

Senate

GOVERNMENT AFFAIRS COMMITTEE

Minutes of Meeting - April 10, 1975

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

Also Present:
 James Hartshorne, Reno Police
 Thomas P. Higgins, Reno Police
 Carl Gains, Reno Police
 Len Bonk, Reno Police
 John L. Kimpton, Reno Police
 Rod F. Stock, Reno Police
 E. J. Westlake, Reno Police
 C. B. Nearpass, Reno Police
 David Bradley, Reno Police
 Dick Bloomsten, Reno Police
 Roger A. Stahz, Reno Police
 R. P. Morin, Reno Police
 R. J. Cavakis, Reno Police
 J. V. Marwin, Reno Police
 Edward A. Snyder, Reno Police
 W. E. Nickoley, Reno Police
 E. A. Nickoley, Reno Police
 John J. Hart, Reno Constable office
 Howard Melville, Reno Dem. & Nat'l Committee

The thirtieth meeting of the Government Affairs Committee was called to order by Chairman Gibson at 3:00 p.m. and a quorum was present.

SB-427 Authorizes City of Reno to beautify, better and otherwise improve the Truckee River and areas adjacent to the river and to issue securities to defray costs of such project. (BDR S-1445)

Joe Lattimore, City of Reno, indicated that they have tried for some time to beautify the river as it should be the front door of the city. This measure will be put on the ballot this spring.

Senator Young concurred with Mr. Lattimore's statement and felt that the people he represented were in favor of the beautification plan two to one.

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

SB-435 Allows governing body to receive and apply certain revenues to assessments levied under consolidated Local Improvements Law. (BDR 21-1384)

Senate

862

Government Affairs
Minutes of Meeting No. 30
April 10, 1975
Page 2

Joe Lattimore, City of Reno, indicated that this bill will help set up improvements within the city. It was drafted for Reno specifically to depress the railroad tracks. This could be financed by the improvement districts and adjacent property. Bond counsel, Hutton Company, has agreed that this bill is a good piece of legislation.

Motion of "Do Pass" by Senator Dodge, seconded by Senator Gojack. Voting went as follows: Yea's Senator Gojack, Dodge, Hilbrecht, Walker, Schofield, and Gibson. "No vote" from Senator Foote. Motion carried.

AB-342 Eliminates population restriction on county establishment of central receiving and disbursing systems; establishes certain rights of local governments to direct disposition of their moneys held in trust by counties. (BDR 20-1044)

Jim Lien, Tax Commission, indicated that many of the smaller counties would like to be able to get their money into a central banking account so they could make their investments without much delay. This bill eliminates Clark County but includes Washoe County as well as the other 15 counties and allows them, at their option, to establish a central receiving and central disbursement system.

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

AB-354 Increases fees allowed to constables. (BDR 20-1160)

John Hart, Constable of the Reno Township, speaking for Jefferson Thornton, Constable of Sparks, George Powning, Constable of Verdi as they were unable to attend this meeting on AB-354. They were interested in having the affidavit fee increased to \$3.00 instead of the \$2.00 fee as they requested earlier. They would like an increase in the fee charged to serve a subpoena to possibly \$3.00. Also requested an increase in the mileage from 50¢ per mile to 70¢.

Senator Dodge moved to "Amend and Do Pass", seconded by Senator Schofield. Voting went as follows: Yea's Senator's Gibson, Walker, Dodge, Schofield, Hilbrecht and Foote. Na's. Senator Gojack. Motion carried. Amendment will leave the mileage to 50¢ per mile and make the suggested increases for the subpoena.

SB-387 Amends charter of City of Reno by increasing number of appointive officers. (BDR S-1385)

Bob Kerns, Police and firefighters, is against the passage of this bill as it will bypass the civil service and appoint someone to the position of chief. They would like to have some protection for the civil service system.

Senate

GOVERNMENT AFFAIRS
 Minutes of Meeting No. 30
 April 10, 1975
 Page 3

Sgt. Hartshorne, Reno Police, indicated that there would be a considerable number more positions affected by the passage of this bill than was stated earlier. They feel it would take lower positions and stagnate them from advancement. This bill will also take the administrative personnel and make their positions all appointed.

Chairman Gibson felt that it was improper for the legislature to make this kind of decision for the city of Reno. He questioned if there wasn't any kind of language in the Charter that would take care of this situation.

Joe Lattimore, felt that a clearer definition of who is an officer would help in many areas.

Senator Dodge felt that there should be some way this could be added to the Charter, then if they want to change it they can come to the legislature.

Howard Melville, Reno Dem. & National Committee, feels that if the men are elected by qualifications, each department having a delegated responsible head, the whole department would run more efficiently and they would have their own guidelines.

