

Senate

712

GOVERNMENT AFFAIRS COMMITTEE

Minutes of Meeting - April 2, 1975

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

Also Present:

George C. Monohan, Clark County Public Works
Paul Carrington, Self interest
Joe L. Gremban, Sierra Pacific Power Company
Tom Young, Sierra Pacific Power Company
Bob Kerns, Firefighters & Police
Julius Donighan, Joint Comm. Fire & Police
Bob Warren, Nevada League of Cities
Bill Adams, City of Las Vegas
Bob Broadbent, County Commissioners

The twenty sixth meeting of the Government Affairs Committee was called to order by Vice Chairman Walker at 3:00 P.M. and a quorum was present.

SB-365 Allows Las Vegas Valley Water District to charge different rates in areas non-contiguous to existing service area; requires county or municipality to pay relocation costs of water facility where county or municipality changes street grade; and corrects typographical errors. (BDR S-1330)

George C. Monohan, Clark County Public Works, passed out copies of a letter reflecting his views on SB-365. He is favor of the bill but would like section 19.2 deleted out. (See attached letter)

Bob Broadbent, County Commissioners, indicated that he also was in favor of the bill but felt that section 19.2 should be deleted.

Motion to "Amend and Do Pass" by Senator Dodge, Seconded by Senator Hilbrecht. Motion carried unanimously. Amend out of the bill section 19.2 (See attached letter from Mr. Brechler)

SB-376 Creates Southern Nevada Power District. (BDR S-1269)

SB-377 Creates Western Nevada Power District. (BDR S-1270)

Senator Neal, sponsor, wants the public to become owners of the facilities. Feels that the costs will be substantially lower and gave the committee a comparison in costs between the public facilities and the privately owned facilities. Senator Neal stated that 18% of every dollar earned will be returned to the community in some form, also public facilities don't have the overhead that the private facilities have.

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Mr. Jim Lien, Tax Commission, gave the attached letter as their testimony on SB-376 and SB-377. (See attached)

Senator Neal felt that these two bills would only cover the larger communities in Nevada and indicated that since this bill came up so quickly he would appreciate having more time to prepare testimony on the impact Nevada would have.

Mr. Paul Carrington, personal interest in SB-377, was not in favor of this bill. He stated that if the public would have their own utilities they would soon face the same problems and cost factors that the privately owned facilities face. He wondered if the public utilities would only handle electricity. If so they would have to get the water and gas from other sources and could possibly pay more for these utilities in a piece meal fashion. This would not serve the public and felt that what should be done is to reinforce the private facilities and give them the opportunities to improve.

Joe Gremban, Sierra Pacific Power Company, stated that their company is not for sale and if so the people in Nevada could never pay the price. Any private facility would be run much the same as a public facility. The public utilities would run into the same problems and have the same expenses. He indicated that their employees salaries ran about average or just under average throughout the country.

After further discussion it was decided by the committee to hold action on this bill until Senator Neal could present further testimony.

SB-227 Requires cities and counties to establish disability pension plan or provide disability insurance for firefighters and certain peaceofficers. (BDR 20-987)

This bill was held until some form of fiscal impact could be brought to the committee. Senator Hilbrecht indicated that to have special insurance for just firefighters and peace officers would be extremely expensive.

Motion of "do pass" by Senator Hilbrecht, seconded by Senator Schofield. Voting: Yea's, Senators Hilbrecht and Schofield and Gojack. Na's Senator Walker, Senator Dodge and a "No Vote" by Senator Foote. Motion did not carry.

AB-15 Limits possibility of consolidation of Boulder City. (BDR S-411)

AB-16 Amends Henderson city charter to limit the possibility of consolidation. (BDR S-442)

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Assemblymen Jeffrey & Sena testified on both AB-15 and AB-16 stating that their people were worried about the right of self-determination. Only wanted to be consulted and have their views heard in regards to any consolidation plan.

