

Senate

GOVERNMENT AFFAIRS COMMITTEE

Minutes of Meeting - March 26, 1975

Present: Chairman Gibson
Senator Walker
Senator Dodge
Senator Foote
Senator Gojack
Senator Hilbrecht
Senator Schofield

Also Present:

Clifford Devine, Sparks Chapter, Washoe Democratic Chairman
Ralph A. Hay, Sparks
C. W. Riggan, Nevada Recorders, Douglas Cnty
Paul W. Freitag, City of Sparks
Chloris Goodwin, City of Sparks, City Clerk
Jim Lillard, Mayor of Sparks
Chet Christensen, Assemblyman
Walt Hines, Nevada Highway Patrol
Jim Lien, Tax Comm.
Bob Broadbent, Clark County
Bob Warren, Nevada League of Cities
William Swackhammer, Secretary of State
Patricia Tsaman, Secretary of State's office
Carol B. Senniff, Secretary of State's office

The twenty third meeting of the Government Affairs Committee was called to order by Chairman Gibson at 3:55 P.M. and the minutes reflect that a quorum was present at that time.

SB-338 Enacts new Sparks city Charter (BDR S-1123)

Chairman Gibson passed out a copy of the comparison of the new provisions with the charter that might otherwise come into effect in July. (see the attached)

Senator Foote hoped that the charter would be passed as close to the format that the counsel prepared as possible.

Mr. Paul Freitag, attorney for Sparks, indicated that the suggested amendments has been passed out to each committee member and offered any answers to questions they might have. (See the attached) Mr. Freitag indicated also that the proposed amendments here today were passed by the charter committee this past Monday.

There was considerable discussion on the area of general obligation bonds without an election and it was the feeling that this section should be omitted. It was also felt that if the area concerning the salaries wasn't handled during this session it would another four years before Sparks people could set the salaries for their officials.

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Motion to "Amend City Charter to include the provisions for fixing salaries for this one time, provide the general obligation bond issue so it would go to the voters except in the case of an emergency" by Senator Hilbrecht, seconded by Senator Gojack. Motion carried un-animously.

SB-107 Authorizes governor to enter into interstate law enforcement mutual aid agreements. (BDR 18-337)

Walt Hines, Nevada Highway Patrol representing Col. Lambert who was unable to attend, stated that the changes made in SB-107 were acceptable to them.

Motion of "Do Pass" by Senator Schofield, seconded by Senator Hilbrecht. Motion carried unanimously.

SB-239 Increases certain fees charged by county recorders. (BDR 20-974)

Mr. William Swackhammer, Secretary of State, brought two of the women who work in the recorder's office to show the committee the workings involved in their office. Mrs. Patricia Tasman and Mrs. Carol B. Senniff.

Mrs. Senniff indicated to the committee that the work involved in checking out these secured agreements can be extremely lengthy. Mrs. Senniff passed out to the committee the forms that are used. (see the attached) It was agreed that a flat fee of \$5.00 would be a sufficient fee to charge.

Mr. C. W. Riggan, Douglas County Recorder, reiterated Mrs. Senniff's statements regarding the work and payment for such work. He stated that Mrs. Brown, Washoe County Recorder, felt a flat fee of \$6.00 would be sufficient.

Chairman Gibson informed the committee that he had received a letter from the Advisory Mining Claim Board objecting to the new fee in section 4.

Motion to Amend and Do Pass" by Senator Schofield, seconded by Senator Foote. Motion carried unanimously. Amendment is to process section 1, 2, & 3. (Changing Section 1 to reflect the flat fee of \$6.00) Amend out of the bill Sections 4, 5, & 6 until they can be made more workable. Also suggested that in Section 5 the area in line 8 should read "shall be filed in a suitable storage place".

SB-250 Increases number of justices of the peace allotted to certain townships. (BDR 1-988)

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Judge Robert Legakes, Justice of the Peace for the Las Vegas township, stated that their problem is with the backlog of cases taking as much as a year to get to court. Felt that if they had an addition of two Justices of the Peace it would help cut down the time it is now taking to get these cases to court. The cost would be approximately \$100,000. plus facilities.

Chairman Gibson questioned that if the consolidation did become effective would it help the situation that they are now faced without adding additional J.P.'s.

Judge Legakes indicated that their duties are given to them by either the state constitution or the legislature. The functions of the Municipal Court Judge are given exclusively by the City Charter. He feels that the consolidation would have little effect of their workload.

Mr. Bob Broadbent, County Commissioners, indicated that he understood the problem but felt they couldn't afford two J.P.'s at this time. Suggested that they authorize the addition of one Justice of the Peace and let the board decide on whether or not they want another one. They calculate approximately \$188,000. for the two J.P.'s a year.

There was discussion about the problems that might come up if the consolidation did go through. Further discussion on this bill was set aside at the present time.

AB-199 Returns celebration of Veteran's Day to November 11. (BDR 19-40)

SB-390 Returns celebration of Veteran's Day to November 11. (BDR 19-1342)

Mr. Virgil Getto and Mr. Lawrence Jacobsen testified in favor of this bill indicating that the reasons for the holiday are being lost by not being on the 11th.

Mr. Les Kofeod, Gaming Industry, stated that they had no objection to this bill. He indicated that there had been 40 other states that changed the holiday back to November 11th, one of them being California. Mr. Kofeod wanted the committee to know that a number of these states were trying to change the holiday back to be on a Monday or Friday, which ever was closest to the holiday. The reason for this was to coincide with the federal holidays.

Motion of "Do Pass" by Senator Schofield, seconded by Senator Hilbrecht. Motion carried unanimously. Motion of "Do Pass" was for SB-390. AB-199 would be held.

SB-275 Reduces time in which local government annual audits must be concluded and audit reports submitted. (BDR 31-1104)

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Jim Lien, Tax Commission, felt that most local governments do not want the audit report filed with agencies at the same time it is made available to governing boards. Governing boards should have an opportunity to review and look at recommendations. Urges the passage of the bill as its written.

Motion to "Amend and Do Pass" by Senator Hilbrecht, seconded by Senator Foote. Motion carried unanimously. Amendment to change the time limit to 10 days, line 13, page 2.

SB-279 Authorizes local governments to establish & maintain petty cash accounts, imprest accounts and revolving bank accounts. (BDR 31-1042)

Jim Lien, Tax Commission, stated that Mr. Burkstrom would provide Chairman Gibson a description of what an imprest account is prior to bringing the bill before the Senate. Mr. Lien stated that the revolving bank account was essential to those employees who had to travel. As it now stands they have no legal way to have advance money for traveling.

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

Chairman Gibson informed the committee that he had an amendment on SB-348 that would change the title to the State Land Registrar. It was also felt that the land should be used during the summer for sports until they are ready to begin work on the proposed site. Another change was to add "land value and money", line 6 in place of "to sell for cash". Changed to the Boards of Commission due to the question of who does hold title. Chairman Gibson asked the committee if they could process it and he would hold it until he got a promise regarding the use of the land for the summer.

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

As there was no further business the meeting was adjourned at 5:45 P.M.

Respectfully submitted,

Jan Peck

Janice M. Peck
 Committee Secretary

Approved:

James D. Hilbrecht

Chairman

S E N A T E

AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS.....
 WEDNESDAY
 DATE March 26, 1975....TIME 2:45 P.M.....ROOM....345.....

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel Requested*</u>
SB-338	Enacts new Sparks city Charter (BDR S-1123) Notify: Senator Foote	
SB-107 Committee Rework	Authorizes governor to enter into inter- state law enforcement mutual aid agree- ments. (BDR 18-337) Notify: Col. Lambert, Bob Warren, County Assoc.	
SB-239 Committee Rework	Increases certain fees charged by county recorders. (BDR 20-974) Notify: Bill Swackhammer	
SB-250	Increases number of justices of the peace allotted to certain townships. (BDR 1-988) Notify: Senator Hilbrecht, Clark County Commission, Clark County Justice of the Peace.	
AB-199	Returns celebration of Veterans' Day to November 11. (BDR 19-40) Notify: Assemblymen Getto & Jacobsen Senator Bryan	
SB-275	Reduces time in which local government annual audits must be concluded and audit reports submitted. (BDR 31-1104) notify: Senator Dodge, Jim Lien, Tax Comm.	
SB-279	Authorizes local governments to establish & maintain petty cash accounts, imprest accounts and revolving bank accounts. (BDR 31-1042) notify: Jim Lien, Tax Comm.	
ADDED TO AGENDA EFF. 3-26-75 @ 1:30 P.M.		
SB-348 Amended	Authorizes state land register to exchange or sell certain state real property in Washoe County upon direction by administrator of mental hygiene and mental retardation division of depart- ment of human resources. (BDR S-1242)	
SB-390 FOR COMMITTEE ACTION	Returns celebration of Veterans' Day to November 11. (BDR 19-1342) Notify: Senator Bryan	

* Please do not ask for counsel unless necessary

RESOLUTION NO. 1098INTRODUCED BY COUNCILMAN FOOTE

A RESOLUTION SUPPORTING SENATE BILL NO. 338, THE PROPOSED CITY OF SPARKS CHARTER.

WHEREAS, Assembly Bill No. 630 of March 14, 1973, established a committee representing the City of Sparks consisting of nine members appointed by each city councilman, the mayor and each member of the assembly delegation representing residents of the City of Sparks, and

WHEREAS, pursuant to Assembly Bill No. 630 of March 14, 1973, a committee was formed and the said committee met twice each month for a period of more than one year, and

WHEREAS, the committee, pursuant to Assembly Bill No. 630, diligently prepared a report that has been submitted to the 58th Session of the Nevada Legislature and is now Senate Bill No. 338, and

WHEREAS, the City of Sparks' charter committee, in preparing the report, heard from members of the City of Sparks' staff, city councilmen of the City of Sparks, members of the public in numerous public hearings, Mr. Russell McDonald, a well-known expert on municipal affairs and present County Manager of Washoe County, Dr. Donald W. Driggs, Professor of Political Science and well-known expert in municipal governmental affairs, and Perry Burnett, Chief Counsel of the Legislative Counsel Bureau of the State of Nevada, and

WHEREAS, pursuant to Section 3 of Assembly Bill No. 630, questions approved by the City Council of the City of Sparks were placed on the ballot to enable the registered voters to express their opinion on the form of government under which the city should operate, and

WHEREAS, the City Council of the City of Sparks, by this resolution, wishes to approve the work of the City of Sparks' charter committee and encourage the Legislature of the State of Nevada to pass Senate Bill No. 338 as introduced without substantial amendment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sparks as follows:

1. The City of Sparks, by this resolution, approves the work of the City of Sparks' charter committee and thanks the members of the committee for their efforts during the past year and one-half.

2. The City of Sparks hereby encourages the 58th Session of the Legislature of the State of Nevada to adopt Senate Bill No. 338 without substantial amendment.

3. That a copy of this resolution be sent to the 58th Session of the Legislature of the State of Nevada and to the members of the legislative delegation representing voters of the City of Sparks.

PASSED AND ADOPTED this 24th day of March, 1975,
by the following vote of the City Council:

AYES: Steiner, Schultz, Foote

NAYS: Lemberes, Vernon

ABSENT: None

APPROVED this 24th day of March, 1975, by:



James C. Lillard
Mayor James C. Lillard

ATTEST:

Chloris Goodwin
City Clerk Chloris Goodwin

Suggested Amendment to Senate Bill No. 338

Sec. 1.060 - add

6. All elective officers except the Mayor and Councilmen shall receive a salary in an amount fixed annually by the City Council at the time for the preparing of the annual budget

7. At any time prior to January of 1979, the City Council may enact an ordinance, the provisions of which will become effective July 1, 1979, and by the terms of which the salaries of the Mayor and Councilmen shall be fixed for a four-year term, beginning July 1, 1979. Such ordinance shall not be amended so as to increase or decrease the salary of the Mayor or Councilmen during the four (4) year period. If the Council fails to enact such an ordinance during their term, the succeeding Council and Mayor shall receive the same salaries as those filling the preceding terms.

Sec. 1.150

2. Recommend to the City Council of the City of Sparks the amount of salary to be paid to the Mayor and Councilmen to be effective July 1, 1979, pursuant to paragraph 7 of Section 1.060.

Sec. 1.170 Salaries for Mayor and Councilmen.

From July 1, 1975, through July 1, 1979, the following salaries shall be paid.

1. To the Mayor per year, \$12,000.00.
2. To each Councilman per year, \$6,000.00.

ARTICLE X

Sec. 10.025. Any willful misconduct in office, or any willful violation of any of the provisions of this charter, or of the provisions of any ordinance, or any willful failure to comply therewith by any officer of the city, whether elective or appointive, shall be deemed malfeasance in office, and any person guilty thereof shall be proceeded against in the same manner as prescribed by the laws of the state, relative to proceedings and prosecutions against district, county and township officers, for misconduct in office, and any person found guilty shall forever after be disqualified to hold any office under said city government.