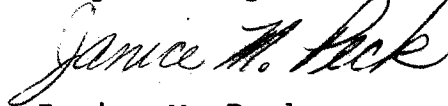
AB-336 Provides for voter's expression of nonconfidence in candidates for any elected office. (BDR 24-531)

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

Chairman Gibson has the suggested amendments for SB-186 as submitted by Mr. Urban Schreiner. (See the attached)

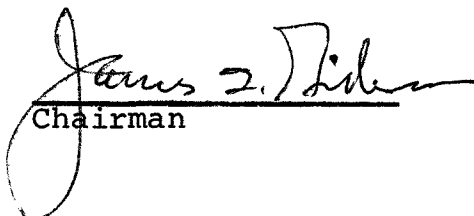
As there was no further business the meeting was adjourned at 5:00 p.m.

Respectfully submitted,



Janice M. Peck
 Committee Secretary

Approved:



Chairman

S E N A T E

AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS
 THURSDAY
 DATE April 10, 1975... TIME... 2:45 P.M.... ROOM... 345.....

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel Requested*</u>
SB-427	Authorizes City of Reno to beautify, better and otherwise improve the Truckee River and areas adjacent to the river and to issue securities to defray costs of such project. (BDR S-1445)	
	Notify: Senator Young, Joe Lattimore	
SB-435	Allows governing body to receive and apply certain revenues to assessments levied under Consolidated Local Improvements Law. (BDR 21-1384)	
	Notify: Senator Young, Jim Lien, Bob Warren, Bob Broadbent	
AB-336	Provides for voter's expression of non-confidence in candidates for any elected office. (BDR 24-531)	
	Notify: Assemblyman Mello, & Demeres	
AB-342	SUMMARY—Eliminates population restriction on county establishment of central receiving and disbursing systems; establishes certain rights of local governments to direct disposition of their moneys held in trust by counties. Fiscal Note: No. (BDR 20-1044)	
	Notify: Bob Broadbent, Bob Warren	
Note Change AB-354 Eff. 4-10-75 @ 8 A.M.	Increases fees allowed to constables. (BDR 20-1160)	
	Notify: Assemblyman Chaney	
SB-387 FOR COMMITTEE ACTION	Amends charter of City of Reno by increasing number of appointive officers. (BDR S-1385)	

* Please do not ask for counsel unless necessary

LAW OFFICES OF
URBAN J. SCHREINER
STANFORD PROFESSIONAL CENTER
900 WELCH ROAD, SUITE 207
PALO ALTO, CA 94304

TELEPHONE:
(415) 329-1032

April 7, 1975

The Honorable Senator Carl Dodge
Legislative Building
Carson City, Nevada

Re: Senate Bill 186 - Public Trust Law

Dear Senator Dodge:

Enclosed are my proposed amendments to Senate Bill 186 which I feel strengthen the law in the ways which we discussed. It also clarifies the method by which trusts and trustees operate in that it makes applicable to the trusts the provisions of the Uniform Trust Act and also requires trustees to adopt rules and regulations for the conduct of the business of the trust and to have copies of such rules and regulations on file at the principal office of the beneficiary of the trust and also with the county clerk.

The amendments also require that the significant and legally binding actions of the trustees which result in contracts being executed, bonds issued, etc. must be approved by ordinance if the legislative body is capable of acting by ordinance under the organic law applicable to such legislative body or by resolution if the laws do not provide for action by ordinance. In either case, however, the approval by the legislative body is subject to referendum by petition of 10% of the electors residing within the boundaries of the governmental entity which is the beneficiary of the trust project. It also provides for a public hearing prior to the enactment of such ordinance or approving resolution and for the public notice of such hearing.

Finally, the amendments provide for the requirement that any bonds or securities issued by the trustees be secured by property at least double the value of the bonds to be issued or by gross revenues of an operating revenue producing facility equivalent to 1.5 times average annual debt service on the bonds or securities to be issued. These are stated as minimum standards and presumably may be made more restrictive at the option of either the trustees, the legislative body of the beneficiary, or the State Board of Finance, as the case may be.

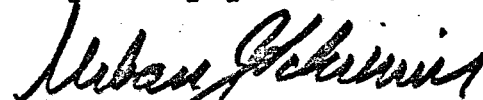
All in all, I think that without having expanded the law greatly the necessary safeguards will be built in on the basis

The Honorable Senator Carl Dodge
April 7, 1975
Page 2

of these amendments for the protection of the public entities involved and the residents and taxpayers of same and also for the purchasers and holders of any bonds or securities issued by any trust.

I would be happy to discuss this with you further if you so desire.

