed within 24 months following the date  
2 of such contract.

3 (f) Contracts between a local government and any person, firm or cor-  
4 poration for the construction or completion of public works, funds for  
5 which have been provided by the proceeds of a sale of bonds or short-  
6 term financing. Unappropriated surplus funds shall not be used unless  
7 appropriated in a manner provided by law.

8 (g) *Purchase orders which are issued by a local government and deliv-*  
9 *ered to any person, firm or corporation solely for the purpose of acquiring*  
10 *supplies and equipment necessarily ordered in the current fiscal year for*  
11 *use in the ensuing fiscal year and for which an appropriation for payment*  
12 *is included in the final budget for the ensuing fiscal year.*

**S. B. 46****SENATE BILL NO. 46—SENATOR SHEERIN**

JANUARY 28, 1975

Referred to Committee on Government Affairs

SUMMARY—Allows certain counties to establish nonpartisan election for county officers. Fiscal Note: No. (BDR 20-454)

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

AN ACT relating to county officers; allowing certain counties to designate all county offices as nonpartisan; 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 245 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 1. *Whenever a number of registered voters equal to 10 percent or*  
4 *more of the number of persons registered to vote at the last preceding*  
5 *general election in any county in this state having less than 100,000 pop-*  
6 *ulation as determined by the last preceding national census of the Bureau*  
7 *of the Census of the United States Department of Commerce petition the*  
8 *board of county commissioners of their county to designate all county*  
9 *offices as nonpartisan, the question shall be submitted to the qualified*  
10 *electors of the county for approval or disapproval at the next succeeding*  
11 *general election.*  
12 2. *If a majority of the voters voting on such question approve the*  
13 *designation of all county offices as nonpartisan, the board of county com-*  
14 *missioners shall so instruct the county clerk of the county and all candi-*  
15 *dates for election to county offices shall be printed on the official ballots,*  
16 *for all succeeding elections, without party designation or symbol.*  
17 SEC. 2. NRS 293.195 is hereby amended to read as follows:  
18 293.195 1. Judicial offices, school offices, [and] members of boards  
19 of hospital trustees of public hospitals *and county offices so made pursu-*  
20 *ant to section 1 of this act* are hereby designated nonpartisan offices.  
21 2. No words designating the party affiliation of [a candidate] *candi-*  
22 *dates* for nonpartisan offices shall be printed upon the ballot or ballot  
23 label.

**S. B. 145****SENATE BILL NO. 145—SENATOR FOOTE**

FEBRUARY 4, 1975

Referred to Committee on Government Affairs

SUMMARY—Enables county clerk to issue marriage licenses at places in addition to county seat. Fiscal Note: No. (BDR 11-431)

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

AN ACT relating to marriage licenses; enabling a county clerk to issue marriage licenses at places within the county in addition to the county seat; 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 122.040 is hereby amended to read as follows:  
 2 122.040 1. [Previous to persons being] *Before persons may be*  
 3 *joined in marriage, a license shall be obtained for that purpose from the*  
 4 *county clerk of any county in the state. The county clerk shall issue mar-*  
 5 *riage licenses at the county seat and may issue marriage licenses at such*  
 6 *additional places as he designates within the county.*  
 7 2. The county clerk may inquire of the person applying for a mar-  
 8 *riage license, upon oath or affirmation, relative to the legality of the con-*  
 9 *templated marriage, and if the clerk is satisfied that there is no legal*  
 10 *impediment thereto, then he shall grant the marriage license.*  
 11 3. The county clerk, when issuing the license, shall require the person  
 12 *applying therefor to answer under oath each of the questions contained*  
 13 *in the form of license, and, if the person applying therefor cannot answer*  
 14 *positively any questions with reference to the other person named in the*  
 15 *license, the clerk shall require both persons named in the license to*  
 16 *appear before him and to answer, under oath, the questions contained in*  
 17 *the form of license.*  
 18 4. If any of the persons intending to marry is under age and has not  
 19 *been previously married, the clerk shall issue the license if the consent of*  
 20 *the parent or guardian is:*  
 21 (a) *Personally given before the clerk; [or]*  
 22 (b) *Certified under the hand of the parent or guardian, attested by two*  
 23 *witnesses, one of whom shall appear before the clerk and make oath that*  
 24 *he saw the parent or guardian subscribe his name to the annexed certifi-*  
 25 *cate, or heard him or her acknowledge the same; or*