Motion to "Indefinitely Postpone" by Senator Dodge, seconded by Senator Hilbrecht. Voting: Yea's Senators Walker, Dodge, Hilbrecht, Schofield and Gojack. Na's. Senator Foote. Motion carried. Motion was for both AB-15 and AB-16.

SB-383 Clarifies restriction on private practice of law by district attorneys. (BDR 20-721)

Senator Dodge stated that this bill make the laws uniform throughout the state concerning the private practice of law by district attorneys. This bill forbids any district attorney to practice law while he is in office.

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

SB-388 Imposes 1-year residence requirement for candidates for elective county offices. (BDR 20-1324)

Senator Blakemore stated that this bill was initiated to cover the District Attorney but had been expanded to cover all elective county offices. There was a concern to have some restrictions on the office of District Attorney and Senator Blakemore feels the bill as it was finalized is too restrictive.

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

Senator Walker informed the committee that SB-269 was brought before the committee as an emergency measure and stated that this bill has to be repealed before Friday, April 4, 1975.

Motion of "Do Pass" by Senator Dodge, seconded by Senator Hilbrecht. Motion carried unanimously. Will be submitted as an Emergency Measure.

As there was no further business the meeting was adjourned at 4:50 p.m.

Respectfully submitted,

Janice M. Peck
Janice M. Peck
Committee Secretary

Approved:

L. B. Tolles
Vice Chairman

S E N A T E

711

AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS.....
 WEDNESDAY
 DATE 4-2-75.....TIME..2:45 P.M.:.....ROOM...345.....

SENATOR WALKER - VICE CHAIRMAN CONDUCTING THE MEETING

Bills or Resolutions to be considered	Subject	Counsel Requested*
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SB-365	Allows Las Vegas Valley Water District to charge different rates in areas non-contiguous to existing service area; requires county or municipality to pay relocation costs of water facility where county or municipality changes street grade; and corrects typographical errors. (BDR S-1330)	
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Notify: Las Vegas Valley Water District,
Tom Rice - Bob Broadbent - Richard Bunker

SB-376	Creates Southern Nevada Power District (BDR S-1269)	
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Also

SB-377	Creates Western Nevada Power District (BDR S-1270)	
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Notify: Senator Neal, Public Service Comm.
Noel Clark, Wally Warren, Bill Adams, Bob Broadbent, Bob Warren

SB-383	Clarifies restriction on private practice of law by district attorneys. (BDR 20-721)	
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Notify: Senator Dodge

SB-388	Imposes 1-year residence requirement for candidates for elective county offices. (BDR 20-1324)	
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Notify: Senator Blakemore, Bob Broadbent
Bob Warren

AB-15 &	Limits possibility of consolidation of Boulder City. (BDR S-441)	
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AB-16	Amends Henderson city charter to limit the possibility of consolidation. (BDR S-442)	
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Notify: Assemblymen Jeffrey & Sena



CLARK COUNTY
DEPARTMENT OF PUBLIC WORKS

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COURTHOUSE ANNEX LAS VEGAS, NEVADA 89101

GEORGE C. MONAHAN
Director of Public Works

March 31, 1975

Senator James Gibson, Chairman
Committee on Government Affairs
Nevada State Legislature
State Capitol
Carson City, NV 89701

SENATE BILL 365

The Clark County Public Works Department objects to that portion of the subject bill stipulating:

"...that any cost of relocating any facilities which is necessitated by realignment, change of grade, or improvement of a street, alley, or road, or any installation, relocation, or modification of municipally or county owned facilities, shall be borne by the municipality or county having jurisdiction over such street, alley, or road."

*§ 19.2 - Deleted
at request of
Water Dist. 8*

We have not budgeted for such adjustments and feel that if an exception were made for the Las Vegas Valley Water District, similar exceptions would have to be made for all of the utilities which would create an impossible situation.