Very truly yours,



Urban J. Schreiner

UJS/gw

cc: Kent Dawson, Esq.
R. Guild Gray

1. Remove the amendment to NRS 242B.010
2. Amend NRS 242B.020 by adding paragraph 4 as follows:

"Acceptance of the beneficial interest by the governing body of the beneficiary county, municipality, political subdivision, governmental subdivision, or governmental agency of the state shall not be effective until such time as such governing body has duly called, held and conducted a public hearing on the question of the acceptance of such beneficial interest. Notice of such public hearing shall be given by such governing body by publication in a newspaper of general circulation within the boundaries of such beneficiary by three publications, the first of which shall be made not less than 15 days prior to the date fixed for such hearing. At the conclusion of such hearing, such acceptance of the beneficial interest shall be made by ordinance of such governing body which is subject to referendum or by resolution of such governing body if such governing body is not lawfully authorized to act by ordinance; provided, however, that any such resolution shall contain a provision stating that it shall not go into effect for a thirty-day period following its adoption during which such resolution shall be published in a newspaper of general circulation by two publications and provided that such resolution shall be subject to referendum in accordance with

the procedures described in NRS 295.075 to 295.125, and in such case the following definition shall apply:

1. "Board" shall mean the governing body of the beneficiary.
 2. "Voters of the county" shall mean voters authorized to vote at elections held within such beneficiary."
3. Section 2 of SB 186 shall be amended to read as follows:
1. Except as otherwise provided in the instrument or will creating such trust the provisions of the Uniform Trusts Act, NRS 163.010 to 163.210, inclusive, shall apply to the appointment, succession, powers, duties and compensation of the trustee or trustees of any trust created for the benefit and furtherance of any public function.
 2. Of the trustees first appointed, a majority shall serve 4-year terms, and the remaining trustees shall serve 2-year terms. Thereafter, all trustees appointed or reappointed shall serve 4-year terms.
 3. Every trustee of a trust created for the benefit and furtherance of any public function shall furnish a good and sufficient surety bond with a surety authorized to do business within the State of Nevada and in such amount as may be prescribed by the authority which accepts the beneficial interest in the trust. The cost of the surety bond shall be paid from the funds of the trust.
 4. All meetings of the trustees shall be open to the public to the same extent as required by chapter 241 of NRS for state and local agencies.

5. All records of the trust are public records and shall be kept in a place which is identified by documents recorded in the office of the county recorder of each county in which the trust instrument is recorded.

6. Trustees may be removed from office for cause, including incompetency, neglect of duty or malfeasance in office, by the governing body of the municipal beneficiary. If a trustee is removed pursuant to this subsection, his successor shall be appointed as provided in the trust instrument.

7. The trustees shall adopt rules, regulations and by-laws which shall govern as to the conduct of business by the trustees to the extent that such is not provided for in the trust instrument or will by which the trust is created. Such rules, regulations and bylaws shall be filed with the clerk of the governing body of the beneficiary of such trust and with the county clerk of the county in which the beneficiary is located."

4. Section 3 of SB 186 shall have added to it the following sentence:

"No trustee shall be an officer, employee or member of the governing body of the municipal beneficiary."

5. Section 242B.065 is added to NRS to read as follows:

"242.065 The trustees shall not enter into contracts for the acquisition or construction of buildings or public improvements or for the acquisition or disposal of trust properties by purchase, lease, gift, bequest or devise or

any other lawful means until such contract be first approved by the governing body of the beneficiary by ordinance or resolution adopted in the manner set forth in NRS 242B.020.4. Such governing body shall approve the resolution providing for the issuance of bonds or other securities to be issued by the trustees and proposed terms of sale thereof in the manner set forth in said NRS 242B.020.4; provided, however, that it shall not be necessary for such governing body to approve the award of such bonds to the purchaser thereof provided that such bonds are sold in compliance with said resolution of issuance and said terms of sale."

6. Section 4 of SB 186 is amended in part to provide as follows:

"2. All bonds issued by any trust created for the benefit and furtherance of any public function shall:

(a) Be sold at public sale; provided, however, that if no satisfactory bids are received from responsible bidders at such public sale such bonds may be sold at private sale.

(b) Be secured (1) by property, either real or personal or both, having a market value of at least two (2) times the principal amount of the bonds sold, or (2) by gross revenues from an existing revenue producing facility equal to at least one and one-half times the average annual debt service payable on such bonds."

S. B. 427

SENATE BILL NO. 427—SENATORS YOUNG AND GOJACK

APRIL 1, 1975

Referred to Committee on Government Affairs

SUMMARY—Authorizes City of Reno to beautify, better and otherwise improve the Truckee River and areas adjacent to the river and to issue securities to defray costs of such project. Fiscal Note: No. (BDR S-1445)