Sec. 3

July 1, 1975

SAMPLE

Nevada laws require payment of all fees in advance.
Make checks payable to Wm. D. Swackhamer, Secretary of State,
CARSON CITY, NEVADA 89701

Carson Investment Co.
103 S. Carson Street
Carson City, Nevada

UCC DIVISION

February 26, 1975 **TO THE STATE OF NEVADA DR.**

Form 16
361

To Fee: Uniform fee for certificate on Desert Palace, Inc. @ \$4.00	\$ 4.00
Additional fee of Secured Parties: 19 Secured parties @ \$.50 each	\$ 9.50
Total	\$13.50
Less \$4.00 Payment	-\$ 4.00
TOTAL AMOUNT STILL DUE	\$ 9.50

SAMPLE

Carson Investment Co.
 103 S. Carson Street
 Carson City, Nevada 89701

Nevada laws require payment of all fees in advance.
 Make checks payable to Wm. D. Swackhamer, Secretary of State,
 CARSON CITY, NEVADA 89701

UCC DIVISION

Form 16

361



February 26, 1975 **TO THE STATE OF NEVADA DR.**

To Fee: Uniform fee for certificate on Wagner, Roger W. @ \$4.00	\$4.00	
Additional fee of secured parties: 1 secured party @ \$.50 each	\$.50	
Total	\$4.50	
Less \$4.00 Payment	-\$4.00	
TOTAL AMOUNT STILL DUE	\$.50	

STATE OF NEVADA
DEPARTMENT OF STATE

(MRS.) BOBBIE HOWARD
CHIEF DEPUTY
RUSSEL W. BUTTON
DEPUTY



605

CARSON CITY, NEVADA 89701

February 28, 1975

M E M O R A N D U M

TO: RUSSEL W. BUTTON, DEPUTY

FROM: CAROL B. SENNEFF

SUBJECT: SENATE BILL NO. 239

The first change as proposed in Senate Bill No. 239 would cause innumerable problems to the Uniform Commercial Code Division of the Secretary of State's Office.

The Bill should be amended changing the uniform fee for each UCC-3 Certificate to a flat \$5.00. The flat UCC-3 or search fee is collectible before the search is done. If there were additional charges of 50 cents for each name of secured party, they would have to be collected by billing. Since the majority of the UCC-3s processed list either one secured party or no documents on file, the time, labor, etc. involved in billing would not pay. Billing also presents the problem of collection. We now have to rebill several times to collect the money owed us for the copies we make. We would have the responsibility also of collection for the information requests.

Another matter for consideration is that people can understand a flat fee or dollar figure. They may, however, be very confused by additional charges for secured party, assignee, assignment, transfer or duals. It will require even more time, labor, etc. trying to make all the "ifs" clear.

The Division can expect strong opposition from people and private industry now required to pay \$10, \$20, \$30 or more where only months ago they paid \$3.00 for a UCC-3.

XXXX

INFORMATION REQUEST. Filing officer please furnish certificate showing whether there is on file any presently effective financing statement naming the Debtor as set forth below and any statement of assignment of such statement and the names and addresses of each secured party named therein.

DEBTOR (LAST NAME FIRST) NEVADA ROCK & SAND CO., INC. 10 REG. SEC. OR FED. TAX NO.

MAILING ADDRESS P. O. Box 2775 ID. CITY, STATE Las Vegas, Nevada 12. ZIP CODE 606

Date 19 Signature of Requesting Party By Phone

CERTIFICATE:

Table with columns: FILE NUMBER, DATE AND HOUR OF FILING, NAME(S) AND ADDRESS(ES) OF SECURED PARTY (IES) AND ASSIGNEE(S), IF ANY. Content: See Attached List:

The undersigned filing officer hereby certifies that the above listing is a record of all presently effective financing statements and statements of assignment which name the above debtor and which are on file in my office as of 12-3 19 74 at 4:00 P. M.

WM. D. SWACKHAMER, Sec. of State (FILING OFFICER)

December 3 19 74 (DATE)

By: [Signature] Deputy

XX

COPY REQUEST. Filing officer please furnish 1 copy(ies) of each page of the following statements concerning the debtors listed below: [] Financing Statement [] Amendments [] Statements of Assignment [] Continuation Statements [] Statement of Release [] Termination Statement [] All Statements on file.

Table with columns: FILE NUMBER, DATE OF FILING, NAME(S) AND MAILING ADDRESS(ES) OF DEBTOR(S), DEBTORS SOC. SEC. OR FED. TAX NO. Content: COPIES OF ATTACHED LIST.

Date 19 Signature of Requesting Party

CERTIFICATE:

The undersigned filing officer hereby certifies that the attached copies are true and exact copies of all statements requested above.

Dec. 9 19 74 (DATE)

WM. D. SWACKHAMER, Sec. of State (FILING OFFICER)

By: [Signature] Deputy

Mail Information or Copies To

Scott Rouse 361 S. Robertson Blvd. Beverly Hills, California 90211

Fee: For information \$3.00 flat fee, regardless of number of documents reported. For copies, \$1.00 for first page & .50% for each page thereafter.

NEVADA ROCK & SAND, INC.

69 03315 .12-12-69 10:40 A.M. Earl Investment Corporation, P. O. Box
6789, Los Angeles, California 90022.

70 01145 4-22-70 1:29 P.M. Cashman Equipment Company, P. O. Box
4217, Las Vegas, Nevada 89106.

70 01676 6-8-70 2:29 P.M. Wheeler Machinery Company, 330 West
2100 South, Salt Lake City, Utah.

70 03381 11-20-70 11:39 A.M. Wheeler Machinery Company, 330 West
2100 South, Salt Lake City, Utah.
Assignment: 8-17-73 3:01 P.M. - Northwest Acceptance Corp.,
#215, 1660 So. Albion Street, Denver, Colorado.

71 00545 2-19-71 10:59 A.M. Wheeler Machinery Company, 330 West
2100 South, Salt Lake City, Utah.

71 00611 2-25-71 10:50 A.M. Rowan Williams, 445 Kayenta Circle,
Cedar City, Utah.
Assignee: C.I.T. Corporation, 3800 North Central Avenue,
Phoenix, Arizona 85012.

71 01407 4-26-71 11:06 A.M. Wheeler Machinery Company, 330 West
2100 South, Salt Lake City, Utah.

04011 11-22-71 11:12 AM

Nevada State Bank, P.O. Box 990
Las Vegas, Nevada 89101

72 00001 1-3-72 11:32 AM

Nevada State Bank, P.O. Box 990
Las Vegas, Nevada 89101

72 02223 6-22-72 11:16 AM

Valley Bank of Nevada, P.O. Box 1780
Las Vegas, Nevada 89101

72 02537 7-13-72 10:54 AM

ICM Div. of Wheeler Machinery co.
330 West 2100 South, Salt Lake City,
Utah

72 02539 7-13-72 10:54 AM

ICM Div. of Wheeler Machinery Co.
330 West 2100 South, Salt Lake City,
Utah

assignment 7-5-73 1:56 PM

Northwest Acceptance Corporation, #21
1660 Albion Street, Denver, Colorado.

72 02812 8-3-72 10:27 AM

Valley Bank of Nevada, P.O. Box 15427
Las Vegas, Nevada 89114

72 04596 12-19-72 2:04 P.M. Wheeler Machinery Company, 330 West
2100 South, Salt Lake City, Utah.
Assignment: 8-20-73 1:52 P.M. Northwest Acceptance Corp.,
215, 1660 S. Albion St., Denver, Colorado 80222.

72 04597 12-19-72 2:04 P.M. Wheeler Machinery Company, 330 West
Assignment: 8-17-73 3:01 P.M. 2100 South, Salt Lake City, Utah.

73 00037 1-4-73 1:45 P.M. Nevada State Bank, P. O. Box 990,
Las Vegas, Nevada 89101.

73 00038 1-4-73 1:45 P.M. Nevada State Bank, P. O. Box 990,
Las Vegas, Nevada 89101.

73 01191 3-30-73 10:46 A.M. Valley Bank of Nevada, P. O. Box 15427,
Las Vegas, Nevada 89114.

73 01478 4-19-73 10:54 A.M. Valley Bank of Nevada, P. O. Box 15427,
Las Vegas, Nevada 89114.

73 02346 6-15-73 10:14 A.M. Zions Motors Incorporated
4646 South State Street, Murray, Utah.
Assignee: Northwest Acceptance Corporation, #215, 1660 South
Albion Street, Denver, Colorado 80222.

73 02631 7-5-73 12:19 P.M. Northwest Acceptance Corporation, #215
1660 South Albion, Denver, Colorado.

73 02632 7-5-73 12:19 P.M. Northwest Acceptance Corporation, #215
1660 South Albion, Denver, Colorado.

73 02949 7-30-73 11:18 A.M. Stansteel Corporation, 5001 South Boyle
Avenue, Los Angeles, Calif. 90058.

73 03290 8-20-73 11:05 A.M. Northwest Acceptance Corporation, #215,
1660 South Albion, Denver, Colorado.

73 03291 8-20-73 11:05 A.M. Northwest Acceptance Corporation, #215,
1660 South Albion, Denver, Colorado.

73 03292 8-20-73 11:06 A.M. Northwest Acceptance Corporation, #215,
1660 So. Albion St., Denver, Colorado.

73 03295 8-20-73 11:07 A.M. Northwest Acceptance Corporation, #215,
1660 South Albion, Denver, Colorado.

73 03852 9-26-73 10:47 A.M. Northwest Acceptance Corporation, #215,
1660 South Albion Street, Denver, Colorado
Partial Release 11-6-74 4:41 PM

73 03853 9-26-73 10:47 A.M. Northwest Acceptance Corporation, #215,
1660 South Albion Street, Denver, Colorado
Partial Release 11-6-74 4:42 AM

73 03854 9-26-73 10:47 A.M. Northwest Acceptance Corporation, #215,
1660 South Albion Street, Denver, Colorado
Partial release 11-6-74 4:42 PM

73 03874 9-27-73 9:21 A.M. Northwest Acceptance Corporation, #215,
1660 South Albion, Denver, Colorado.
Partial Release 11-6-74 4:42 PM

73 04184 10-18-73 9:24 A.M. Standard Havens, Inc., 7219 East 17th
Street, Kansas, Missouri.
Assignee: Northwest Acceptance Corp., #215, 1660 South Albion,
Denver, Colorado.

Assignment: 11-27-73 10:50 A.M. New Secured Party -
Northwest Acceptance Corporation, 1660 South Albion
#215, Denver, Colorado 80222. New Assignee: -
Credit Alliance, 5801 Christie Avenue, #655,
Emeryville, California 94608.

Amendment: 11-14-74 2:32 P.M.

73 04451 11-7-73 12:20 P.M. Standard Havens, Inc., 7219 East 17th
Street, Kansas City, Missouri 64126.
Assignee: Credit Alliance Corporation, 5801 Christie Avenue
#655, Emeryville, California 94608.

Amendment 5-29-74 9:24 AM

73 04583 11-16-73 11:35 A.M. Herbert P. Caplan, Roslyn E. Kauffman,
Harry Sperber dba U.S. Machinery Co.,
2330 Auburn Blvd., Sacramento,
California 95821.
Assignee: Credit Alliance Corporation, 5801 Christie Avenue,
#655, Emeryville, California 94608.

73 04584 11-16-73 11:35 A.M. Russell S. Job Concrete Contractor
Inc., 3029 Contract Avenue, Las Vegas,
Nevada 89101.
Assignee: Credit Alliance Corporation, 5801 Christie Avenue,
#655, Emeryville, California 94608.
continuation 6-11-74 11:14 AM

73 04880 12-12-73 10:45 AM Nevada State Bank, P.O. Box 990
Las Vegas, Nevada 89101

74 00965 3-20-74 8:52 AM Harris Truck & Equipment Co., 425 West
Main, Tremonton, Utah
assignee: First Security Bank of Utah
P.O. Box 400, Brigham City, Utah

74 02806 7-18-74 9:25 AM Nevada State Bank, P.O. Box 990
Las Vegas, Nevada 89101

74 03276 8-23-74 10:28 AM Cashman Equipment Company
P.O. Box 4217, Las Vegas, Nevada
assignee: Bank of Nevada, Third & Bridger
Las Vegas, Nevada 89101

74 04180 11-6-74 5:11 PM Max Rouse & Sons, 361 S. Robertson Blv
Beverly Hills, California

74 04331

11-20-74 10:53 A.M.

Northwest Acceptance Corporation, #215,
1660 South Albion Street, Denver,
Colorado 80222.

74 04359

11-22-74 8:26 A.M.

Valley Bank of Nevada, P. O. Box 15427,
Las Vegas, Nevada 89114.

COUNTY OF CLARK
OFFICE OF THE JUSTICE OF THE PEACE
COUNTY COURTHOUSE
Las Vegas, Nevada 89101

Justice of the Peace
B. MAHLON BROWN III
ROBERT G. LEGAKES

Telephone
386-4011
Ext. 435
Ext. 436

TO: NEVADA STATE LEGISLATORS

FROM: B. MAHLON BROWN III and ROBERT G. LEGAKES
Justices of the Peace


DATE: March 25, 1975

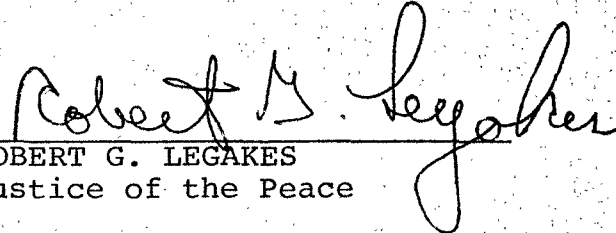
SUBJECT: ADDITIONAL JUSTICES OF THE PEACE
FOR LAS VEGAS TOWNSHIP

Attached are statistics and charts showing the work-load and schedule of the Justices of the Peace in Las Vegas Township. With these exhibits we intend to make you aware of the present conditions of our Court.