GEORGE C. MONAHAN
Director of Public Works

GCM:lw

REGIONAL STREET and HIGHWAY COMMISSION

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OF

CLARK COUNTY

Las Vegas, Nevada

RICHARD J. RONZONE, Chairman

RON LURIE, Vice-Chairman

C. R. CLELAND

ORAN K. GRAGSON

TOM WIESNER

W. TOM COOPER

RICHARD A. STEWART

CHARLES P. BRECHLER

Managing Engineer

P. O. Box 396

Phone 386-4011

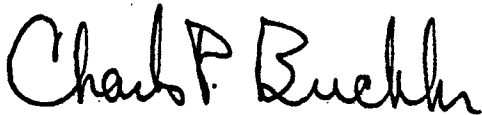
April 1, 1975

Senator James Gibson, Chairman
Committee on Government Affairs
Nevada State Legislature
State Capitol
Carson City, Nevada 89701

SENATE BILL 365

The Technical Committee of the Regional Street and Highway Commission of Clark County has reviewed this Bill and object to Section 19.2 Lines 9 thru 17 on Page 3 for the following reasons:

- a) This could be extended to other utilities in the future.
- b) Any money used for such relocations or adjustments of utilities will reduce the amount of monies available for needed road construction.
- c) This Bill does not consider whether or not the utility was properly installed originally with the proper permits.



CHARLES P. BRECHLER
Managing Engineer

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STATE OF NEVADA
Nevada Tax Commission

CARSON CITY, NEVADA 89701

Telephone (702) 885-4820
In-State Toll Free 800-992-0900

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MIKE O'CALLAGHAN, Governor

JOHN J. SHEEHAN, Secretary

April 2, 1975

MEMORANDUM

TO: Senator James Gibson, Chairman, Senate Governmental Affairs Committee
FROM: James C. Lien, Assistant Secretary
SUBJECT: SB 376 and SB 377

A couple of observations on SB 376 and SB 377 as to fiscal impact, etc.

1) SB 376

a) Does not include all of Nevada Power Company's territory thus would still operate in Elko County.

b) For Nevada Power to become a public entity, Clark County would lose \$55,126,139 in assessed valuation which would result in a tax loss in excess of \$2.8 million including \$623,000 to the County of Clark and \$1,214,000 to the School District.

c) The tax loss in Nye County would approximate \$23,000 on an assessed valuation of \$610,688.

2) SB 377

a) White Pine County is not included as being a part of the Western Power District, thus Sierra Pacific Power would presumably still operate in White Pine County.

b) The tax loss to Northern and Western Nevada entities with Sierra Pacific Power becoming a public entity would be in excess of \$2.5 million on an assessed valuation of \$52,890,700; including a \$269,230 loss to the County of Washoe, and a \$297,260 loss to the Washoe School District. In Churchill County, the County would lose \$75,835 or ten percent of its ad valorem collections and the school district would lose \$95,530 or approximately 9.7 percent of its ad valorem requirement. Obviously the individual entity impact would vary throughout the several governmental entities within the Sierra Pacific territory.

S. B. 365

SENATE BILL NO. 365—COMMITTEE ON
GOVERNMENT AFFAIRS

MARCH 21, 1975

Referred to Committee on Government Affairs

SUMMARY—Allows Las Vegas Valley Water District to charge different rates in areas noncontiguous to existing service area; requires county or municipality to pay relocation costs of water facility where county or municipality changes street grade; and corrects typographical errors. Fiscal Note: No. (BDR S-1330)

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

AN ACT to amend an act entitled "An Act to create a water district in the Las Vegas valley, Clark County, Nevada; to designate such district as the agency responsible for water distribution; to provide for the procurement, storage, and distribution and sale of water and rights in the use thereof from Lake Mead for industrial, irrigation, municipal, and domestic uses; to provide for the conservation of the groundwater resources of the Las Vegas valley, and to create authority to purchase, acquire and construct the necessary works to carry out the provisions of this act; to provide for the issuance of district bonds and other securities; to provide for the levy of taxes for the payment of operation and maintenance expenses and to supplement other revenues available for the payment of principal of and interest on such bonds and other securities of said district; granting said district the franchise to carry on its operations in municipal corporations within its boundaries; exempting the property and bonds of said district from taxation; validating the creation and organization of said district; and for other purposes related thereto," approved March 27, 1947, as amended.