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

AN ACT relating to the City of Reno; authorizing the city to beautify, better and otherwise improve the Truckee River and areas adjacent to the river and to issue bonds and other securities, constituting general obligations of the city, to defray costs of such project; providing for the payment of such securities, the security therefor, and other details in connection therewith; ratifying action heretofore taken toward the issuance of such securities and the project; stating powers, rights, privileges, immunities, liabilities, duties, disabilities and other details in connection with the city, such facilities, such securities, taxes and other revenues for the payment of such securities, their proceeds, other moneys, and pledges and liens pertaining thereto, including, without limitation, by reference to the Local Government Securities Law; 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. Except as otherwise provided in this act, terms used or
2 referred to in this act are as defined in the Local Government Securities
3 Law; but the following terms whenever used or referred to in this act and
4 in the Local Government Securities Law in its connection with this act,
5 unless the context otherwise requires, have the meanings ascribed to them
6 in sections 2 to 5, inclusive, of this act.
- 7 SEC. 2. "Facilities" means the improvements for the beautifying, bet-
8 tering and other improvement of the Truckee River and areas adjacent to
9 the river within the municipality, including, without limitation, parks and
10 recreational facilities, food service facilities, restroom facilities, flood con-
11 trol and drainage facilities, vehicular offstreet parking facilities, drive-
12 ways, ramps, pedestrian malls and other walkways, artificial lights, and
13 other facilities, buildings, structures and fixtures relating thereto, other
14 improvements incidental thereto, sites, grounds and other real property,
15 interests therein, equipment and furnishings therefor, or any combination
16 of such incidental improvements.
- 17 SEC. 3. "Governing body" means the city council of the municipality.

1 SEC. 12. If any provision of this act or the application thereof to any
2 person, thing or circumstance is held invalid, such invalidity shall not
3 affect the provisions or application of this act that can be given effect with-
4 out the invalid provision or application, and to this end the provisions of
5 this act are declared to be severable.
6 SEC. 13. This act shall become effective upon passage and approval.

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S. B. 435

SENATE BILL NO. 435—SENATOR YOUNG

APRIL 2, 1975

Referred to Committee on Government Affairs

SUMMARY—Allows governing body to receive and apply certain revenues to assessments levied under Consolidated Local Improvements Law. Fiscal Note: No. (BDR 21-1384)

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

AN ACT relating to local improvements; allowing a governing body to receive and apply certain revenues to assessments; providing certain remedies; 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 271 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 8, inclusive, of this act.
- 3 SEC. 2. *As used in sections 2 to 8, inclusive, of this act, "revenue"*
4 *means any money pledged wholly or in part for crediting to or payment of*
5 *assessments, subject to any existing pledges or other contractual limita-*
6 *tions and may include:*
- 7 1. *Moneys derived from one, all or any combination of revenue*
8 *resources appertaining to any facilities of the municipality, financed in*
9 *whole or in part with the proceeds of assessments levied pursuant to the*
10 *assessment ordinance, including but not limited to use and service charges,*
11 *rents, fees and any other income derived from the operation or ownership*
12 *of, from the use or services of, or from the availability of or services*
13 *appertaining to, the lease of, any sale or other disposal of, any contract or*
14 *other arrangement, or otherwise derived in connection with such facilities*
15 *or all or any part of any property appertaining to the facilities.*
- 16 2. *Any loans, grants or contributions to the municipality from the*
17 *Federal Government, the state or any public body for the payment of all*
18 *or any portion of the cost of the project for which the assessments were*
19 *levied.*
- 20 3. *The proceeds of any excise taxes levied and collected by the munic-*
21 *ipality or otherwise received by it and authorized by law to be pledged for*
22 *the payment of the project for which the assessments were levied or for*
23 *the payment of the assessments levied to finance the cost of the project but*
24 *excluding the proceeds of any general (ad valorem) taxes.*

1 SEC. 3. 1. The governing body may apply any revenues to the pay-
2 ment of assessments and in so doing may pledge the revenue to such pay-
3 ment. The revenues shall be credited in the proportion which each
4 individual assessment or installment of principal bears to the total of all
5 individual assessments in the assessment to which the revenues are to be
6 credited. The application of revenues shall be made pursuant to the provi-
7 sions set forth in the assessment ordinance.

8 2. If an individual assessment, or any installment of principal and
9 interest has been paid in cash, the credit shall be returned in cash to the
10 person or persons paying the same upon their furnishing satisfactory evi-
11 dence of payment. Where all or any part of an individual assessment
12 remains unpaid and is payable in installments of principal, the credit shall
13 be applied to the installment, and if after the payment of the installment
14 there remains an unused portion of the credit, the unused portion shall be
15 applied to the payment of interest, and if after the payment of such prin-
16 cipal and interest there remains an unused portion of the credit, the
17 unused portion shall be applied to the next ensuing installment or install-
18 ments of principal and interest until the credit is applied in its entirety.