At this time we are ten (10) months behind in the scheduling of Preliminary Hearings and that gap is increasing weekly; likewise, all other proceedings are taking more time due to the increase in arrests by a constantly growing and efficient police department.

We urge that you consider the proposal for two more Justices of the Peace and hope you will feel free to consult us about this information and any other data you may require.


B. MAHLON BROWN III
Justice of the Peace


ROBERT G. LEGAKES
Justice of the Peace

BMB/RGL:ch

Attachments (4)

S. B. 338

SENATE BILL NO. 338—SENATOR FOOTE

MARCH 14, 1975

Referred to Committee on Government Affairs

SUMMARY—Enacts new Sparks city charter. Fiscal Note: No. (BDR S-1123)

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

AN ACT incorporating the City of Sparks in Washoe County, Nevada, under a new charter; defining the boundaries thereof; 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. The charter of the City of Sparks is as follows. Each
2 section of the charter shall be deemed to be a section of this act for the
3 purpose of any subsequent amendment.
4

ARTICLE I

Incorporation of City; General Powers; Boundaries;
5 Wards and Annexations; City Offices

6 Section 1.010 Preamble: Legislative intent.

7
8
9
10
11
12 1. In order to provide for the orderly government of the City of
13 Sparks and the general welfare of its citizens the legislature hereby estab-
14 lishes this charter for the government of the City of Sparks. It is expressly
15 declared as the intent of the legislature that all provisions of this charter
16 be liberally construed to carry out the express purposes of the charter
17 and that the specific mention of particular powers shall not be construed
18 as limiting in any way the general powers necessary to carry out the
19 purposes of the charter.

20 2. Any powers expressly granted by this charter are in addition to
21 any powers granted to a city by the general law of this state. All pro-
22 visions of Nevada Revised Statutes which are applicable generally to
23 cities (not including, unless otherwise expressly mentioned in this charter,
24 chapters 265, 266 or 267 of NRS) which are not in conflict with the
25 provisions of this charter apply to the City of Sparks.

26 3. The city may have and use a common seal and may change the
27 same at pleasure.

1 Sec. 1.020 Incorporation of city.

2 1. All persons who are inhabitants of that portion of the State of
3 Nevada embraced within the limits set forth in section 1.030 shall con-
4 stitute a political and corporate body by the name of "City of Sparks"
5 and by that name they and their successors shall be known in law, have
6 perpetual succession and may sue and be sued in all courts.

7 2. Whenever used throughout this charter, "city" means the City of
8 Sparks.

9 Sec. 1.030 Description of territory. The territory embraced in the
10 city is that certain land described in the official plat required by NRS
11 234.250 to be filed with the county recorder and the county assessor of
12 Washoe County, as such plat is revised from time to time.

13 Sec. 1.040 Wards: Creation; boundaries. The city shall be divided
14 into five wards each of which shall be as nearly equal in registered voters
15 as can be conveniently provided, and the territory comprising each ward
16 shall be contiguous. In December of the year preceding a general municip-
17 al election the Washoe County registrar of voters shall establish new
18 boundaries for each ward if the number of electors registered at the time
19 of the last preceding general election in any ward exceeds the number
20 of electors registered in any other ward by more than 5 percent.

21 Sec. 1.050 Annexations. The city may annex territory by following
22 the procedure provided for the annexation of cities in those sections of
23 chapter 268 of NRS, as amended from time to time, which apply to
24 counties having a population of less than 200,000.

25 Sec. 1.060 Elective officers: Qualifications; salaries; terms of office.

26 1. The elective officers of the city consist of:

- 27 (a) A mayor.
28 (b) Five councilmen.
29 (c) A city clerk.
30 (d) A city attorney.
31 (e) A municipal judge.

32 2. All elective officers of the city, except the city attorney, shall be:

33 (a) Bona fide residents of the city for at least 3 years immediately
34 prior to their election.

35 (b) Registered voters within the city.

36 (c) At least 25 years of age.

37 3. No person shall be elected or appointed to the office of council-
38 man who was not an actual bona fide resident of the ward to be repre-
39 sented by him for a period of 6 months prior to the time designated as
40 the last day of filing for such office, or, in the case of appointment, 6
41 months prior to the day the office became vacant.

42 4. The city attorney shall be a registered voter and a duly licensed
43 member of the State Bar of Nevada.

44 5. All elective officers shall:

- 45 (a) Reside within the city during their terms of office;
46 (b) Be voted upon at a general municipal election by the registered
47 voters of the city at large; and
48 (c) Serve for terms of 4 years.

1 Sec. 1.070 Elective offices; vacancies.

2 1. A vacancy in the city council, office of the city clerk, city attorney
3 or municipal judge shall be filled by appointment of the mayor, subject
4 to confirmation by the city council, or by the remaining members of the
5 city council in case of vacancy in such council, within 30 days after the
6 occurrence of such vacancy. If the majority of the council is unable or
7 refuses for any reason to confirm any appointment made by the mayor
8 within 30 days after the vacancy occurred, the city council shall present
9 to the mayor the names of two qualified persons to fill the vacancy in
10 the council. The mayor shall within 15 days after such presentation select
11 one of the two qualified persons as councilman. The appointee shall
12 have the same qualifications required of the elected official.

13 2. A vacancy in the office of the mayor shall be filled by the mayor
14 pro tempore. The resulting vacancy in the city council shall be filled as
15 provided in subsection 1.

16 3. The appointee or mayor pro tempore, in case of a vacancy in the
17 office of mayor, shall serve the balance of the term of office to which he
18 is appointed and until his successor is duly elected and qualified.

19 Sec. 1.080 Appointive offices and officers.

20 1. The mayor of the city shall appoint a city manager, subject to
21 confirmation by the city council.

22 2. The city council may establish such other appointive offices as it
23 may deem necessary for the operation of the city.

24 3. Appointment of such officers shall be made by the city manager,
25 subject to ratification of the city council.

26 Sec. 1.090 Appointive officers: Miscellaneous provisions.

27 1. All appointive officers shall perform such duties as may be directed
28 by the city manager and such other duties as may be designated by ordi-
29 nance.

30 2. The city council may require from all officers and employees of
31 the city constituted or appointed under this charter, sufficient security
32 for the faithful and honest performance of their respective duties, and the
33 cost of such bond shall be paid by the city.

34 3. A person appointed by the city manager to any office may be
35 removed from office for cause by the city manager. The officer so removed
36 shall have the right of appeal to the mayor and city council and may
37 demand written charges to be made and a hearing before the city council
38 prior to the date his final removal is to take place. The decision and
39 action of the city council upon such hearing is final.

40 Sec. 1.100 Mayor and councilmen not to hold other office.

41 1. The mayor and councilmen shall not:

42 (a) Hold any other elective office with the State of Nevada, Washoe
43 County, the City of Sparks or any other city, except as provided by law
44 or as a member of a board or commission for which no compensation is
45 received.

46 (b) Be elected or appointed to any office created by or the compensa-
47 tion for which was increased or fixed by the city council until 1 year
48 after the expiration of the term for which such person was elected.

49 2. Any person holding any office proscribed by subsection 1 shall
50 automatically forfeit his office as mayor or councilman.

1 Sec. 1.110 Oath of office. Every person elected or appointed under
2 the provisions of sections 1.060 to 1.080, inclusive, shall subscribe to the
3 official oath as provided by the city council. Every such person shall
4 swear and affirm that he is not under any direct or indirect obligation to
5 vote for, appoint or elect any person to any office, position or employ-
6 ment in the city government.

7 Sec. 1.120 Personal financial interest prohibition.

8 1. Any city officer or employee who has a substantial financial inter-
9 est, direct or indirect:

10 (a) By reason of ownership of stock in any corporation;

11 (b) In any contract with the city;

12 (c) In the sale of any land, material, supplies or services to the city; or

13 (d) With a contractor supplying the city;

14 shall make known that interest and shall refrain from voting upon or other-
15 wise participating in his capacity as a city officer or employee in the mak-
16 ing of such sale or in the making or performance of such contract.

17 2. Any city officer or employee who willfully conceals such a substan-
18 tial financial interest or willfully violates the requirements of this section is
19 guilty of malfeasance in office or position and shall forfeit the office or
20 position.

21 3. Any knowledge, express or implied, of the person or corporation
22 contracting with or making a sale to the city in violation of this section
23 shall make the contract or sale voidable by the city manager or the city
24 council.

25 Sec. 1.130 Certain activities prohibited.

26 1. A person shall not be appointed to or removed from, or in any
27 way favored or discriminated against with respect to any city position or
28 appointive city administrative office because of race, sex, religious creed,
29 color, national origin, ancestry or political affiliations.

30 2. A person shall not willfully make any false statement, certificate,
31 mark, rating or report in regard to any test, certification or appointment
32 under the personnel provisions of this charter or the rules and regulations
33 made thereunder, or in any manner commit or attempt to commit any
34 fraud to prevent the impartial execution of such provisions, rules and reg-
35 ulations.

36 3. A person who seeks appointment or promotion with respect to any
37 city position or appointive city administrative office shall not directly or
38 indirectly give, render or pay any money, service or other valuable thing
39 to any person for or in connection with his test, appointment, proposed
40 appointment, promotion or proposed promotion.

41 4. A person shall not orally, in writing or otherwise solicit or assist
42 in soliciting any assessment, subscription or contribution for any political
43 party or political purpose whatever from any person holding any com-
44 pensated appointive city position.

45 5. A person who holds any compensated appointive city position
46 shall not make, solicit or receive any contribution of campaign funds of
47 any political party or any candidate for public office or take any part in
48 the management, affairs or political campaign of any political party, but
49 he may exercise his rights as a citizen to express his opinions and to cast
50 his vote.

1 6. Any person who by himself or with others willfully violates any
 2 of the provisions of subsections 1 to 4, inclusive, is subject to the juris-
 3 diction of the Justice Court of the Township of Sparks and is guilty of a
 4 misdemeanor, punishable by a fine of not more than \$500 or by imprison-
 5 ment for not more than 6 months, or both.

6 7. Any person who, by himself or with others, willfully violates any
 7 of the provisions of subsection 5 is guilty of an offense punishable by a
 8 fine of not more than \$100.

9 8. Any person who violates any of the provisions of this section shall
 10 be ineligible to hold any city office or position for a period of 5 years
 11 and if he is an officer or employee of the city, shall immediately forfeit
 12 his office or position.

13 Sec. 1.140 Charter committee: Appointment; terms; qualifications.

14 1. The charter committee shall consist of 11 members, appointed as
 15 follows:

16 (a) One by each councilman.

17 (b) Two by the mayor.

18 (c) One by each member of the senate and assembly delegation rep-
 19 resenting the residents of the city.

20 2. Each members shall:

21 (a) Serve during the term of his appointer.

22 (b) Be a registered voter of the city; and

23 (c) Reside in the city during his term of office.

24 Sec. 1.150 Charter committee duties.

25 The charter committee shall:

26 1. Prepare recommendations to be presented to the legislature con-
 27 cerning all necessary amendments to the city charter.

28 2. Recommend to the legislature the amount of salary to be paid to
 29 the mayor and to the councilmen.

30 3. Perform all functions and do all things necessary to accomplish
 31 the purposes for which it is established, including but not limited to
 32 holding meetings and public hearings, and obtaining assistance from
 33 city officials.

34 Sec. 1.160 Charter committee members: Removal; grounds.

35 1. Any member who misses three successive regular meetings may be
 36 removed by a majority vote of the remaining members of the committee.

37 2. Any member of the committee may be removed for any cause by
 38 an eight-eleventh vote of the committee.

39 3. In case of removal, a replacement shall be appointed by the officer
 40 who appointed the removed member.

41 Sec. 1.170 Salaries for mayor and councilmen.

42 Beginning July 1, 1975, and for each successive term of office, the fol-
 43 lowing salaries shall be paid:

44 1. To the mayor, per year..... \$12,000

45 2. To each councilman, per year..... 6,000

ARTICLE II

Legislative Department

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Sec. 2.010 City council. The legislative power of the city is vested in a city council consisting of five councilmen.

Sec. 2.020 City council: Discipline of members, other persons; subpena power.

1. The city council may:
(a) Provide for the punishment of any member for disorderly conduct committed in its presence.

(b) Subpena any witness to appear and testify and subpena any evidence in the possession of any person relating to any business before the city council.

2. Any subpena issued by the city council shall be signed by the city clerk, served in the same manner as a subpena issued by the district court, and shall contain a notice that failure to obey the subpena may subject the person subpoenaed to prosecution for a misdemeanor or may result in his being in contempt of the district court.

3. If any person subpoenaed to appear before the city council fails to obey such subpena:

(a) He may be prosecuted in the municipal court for a misdemeanor.

(b) The city council may apply to the district court and the district court may issue an order to show cause why such person should not be held in contempt of court and upon hearing of the matter may adjudge such person guilty of contempt and punish him accordingly.

Sec. 2.030 Meetings: Regular; special; quorum.

1. The city council shall hold regular meetings on the second and fourth Mondays of each month at a time and place convenient to the council and the public. If a second or fourth Monday of a month falls on a national holiday, or other holiday designated as such by the governor, the council may, at the meeting which immediately precedes the regular meeting, provide for another regular meeting time on a day as soon after the regular meeting day as is practicable.