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

1 SECTION 1. Section 9.1 of the above-entitled act, being chapter 167,
2 Statutes of Nevada 1947, as added by chapter 797, Statutes of Nevada
3 1973, at page 1789, is hereby amended to read as follows:
4 Section 9.1. Any bill for water *or services* furnished by the district
5 which is delinquent for more than 60 days shall be listed on a delinquent
6 list prepared by the district. Such list shall identify the property to which
7 the water is furnished in a manner which permits the owner thereof to
8 easily identify his property, state the name of the property owner and list
9 the delinquent amount. Such lists may be filed with the county tax col-
10 lector and upon such filing, the properties described therein are subject to
11 a lien for nonpayment of the delinquent amounts. If such list is filed, the

1 county tax collector shall include the delinquent amounts on the next tax
2 bill for such property and shall enforce collection of such amounts in the
3 same manner and with the same penalties and rights of foreclosure which
4 apply to the levy, collection and enforcement of property taxes. The
5 remedy for nonpayment of bills provided in this section is in addition to
6 any other available remedies, including but not limited to termination of
7 service, which the district may elect to use for such nonpayment.

8 SEC. 2. Section 10 of the above-entitled act, being chapter 167, Stat-
9 utes of Nevada 1947, as amended by chapter 797, Statutes of Nevada
10 1973, at page 1789, is hereby amended to read as follows:

11 Section 10. Any person who shall wrongfully or purposely fill up,
12 cut, damage, injure, or destroy, or in any manner impair, the usefulness
13 of any reservoir, canal, ditch, lateral, drain, headgate, dam, treatment
14 plant, or other work, structure, or improvement constructed or acquired
15 under the provisions of this act or who shall wrongfully [and] or mali-
16 ciously tap into any existing or future district system, wrongfully [and]
17 or maliciously appropriate or use any district water or wrongfully [and]
18 or maliciously interfere with any officer, agent, or employee of the district
19 in the proper discharge of his duties, shall be guilty of a misdemeanor,
20 and shall be fined in any sum not exceeding five hundred dollars (\$500)
21 or imprisoned not to exceed (90) days in the county jail, or by both such
22 fine and imprisonment; provided further, that the water district damaged
23 by any such act may also bring a civil action for damages sustained by
24 any such act, and in such proceeding the prevailing party shall also be
25 entitled to attorney's fees and costs of court.

26 SEC. 3. Section 16d of the above-entitled act, being chapter 167, Stat-
27 utes of Nevada 1947, as added by chapter 307, Statutes of Nevada 1951,
28 at page 482, is hereby amended to read as follows:

29 Section 16d. It is the intent of this act that, so far as possible, the
30 principal of and interest on any bonds issued by the district be paid from
31 revenues from the works and properties of the district. The board shall
32 from time to time establish reasonable rates and charges for the products
33 and services furnished by such works and properties, and no board or
34 commission other than the governing body of the district shall have
35 authority to fix or supervise the making of such rates and charges. *Such*
36 *rates and charges may be in such forms as, but not exclusively limited*
37 *to, service charges, monthly commodity charges, late charges, delinquent*
38 *processing charges, lump-sum installment charges, connection charges or*
39 *frontage charges if such rates and charges represent an equitable alloca-*
40 *tion and recovery of costs of providing facilities and delivery of water*
41 *service. Service from different sources or to areas which are noncontig-*
42 *uous to the existing service area of the district may be deemed to be dif-*
43 *ferent classes or conditions of service for the purposes of this section.*
44 Subject to the limitation that the rates and charges be reasonable, the
45 board shall fix rates and charges which will produce sufficient revenues
46 to pay the operating and maintenance expenses of such works and prop-
47 erties, the general expenses of the district, and the principal of and inter-
48 est on all outstanding bonds of the district as the same fall due and any
49 payments required to be made into any sinking fund for said bonds; pro-
50 vided, however, anything to the contrary in this act notwithstanding the

1 district may, in any contract with the United States of America, the State
2 of Nevada, or the Colorado river commission, agree to furnish water to
3 any of the foregoing, or to purchasers, lessees, or others holding under
4 any of the foregoing, at such rates, charges, or other consideration as
5 may be specified in any such contract.