19 SEC. 4. The governing body may provide in the assessment ordinance
20 for any covenants or other provisions the purpose of which is to secure
21 the payment of assessments. The covenants or other provisions may pro-
22 vide for:

23 1. The pledging of revenues and the foreclosure of liens for delin-
24 quencies, the discontinuance of services, facilities or use of any proper-
25 ties or facilities, prohibition against free service, the collection of penalties
26 and collection costs, and the use and disposition of any moneys of the
27 municipality derived or to be derived from any source designated in this
28 subsection;

29 2. The acquisition, improvement or equipment of all or any part
30 of properties pertaining to any facilities financed in whole or in part
31 from assessments levied pursuant to the assessment ordinance;

32 3. A fair and reasonable payment by the municipality for services
33 rendered by such facilities to the municipality;

34 4. The pledge of and the creation of a lien upon pledged revenues
35 to secure the payment of assessments levied pursuant to the assessment
36 ordinance;

37 5. The use, regulation, inspection, management, operation, mainte-
38 nance or disposition, or any limitation or regulation of the use, of all or
39 any part of such facilities or any property of the municipality;

40 6. The determination or definition of pledged revenues from such
41 facilities or of operation and maintenance expenses of such facilities, the
42 use and disposition of such revenues and the manner of and limitations
43 upon paying such expenses;

44 7. Any financial records pertaining to such facilities and for inspec-
45 tion and audit of the records; and

46 8. Events of default and the resulting rights and liabilities, and the
47 rights, liabilities, powers and duties arising upon the breach by the munic-
48 ipality of any covenants, conditions or obligations.

1 SEC. 5. 1. Revenues pledged for the payment of any assessments, as
2 received by or otherwise credited to the municipality, are subject to the
3 lien of each pledge without any physical delivery, filing or further act.

4 2. The lien of each pledge and the obligation to perform the contrac-
5 tual provisions made in the assessment ordinance has priority over all
6 other obligations and liabilities of the municipality, except as may be oth-
7 erwise provided in this section or in the ordinance, and subject to any
8 prior pledges and liens. The existence of any prior pledges or liens shall be
9 set forth in the assessment ordinance.

10 3. The lien of each pledge is valid and binding as against all persons
11 having claims of any kind in tort, contract or otherwise against the munic-
12 ipality irrespective of whether such persons have notice.

13 SEC. 6. Subject to any contractual limitations binding upon the owners
14 of any property assessed, including but not limited to the restriction of the
15 exercise of any remedy to a specified proportion, percentage or number of
16 such owners, and subject to any prior or superior rights of others, any
17 owner may, for the equal benefit and protection of all owners similarly
18 situated:

19 1. By mandamus or other civil action or proceeding enforce his
20 rights against the municipality, the governing body and any other of the
21 officers, agents and employees of the municipality, require the munic-
22 ipality, the governing body or any such officers, agents or employees to
23 perform and carry out their respective duties, obligations, other commi-
24 tments under sections 2 to 5, inclusive, of this act, and their respective
25 covenants and agreements with any such owner;

26 2. By a civil action require the municipality to account for revenues
27 as if it is the trustee of an express trust;

28 3. By a civil action obtain the appointment of a receiver, who may
29 enter and take possession of any facilities and any pledged revenues for
30 the payment of assessments, prescribe sufficient fees derived from the
31 facilities, and collect, receive and apply all pledged revenues or other
32 moneys pledged for the payment of the assessments in the same manner
33 as the municipality might do in accordance with the obligations of the
34 municipality; and

35 4. By a civil action enjoin any acts or things which may be unlawful
36 or in violation of the rights of the owner of any property.

37 SEC. 7. No right or remedy conferred upon any owner of property
38 assessed is exclusive of any other right or remedy, but each such right or
39 remedy is cumulative and in addition to every other right or remedy and
40 may be exercised without exhausting and without regard to any other rem-
41 edy conferred by sections 6 to 8, inclusive, of this act, or by any other
42 law.

43 SEC. 8. The failure of any owner of property assessed to proceed as
44 provided in section 6 of this act or any defect in such proceedings does not
45 relieve the municipality, the governing body or any of the officers, agents
46 and employees of the municipality of any liability for failure to perform or
47 carry out any duty, obligation or other commitment.

48 SEC. 9. This act shall become effective upon passage and approval.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 336

ASSEMBLY BILL NO. 336—ASSEMBLYMEN MELLO, DINI,
WITTENBERG, DEMERS AND ROBINSON

MARCH 3, 1975

Referred to Committee on Elections

SUMMARY—Provides for voter's expression of nonconfidence in candidates for any elected office. Fiscal Note: No. (BDR 24-531)

