

## Senate

## GOVERNMENT AFFAIRS COMMITTEE

Minutes of Meeting - April 7, 1975

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

Also Present:  
 Darlene Larson, personal interest  
 Linda Martin, Carson Animal League  
 Marie Mansfield, Same as above  
 Frances E. Clock, Same as above  
 Georgia Gressot, Carson Animal League  
 Fred R. Rodgers, Carson Humane Society  
 Bill Adams, City of Las Vegas  
 Joe Lattimore, Reno  
 E. B. Rutledge, Carson Animal League  
 Richard Bunker, Clark County  
 Bob Kerns, Firefighters & Police  
 Press

The twenty eighth meeting of the Government Affairs Committee was called to order at 4:15 p.m. and a quorum was present.

SB-395 Clarifies legislative intent in charter of City of Reno. (BDR S-1393)

Joe Lattimore, city of Reno, felt that the legislature didn't have the time to check into the city government and how it performed its duties. This bill gives the city of Reno the power to perform and administer its duties for the governmental operation.

Discussion followed and Senators Dodge and Hilbrecht indicated that the bill seemed to be too broad giving too much power to the governing bodies.

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

SB-414 Amends charters of City of Las Vegas and City of Reno with respect to salary of city attorney of Las Vegas and private practice of law by city attorneys, both cities and their deputies and assistants. (BDR S-1320)

Joe Lattimore, indicated that the City of Reno is in favor of this bill.

Senator Close felt that the salary indicated in the bill would be appropriate if they were forbidden to have a private practice. This salary is now equivalent with the District Attorney's salary.

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Motion to "Amend and Do Pass" by Senator Dodge, seconded by Senator Foote. Motion carried unanimously. Amendment as follows: On Line 18, page 1 leave in the July 1, 1975 date and have a new paragraph stating that the new city attorney will be forbidden to have a private practice after July 1, 1977.

SB-419 Amends Reno city charter to permit city manager to employ and dismiss officers and employees and providing powers of deputy city clerk in absence of city clerk. (BDR S-1386)

Joe Lattimore, indicated that no one was given the authority to do the clerks duties in his absence. This bill defines the duties of the city clerk and who shall perform these duties in his absence.

Bob Kerns, Firefighters and Police felt that the bill should indicate somewhere that the above responsibilities and decisions should be subject to the approval of the Civil Service.

Motion to "Amend and Do Pass" by Senator Hilbrecht, seconded by Senator Foote. Motion carried unanimously. Senator Hilbrecht was requested to get the amendment taken care of.

SB-410 Permits Carson City Board of supervisors to enact and enforce ordinances requiring licensing of all animals and limiting number of animals per owner in residential districts. (BDR S-1319)

Fred Rodgers, Carson City Humane Society, spoke to the committee on the problems they already have in trying to keep tabs on the dog situation. He indicated that making the bill this broad only adds to the problems. (see attached letter) Is against this bill as he feels that it is not practical.

Ed Rutledge, Carson Animal League, is against SB-410. He felt that this bill would not take care of the cat problem which was one of the reasons the bill was requested. He feels that more support of the Humane Society and the existing city laws would have a more far reaching effect.

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

SB-426 Provides that historical property of bicentennial commission after its termination be transferred to division of state, county and municipal archives. (BDR 18-816)

Chairman Gibson informed the committee that in talking to Senator Herr about SB-426 she felt that the historical papers and documents

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should go to the archives where they will be properly stored.

The committee wanted to hear further testimony on this bill before taking action.

SB-385 Creates the Moapa Valley Water District. (BDR S-1332)

Chairman Gibson indicated that due to an existing problem the creation of the Moapa Valley Water District from the two existing water facilities (Overton Water District and Moapa Valley Water Company) has been suggested. F.H.A. has offered a grant and loan to make needed repairs, thus enabling this facility to better serve the community.

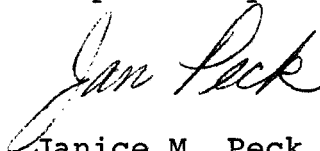
A correction on page 4, line 8, the "A & W Farm Road" should be changed to read the "Bowman Reservoir Canal".

Motion to "Amend and Do Pass" by Senator Dodge, seconded by Senator Hilbrecht. Motion carried unanimously.

Chairman Gibson informed the committee on the lengthy changes that were made in SB-338, Sparks City Charter and indicated that they would have the amendments modified and return it to the committee for action.

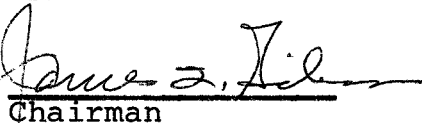
As there was no further business the meeting was adjourned at 5:45 P.M.