6 SEC. 4. Section 19.2 of the above-entitled act, being chapter 167,
7 Statutes of Nevada 1947, as added by chapter 797, Statutes of Nevada
8 1973, at page 1794, is hereby amended to read as follows:

9 Section 19.2. The district may locate its facilities in county roads in
10 the same manner that it may locate such facilities in the streets of a munic-
11 ipality. Upon locating such facilities in any street, alley or road pursuant
12 to section 19 or this section, any subsequent cost of relocating any such
13 facilities which is necessitated by realignment, [or] change of grade or
14 *improvement* of such street, alley or road or *any installation, relocation*
15 *or modification of municipally or county owned facilities* shall be borne
16 by the municipality or county having jurisdiction over such street, alley
17 or road.

S. B. 376

SENATE BILL NO. 376—SENATOR NEAL

MARCH 25, 1975

Referred to Committee on Government Affairs

SUMMARY—Creates Southern Nevada Power District. Fiscal Note: No. (BDR S-1269)

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

AN ACT relating to electric power; providing in skeleton form for the creation of a public power district in southern Nevada; requiring an election before organizing such a district; 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 legislature finds that:
- 2 1. Electric power is essential to the health, safety and welfare of the
- 3 people of this state, and it is a responsibility of government to assure a
- 4 reliable supply of electric power, at reasonable cost, adequate to meet this
- 5 need.
- 6 2. The rapid increase in the cost of electric power results in part from
- 7 the higher rates of interest which must be paid by private utilities for the
- 8 money needed to meet increased demand, and this problem can be partly
- 9 solved by the use of public credit at lower rates.
- 10 3. The provision of an adequate supply of electric power requires
- 11 integrated planning for future land use, urban and economic development,
- 12 and the preservation of environmental quality, all of which are among the
- 13 responsibilities of government and can best be coordinated through gov-
- 14 ernmental action.
- 15 **SEC. 2.** The Southern Nevada Power District is hereby created, con-
- 16 sisting generally of Clark County but:
- 17 1. Excluding Henderson, Boulder City and those other areas of Clark
- 18 County which are excluded from the service area of Nevada Power Com-
- 19 pany; and
- 20 2. Including Beatty, Mercury and those other areas of Nye County
- 21 which are included in the service area of Nevada Power Company.
- 22 **SEC. 3.** The district shall be governed by a board composed of seven
- 23 members, each of whom is versed in some one of the fields of ratemaking,
- 24 accounting, engineering or practical operation of a public utility. The
- 25 members shall be appointed as follows:

1 1. Three members by the board of county commissioners of Clark
2 County.

3 2. Two members by the board of commissioners of the City of Las
4 Vegas.

5 3. One member by the city council of the City of North Las Vegas.

6 4. One member by the board of county commissioners of Nye
7 County.

8 A member of any of the appointing bodies is ineligible for appointment.

9 SEC. 4. The governing board shall elect a chairman from among its
10 members and may engage such engineering, financial, legal and secretarial
11 services as its duties may require.

12 SEC. 5. The district may operate one or more public utilities for the
13 generation and distribution of electric power in its territory, and may pur-
14 chase power for such distribution. For these purposes the district may
15 exercise the powers conferred on an improvement district by NRS 318.-
16 117 and upon a county by NRS 710.160 to 710.280, inclusive.

17 SEC. 6. The district is expressly vested with the power of eminent
18 domain, and this power extends to the taking of property already devoted
19 by a privately owned public utility to the generation or distribution of
20 electric power or any use incidental thereto. Before exercising this power,
21 the district shall make a reasonable offer to acquire by purchase the capi-
22 tal stock of Nevada Power Company. If this offer is refused, the district
23 may exercise the power of eminent domain, and such acquisition of the
24 assets of Nevada Power Company is declared to be in the public interest.