2. Special meetings may be held on a call of the mayor or by a majority of the council. Notice of a special meeting shall be given to each councilman, the mayor, city clerk and city attorney by personal service at least 24-hours prior to the time set for the meeting. If personal service cannot be made because of absence of any official from his usual residence, notice shall be served by mailing the notice by certified mail at least 60 hours prior to the time set for the special meeting. Such notice is not required if the mayor has declared an emergency.

3. At a special meeting, unless consented to by the entire city council:

(a) No contract involving the expenditure of money may be made, or claim allowed, unless notice of the meeting called to consider such action is published in a newspaper of general circulation within the city at least 1 day before such meeting.

(b) No ordinance may be passed except an emergency ordinance.

1 (c) No business may be transacted unless it was stated in the call
2 of the meeting.

3 4. A majority of all members of the city council constitutes a quorum
4 to do business, but a lesser number may meet and recess from time to
5 time, and compel the attendance of the absent members.

6 5. Except as otherwise provided by law, all sessions and all pro-
7 ceedings of the city council shall be public.

8 Sec. 2.040 Rules. The city council may adopt rules for the govern-
9 ment of its members and proceedings.

10 Sec. 2.050 Oaths and affirmations. The mayor and the city clerk
11 may administer oaths and affirmations relating to any business pertaining
12 to the city before the city council or to be considered by the city council.

13 Sec. 2.060 Powers of city council: Ordinances, resolutions and orders.

14 1. The city council may make and pass all ordinances, resolutions
15 and orders not repugnant to the Constitution of the United States or the
16 State of Nevada, or to the provisions of Nevada Revised Statutes or of
17 this charter, necessary for the municipal government and the management
18 of the affairs of the city, and for the execution of all the powers vested in
19 the city.

20 2. When power is conferred upon the city council to do and perform
21 something, and the manner of exercising such power is not specifically
22 provided for, the city council may provide by ordinance the manner and
23 details necessary for the full exercise of such power.

24 3. The city council may enforce ordinances by providing penalties not
25 to exceed those established by the legislature for misdemeanors.

26 4. The city council shall have such powers, not in conflict with the
27 express or implied provisions of this charter, as are conferred upon the
28 governing bodies of cities by Nevada Revised Statutes.

29 5. The city council shall annually adopt a budget pursuant to the
30 Local Government Budget Act.

31 Sec. 2.070 Ordinances: Passage by bill; amendments; subject matter;
32 title requirements.

33 1. An ordinance shall not be passed except by bill and by a majority
34 vote of the whole city council. The style of all ordinances shall be as fol-
35 lows: "The City Council of the City of Sparks does ordain:".

36 2. A bill shall not contain more than one subject, which shall be
37 briefly indicated in the title. Where the subject of the ordinance is not so
38 expressed in the title, the bill is void as to the matter not expressed in the
39 title.

40 3. Any bill which amends an existing ordinance shall set out in full
41 the ordinance or sections thereof to be amended, and shall indicate matter
42 to be omitted by enclosing it in brackets and shall indicate new matter by
43 underscoring or by italics.

44 Sec. 2.080 Ordinances: Enactment procedure; emergency ordinances.

45 1. When first proposed, all bills shall be read to the city council by
46 title and referred to a committee for consideration, after which an ade-
47 quate number of copies of the proposed bill shall be filed with the city
48 clerk for public inspection. Except as otherwise provided in subsection 3,

1 notice of such filing shall be published once in a newspaper qualified pur-
2 suant to the provisions of chapter 238 of NRS, as amended from time to
3 time, and published at least 1 week prior to the adoption of the ordinance.

4 2. At the next regular meeting or adjourned meeting of the city
5 council following the proposal of a bill and its reference to committee,
6 such committee shall report such bill back to the city council. Thereafter,
7 it shall be read as first introduced, or as amended, and thereupon the
8 bill shall be finally voted upon or action thereon postponed.

9 3. In cases of emergency or where the bill is of a kind specified in
10 section 7.030, by unanimous consent of the whole city council, final
11 action may be taken immediately or at a special meeting called for that
12 purpose, and no notice of the filing of the copies of the proposed bill
13 with the city clerk need be published.

14 4. All ordinances shall be signed by the mayor, attested by the city
15 clerk, and shall be published by title, together with the names of the
16 councilmen voting for or against passage, in a newspaper qualified pur-
17 suant to the provisions of chapter 238 of NRS, as amended from time to
18 time, and published for at one publication, before the ordinance shall
19 become effective. The city council may, by majority vote, order the pub-
20 lication of the ordinance in full in lieu of publication by title only.

21 5. The city clerk shall maintain a record of all ordinances together
22 with the affidavits of publication by the publisher.

23 Sec. 2.090 Powers of city council: General areas.

24 The city council may exercise any power specifically granted in this
25 charter or by any of the provisions of Nevada Revised Statutes not in
26 conflict with this charter, in order to:

27 1. License all businesses, trades and professions for purposes of
28 regulation and revenue.

29 2. Enact and enforce police ordinances.

30 3. Provide for the protection of persons and property from fire.

31 4. Regulate the construction and maintenance of any building or
32 other structure within the city.

33 5. Provide for safeguarding of public health in the city.

34 6. Zone and plan the city, including the regulation of subdivision of
35 land, as prescribed by chapter 278 of NRS.

36 7. Acquire, control, lease, dedicate, sell and convey rights-of-way,
37 parks and other real property.

38 8. Regulate automobile traffic and parking of automobiles.

39 9. Establish and maintain a sanitary sewer system.

40 10. Condemn property within the territorial limits of the city, as well
41 as property outside the territorial limits of the city, in the manner pre-
42 scribed by chapter 37 of NRS.

43 11. Regulate, prohibit or suppress all businesses selling alcoholic
44 liquors at wholesale or retail.

45 12. Regulate, prescribe the location for, prohibit or suppress gaming
46 of all kinds.

47 Sec. 2.100 Powers of city council: Railroads. The city council
48 may:

- 1 1. License, regulate or prohibit the location, construction or laying of
- 2 tracks of any railroad or streetcar in any public right-of-way.
- 3 2. Grant franchises to any person or corporation to operate a rail-
- 4 road or streetcar upon public rights-of-way and adjacent property.
- 5 3. Declare a nuisance and require the removal of the tracks of any
- 6 railroad or streetcar in any public right-of-way.
- 7 4. Condemn rights-of-way for any purpose across any railroad right-
- 8 of-way.
- 9 5. Prescribe the length of time any public right-of-way may be
- 10 obstructed by trains standing thereon.
- 11 6. Require railroad companies to fence their tracks and to construct
- 12 cattle guards and crossings and to keep them in repair.
- 13 Sec. 2.110 Powers of the city council: Provisions for utilities. The
- 14 city council may:
 - 15 1. Provide by contract, franchise or public enterprise, for any utility
 - 16 to be furnished to the city for the residents thereof.
 - 17 2. Provide for the construction of any facility necessary for the pro-
 - 18 visions of such utility.
 - 19 3. Fix the rate to be paid for any utility provided by public enterprise.
 - 20 Any charges due for services, facilities or commodities furnished by any
 - 21 utility owned by the city is a lien upon the property to which the service
 - 22 is rendered and shall be performed by filing with the county recorder a
 - 23 statement by the city clerk of the amount due and unpaid and describing
 - 24 the property subject to the lien. Each such lien shall:
 - 25 (a) Be coequal with the latest lien thereon to secure the payment of
 - 26 general taxes.
 - 27 (b) Not be subject to extinguishment by the sale of any property on
 - 28 account of the nonpayment of general taxes.
 - 29 (c) Be prior and superior to all liens, claims, encumbrances and titles
 - 30 other than the liens of assessments and general taxes.
 - 31 Sec. 2.120 Powers of city council: Nuisances. The city council may:
 - 32 1. Determine by ordinance what shall be deemed nuisances.
 - 33 2. Provide for the abatement, prevention and removal of such nui-
 - 34 sances at the expense of the person creating, causing or committing such
 - 35 nuisances.
 - 36 3. Provide that such expense of removal shall be a lien upon the
 - 37 property upon which the nuisance is located. Such lien shall:
 - 38 (a) Be perfected by filing with the county recorder a statement by the
 - 39 city clerk of the amount of expenses due and unpaid and describing
 - 40 the property subject to the lien.
 - 41 (b) Be coequal with the latest lien thereon to secure the payment of
 - 42 general taxes.
 - 43 (c) Not be subject to extinguishment by the sale of any property on
 - 44 account of the nonpayment of general taxes.
 - 45 (d) Be prior and superior to all liens, claims, encumbrances and titles
 - 46 other than the liens of assessments and general taxes.
 - 47 4. Provide any other penalty or punishment of persons responsible
 - 48 for such nuisances.

ARTICLE III

Executive Department

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Sec. 3.010 Mayor: Duties; mayor pro tempore.

1. The mayor shall:

- (a) Preside over the meetings of the city council and he may vote only in case of a tie. The mayor may not vote on any proposed ordinance.
- (b) Be recognized as the head of the city government for all purposes.
- (c) Perform such emergency duties as may be necessary for the general health, welfare and safety of the city.
- (d) Perform such other duties as may be prescribed by ordinance or by the provisions of Nevada Revised Statutes which apply to a mayor.

2. The mayor may exercise the right of veto upon all matters passed by the city council provided he give notice in writing to the city clerk within 10 days of the action taken by the city council. Such vetoes may be overturned only by a vote of at least four-fifths of the city council. An action requiring the expenditure of money is not effective without the approval of the mayor, unless he does not disapprove such action within 10 days after it is taken by the city council, or the city council by a four-fifths majority has approved or approves such expenditure at a regular meeting.

3. The city council shall elect one of its members to be mayor pro tempore. Such person shall:

- (a) Hold such office and title during the term for which he was elected without additional compensation, except as provided in paragraph (c).
- (b) Perform the duties of mayor during the absence or disability of the mayor.
- (c) Act as mayor until the next municipal election if the office of mayor becomes vacant and shall draw the salary of mayor. His salary and position as councilman shall cease.

Sec. 3.020 City manager: Duties.

The city manager shall be responsible to the council for the efficient administration of all the affairs of the city. He shall:

- 1. Exercise a careful supervision of the city's general affairs.
- 2. See that all laws and ordinances are duly enforced, and he is hereby declared to be beneficially interested in their enforcement and may sue in the proper court to enforce them.
- 3. Exercise control over all departments, divisions and bureaus of the city government and over all the appointive officers and employees thereof.
- 4. Attend all regular meetings of the council and its committees, except when the council is considering his removal, with the right to take part in discussions, but without power to vote. He shall receive notice of all special meetings.
- 5. Recommend to the council the adoption of such measures and bills as he may deem necessary or expedient.
- 6. Make investigations into:
 - (a) The affairs of the city;
 - (b) Any department or division thereof;

- 1 (c) Any contract; or
 2 (d) The proper performance of any obligation owed to the city.
 3 7. Prepare and submit to the council the annual budget.
 4 8. Keep the council fully advised as to the financial condition and
 5 needs of the city.
 6 9. Submit to the council, at least once each month, a summary of all
 7 claims and bills approved for payment by him.
 8 10. Devote his entire time to the duties and interests of the city.
 9 11. Perform such other duties as may be prescribed by this charter or
 10 be required by ordinance or resolution of the council.
 11 Sec. 3.030 City manager: Removal.
 12 The city manager may be removed by the mayor and a three-fifths
 13 majority vote of the city council or by a four-fifths majority vote of the
 14 city council without the vote of the mayor.
 15 Sec. 3.040 City clerk: Duties; deputies.
 16 1. The city clerk shall:
 17 (a) Keep the corporate seal and all books and papers belonging to the
 18 city.
 19 (b) Attend all regular, special and emergency meetings of the city
 20 council, and may attend all executive sessions concerning public officers
 21 as provided in chapter 241 of the Nevada Revised Statutes.
 22 (c) Keep an accurate journal of all regular, special and emergency
 23 meetings of the city council, including a record of all ordinances, bylaws
 24 and resolutions passed or adopted by it.
 25 (d) Attest the journal after approval at each meeting of the city council
 26 and after it has been signed by the mayor.
 27 (e) Enter the result of the vote of the city council upon all official busi-
 28 ness in the journal.
 29 (f) Perform such other duties as may be designated by ordinance.
 30 2. The city clerk may appoint deputies as may be necessary subject to
 31 the approval of the city council.
 32 Sec. 3.050 City attorney: Duties; deputies.
 33 1. The city attorney shall:
 34 (a) Be the legal officer of the city.
 35 (b) Perform such duties as may be designated by ordinance.
 36 (c) Attend all regular, special and emergency meetings of the city
 37 council, and may attend executive sessions concerning public officers as
 38 provided in chapter 241 of the Nevada Revised Statutes.
 39 2. The city attorney may appoint such deputies as may be necessary
 40 subject to the approval of the city council.
 41 Sec. 3.060 County assessor to be ex officio city assessor: Duties.
 42 1. The county assessor of Washoe County shall be ex officio city
 43 assessor of the city and shall perform such duties for the city without addi-
 44 tional compensation.
 45 2. Upon request of the ex officio city assessor, the city council may
 46 appoint and set the salary of a deputy city assessor to perform such duties
 47 relative to city assessments as may be deemed necessary.
 48 Sec. 3.070 County treasurer to be ex officio city tax collector: Duties.
 49 1. The county treasurer of Washoe County shall be ex officio tax

1 collector of the city and shall perform such duties for the city without
2 additional compensation.