— 2 —

- 1 (c) In writing, subscribed to and duly acknowledged before an officer
- 2 authorized by law to administer oaths.
- 3 5. All records pertaining to such licenses are public records and open
- 4 to inspection pursuant to the provisions of NRS 239.010. Any county
- 5 clerk who refuses to permit such inspection is guilty of a misdemeanor.

29

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 25

## ASSEMBLY BILL NO. 25—ASSEMBLYMAN DINI

JANUARY 22, 1975

Referred to Committee on Elections

SUMMARY—Makes voting hours the same in all counties.  
Fiscal Note: No. (BDR 24-426)EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to elections; changing voting hours in certain 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 293.273 is hereby amended to read as follows:  
 2 293.273 1. Except as provided in [subsections 2 and 3] subsection  
 3 2 and NRS 293.305, at all elections held under the provisions of this  
 4 Title, the polls shall open at 8 a.m. and close at [6 p.m.] 7 p.m. In  
 5 Carson City and counties where voting machines are used, the polls shall  
 6 open at 7 a.m. and close at 7 p.m.  
 7 2. Whenever at any election all the votes of the precinct or district,  
 8 as shown on the checklist and roster, have been cast, the election board  
 9 officers shall close the polls, and the counting of votes shall begin and  
 10 continue without unnecessary delay until the count is completed.  
 11 3. Upon opening the polls one of the election board officers shall  
 12 cause a proclamation to be made that all present may be aware of the  
 13 fact that applications of registered voters to vote will be received.  
 14 4. No person other than election board officers engaged in receiv-  
 15 ing, preparing or depositing ballots, or issuing voting machines admission  
 16 authorities, may be permitted inside the guardrail during the time the polls  
 17 are open, except by authority of the election board as necessary for  
 18 the purpose of keeping order and carrying out the provisions of this  
 19 Title.

## A. J. R. 1 of the 57th Session

---

### ASSEMBLY JOINT RESOLUTION NO. 1—MR. DREYER

JANUARY 16, 1973

Referred to Committee on Elections

**SUMMARY**—Proposes to amend Nevada constitution by eliminating the 6-month residency requirement for electors. Fiscal Note: No. (BDR C-329)

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

---

**ASSEMBLY JOINT RESOLUTION**—Proposing to amend section 1 of article 2 of the constitution of the State of Nevada; eliminating the 6-month residency requirement for electors.

1     *Resolved by the Assembly and Senate of the State of Nevada, jointly,*  
 2     That section 1 of article 2 of the constitution of the State of Nevada be  
 3     amended to read as follows:  
 4     Section 1. All citizens of the United States (not laboring under the  
 5     disabilities named in this constitution) of the age of eighteen years [and  
 6     upwards,] *or over,* who shall have actually, and not constructively,  
 7     resided in the state [six months,] and in the district or county thirty days  
 8     next preceding any election, shall be entitled to vote for all officers that  
 9     now or hereafter may be elected by the people, and upon all questions  
 10    submitted to the electors at such election; *provided,* that no person who  
 11    has been or may be convicted of treason or felony in any state or territory  
 12    of the United States, unless restored to civil rights, and no idiot or  
 13    insane person shall be entitled to the privilege of an elector. There shall  
 14    be no denial of the elective franchise at any election on account of sex.  
 15    The legislature may provide by law the conditions under which a citizen  
 16    of the United States who does not have the status of an elector in another  
 17    state and who does not meet the residence requirements of this section  
 18    may vote in this state for President and Vice President of the United  
 19    States.