Respectfully submitted,



Janice M. Peck  
Committee Secretary

Approved:



Chairman

## S E N A T E

AGENDA FOR COMMITTEE ON .. GOVERNMENT AFFAIRS .....

MONDAY  
DATE .. April 7, 1975 .. TIME approx. 2:45 PM ROOM .. 345 .....

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel Requested*</u>
SB-385	Creates the Moapa Valley Water Dist. (BDR S-1332) Notify: <del>County</del> Commission, Moapa Valley Water District.	
SB-395	Clarifies legislative intent in charter of City of Reno. (BDR S-1393) Notify: <del>Senator</del> Young; City of Reno, Joe Lattimore	
SB-410	Permits Carson City board of supervisors to enact and enforce ordinances requiring licensing of all animals and limiting number of animals per owner in residential districts. (BDR S-1319) Notify: <del>Senator</del> Sheerin, Carson City, Mr. Etchemendy. <del>Bob</del> Warren	
SB-414	Amends charters of City of Las Vegas and City of Reno with respect to salary of city attorney of Las Vegas and private practice of law by city attorneys, both cities and their deputies and assistants. (BDR S-1320) Notify: <del>Senator</del> Close, Las Vegas, <del>Bill</del> Adams Reno, Lattimore	
SB-419	Amends Reno city charter to permit city manager to employ and dismiss officers and employees and providing powers of deputy city clerk in absence of city clerk. (BDR S-1386) Notify: <del>Senator</del> Raggio, Reno, Lattimore	
SB-426	Provides that historical property of bicentennial commission after its termination be transferred to division of state, county and municipal archives. (BDR 18-816) Notify: <del>Senator</del> Herr, <del>Senator</del> Raggio Centennial Commission, Wm. Swackhammer	

\* Please do not ask for counsel unless necessary

October 3, 1974

TO: THE HON. MAYOR AND MEMBERS OF THE CARSON CITY BOARD OF  
SUPERVISORS --

HISTORY OF THE STRAY CAT PROBLEM - OPPOSITION TO PROPOSED  
LEASH ORDINANCE AND ALTERNATIVE SUGGESTIONS.

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CARSON CITY HUMANE SOCIETY has procured a draft of the proposed Ordinance for the leashing of cats, being alerted by an "Appeal" news item. This group has had extensive experience and learned a lot about the companion pets, their needs and treatment, regulation and control over the years by human beings - particularly here in Carson.. Same cannot always be said about the rest of the citizens. The Society opposes the subject Ordinance.

Although not favored by being consulted, nevertheless, we have met and considered the situation. This statement and the enclosure are volunteered on behalf of the animals, who cannot speak for themselves. We also believe that a majority, at least, of the Carson population are kind, humane, unselfish persons. many of whom daily give food, attention and affection to their own pets, and who, in turn, are rewarded by the obedience, companionship and loyalty of the animals, who are about the only reliable source of same in this present-day world. We hope that we also speak on behalf of this majority of our fellow citizens.

1. Why is there a problem with an excess of stray and homeless cats (and dogs too) in Carson ?? In addition to its efforts to raise the needed substantial funds from outside sources such as the Fleischman Foundation, the George Whittell Estate and several casino owners, some members of the group have annually appeared or contacted Supervisors before or during the yearly budget hearings. This was to point out the absence of companion pet population control and animal attention and humanity except for what the Society was able to do for free on its \$1000 - \$3000 per year of hard-earned money from rummage sales, raffles, dues and a few small donations. Meanwhile the dog-catching expense to the City has risen from about

\$32,000 in 1971 to the present \$64,300 (including some construction). Divided by the number of dogs caught or brought in, this averages around \$43.00 per dog.

In addition to its annual pleas for some financial aid for the animals, the Society made an especial written proposal January 29, 1971 whereby for a suggested \$11,000 per year or most any amount, we would undertake a greater spaying program and increase our efforts to provide genuine Humane Society coverage for the growing City. Our supervisory time and attention was offered for free. There never was any response, either oral or written by the then group of Supervisors, some of whom still act and some of whom are gone.

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2. Nevertheless for about two years thereafter and for a year or two before the Society continued its female spaying program for all companion pets, arranging the partial or low-cost or free spaying for some 450 animals. This had noticeable effect on the population, - fewer calls for help with litters, etc. However, now so far this year and for most of 1973 we have had to curtail the spaying for lack of funds - as mentioned to persons calling and the government countless times. We have finally realized that population control and animal humanity work - new homes; lost & found, attention to injured - cannot be performed in Carson without a reliable source of funds and some center or building. The City has grown; Vet. expense is way up. We have no shelter. As related to the Board in February this year, the First National Bank of Nevada as the Nevada member of the tri-partite Executor-Trustee Committee to allocate the Whittell millions has omitted Carson City in its proposed list of gifts. Why, we can't imagine, there being only one other Nevada claimant, Nevada Humane, which no longer acts as the shelter contractor for Reno or Washoe Co.