3 2. The county treasurer shall also be the ex officio assessment collec-
4 tor of the city and shall perform such duties for the city without addi-
5 tional compensation.

6 Sec. 3.080 City officers: Duties may be restricted and altered. The
7 city council may prescribe by ordinance the powers and duties of all city
8 officers, where such powers and duties have not been established by this
9 charter, and may add to, alter or restrict such powers and duties.

10 Sec. 3.090 City officers: Collection and disposition of moneys.

11 1. All taxes, fines, forfeitures or other moneys collected or recovered
12 by any officer or person pursuant to the provisions of this charter or of
13 any valid ordinance of the city shall be paid by the officer or person
14 collecting or receiving them to the person designated to collect and
15 receive them, who shall dispose of them in accordance with the ordi-
16 nances, regulations and procedures established by the city council.

17 2. The city council may by proper legal action collect all moneys
18 which are due and unpaid to the city or any office thereof, and the city
19 council may pay from the general fund all fees and expenses necessarily
20 incurred by it in connection with the collection of such moneys.

21 Sec. 3.100 Interference by city council.

22 1. The mayor or councilmen shall not dictate the appointment, sus-
23 pension or removal of any city administrative officer or employee
24 appointed by the city manager or his subordinates unless the city council
25 fully and freely discusses the matter with the city manager. No person
26 covered by the rules and regulations of the civil service commission may
27 be appointed, suspended or removed except as provided in such rules
28 and regulations.

29 2. The city council shall not direct the activity of any appointed
30 officer or employee on a matter pertaining to city business, but shall deal
31 through the city manager.

32 Sec. 3.110 Removal of officers. If any officer is adjudged guilty of
33 any nonfeasance, misfeasance or malfeasance in office by any court of
34 competent jurisdiction, the city council may declare the office vacant and
35 fill the vacancy so caused, as provided by law.

36 Sec. 3.120 Salaries. The city council shall annually fix the salaries
37 of all appointive officers of the city. Any officer whose salary is reduced
38 may demand that a bill of particulars giving the reasons for such reduc-
39 tion be heard at the next regular meeting of the city council.

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ARTICLE IV

Judicial Department

46 Sec. 4.010 Municipal court. There shall be a municipal court of
47 the city to which the provisions of chapters 5 and 266 of NRS, relating
48 to municipal courts, as amended from time to time, shall apply.

49 Sec. 4.020 Municipal court: Judge. The municipal court shall be
50 presided over by a municipal judge.

1 Sec. 4.030 Intermittent periods of incarceration. If a sentence of
2 imprisonment is imposed by the municipal judge, the municipal judge may
3 order intermittent periods of incarceration so long as the entire sentence
4 will be completed within 6 months from the date of sentence. The periods
5 of incarceration may be varied from time to time with consent of the
6 defendant, but the total time of incarceration may not be increased.

7 Sec. 4.040 Disposition of fines. All fines and forfeitures for the vio-
8 lation of ordinances shall be paid into the treasury of the city in the man-
9 ner to be prescribed by ordinance.

10 Sec. 4.050 Additional imprisonment to satisfy fine or forfeiture.
11 Whenever a person is sentenced to both fine and imprisonment, or to pay
12 a forfeiture in addition to imprisonment, he shall be confined in the city or
13 county jail, whichever is designated in his sentence of imprisonment, for
14 an additional period of 1 day for each \$6 of the amount until such fine or
15 forfeiture is satisfied. He shall not be imprisoned beyond the maximum
16 sentence for the offense for which he is confined.

18 ARTICLE V

19 Elections

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23 Sec. 5.010 General municipal elections. A general municipal elec-
24 tion shall be held in the city on the 1st Tuesday after the 1st Monday in
25 June 1975, and on the same day every 4 years thereafter, at which time
26 there shall be elected one mayor, one city clerk, councilmen as herein-
27 before provided, one city attorney and one municipal judge. All candi-
28 dates at the general municipal election shall be voted upon by the electors
29 of the city at large.

30 Sec. 5.020 Primary municipal elections: Declaration of candidacy.

31 1. A candidate for any office to be voted for at any general municipal
32 election shall file an affidavit of candidacy with the city clerk not less
33 than 30 nor more than 40 days before the 1st Tuesday after the 1st
34 Monday in May next preceding such general election.

35 2. If for any general municipal election there are three or more
36 candidates for the offices of mayor, city clerk, city attorney or municipal
37 judge, or three or more candidates from each ward for the office of coun-
38 cilman, a primary election for any such office shall be held on the 1st
39 Tuesday after the 1st Monday in May preceding such general election.

40 3. Candidates for the offices of mayor, city clerk, city attorney and
41 municipal judge shall be voted upon by the registered voters of the city
42 at large. Candidates for the office of councilman shall be voted upon by
43 the registered voters of the ward to be represented by them.

44 4. The names of the two candidates for mayor, city clerk, city attor-
45 ney and municipal judge and the names of the two candidates for city
46 councilman from each ward who receive the highest number of votes at
47 the primary election shall be placed on the ballot for the general election.

48 Sec. 5.030 Applicability of state election laws: Elections under city
49 council control.

1 1. All elections held under this charter shall be governed by the pro-
2 visions of the election laws of this state so far as such laws can be made
3 applicable and are not inconsistent herewith.

4 2. The conduct of all municipal elections shall be under the control of
5 the city council. For the conduct of municipal elections, for the preven-
6 tion of fraud in such elections, and for the recount of ballots in cases of
7 doubt or fraud, the city council shall adopt by ordinance all regulations
8 which it considers desirable and consistent with law and this charter.

9 Sec. 5.040 Qualifications, registration of voters.

10 1. Every person who resides within the city at the time of any munic-
11 ipal election, and whose name appears upon the official register of voters
12 in and for the city, is entitled to vote at each municipal election, whether
13 special, primary or general, and for all officers to be voted for and on all
14 questions that may be submitted to the people at any such primary, gen-
15 eral or special city elections, except as otherwise provided in this article.

16 2. Nothing in this charter shall be so construed as to deny or abridge
17 the power of the city council to provide for supplemental registration.

18 Sec. 5.050 Names on ballots. The full names of all candidates,
19 except those who have withdrawn, died or become ineligible, shall be
20 printed on the official ballots without party designation or symbol. The use
21 of nicknames in conjunction with the candidates' legal names is allowed
22 and the nicknames may be printed on the official ballots. If two or more
23 candidates have the same surname, or surnames so similar as to be likely
24 to cause confusion, their residence addresses shall be printed with their
25 names on the ballot.

26 Sec. 5.060 Ballots for ordinances and charter amendments. An
27 ordinance or charter amendment to be voted on in the city shall be pre-
28 sented for voting by ballot title. The ballot title of a measure may differ
29 from its legal title and shall be a clear, concise statement describing the
30 substance of the measure without argument or prejudice. Below the ballot
31 title shall appear the following question: "Shall the above described (ordi-
32 nance) (amendment) be adopted?" The ballot or voting machine or
33 device shall be so marked as to indicate clearly in what manner the voter
34 may cast his vote, either for or against the ordinance or amendment.

35 Sec. 5.070 Availability of lists of registered voters. If, for any pur-
36 pose relating to a municipal election or to candidates or issues involved in
37 such an election, any organization, group or person requests a list of regis-
38 tered voters of the city, the department, office or agency which has cus-
39 tody of the official register of voters shall provide the same upon payment
40 therefor in an amount determined pursuant to the provisions of subsection
41 2 of NRS 293.440.

42 Sec. 5.080 Watchers and challengers. A candidate is entitled upon
43 written application to the election authorities at least 5 days before the
44 election to appoint two persons to represent him as watchers and challeng-
45 ers at each polling place where voters may cast their ballots for him. A
46 person so appointed has all the rights and privileges prescribed by watch-
47 ers and challengers under the election laws of this state. The watchers and
48 challengers may exercise their rights throughout the voting and until the
49 ballots have been counted.

1 Sec. 5.090 Voting machines. The city council may provide for the
2 use of mechanical or other devices for voting or counting the votes not
3 inconsistent with law or regulations of the secretary of state.

4 Sec. 5.100 Election returns: Canvass; certificates of election; entry
5 of officers upon duties; tie vote procedure.

6 1. The election returns from any special, primary or general municip-
7 al election shall be filed with the city clerk, who shall immediately place
8 such returns in a safe or vault, and no person is permitted to handle,
9 inspect or in any manner interfere with such returns until canvassed by
10 the city council.

11 2. The city council shall meet within 5 days after any election and
12 canvass the returns and declare the result. The election returns shall then
13 be sealed and kept by the city clerk for 6 months, and no person shall
14 have access thereto except on order of a court of competent jurisdiction
15 or by order of the city council.

16 3. The city clerk, under his hand and official seal, shall issue a cer-
17 tificate of election to each person elected. The officers elected shall qual-
18 ify and enter upon the discharge of their respective duties on the 1st
19 Monday in July next following their election.

20 4. If any election results in a tie, the city council shall summon the
21 candidates who received the tie vote and determine the tie by lot. The
22 city clerk shall then issue to the winner a certificate of election.

23 Sec. 5.110 Contest of election. A contested election for any munic-
24 ipal office shall be determined according to the law of the state regulating
25 proceedings in contested elections in political subdivisions.

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ARTICLE VI

Local Improvements

32 Sec. 6.010 Local improvement law. The city council, on behalf of
33 the city and in its name, without any election, may from time to time
34 acquire, improve, equip, operate and maintain:

- 35 1. Curb and gutter projects;
- 36 2. Drainage projects;
- 37 3. Offstreet parking projects;
- 38 4. Overpass projects;
- 39 5. Park projects;
- 40 6. Sanitary sewer projects;
- 41 7. Sidewalk projects;
- 42 8. Storm sewer projects;
- 43 9. Street projects;
- 44 10. Underpass projects;
- 45 11. Water projects; and
- 46 12. Underground utility and communication lines.

47 Sec. 6.020 Local improvement law: Collateral powers. The city
48 council on behalf of the city for the purpose of defraying all the costs of
49 acquiring or improving any project authorized by section 6.010, or any

1 portion of the cost thereof not to be defrayed with moneys otherwise avail-
 2 able therefor, is vested with the powers granted to municipalities by chap-
 3 ter 271 of NRS, as amended from time to time.

4 Sec. 6.030 Delinquent assessments: Collection.

5 In addition to any manner of collection of delinquent assessments as
 6 provided in chapter 271 of NRS, the county treasurer may cause and
 7 proceed to the sale of the assessed premises in the same manner as sale
 8 in case of delinquent taxes as provided in chapter 361 of NRS, subject
 9 to any right of redemption as therein provided if any amount assessed is
 10 delinquent for more than 2 years.

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 13 ARTICLE VII

14 Local Bonds and Franchises

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 17 Sec. 7.010 Debt limit.

18 1. The city shall not incur an indebtedness in excess of 20 percent
 19 of the total assessed valuation of the taxable property within the bound-
 20 aries of the city.

21 2. In determining any debt limitation under this section, there shall
 22 not be counted as indebtedness:

23 (a) Any revenue bonds, unless the full faith and credit of the city is
 24 also pledged to their payment.

25 (b) Any special assessment bonds, although a deficiency in the pro-
 26 ceeds of the assessments is required to be paid from the general fund to
 27 the city.

28 (c) Any short-term securities issued in anticipation of and payable
 29 from property taxes levied for the current fiscal year.

30 Sec. 7.020 Acquisition, operation of municipal utilities. The city
 31 may, in the manner and for the purposes provided in this charter and
 32 Nevada Revised Statutes as they apply to cities, grant franchises and
 33 acquire in any manner any public utility, and hold, manage and operate
 34 it, either alone or jointly, with any level of government or instrumentality
 35 or subdivision thereof.

36 Sec. 7.030 Borrowing money.

37 1. Subject to the limitations imposed by this article, the city may
 38 borrow money for any corporate purpose, including without limitation
 39 any purpose expressly authorized by this charter or by Nevada Revised
 40 Statutes for a city, and for such purpose may issue bonds or other secu-
 41 rities. The Local Government Securities Law, as amended from time to
 42 time, applies to all securities so issued, except securities issued under
 43 section 6.020.

44 2. The city council shall issue a proclamation setting forth the
 45 amount, terms, maximum rate of interest and duration of any proposed
 46 indebtedness, including securities payable from pledged revenues, and the
 47 fund from which it is to be paid, except securities proposed to be issued
 48 pursuant to section 6.020. Such proclamation shall be published in full
 49 at least once a week for 4 successive weeks in a newspaper of general
 50 circulation in the city, and shall state the date of the meeting at which

1 the city council will pass an ordinance providing for such bond issue.
2 At the first regular meeting of the city council or any adjournment
3 thereof after the completion of publication, the city council shall enact
4 an ordinance for such purposes, which shall conform in all respects to
5 the terms and conditions of the previously published proclamation, and
6 without submitting the question to a vote of the electors of the city,
7 unless a petition is presented to the city council signed by not less than 3
8 percent of the qualified electors of the city as shown by the last preceding
9 registration list, asking for a special election upon the question of whether
10 or not the proposed ordinance shall be passed. Thereupon, no such ordi-
11 nance shall be enacted except pursuant to a special election called and
12 held for such purpose and carried by a majority of the votes cast. Any
13 ordinance passed providing for the issuance of bonds shall be valid if
14 passed by the city council in the absence of the filing of a petition and
15 election, or if such petition is filed and election had, then if passed by the
16 city council pursuant to a majority vote in favor of the ordinance. The
17 petition for an election referred to in this section may be filed with the city
18 council at any time prior to the date of meeting set in the published
19 notice.