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

AN ACT relating to elections; providing means whereby any voter may express his lack of confidence in presidential candidates; 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 293 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *Every ballot upon which appears the names of candidates for Pres-*
4 *ident and Vice President of the United States shall contain an additional*
5 *line for such candidates equivalent to the lines on which the candidates'*
6 *names appear and placed at the end of the group of lines containing the*
7 *names of the candidates for that office. The additional line shall contain a*
8 *square in which the voter may express his choice of that line in the same*
9 *manner as he would express his choice of a candidate, and the line shall*
10 *read "None of these candidates."*
11 2. *Only votes cast for the named candidates shall be counted in*
12 *determining presidential nominations or the selection of presidential*
13 *electors, but the number of ballots on which the additional line was*
14 *chosen shall be listed following the names of the candidates and the*
15 *number of their votes in every posting, abstract and proclamation of*
16 *the results of the election.*
17 3. *Every sample ballot or other instruction to voters prescribed or*
18 *approved by the secretary of state shall clearly explain that the voter*
19 *may mark his choice of the line "None of these candidates" only if he*
20 *has not voted for any presidential candidate.*
21 SEC. 2. NRS 293.293 is hereby amended to read as follows:
22 293.293 1. **[The]** *Except as provided in subsection 2 and in NRS*

1 293.295 the voter shall mark his ballot in no other manner than by stamp-
2 ing a cross (X) in the square following the name of [the] each candidate
3 for whom he intends to vote for each office, or upon one of the lines pro-
4 vided pursuant to section 1 of this act, except that in a general election,
5 at which the names of candidates for President and Vice President of the
6 United States are on the ballot, followed by the designation of their party,
7 one vote for the party designated shall constitute a vote for such party's
8 candidates for President and Vice President.

9 2. If a proposed constitutional amendment or other question is sub-
10 mitted to the registered voters, the cross shall be placed in the square fol-
11 lowing the answer which the voter chooses to give.

12 3. Before leaving the booth, the voter shall fold his ballot in such a
13 manner that the watermark and the number of the ballot appear on the
14 outside, without exposing how he voted, and shall keep it so folded until
15 he has delivered it to the officer from whom he received it, who shall
16 announce the number of the ballot in an audible voice.

17 4. The election board officer who is in charge of the pollbook shall
18 repeat the number, and mark in the column opposite the number the word
19 "Voted," or a character indicating the word "Voted."

20 5. The election board officer who receives the voted ballot shall sepa-
21 rate from the ballot the strip bearing the number and shall deposit the
22 ballot in the ballot box in the presence of the voter.

23 6. No ballot may be deposited in the ballot box unless the watermark
24 appears thereon, and until the slip containing the number of the ballot
25 has been removed therefrom by the election board officer. The strip bear-
26 ing the number shall be retained by the election board officer.

27 SEC. 3. Chapter 293A of NRS is hereby amended by adding thereto
28 a new section which shall read as follows:

29 1. Every voting machine whose ballot label contains the names of
30 candidates for President and Vice President of the United States or for
31 nomination as presidential candidates shall provide, properly identified
32 on the ballot label, an additional lever or other voting mechanism for such
33 office, identical in form and junction to those used in voting for named
34 candidates, which shall correspond to the additional line required on
35 paper ballots by section 1 of this act.

36 2. Sample ballots, diagrams and any other information given to voters
37 shall clearly explain the use of such additional lever in conformity with
38 subsection 3 of section 1 of this act.

39 SEC. 4. NRS 293A.470 is hereby amended to read as follows:

40 293A.470 The statement of result of votes cast, which shall be certi-
41 fied by the election board, shall show the number of the machine, the pre-
42 cinct or district, the polling place, the total number of ballots cast [and
43 the number of votes cast for each candidate and measure as shown on
44 each counter.] , the number of votes cast for and against each measure,
45 and:

46 1. The number of votes cast for each candidate, grouped by office;
47 and

48 2. The number of choices registered on the additional lever required
49 by section 4 of this act, immediately following the names of the presiden-
50 tial candidates or nominees.

1 SEC. 5. NRS 298.125 is hereby amended to read as follows:
2 298.125 The form of presidential preference primary ballots shall be
3 substantially as follows:

(Form of Ballot)

4 Party
5
6 Presidential Preference Primary

7 Instructions: If you desire to vote for any candidate, or if you desire to
8 express a lack of confidence in all of the candidates, stamp a cross
9 (X) in the square following [the name of such candidate.] your
10 selection.

Presidential Candidates

(vote for one)

- 11 (Name of candidate).....
- 12 (Name of candidate).....
- 13 (Name of candidate).....
- 14 (Name of candidate).....
- 15 (None of these candidates).....
- 16

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 342

ASSEMBLY BILL NO. 342—COMMITTEE ON
GOVERNMENT AFFAIRS

MARCH 4, 1975

Referred to Committee on Government Affairs

SUMMARY—Eliminates population restriction on county establishment of central receiving and disbursing systems; establishes certain rights of local governments to direct disposition of their moneys held in trust by counties. Fiscal Note: No. (BDR 20-1044)