25 SEC. 7. The district may issue bonds or other evidences of indebted-
26 ness to obtain moneys to acquire facilities for the generation or distribu-
27 tion of electric power in accordance with the Local Government Securities
28 Law.

29 SEC. 8. There shall be submitted to the people of the district described
30 in section 2 of this act, at the general election in 1976, the question
31 whether such a district should be created for the purposes and with the
32 powers described in section 3 to 7, inclusive, of this act.

33 SEC. 9. 1. This section and sections 1 and 8 of this act shall become
34 effective on July 1, 1975, for all purposes, and section 2 of this act shall
35 become effective on that date only for the purpose of defining the terri-
36 tory of the district.

37 2. Section 2 for all other purposes and sections 3 to 7, inclusive, of
38 this act for all purposes shall become effective on January 1, 1977, only
39 if a majority of the votes cast in the election required by section 8 of this
40 act favor creation of the district.

S. B. 377

SENATE BILL NO. 377—SENATOR NEAL

MARCH 25, 1975

Referred to Committee on Government Affairs

SUMMARY—Creates Western Nevada Power District.
Fiscal Note: No. (BDR S-1270)EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to electric power; providing in skeleton form for the creation of a public power district in western Nevada; requiring an election before organizing such a district; 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 legislature finds that:
 2 1. Electric power is essential to the health, safety and welfare of
 3 the people of this state, and it is a responsibility of government to assure
 4 a reliable supply of electric power, at reasonable cost, adequate to meet
 5 this need.
 6 2. The rapid increase in the cost of electric power results in part
 7 from the higher rates of interest which must be paid by private utilities
 8 for the money needed to meet increased demand, and this problem can
 9 be partly solved by the use of public credit at lower rates.
 10 3. The provision of an adequate supply of electric power requires
 11 integrated planning for future land use, urban and economic develop-
 12 ment, and the preservation of environmental quality, all of which are
 13 among the responsibilities of government and can best be coordinated
 14 through governmental action.
 15 SEC. 2. The Western Nevada Power District is hereby created, con-
 16 sisting of the service area of Sierra Pacific Power Co. and including:
 17 1. All of Carson City, Douglas County and Storey County; and
 18 2. Parts of Churchill, Esmeralda, Eureka, Humboldt, Lander, Lyon,
 19 Mineral, Nye, Pershing and Washoe counties.
 20 SEC. 3. The district shall be governed by a board composed of seven
 21 members, each of whom is versed in some one of the fields of ratemaking,
 22 accounting, engineering or practical operation of a public utility. The
 23 members shall be appointed as follows:
 24 1. Two members by the city council of the City of Reno.
 25 2. One member by the city council of the City of Sparks.

- 1 3. One member by the board of supervisors of Carson City.
2 4. One member by the boards of county commissioners of Lander
3 and Pershing counties, acting jointly.
4 5. One member by the boards of county commissioners of Douglas
5 and Lyon counties, acting jointly.
6 6. One member by the boards of county commissioners of Esmeralda,
7 Mineral and Nye counties, acting jointly.
8 A member of any of the governing bodies is ineligible for appointment.
9 SEC. 4. The governing board shall elect a chairman from among its
10 members and may engage such engineering, financial, legal and secre-
11 tarial services as its duties may require.
12 SEC. 5. The district may operate one or more public utilities for the
13 generation and distribution of electric power in its territory, and may
14 purchase power for such distribution. For these purposes the district
15 may exercise the powers conferred on an improvement district by NRS
16 318.117 and upon a county by NRS 710.160 to 710.280, inclusive.
17 SEC. 6. The district is expressly vested with the power of eminent
18 domain, and this power extends to the taking of property already devoted
19 by a privately owned public utility to the generation or distribution of
20 electric power or any use incidental thereto. Before exercising this power,
21 the district shall make a reasonable offer to acquire by purchase the
22 capital stock of Sierra Pacific Power Company. If this offer is refused,
23 the district may exercise its power of eminent domain, and such acquisi-
24 tion of the assets of Sierra Pacific Power Company is declared to be in
25 the public interest.
26 SEC. 7. The district may issue bonds or other evidences of indebt-
27 edness to obtain moneys to acquire facilities for the generation or distri-
28 bution of electric power in accordance with the Local Government
29 Securities Law.
30 SEC. 8. There shall be submitted to the people of the district
31 described in section 2 of this act, at the general election in 1976, the
32 question whether such a district should be created for the purposes and
33 with the powers described in sections 3 to 7, inclusive, of this act.
34 SEC. 9. 1. This section and sections 1 and 8 of this act shall become
35 effective on July 1, 1975, for all purposes, and section 2 of this act shall
36 become effective on that date only for the purpose of defining the terri-
37 tory of the district.
38 2. Section 2 for all other purposes and sections 3 to 7, inclusive, of
39 this act for all purposes shall become effective on January 1, 1977,
40 only if a majority of the votes cast in the election required by section 8
41 of this act favor creation of the district.