20 Sec. 7.040 Franchises.

21 1. Before granting any franchise the city council shall first adopt a
22 resolution setting forth fully and in detail the applicant for, purpose and
23 character of, terms and time and conditions of the proposed franchise.
24 Such resolution shall be published in full in a newspaper qualified pur-
25 suant to the provisions of chapter 238 of NRS, as amended from time to
26 time, and published for at least two publications in the 2 weeks succeeding
27 its adoption.

28 2. At the first regular meeting of the city council after the expiration
29 of the period of such publication, the city council shall pass an ordinance
30 for the granting of the franchise; but such franchise shall be granted only
31 on substantially the same terms and conditions as expressed in the resolu-
32 tion as published. Otherwise, such ordinance shall be void.

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Sec. 8.010 Municipal taxes.

1. The city council shall annually, at the time prescribed by law for
levying taxes for state and county purposes, levy a tax not exceeding $1\frac{3}{4}$
percent upon the assessed value of all real and personal property within
the city, except as provided in the Local Government Securities Law and
the Consolidated Local Improvements Law, as amended from time to
time. The taxes so levied shall be collected at the same time and in the
same manner and by the same officers, exercising the same functions, as
prescribed in the laws of the State of Nevada for collection of state and
county taxes. The revenue laws of the state shall, in every respect not
inconsistent with the provisions of this charter, be applicable to the levy-
ing, assessing and collecting of the municipal taxes.

1 2. In the matter of the equalization of assessments, the rights of the
 2 city and the inhabitants thereof shall be protected in the same manner
 3 and to the same extent by the action of the county board of equalization
 4 as are the state and county.

5 3. The city council shall enact all such ordinances as it may deem
 6 necessary and not inconsistent with this charter and the laws of the state
 7 for the prompt, convenient and economical collecting of the revenue.

8 4. The city may, however, upon the approval of the county commis-
 9 sioners of Washoe County, collect taxes levied for the redemption of
 10 bonds provided for in sections 6.010 to 6.030, inclusive.

11 Sec. 8.020 Revenue ordinances. The city council shall have full
 12 power to pass and enact all ordinances necessary to carry into effect the
 13 revenue laws in the city and to enlarge, fix and determine the powers and
 14 duties of all officers in relation thereto.

15 16 17 ARTICLE IX

18 19 Civil Service

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21 Sec. 9.010 Civil service commission: Appointment; compensation.

22 1. There shall be a civil service commission of the City of Sparks,
 23 Nevada, consisting of three residents of the City of Sparks who shall be
 24 appointed by the mayor, subject to confirmation by the city council. The
 25 persons so appointed shall serve for 4-year terms.

26 2. Every person appointed as a member of the commission shall,
 27 before entering upon the duties of his office, take and subscribe the oath
 28 of office prescribed by the constitution of this state, and file the same, duly
 29 certified by the officer administering it, with the clerk of the city.

30 3. Vacancies on the civil service commission from whatever cause
 31 shall be filled by appointment by the mayor, subject to confirmation by
 32 the city council.

33 4. The council shall provide for such employees as shall be necessary
 34 to enable the civil service commission to carry out properly the duties pre-
 35 scribed herein.

36 5. Each member of the civil service commission shall receive as com-
 37 pensation for his services the sum of \$10 for each full meeting attended by
 38 him.

39 Sec. 9.020 Civil service commission: Rules and regulations.

40 1. The commission shall prepare and adopt rules and regulations to
 41 govern the selection and appointment of all employees of the city within
 42 the provisions of this article and such rules and regulations shall be
 43 designed to secure the best service for the public.

44 2. Such rules and regulations shall provide for:

45 (a) Ascertaining, as far as possible, physical qualifications, habits, rep-
 46 utation, standing and experience of all applicants for positions;

47 (b) Competitive examination of some or all applicants in such subjects
 48 as shall be deemed proper for the purpose of best determining their quali-
 49 fications for a position;

50 (c) Disciplinary, suspension, demotion and dismissal proceedings;

1 (d) Promotions and advancements; and

2 (e) Such other matters as the commission may deem necessary.

3 3. A copy of all rules and regulations made by the commission and
4 all changes therein shall be filed in the office of the city clerk.

5 4. The commission shall by rule provide for a probationary period of
6 6 months during which any employee within the provisions of this article
7 may be suspended, removed or otherwise disciplined by the head of the
8 appropriate department or by the city manager without hearing or other
9 action by the commission.

10 5. The commission shall cause the rules and regulations so prepared
11 and adopted, and all changes therein, to be printed or otherwise repro-
12 duced and distributed as they shall deem necessary, and the expense
13 thereof shall be certified by the commission and paid by the city.

14 6. All selections of persons for employment or appointment or promo-
15 tion, in any department of the city within the provisions of this article,
16 shall be made in accordance with such rules and regulations.

17 Sec. 9.030 Rules and regulations: Amendment. After rules and reg-
18 ulations have been adopted, as provided in section 9.020, they may be
19 amended or modified by the commission only after the commission has
20 given a notice, containing the proposed amendment or modification and
21 specifying a time when the commission will meet and hear discussion con-
22 cerning the adoption of such proposed amendment or modification. The
23 time and place for discussion concerning any modification or amendment
24 shall be posted on a bulletin board in a conspicuous place accessible to
25 the employees of the city in each department affected by such proposed
26 amendment or modification not less than 10 days before the date of such
27 meeting of the civil service commission.

28 Sec. 9.040 Examinations. All examinations by the commission are
29 public and free to all citizens of the United States with proper limitations
30 as to residence, age, health, habits and moral character. The examina-
31 tions shall be practical in their character and shall relate to those matters
32 which will fairly test the relative capacity of the candidate to discharge
33 the duties of the position in which they seek employment, or to which
34 they seek to be appointed, and may include tests of manual skill and
35 physical strength. The commission shall give due regard to the experience
36 of the individual candidate in the department in which he is seeking
37 promotion. All examinations shall be given under the control of the
38 commission.

39 Sec. 9.050 Reports of employee performance. The head of any
40 city department to which the provisions of this article are applicable shall
41 maintain at all times in full force and effect and in operation within his
42 respective department the rules and regulations adopted by the commis-
43 sion and applicable to such department. Such rules and regulations, in
44 the discretion of the commission, may provide for regular efficiency
45 reports of the members of any department, for courses, tests or exami-
46 nations to be required within the department, and for any other act or
47 thing necessary or desirable to bring about advancement or promotion
48 within the department of the members thereof, according to merit, to
49 bring about efficiency within the department so that it may be better

1 qualified to serve the public, and to bring about a full and complete
2 operation within the department of the civil service system.

3 Sec. 9.060 Eligibility lists. Whenever new positions are created by
4 city ordinance within any department subject to the provisions of this
5 article, or whenever vacancies occur within any such department, a list of
6 not less than three qualified applicants, when that number is available,
7 shall be submitted by the civil service commission to the head of the
8 department. The head or chief of such department shall appoint the appli-
9 cant deemed by him to be most suitable. All such appointments shall be
10 subject to confirmation of the city council after successful completion of
11 the probationary period.

12 Sec. 9.070 Probational employees. All employees of the City of
13 Sparks who have been so employed for 6 or more months prior to the
14 effective date of this charter are confirmed in their present positions. All
15 employees of the City of Sparks who have been so employed for less than
16 6 months prior to the effective date of this charter shall be considered to
17 be in a probationary period, and may, after the completion of 6 months'
18 employment, be considered for confirmation as provided in this article.
19 All employees of the City of Sparks hereafter employed pursuant to the
20 provisions of this article and confirmed by the city council after success-
21 fully serving the probationary period shall hold their respective positions
22 and employment at the pleasure of the city manager, subject to hearing, as
23 provided in this article. All vacancies in existing or newly created positions
24 subject to the provisions of this article shall be filled by the promotion of
25 employees in the service, and who have proved their fitness for such pro-
26 motion. The provisions of this article shall not apply to persons employed
27 on a temporary basis or for a period not to exceed 6 months during any
28 calendar year.

29 Sec. 9.080 Prohibited acts. No employee of the city within the pro-
30 visions of this article shall be suspended, demoted or discharged except
31 as provided in this article.

32 Sec. 9.090 Written complaint, hearing. Whenever a written com-
33 plaint against any member of any of the departments within the provisions
34 of this article is made to the city manager, he shall immediately commu-
35 nicate the same to the commission and a hearing may be ordered by the
36 commission, if in the opinion of the commission such a hearing is neces-
37 sary.

38 Sec. 9.100 Disciplinary authority of city manager; appeal to the com-
39 mission. The city manager may suspend for a period of not exceeding
40 30 days or discharge or demote any employee of the city within the
41 provisions of this article for the betterment of the service or for other
42 justifiable cause and shall immediately report to the secretary of the com-
43 mission and deliver to the commission a copy of the complaint setting
44 forth the reason for discharge, suspension or demotion and the name of
45 the complainant, if other than the city manager. Within 10 days after
46 such discharge, suspension or demotion, the employee so discharged,
47 suspended or demoted may appeal to the commission by filing with the
48 secretary thereof a notice of appeal in the following or similar form:
49 "To the Civil Service Commission of Sparks, Nevada: Please take notice
50 that I appeal the order of the city manager of the City of Sparks,

1 dated..... 19....., (demoting, discharging or suspending) me." The
2 notice of appeal shall be signed by the employee demoted, discharged or
3 suspended and shall clearly state the name and the address of such
4 employee.

5 Sec. 9.110 Notice of hearing. The commission, after receiving the
6 notice of appeal shall, within 15 days, serve the appellant with a copy of
7 the complaint and a notice fixing the time and place of hearing, which
8 time of hearing shall not be less than 5 days nor more than 30 days after
9 service of the notice and copy of the complaint.

10 Sec. 9.120 Notice of hearing: Method of service. Notice of the time
11 and place of such hearing, together with a copy of the charges preferred,
12 shall be served upon the employee, and may be served in the same man-
13 ner as a summons is served in this state or by mailing it to the employee
14 by deposit in the United States post office at Sparks, Nevada, addressed
15 to the employee at the address stated in the notice of appeal with postage
16 thereon fully prepaid. Service by mail is full and adequate service of notice
17 of all matters relating to such discharge, suspension or demotion until the
18 final disposition of the matter by the commission whether such notice is
19 received by the employee or not.

20 Sec. 9.130 Charges filed with the commission. Duly verified charges
21 may be filed with the commission by any person setting forth sufficient
22 cause for the discharge, suspension or demotion of any employee within
23 the provisions of this article. Upon the filing of such charges the com-
24 mission may suspend such employee and cause notice of the filing of
25 such charges, with a copy thereof, to be served upon the employee and
26 setting a time for the hearing if the commission believes that it will be in
27 the interest of the service to do so.

28 Sec. 9.140 Commission hearings.

29 1. The employee shall be entitled to a postponement or adjournment
30 of the hearing for not to exceed a period of 20 days. The complainant is
31 not entitled to adjournment or postponement.

32 2. In the course of any hearing or investigation each member of the
33 commission has the power:

34 (a) To administer oaths;

35 (b) To secure by subpoena the attendance of witnesses and the pro-
36 duction of books and papers relevant to such hearing or investigation;

37 (c) To compel witnesses to answer; and

38 (d) To punish for contempt in the same manner provided by law for
39 the governing of trials before justices of the peace for failure to answer
40 or produce books and other evidence necessary for the hearing.

41 3. Any hearing, in the discretion of the commission, may be closed
42 to the public and all witnesses shall be under oath.

43 4. The employee shall have full opportunity to be heard in his own
44 defense, and is entitled to secure the attendance of all witnesses necessary
45 for his defense and may appear in person and by attorney.

46 5. All evidence at any hearing shall be taken by stenographic
47 reporter who shall be first sworn to perform the duties of a stenographic
48 reporter in taking evidence in such matter fully and fairly to the best of

1 his ability. The transcript shall be typewritten and filed with the commis-
2 sion, and the cost of such stenographic reporting shall be paid by the
3 city.

4 Sec. 9.150 Findings of the commission.

5 1. Within 15 days after a transcript of the proceedings is filed with
6 the commission, the commission shall, by a majority vote of its members,
7 determine whether by a preponderance of the evidence the charges were
8 true and made in good faith for the purpose of improving the public
9 service or whether they were made solely for religious, political or per-
10 sonal reasons.

11 2. If the charges are found to be untrue or were made solely for reli-
12 gious, political or personal reasons the employee shall be immediately
13 reinstated to his former position without prejudice.

14 3. If the charges are found to be true and were made in good faith for
15 the purpose of improving the public service, the commission may sustain
16 the disciplinary action theretofore taken, or may impose such other disci-
17 plinary action as to the commission shall seem just and proper.

18 4. The decision and findings of the commission shall be in writing and
19 shall be filed with the transcript of the evidence with the secretary of the
20 commission.