THE NET RESULT -- TO BE EXPECTED - MORE STRAY CATS AND DOGS.

3. For years now the City has settled for an extravagant policy of dog control by dog extermination. A few, at least, now propose cat extermination as the solution for that member of the companion pet family.

4. Other than to stress the easily foreseeable inhumanity and neighbor -VS- neighbor hostility that the proposed law would certainly foment and create, we rest our case against this ordinance upon the enclosed Adlai Stevenson Veto Message of 1949. Over the years this has become a classic of common sense on the subject of governmental cat control. It has even more force and persuasion here where there is little problem of bird killings by cats. May we respectfully commend this Veto message to your careful reading and consideration.

5. However, perhaps there are other valid objections to this law. There are no facilities for the holding of cats. Poundmaster Jones, who advises that he knew only what he read in the paper about the matter, is highly skeptical as to its execution and the results of such enforcement as there might be. But he has no doubts about the impossibility of housing the cats with the dogs in his small facility. Cats are even more susceptible to catching distemper than dogs. The veterinarians insist on this shot when taking an animal into their clinics. Can the City do less? The shots are expensive. Would not the law mean capture of tame house cats and not the wild homeless problem cats?

6. This Society is inclined to propose ordinance required spaying of females - except for registered or show animals. It, too, would be not 100 % enforceable. However, the net effect of even some compliance would be felt. Perhaps male neutering should be added, particularly of cats. Some emergency trapping of clearly homeless and wild cats might be indicated. Finally, and most important and efficacious - funds from some source for a City Spaying Program - not a clinic. As offered by this group way back in 1971.

7. It should be added that many of the much-criticised citizens who have given homes to numerous animals have not done so to harrass their neighbors or because they enjoy spending their money on cat and dog food - but because they are humane people with hearts, who care, and who want not to ignore any of the Lord's starving creatures in keeping with well-known biblical admonitions. And, finally, there remains some question of the right of the Board to enact this Ordinance absent Charter powers.

As time permits, it is hoped to further research this point.

Another practice aggravating the situation is the abandonment of their pets by persons who no longer care about them; leave town bring them into Carson for that purpose;etc. For years this Society has "spread the word" in hopes that somebody might be identified and brought to Court for such a shameful and criminal act. The resulting publicity might be quite deterring to others. Obviously they are hard to catch.

One reason, of course, for this is the lack of a Humane Shelter. Another is the growing selfish practice of apartment and multiple housing owners to prohibit pets (and children, too in many cases). These hardships on the animals should have our attention - that of all of us - and particularly the encouragement of government, schools, the Chamber of Commerce & the news media. The present dog-control people confirm these comments and conclusions.

The remaining officers and Directors of the Society continue to be most receptive to any questions, explanations or discussion of the various matters related herein.

Possible distribution of copies of this statement and the Stevenson message to the news media in the future is being considered. Of course, we first make it available to you members of the present Board of Supervisors of the City-County - for your consideration, comments, if any, thoughts, wishes and perhaps co-operation.

Very sincerely,

HUMANE SOCIETY OF CARSON CITY AND ORMSBY COUNTY, Inc.

Encl.

COPY



" I return herewith without my approval Senate Bill No. 93 entitled "An Act to Provide Protection to Insectivorous Birds By Restraining Cats." This is the so-called "Cat Bill" I veto and withhold my approval from the bill for the following reasons:

It would impose fines on owners or keepers who permitted their cats to run at large off their premises. It would permit any person to capture or call upon the police to pick up and imprison cats at large. It would permit the use of traps. The bill would have statewide application - in farms, in villages and in metropolitan centers.

This legislation has been introduced in the past several sessions of the Legislature, and it has, over the years, been the source of much comment - not all of which has been in a serious vein. It may be that the general Assembly has now seen fit to refer it to one who can view it with a fresh outlook. Whatever the reasons for passage at this session, I cannot believe there is a widespread public demand for this law, or that it could, as a practical matter, be enforced.

Furthermore, I cannot agree that it should be the declared public policy of Illinois that a cat visiting a neighbor's yard or crossing the highway is a public nuisance. It is in the nature of cats to do a certain amount of unescorted roaming. Many live with their owners in apartments or other restricted premises, and I doubt if we want to make their every brief foray an opportunity for a small game hunt by zealous citizens - with traps or otherwise. I am afraid this bill could only create discord, recrimination and enmity. Also consider the owner's dilemma. To escort a cat abroad on a leash is against the nature of the cat, and to permit it to venture forth for exercise unattended into a night of new dangers is against the nature of the owners. Moreover, cats perform useful service, particularly in rural areas, in combatting rodents - work they necessarily perform alone and without regard for property lines.