S. B. 383**SENATE BILL NO. 383—SENATOR DODGE**

MARCH 25, 1975

Referred to Committee on Government Affairs

SUMMARY—Clarifies restriction on private practice of law by district attorneys.
Fiscal Note: No. (BDR 20-721)EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to district attorneys; clarifying the restriction on the private practice of 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. NRS 252.045 is hereby amended to read as follows:
 2 252.045 The district attorney of a county having a population of less
 3 than 100,000 as determined by the last preceding national census of the
 4 Bureau of the Census of the United States Department of Commerce may
 5 engage in the private practice of law [.] *except as provided in NRS 245.-*
 6 *043.* In any other county, the district attorney shall not engage in the
 7 private practice of law after July 1, 1975.
 8 SEC. 2. This act shall become effective upon passage and approval.

S. B. 388

SENATE BILL NO. 388—SENATOR BLAKEMORE

MARCH 25, 1975

Referred to Committee on Government Affairs

SUMMARY—Imposes 1-year residence requirement for candidates for elective county offices. Fiscal Note: No. (BDR 20-1324)

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

AN ACT relating to elective county offices; imposing a 1-year actual residence requirement for candidates for election or appointment to such offices; 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 246 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 *A person is not eligible for election or appointment to the office of*
4 *county clerk unless he has completed at least 1 year's actual residence in*
5 *such county as of the date of election or appointment.*
- 6 SEC. 2. Chapter 247 of NRS is hereby amended by adding thereto
7 a new section which shall read as follows:
8 *A person is not eligible for election or appointment to the office of*
9 *county recorder unless he has completed at least 1 year's actual residence*
10 *in such county as of the date of election or appointment.*
- 11 SEC. 3. Chapter 248 of NRS is hereby amended by adding thereto
12 a new section which shall read as follows:
13 *A person is not eligible for election or appointment to the office of*
14 *sheriff unless he has completed at least 1 year's actual residence in such*
15 *county as of the date of election or appointment.*
- 16 SEC. 4. Chapter 249 of NRS is hereby amended by adding thereto
17 a new section which shall read as follows:
18 *A person is not eligible for election or appointment to the office of*
19 *county treasurer unless he has completed at least 1 year's actual residence*
20 *in such county as of the date of election or appointment.*
- 21 SEC. 5. Chapter 250 of NRS is hereby amended by adding thereto
22 a new section which shall read as follows:
23 *A person is not eligible for election or appointment to the office of*
24 *county assessor unless he has completed at least 1 year's actual residence*
25 *in such county as of the date of election or appointment.*

1 SEC. 6. Chapter 251 of NRS is hereby amended by adding thereto a
2 new section which shall read as follows:

3 *A person is not eligible for election or appointment to the office of*
4 *county auditor unless he has completed at least 1 year's actual residence*
5 *in such county as of the date of election or appointment.*

6 SEC. 7. NRS 252.010 is hereby amended to read as follows:

7 252.010 [No person shall be a candidate for or be eligible] *A person*
8 *is not eligible for election or appointment to the office of district attorney*
9 *unless he [shall be:] is:*

10 1. A bona fide resident of the State of Nevada [.] *and has com-*
11 *pleted at least 1 year's actual residence in that county as of the date of*
12 *election or appointment, except that the requirement of residence in the*
13 *county does not apply in any county not having at least one attorney*
14 *residing therein.*

15 2. An attorney duly licensed and admitted to practice law in all the
16 courts of this state.