21 Sec. 9.160 Salary of a suspended employee. Any member of a
22 department shall not be deprived of any salary or wages for the period of
23 time he may be suspended prior to a hearing, unless the disciplinary action
24 or removal is sustained.

25 Sec. 9.170 Meetings of the commission.

26 1. Upon the request of the city manager, advising the commission of
27 matters requiring consideration, the commission shall call a meeting within
28 15 days after receipt of the request.

29 2. The commission shall hold not less than one regular meeting per
30 month to be held on the same day of each calendar month.

31 3. The meeting shall be open to the public.

32 Sec. 9.180 Disciplinary authority of commission.

33 1. Except as herein otherwise provided, the commission shall have
34 exclusive disciplinary power and authority over all employees within the
35 provisions of this article and may remove, suspend or demote any
36 employee in the civil service who:

37 (a) Is unable to or fails for any reason to perform his duties properly
38 and efficiently.

39 (b) Is guilty of any actions which reduce his effectiveness as an
40 employee or brings discredit to the city service.

41 (c) Has violated any provision of this article or of the commission's
42 rules.

43 2. Any employee so removed, suspended or demoted may demand
44 a formal hearing before the commission and the demand shall be in form
45 similar to that provided for notices of appeals in section 9.100 of this
46 article. The demand for a formal hearing shall be filed with the secre-
47 tary of the commission.

48 Sec. 9.190 Applicability.

49 1. This article shall apply to all employees of the City of Sparks,
50 except:

- 1 (a) Elected officials of the city;
 2 (b) The city manager;
 3 (c) Appointed officials of the city; and
 4 (d) Temporary employees provided for in section 9.070.
 5 2. Any employee of the city who has been confirmed in his position
 6 by the city council and who accepts a position as a department head or
 7 accepts appointment as an appointed official under the provisions of this
 8 chapter shall, upon his removal from such office, be restored to his former
 9 position within the department, only if there is a position available.

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ARTICLE X

Miscellaneous Provisions

16 Sec. 10.010 Severability of provisions. If any portion of this charter
 17 is held to be unconstitutional or invalid for any reason by the decision
 18 of any court of competent jurisdiction, such decision shall not affect the
 19 validity of the remaining portion of this charter. The legislature hereby
 20 declares that it would have passed the charter and each portion thereof,
 21 irrespective of the portion which may be deemed unconstitutional or
 22 otherwise invalid.

23 Sec. 10.020 Effect of enactment of charter.

24 1. All rights and property of every kind and description which were
 25 vested in the city prior to the enactment of this charter shall be vested in
 26 the same municipal corporation on the effective date of this charter. No
 27 right or liability, either in favor of or against such corporation existing
 28 at the time of becoming incorporated under this charter, and no action
 29 or prosecution shall be affected by such change, but it shall stand and
 30 progress as if no change had been made.

31 2. Whenever a different remedy is given by this charter, which may
 32 properly be made applicable to any right existing at the time of such
 33 city so becoming incorporated under this charter, such remedy shall be
 34 cumulative to the remedy before provided, and used accordingly.

35 3. All ordinances and resolutions in effect in the city prior to the
 36 effective date of this charter shall, unless in conflict with the provisions of
 37 this charter, continue in full force and effect until amended or repealed.

38 4. The enactment of this charter shall not effect any change in the
 39 legal identity of the city.

40 5. The enactment of this charter shall not be construed to repeal or
 41 in any way affect or modify:

- 42 (a) Any special, local or temporary law.
 43 (b) Any law or ordinance making an appropriation.
 44 (c) Any ordinance affecting any bond issue or by which any bond
 45 issue may have been authorized.
 46 (d) The running of the statute of limitations in force at the time this
 47 charter becomes effective.
 48 (e) Any bond of any public officers.

1 SEC. 2. Chapter 180, Statutes of Nevada 1949, at page 372, entitled
2 "An Act to incorporate the city of Sparks, in Washoe County, and defin-
3 ing the boundaries thereof, and to authorize the establishing of a city gov-
4 ernment therefor, and other matters relating thereto, and repealing all acts
5 and parts of acts in conflict herewith," approved March 28, 1949, and all
6 other acts amendatory thereof, and Chapter 545, Statutes of Nevada
7 1971, at page 1142, entitled "An Act incorporating the City of Sparks in
8 Washoe County, Nevada, and defining the boundaries thereof, under a
9 new charter; and providing other matters properly relating thereto,"
10 approved April 25, 1971, and section 4 of Chapter 735, Statutes of
11 Nevada 1973, at page 1507, entitled "An Act relating to the City of
12 Sparks; providing formation of a committee to prepare a proposed city
13 charter; providing for an opinion vote on the form of government for the
14 city; extending effective date for new charter to July 1, 1975; and provid-
15 ing other matters properly relating thereto," approved May 1, 1973, are
16 hereby repealed.
17 SEC. 3. This act shall become effective July 7, 1975.

S. B. 107

SENATE BILL NO. 107—COMMITTEE ON
GOVERNMENT AFFAIRS

JANUARY 30, 1975

Referred to Committee on Government Affairs

SUMMARY—Authorizes governor to enter into interstate law enforcement mutual aid agreements. Fiscal Note: No. (BDR 18-337)

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

AN ACT relating to state government; authorizing the governor to enter into mutual or reciprocal aid agreements with other governmental entities for police services; 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 223 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *The governor may, on behalf of this state, enter into mutual or*
4 *reciprocal aid agreements or compacts with other states or the Federal*
5 *Government, either on a statewide or political subdivision basis. Prior to*
6 *committing the personnel, equipment or facilities of any political subdivi-*
7 *sion of this state the governor shall consult with the chief executive or*
8 *governing body of such political subdivision.*
9 2. *Such agreements shall be limited to furnishing or exchange of:*
10 (a) *Police services;*
11 (b) *Personnel necessary to provide or conduct such services; and*
12 (c) *Such other supplies, equipment, facilities, personnel and services as*
13 *are needed to support such services.*
14 3. *The agreements may relate to the terms and conditions of mutual*
15 *or reciprocal aid and to reimbursement of costs and expenses for equip-*
16 *ment, supplies, personnel and similar items for mobile support units and*
17 *police units.*

S. B. 239

SENATE BILL NO. 239—COMMITTEE ON
GOVERNMENT AFFAIRS

FEBRUARY 21, 1975

Referred to Committee on Government Affairs

SUMMARY—Increases certain fees charged by county recorders.
Fiscal Note: No. (BDR 20-974)



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

AN ACT relating to fees charged by county recorders; increasing certain fees;
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 104.9407 is hereby amended to read as follows:
2 104.9407 1. If the person filing any financing statement, termination
3 statement, statement of assignment, or statement of release, furnishes the
4 filing officer a copy thereof, the filing officer shall upon request note upon
5 the copy the file number and date and hour of the filing of the original
6 and deliver or send the copy to such person.
7 2. Upon request of any person, the filing officer shall issue his certifi-
8 cate showing whether there is on file on the date and hour stated therein,
9 any presently effective financing statement naming a particular debtor and
10 any statement of assignment thereof and if there is, giving the date and
11 hour of filing of each such statement and the names and addresses of
12 each secured party therein. The uniform fee for such a certificate shall be
13 ~~[\$3.]~~ \$4 and an additional 50 cents for each name of a secured party.
14 Upon request the filing officer shall furnish a copy of any filed financing
15 statement or statement of assignment for a uniform fee of \$1 for the first
16 page and 50 cents for each page thereafter.
17 SEC. 2. NRS 117.025 is hereby amended to read as follows:
18 117.025 1. All condominium maps or plans filed under the provi-
19 sions of this chapter shall be made upon vellum, tracing cloth or any other
20 material of a permanent nature generally used for such purpose in the
21 engineering profession, and shall be of uniform size, 24 by 32 inches, with
22 a borderline 2 inches from the left edge in order to leave room for bind-
23 ing. No map or plan shall be accepted for filing made upon ordinary paper
24 or blueprint.
-

1 2. For filing each condominium map or plan the county recorder shall
 2 collect a fee of ~~25 cents for each unit mapped, and 50 cents for indexing~~
 3 ~~the map or plat.~~ \$50 or \$25 plus an additional 25 cents for each unit
 4 mapped, whichever is greater.

5 SEC. 3. NRS 122.060 is hereby amended to read as follows:

6 122.060 1. The clerk shall be entitled to receive as his fee for issuing
 7 the license the sum of \$1, but if licenses are issued after regular office
 8 hours, the board of county commissioners may set an additional fee by
 9 county ordinance, a part of which, in counties having a population of less
 10 than 20,000, the board may allow the clerk to retain as his fee for extra
 11 services, and the balance of which shall be deposited in the county general
 12 fund.

13 2. The clerk shall also at the time of issuing the license collect the
 14 sum of ~~1~~ \$2 and pay the same over to the county recorder as his fee
 15 for recording the certificate named in NRS 122.130.

16 3. The clerk shall also at the time of issuing the license collect the
 17 additional sum of \$4 for the State of Nevada. The fees collected for the
 18 state shall be paid over to the county treasurer by the county clerk on or
 19 before the 5th day of each month for the preceding calendar month, and
 20 shall be placed to the credit of the state fund. The county treasurer shall
 21 remit quarterly all such fees deposited by the clerk to the state treasurer,
 22 to be placed by the state treasurer in the general fund of the state.

23 SEC. 4. NRS 247.310 is hereby amended to read as follows:

24 247.310 1. Except as otherwise provided by law, county recorders
 25 shall charge: ~~the following fees for recording certificates of proof of~~
 26 labor on mining claims:

27	For recording any such certificates that embrace therein	
28	one claim.....	\$0.50
29	For each additional mining claim embraced in	
30	the certificate.....	.25

31 2. If any certificate shall contain more than 100 words, an additional
 32 fee of 30 cents shall be charged for each 100 words or fractional part
 33 thereof in excess of the first 100 words.]

34 (a) A fee of \$3 for the first page and \$1 for each additional page for
 35 recording certificates of proof of labor on mining claims.

36 (b) A fee of \$3 for recording each notice of location and certificate of
 37 location.

38 (c) A fee of 25 cents for each claim indexed.

39 2. A group of claims shall be considered as only one claim when they
 40 are consecutively numbered or lettered alphabetically. If there are breaks
 41 in the consecutive numbers or letters, each consecutive group following a
 42 break shall be indexed and considered as a separate claim.

43 3. Except as otherwise provided by an ordinance adopted pursuant to
 44 the provisions of NRS 244.207, county recorders shall, on or before the
 45 5th day of each month, account for and pay to the county treasurer all
 46 such fees collected during the preceding month.

47 SEC. 5. NRS 278.550 is hereby amended to read as follows:

48 278.550 1. The parcel map filed with the county recorder of any
 49 county shall be securely fastened by him into a suitable book provided

1 for that purpose. He shall keep proper indexes of parcel maps by the
2 name of grant, tract, subdivision or United States subdivision.
3 2. The charge for filing any parcel map and for indexing the [same
4 shall be \$2.50.] *map is \$5.*
5 SEC. 6. NKS 625.370 is hereby amended to read as follows:
6 625.370 1. The charge for filing any record of survey and for index-
7 ing the [same shall be \$2.50.] *record is \$5.*
8 2. The record of survey shall be suitably filed by the county recorder
9 and he shall keep proper indexes of such survey records by name of tract,
10 subdivision or United States land subdivision.

S. B. 250

**SENATE BILL NO. 250—SENATORS HILBRECHT, NEAL, HERR,
GIBSON, LAMB, BROWN, WALKER, ECHOLS, BRYAN AND
SCHOFIELD**

FEBRUARY 24, 1975

Referred to Committee on Government Affairs

SUMMARY—Increases number of justices of the peace allotted to certain townships. Fiscal Note: No. (BDR 1-988)



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

AN ACT relating to justices of the peace; increasing the number allotted to certain townships; 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 4.020 is hereby amended to read as follows:
2 4.020 1. There shall be one justice's court in each of the townships
3 of the state, for which there shall be elected by the qualified electors of the
4 township at a general state election in November 1974, and every 4 years
5 thereafter, the following number of justices of the peace according to the
6 population of the township as determined by the last preceding national
7 census of the Bureau of the Census of the United States Department of
8 Commerce:
9 (a) If the population is less than 60,000, one justice of the peace.
10 (b) If the population is 60,000 or more [.] but less than 150,000, two
11 justices of the peace.
12 (c) *If the population is 150,000 or more, four justices of the peace.*
13 2. The term of office of justices of the peace shall be 4 years begin-
14 ning on the 1st Monday in January next succeeding their election.
15 3. Justices of the peace shall receive certificates of election from the
16 boards of county commissioners of their respective counties.
17 4. The clerk of the board of county commissioners shall, within 10
18 days after the election or appointment and qualification of any justice of
19 the peace, certify under seal to the secretary of state the election or
20 appointment and qualification of the justice of the peace. The certificate
21 shall be filed in the office of the secretary of state as evidence of the offi-
22 cial character of such officer.
23 **SEC. 2.** The board of county commissioners of each county in which
24 there is a township of such size that its justice's court is entitled to two

1 additional justices of the peace under the provisions of section 1 of this
2 act may appoint two justices of the peace to fill such positions until the 1st
3 Monday of January 1977.