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

AN ACT to amend NRS 244.207, relating to county central receiving and disbursing systems, by enlarging the number of counties permitted to institute central receiving and disbursing systems; ensuring the right of local governments whose moneys are held in trust by counties to direct receipt, disbursement and investment of such moneys under certain circumstances; 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 244.207 is hereby amended to read as follows:
 2 244.207 1. Notwithstanding any other provision of law, the boards
 3 of county commissioners of counties [with population of 100,000 or more
 4 but] *whose population is less than 200,000*, as determined by the last pre-
 5 ceding national census of the Bureau of the Census of the United States
 6 Department of Commerce, shall have power and jurisdiction in their
 7 respective counties to establish by ordinance central receiving and disburs-
 8 ing systems for the handling of county moneys and moneys held in trust
 9 by the county or by any of its elected or appointed officers. Such systems
 10 may include, but are not limited to, the following:
 11 (a) The commingling of all moneys from any source whatsoever, pro-
 12 vided that the accounting system employed supplies full information
 13 concerning the sources of the moneys.
 14 (b) The elimination of departmental bank accounts provided for in
 15 NRS 356.200 by commingling such moneys in a bank account or accounts
 16 maintained by the county treasurer.
 17 (c) The elimination of trust bank accounts created for any reason
 18 whatsoever, as long as adequate records are maintained to identify fully
 19 all trust moneys. The moneys previously held in such trust bank accounts

1 may be commingled with other moneys held in bank accounts maintained
2 by the county treasurer.

3 (d) The centralization of all disbursing of all moneys, including trust
4 moneys, provided the accounting system employed supplies full informa-
5 tion concerning the disposition of such moneys.

6 (e) The centralization of part or all of billing and collection aspects
7 of business licenses, personal property and any other activity of any of
8 the offices of the county that involves billing for services or taxes or fees
9 imposed by statute or ordinance, or the collection of moneys in payment
10 of such billings.

11 2. Investment income from the commingled funds will be credited to
12 the general fund of the county if other provisions of law or contract do
13 not require other allocation of such investment income.

14 3. Nothing in this section shall: **[eliminate]**

15 (a) *Eliminate* the reporting requirements of various elected and
16 appointed officials relating to the receipt and disposition of moneys.

17 (b) *Limit the right of a local government as defined in NRS 354.474*
18 *(but not including a county) whose moneys are held in trust by the county*
19 *to direct the receipt, disbursement and investment of its money independ-*
20 *ently of the system provided for in this section, where such independent*
21 *direction is otherwise authorized by law.*

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 354

ASSEMBLY BILL NO. 354—ASSEMBLYMEN CHANEY,
PRICE AND BENNETT

MARCH 5, 1975

Referred to Committee on Government Affairs

SUMMARY—Increases fees allowed to constables. Fiscal Note:
No. (BDR 20-1160)

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

AN ACT relating to constables; increasing the fees allowed for
constables' services, including mileage.

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

1 SECTION 1. NRS 258.125 is hereby amended to read as follows:
2 258.125 1. Constables shall be allowed the following fees for their
3 services:
4 For serving summons or other process by which suit is
5 commenced in civil cases.....**[\$1.50]** \$3.00
6 For summoning a jury before a justice of the peace..**[3.00]** 4.00
7 For taking a bond or undertaking.....**[1.50]** 2.00
8 For serving an attachment against the property of a
9 defendant.....**[3.00]** 4.00
10 For serving subpoenas, for each witness.....**[1.50]** 2.00
11 For a copy of any writ, process or order or other paper,
12 when demanded or required by law, per folio..... **[.30]** 1.00
13 For drawing and executing every constable's deed, to be
14 paid by the grantee, who shall also pay for the
15 acknowledgment thereof.....**[7.50]** 10.00
16 For each certificate of sale of real property under
17 execution.....**[1.50]** 2.00
18 For levying any execution, or executing an order of
19 arrest in civil cases, or order for delivery of per-
20 sonal property, with traveling fees as for sum-
21 mons.....**[3.00]** 4.00
22 For making and posting notices, and advertising prop-
23 erty for sale on execution, not to include the cost
24 of publication in a newspaper.....**[3.00]** 4.00