17 SEC. 8. Chapter 253 of NRS is hereby amended by adding thereto
18 a new section which shall read as follows:

19 *A person is not eligible for election or appointment to the office of*
20 *public administrator unless he has completed at least 1 year's actual*
21 *residence in such county as of the date of election or appointment.*

22 SEC. 9. NRS 253.020 is hereby amended to read as follows:

23 253.020 1. Every person elected to fill the office of public adminis-
24 trator shall [qualify as required in this section] , on or before the 1st
25 Monday of January next after his election: [.

26 2. Every public administrator shall:]

27 (a) Take the constitutional official oath, which shall be for the faithful
28 performance of the duties of his office, and shall be taken and subscribed
29 upon both the certificate of election or appointment and the official bond.
30 The oath upon the bond shall be recorded with the bond.

31 (b) Give an official bond in an amount not less than \$2,000, as
32 required and fixed by the board of county commissioners of his county
33 by an order duly entered in the minutes of the board. The bond shall be
34 conditioned, secured, approved and recorded as the bonds of other
35 county officers are, or may be required by law to be, and shall be so
36 conditioned as to hold the principal and sureties liable for any breach
37 thereof made, while acting or illegally refusing to act in his official
38 capacity.

39 [3.] 2. The board of county commissioners may, upon reasonable
40 cause therefor shown, require a new bond or an additional bond at any
41 time, to be given upon 10 days' notice in writing. If the new or additional
42 bond is not given, the board shall declare the office vacant.

A. B. 15**ASSEMBLY BILL NO. 15—ASSEMBLYMAN JEFFREY**

JANUARY 21, 1975

Referred to Committee on Government Affairs

SUMMARY—Limits possibility of consolidation of Boulder City.
Fiscal Note: No. (BDR S-441)EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to local government; limiting the possibility of consolidation of Boulder City's government or services.

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

- 1 SECTION 1. The government of Boulder City shall not be consoli-
 2 dated with or into any other local government without the approval of
 3 a majority of the residents of the city voting upon the question in a
 4 statewide general election, municipal general election or special election
 5 held for that purpose. A city service or function shall not be transferred
 6 to another local government or agency except by a majority vote of the
 7 city council or of the people at an election.
 8 SEC. 2. This act shall become effective upon passage and approval.

A. B. 16**ASSEMBLY BILL NO. 16—ASSEMBLYMEN JEFFREY
AND SENA**

JANUARY 21, 1975

Referred to Committee on Government Affairs

SUMMARY—Amends Henderson city charter to limit the possibility of
consolidation. Fiscal Note: No. (BDR S-442)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 Henderson, in Clark County, Nevada, and defining the boundaries thereof, under a new charter, and providing other matters properly relating thereto," approved April 13, 1971, as amended.

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

- 1 SECTION 1. The above-entitled act, being chapter 266, Statutes of
2 Nevada 1971, at page 402, is hereby amended by adding thereto a new
3 section to be designated as section 1.120, which shall immediately follow
4 section 1.110 and shall read as follows:
5 *Section 1.120. Consolidation: Requirements. The government of*
6 *the City of Henderson shall not be consolidated with or into any other*
7 *local government without the approval of a majority of the residents of*
8 *the city voting upon the question in a statewide general election, municipi-*
9 *pal general election or special election held for that purpose. A city*
10 *service or function shall not be transferred to another local government*
11 *or agency except by a majority vote of the city council or of the people*
12 *at an election.*
13 SEC. 2. This act shall become effective upon passage and approval.