4 SEC. 3. Section 2 of this act shall become effective on July 1, 1975.
5 Section 1 of this act shall become effective on July 1, 1975, for the pur-
6 poses of nomination and election of justices of the peace, and for all other
7 purposes on the 1st Monday of January 1977.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 199

 ASSEMBLY BILL NO. 199—ASSEMBLYMEN
 GETTO AND JACOBSEN

JANUARY 30, 1975

Referred to Committee on Government Affairs

SUMMARY—Returns celebration of Veterans' Day to November 11.
Fiscal Note: No. (BDR 19-40)EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

 AN ACT relating to legal holidays; declaring that Veterans' Day
 be celebrated on November 11.

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

- 1 SECTION 1: NRS 236.015 is hereby amended to read as follows:
 2 236.015 1. [On and after January 1, 1971, the] *The* following days
 3 are declared to be legal holidays for state and county government offices:
 4 January 1 (New Year's Day)
 5 Third Monday in February (Washington's Birthday)
 6 Last Monday in May (Memorial Day)
 7 July 4 (Independence Day)
 8 First Monday in September (Labor Day)
 9 [Fourth Monday in October] *November 11* (Veterans' Day)
 10 October 31 (Nevada Day)
 11 Fourth Thursday in November (Thanksgiving Day)
 12 December 25 (Christmas Day)
 13 Any day that may be appointed by the President of the United States
 14 or by the governor for public fast, thanksgiving or as a legal
 15 holiday [.] *except for any Presidential appointment of the*
 16 *fourth Monday in October as Veterans' Day.*
 17 2. All state and county offices, courts, banks, savings and loan asso-
 18 ciations, public schools and the University of Nevada System shall close
 19 on the legal holidays enumerated in subsection 1 unless in the case of
 20 appointed holidays all or a part thereof are specifically exempted.
 21 3. If January 1, July 4, October 31 or December 25 falls upon a:
 22 (a) Sunday, the Monday following shall be observed as a legal holiday.
 23 (b) Saturday, the Friday preceding shall be observed as a legal holiday.

— 2 —

1 . SEC. 2. This bill shall become effective only if 5 U.S.C. § 6103(a) is
2 amended to provide that Veterans' Day be observed on November 11. If
3 such amendment is enacted, this act shall become effective on the effective
4 date of such enactment.

Ⓜ

S. B. 275

SENATE BILL NO. 275—COMMITTEE ON
GOVERNMENT AFFAIRS

FEBRUARY 28, 1975

Referred to Committee on Government Affairs

SUMMARY—Reduces time in which local government annual audits must be concluded and audit reports submitted. Fiscal Note: No. (BDR 31-1104)

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

AN ACT to amend NRS 354.624, relating to audits of funds and accounts of local governments; reducing the time in which annual audits must be concluded and audit reports submitted; 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 354.624 is hereby amended to read as follows:
2 354.624 1. Each local government shall provide for an annual audit
3 of all funds, accounts and separate bank accounts, established under NRS
4 354.603, of that local government, and may provide for more frequent
5 audits as it deems necessary. Each annual audit shall be concluded and
6 the audit report [filed] *submitted to the governing body* as provided in
7 subsection 4 not later than [6] 5 months from the close of the fiscal
8 year for which the audit is conducted. An extension of this time may be
9 granted by the Nevada tax commission to any local government which
10 makes application for such extension. If the local government fails to pro-
11 vide for an audit in accordance with the provisions of this section, the
12 Nevada tax commission shall cause such audit to be made at the expense
13 of the local government. All audits shall be made by a public accountant
14 certified or registered or by a partnership registered under the provisions
15 of chapter 628 of NRS.
16 2. The governing body may, without requiring competitive bids, des-
17 ignate such accountant or firm annually. The accountant or firm shall be
18 designated not later than 3 months prior to the close of the fiscal year
19 for which the audit is to be made.
20 3. Each annual audit shall cover the business of the local government
21 during the full fiscal year. It shall be a comprehensive audit of the affairs
22 of the local government, including comment on the balance sheets
23 accounts, results of operations, compliance with statutes and regulations,
24 recommendations for improvements, and any other comments deemed
-

1 pertinent by the auditor, and including his expression of opinion as to the
2 adequacy of the financial presentation. The form of the financial state-
3 ment shall be prescribed by the Nevada tax commission, and the chart of
4 accounts shall be as nearly as possible the same as that used in the prep-
5 aration and publication of the annual budget. The audit shall compare
6 operations of the local government with the approved budget. Included
7 shall be a statement from the auditor that previously noted deficiencies in
8 operations and previously made recommendations for improvements con-
9 tained in previous audit reports have been acted upon by adoption as
10 recommended, adoption with modifications, or rejection.

11 4. The recommendation and the summary of the narrative comments
12 of the audit report shall be read in full at a meeting of the governing
13 body held not more than 30 days after the report is [filed.] submitted.
14 Immediately thereafter, the entire audit report shall be filed as a public
15 record with:

- 16 (a) The clerk or secretary of the governing body;
17 (b) The county clerk;
18 (c) The Nevada tax commission;
19 (d) In the case of school districts, the state department of education;
20 and
21 (e) In the case of general improvement districts subject to the jurisdic-
22 tion of the public service commission of Nevada pursuant to NRS 318.140
23 and 318.144, to the commission.

24 5. The governing body shall act upon the audit recommendations by
25 setting forth in its minutes its intention to adopt the recommendations, to
26 adopt them with modifications or to reject them for reasons shown in the
27 minutes. Such action shall be taken within 6 months following receipt of
28 the audit.

29 SEC. 2. This act shall become effective upon passage and approval.

S. B. 279

SENATE BILL NO. 279—COMMITTEE ON
GOVERNMENT AFFAIRS

FEBRUARY 28, 1975

Referred to Committee on Government Affairs

SUMMARY—Authorizes local governments to establish and maintain petty cash accounts, imprest accounts and revolving bank accounts. Fiscal Note: No. (BDR 31-1042)

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

AN ACT relating to local government budgets; authorizing local governments to establish and maintain petty cash accounts, imprest accounts and revolving bank accounts; regulating payments from and reimbursements of such accounts; 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 354.609 is hereby amended to read as follows:
 2 354.609 1. The governing body of any local government may, by
 3 resolution, establish one or more petty cash accounts [for], *imprest*
 4 *accounts or revolving bank accounts to assist in the administration of any*
 5 *activities in which such local government is authorized by law to engage.*
 6 [in.]
 7 2. Such resolution establishing any petty cash account, *imprest*
 8 *account or revolving bank account* shall, in detail, set forth the following:
 9 (a) The object and purpose of such account.
 10 (b) The source of money to be used to establish and maintain such
 11 account.
 12 (c) The method of controlling expenditures from such account.
 13 (d) *The maximum dollar amount of any single expenditure.*
 14 3. [Expenditures from any petty cash account shall be made for
 15 items of a minor nature only and no single expenditure shall exceed \$25.
 16 4. Payments out of any petty cash account may be made directly with-
 17 out prior approval of the governing body of any local government.] *Pay-*
 18 *ments made out of any such accounts in accordance with the establishing*
 19 *resolution may be made directly without approval of the governing body*
 20 *of any local government.*
 21 4. *Reimbursement of such petty cash, imprest or revolving accounts*
 22 *shall be effected no less often than monthly. Such reimbursement shall be*

— 2 —

- 1 *supported by proper evidences of expenditures made from the account*
- 2 *and shall be approved by the governing body in the same manner as other*
- 3 *claims against the fund to which such reimbursement is to be charged.*
- 4 SEC. 2. This act shall become effective upon passage and approval.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 348

SENATE BILL NO. 348—SENATOR WALKER

MARCH 17, 1975

Referred to Committee on Government Affairs

SUMMARY—Authorizes state land register to exchange or sell certain state real property in Washoe County upon direction by administrator of mental hygiene and mental retardation division of department of human resources. Fiscal Note: No. Description verified. (BDR S-1242)

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

AN ACT authorizing the state land register to exchange or sell certain state real property situated in Washoe County upon direction by the director of the department of human resources; 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. Notwithstanding the provisions of NRS 232.158 or any
 2 other law of the State of Nevada, the state land register on behalf of the
 3 State of Nevada, and any of its boards, commissions and agencies, is
 4 hereby authorized, subject to the conditions prescribed in section 2, to
 5 exchange upon such arrangements as may be made by the director of
 6 the department of human resources, or to sell for cash and convey to the
 7 purchaser upon receipt of payment, if the administrator directs disposition
 8 by either means, all or part of that certain real property owned by
 9 the State of Nevada and situated in the County of Washoe, State of
 10 Nevada, described as follows:
 11 Parcel C—Commencing at the west ¼ corner of Section 8, Township
 12 19 North, Range 20 East, M.D.M.; thence North 0°30'43" East, 977.71
 13 feet; thence South 81°36'06" East, 177.91 feet to the true point of beginning;
 14 thence from the true point of beginning South 81°36'06" East,
 15 321.09 feet; thence North 8°23'24" East, 180.00 feet; thence South
 16 81°36'06" East, 459.83 feet; thence South 8°23'24" West, 504.22 feet;
 17 thence North 88°50'00" West, 733.94 feet; thence North 1°10'00"
 18 East, 419.95 feet; to the true point of beginning, being a portion of
 19 Blocks 28, 30, 31 and 41 of the Town, now City of Sparks, Washoe
 20 County, Nevada, formerly known as New Wadsworth and Harriman,
 21 according to the map thereof filed in the office of the County Recorder,
 22 Washoe County, State of Nevada, on April 23, 1904, and containing

1 8.344 acres, more or less, and situate in the northwest $\frac{1}{4}$ of Section 8,
2 T. 19 N., R. 20 E., M.D.M.

3 Parcel D—Commencing at the west $\frac{1}{4}$ corner of Section 8, T. 19 N.,
4 R. 20 E., M.D.M., as shown on the Amended Record of Survey "Defin-
5 ing Lands of the Nevada State Hospital" filed for record on the 24th day
6 of May, 1968, File No. 116007, Washoe County, Nevada, and proceed-
7 ing thence along the west line of said Section 8, N. $00^{\circ} 30' 43''$ E. 70.00
8 feet; thence S. $88^{\circ} 51' 10''$ E. 70.03 feet to the true point of beginning;
9 thence from said true point of beginning S. $88^{\circ} 51' 10''$ E. 95.10 feet;
10 thence N. $01^{\circ} 10' 00''$ E. 885.33 feet; thence N. $81^{\circ} 36' 06''$ W. 132.50
11 feet; thence S. $00^{\circ} 45' 00''$ W. 872.28 feet; thence along the arc of a
12 tangent curve to the left having a central angle of $89^{\circ} 36' 10''$, a radius
13 of 30.00 feet, and an arc length of 46.92 feet, to the true point of begin-
14 ning.

15 Containing an area of 2.625 acres of land, more or less, and situate
16 in the NW $\frac{1}{4}$ of Section 8, T. 19 N., R. 20 E., M.D.M.

17 SEC. 2. The real property described in subsection 1 may be sold or
18 exchanged subject to the following conditions:

19 1. The real property shall first be appraised by a competent appraiser
20 and his appraisal shall be approved by the director of the department of
21 human resources.

22 2. If the real property is to be exchanged, it may be exchanged only
23 for real property of substantially equivalent value or real property and
24 money.

25 3. If the real property is to be sold, the sale must be conducted by
26 public auction or sealed bids. Proceeds will be utilized for the purchase of
27 a site for the children's behavioral services in Washoe County or for capi-
28 tal improvement at the Nevada mental health institute.

29 SEC. 3. This act shall become effective upon passage and approval.

S. B. 390

 SENATE BILL NO. 390—SENATORS BRYAN, HILBRECHT,
 GIBSON, BLAKEMORE, SHEERIN AND WALKER

MARCH 25, 1975

 Referred to Committee on Government Affairs

 SUMMARY—Returns celebration of Veterans' Day to November 11.
 Fiscal Note: No. (BDR 19-1342)

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

 AN ACT relating to legal holidays; declaring that Veterans' Day
 be celebrated on November 11.

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

- 1 SECTION 1. NRS 236.015 is hereby amended to read as follows:
 2 236.015 1. [On and after January 1, 1971, the] *The* following days
 3 are declared to be legal holidays for state and county government offices:
 4 January 1 (New Year's Day)
 5 Third Monday in February (Washington's Birthday)
 6 Last Monday in May (Memorial Day)
 7 July 4 (Independence Day)
 8 First Monday in September (Labor Day)
 9 [Fourth Monday in October] *November 11* (Veterans' Day)
 10 October 31 (Nevada Day)
 11 Fourth Thursday in November (Thanksgiving Day)
 12 December 25 (Christmas Day)
 13 Any day that may be appointed by the President of the United States
 14 or by the governor for public fast, thanksgiving or as a legal
 15 holiday [.] *except for any Presidential appointment of the*
 16 *fourth Monday in October as Veterans' Day.*
 17 2. All state and county offices, courts, banks, savings and loan asso-
 18 ciations, public schools and the University of Nevada System shall close
 19 on the legal holidays enumerated in subsection 1 unless in the case of
 20 appointed holidays all or a part thereof are specifically exempted.
 21 3. If January 1, July 4, October 31 or December 25 falls upon a:
 22 (a) Sunday, the Monday following shall be observed as a legal holiday.
 23 (b) Saturday, the Friday preceding shall be observed as a legal holiday.