- 1 For mileage in serving summons, attachment, execution,
 2 order, venire, subpoena or other process in civil
 3 suits, for each mile necessarily and actually traveled,
 4 in going only.....**[\$0.50]** \$0.70
 5 But when two or more persons are served in
 6 the same suit, mileage shall only be
 7 charged for the most distant, if they live
 8 in the same direction.
- 9 For mileage in making a diligent but unsuccessful effort
 10 to serve a summons, attachment, execution, order,
 11 venire, subpoena or other process in civil suits, for
 12 each mile necessarily and actually traveled, in
 13 going only.....**[\$.50]** .70
 14 But mileage shall not exceed \$10 for any
 15 unsuccessful effort to serve such process.
- 16 2. A constable shall also be allowed:
 17 (a) For receiving and taking care of property on execution, attach-
 18 ment, or order, his actual necessary expenses, to be allowed by the
 19 justice of the peace who issued the writ or order, upon the affidavit of
 20 the constable that such charges are correct and the expenses necessarily
 21 incurred.
 22 (b) For collecting all sums on execution or writ, to be charged against
 23 the defendant, 2 percent thereof.
 24 (c) For service in criminal cases, the same fees as are allowed sheriffs
 25 for like services, to be allowed, audited and paid as are other claims
 26 against the county.
- 27 3. Deputy sheriffs acting as constables shall not be entitled to retain
 28 for their own use any fees collected by them, but the same shall be paid
 29 into the county treasury on or before the 5th day of the month next
 30 succeeding the month in which the fees were collected.
- 31 4. Constables shall, on or before the 5th day of each month, account
 32 for and pay to the county treasurer all fees collected during the preceding
 33 month, except fees which may be retained as compensation.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 387

SENATE BILL NO. 387—COMMITTEE ON
GOVERNMENT AFFAIRS

MARCH 25, 1975

Referred to Committee on Government Affairs

SUMMARY—Amends charter of City of Reno by increasing number
of appointive officers. Fiscal Note: No. (BDR S-1385)EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

AN ACT to amend an act entitled "An Act incorporating the City of Reno, in Washoe County, Nevada, and defining the boundaries thereof, under a new charter; and providing other matters properly relating thereto," approved May 6, 1971, as amended.

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

- 1 SECTION 1. Section 1.090 of Article I of the above-entitled act, being
2 chapter 662, Statutes of Nevada 1971, as amended by chapter 553,
3 Statutes of Nevada 1973, at page 876, is hereby amended to read as
4 follows:
5 Section 1.090 Appointive officers.
6 1. The city council shall provide for the appointment of a city
7 manager to perform the duties outlined in section 3.020. A vacancy in
8 the office of city manager shall be filled within 6 months.
9 2. The city council may establish [such other] appointive offices as
10 it may deem necessary for the operation of the city by designating the
11 position and the qualifications therefor by ordinance. Appointment of
12 such officers shall be made by the city manager and confirmed by the
13 city council. [Such appointive offices may include:
14 (a) Airport manager.
15 (b) Animal regulation officer.
16 (c) Assistant city manager.
17 (d) Chief building inspector.
18 (e) Chief license inspector.
19 (f) Chief of police.
20 (g) City controller.
21 (h) City engineer.
22 (i) Data processing director.

- 1 (j) Director of finance.
 2 (k) Director of parks, recreation and public properties.
 3 (l) Director of personnel.
 4 (m) Director of public safety.
 5 (n) Director of public works.
 6 (o) Fire chief.
 7 (p) Sign and paint superintendent.
 8 (q) Signal and fire alarm superintendent.
 9 (r) Superintendent of city shops.
 10 (s) Superintendent of communications.
 11 (t) Superintendent of parks.
 12 (u) Superintendent of recreation.
 13 (v) Superintendent of sanitation.
 14 (w) Superintendent of sewer plant.
 15 (x) Superintendent of sewers.
 16 (y) Superintendent of streets.
 17 (z) Traffic engineer.]

18 3. A city clerk shall be appointed by the city council.

19 SEC. 2. Section 9.020 of Article IX of the above-entitled act, being
 20 chapter 553, Statutes of Nevada 1973, at page 884, is hereby amended to
 21 read as follows:

22 Section 9.020 Civil service and exempt positions. There is hereby
 23 created a civil service system applicable to and for the purpose of gov-
 24 erning the selection, appointment and promotion of all employees of the
 25 city except the following exempt positions: Elected officials of the city,
 26 city manager, secretary to the city manager, [assistant city manager, city
 27 clerk, airports manager, animal control center supervisor, building super-
 28 intendent, building inspection superintendent, chief license and sewer
 29 collections inspector, city engineer, communications superintendent,
 30 comptroller, data processing manager, equipment maintenance superin-
 31 tendent, finance director, fire chief, parks and recreation director, parks
 32 superintendent, personnel director, personnel officer, police chief, public
 33 safety director, public works director, recreation superintendent, sewage
 34 plant superintendent, sewer lines superintendent, sign and paint superin-
 35 tendent, streets superintendent, traffic safety engineer, traffic signal and
 36 fire alarm superintendent,] persons appointed by the city manager pur-
 37 suant to subsection 2 of section 1.090, persons employed in the office of
 38 the city attorney, persons employed by the city less than eighteen hours
 39 per week, the chief examiner of the civil service commission, persons
 40 employed in positions which are funded 50 percent or more by noncity
 41 funds, and persons employed in trainee positions on a limited-term basis;
 42 provided, however, that no employee of the City of Reno whose position
 43 has heretofore been within the civil service system shall by this enactment
 44 lose the rights or privileges held by him prior to the effective date of this
 45 article.