We are all interested in protecting certain varieties of birds. That cats destroy some birds I well know, but I believe this legislation would further but little the worthy cause to which its proponents give such unselfish effort.

The problem of cat versus bird is as old as time. If we attempt to resolve it by legislation who knows but what we may be called upon to take sides as well in the age old problem of dog versus cat, bird versus bird, or even bird versus worm.

In my opinion, the State of Illinois and its local governing bodies already have enough to do without trying to control feline delinquency.

For these reasons, and not because I love birds the less or cats the more, I veto and withhold approval from Senate Bill No. 93

Respectfully,

 ADLAI E. STEVENSON, Governor,  
April 23, 1949

**S. B. 385****SENATE BILL NO. 385—SENATOR GIBSON**

MARCH 25, 1975

Referred to Committee on Government Affairs

SUMMARY—Creates the Moapa Valley Water District. Fiscal Note:  
No. (BDR S-1332)EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is  
material to be omitted.

AN ACT to create the Moapa Valley Water District in Clark County, Nevada; providing for the storage, conservation, distribution and sale of water within the district; authorizing the district to purchase, acquire and construct the facilities necessary to serve water to consumers within the district; authorizing the issuance of general obligation and revenue bonds; providing taxation power; and providing other matters properly relating thereto.

1 WHEREAS, Adequate and efficient water service is vital to the economy  
2 and well-being of the Moapa Valley area; and

3 WHEREAS, Moapa Valley is remote from the county seat of Clark  
4 County, thus dictating that indispensable activities such as water service  
5 be administered by a governmental entity located in Moapa Valley; and

6 WHEREAS, Moapa Valley could best be served water through a single  
7 governmental entity succeeding the two current purveyors, Overton Water  
8 District and Moapa Valley Water Company; now, therefore,

9  
10 *The People of the State of Nevada, represented in Senate and Assembly,*  
11 *do enact as follows:*

12  
13 SECTION 1. This act shall be known as the "Moapa Valley Water  
14 District Act."

15 SEC. 2. There is hereby created a political subdivision of this state  
16 to be known and designated as the "Moapa Valley Water District." The  
17 jurisdiction and service area of the district are all that real property  
18 located in Clark County, Nevada, described as follows:

19 Sections 13, 14, 15, 16, 23, 24, 25, 26 and 36, T. 14 S., R. 65 E.,  
20 M.D.B. & M.; sections 15, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31,  
21 32, 33, 34, 35 and 36, T. 14 S., R. 66 E., M.D.B. & M.; sections 1,  
22 2, 3, 4, 5, 6, 9 and 12, T. 15 S., R. 66 E., M.D.B. & M.; sections 6,  
23 7, 8, 14, 15, 16, 17, 21, 22, 23, 24, 25, 26, 27, 28, 34, 35 and 36,  
24 T. 15 S., R. 67 E., M.D.B. & M.; section 31, T. 15 S., R. 68 E.,  
25 M.D.B. & M.; sections 1, 2, 3, 6, 7, 8, 10, 11, 12, 13, 14, 17, 18,  
26 19, 20, 24, 25, 30 and 31, T. 16 S., R. 68 E., M.D.B. & M.

1 SEC. 3. Each of the following terms, whenever used in this act, has  
2 the following meaning unless a different meaning clearly appears in the  
3 context:

- 4 1. "Board" means the governing board of the district.
- 5 2. "District" means the Moapa Valley Water District.
- 6 3. "Secretary" means the secretary-treasurer of the district.
- 7 4. "Service area" means the service area of the district described in  
8 section 2 of this act.

9 SEC. 4. The district has the following powers:

- 10 1. To have perpetual succession.
- 11 2. To sue and be sued in the name of the district in any court of com-  
12 petent jurisdiction.
- 13 3. To adopt a seal and alter it at the district's pleasure.
- 14 4. To enter into contracts, and employ and fix the compensation of  
15 staff and professional advisers.
- 16 5. To borrow money and incur indebtedness to the extent permitted  
17 by law.
- 18 6. Subject to NRS 350.001 to 350.006, inclusive, to issue and retire  
19 bonds, warrants, notes and other securities in accordance with and by  
20 exercise of the powers conferred by:  
21 (a) NRS 350.010 to 350.070, inclusive;  
22 (b) NRS 350.350 to 350.490, inclusive;  
23 (c) NRS 350.500 to 350.720, inclusive; and  
24 (d) Other applicable law;

25 to pay the cost, in whole or in part, of the acquisition or construction,  
26 respectively, of any lands, easements, water rights, waters, waterworks,  
27 conduits, pipelines, wells, reservoirs, structures, machinery and other  
28 property or equipment useful or necessary to store, convey, supply or  
29 otherwise deal with water to provide adequate water service to the service  
30 area. For purposes of proceeding pursuant to NRS 350.010 to 350.070,  
31 inclusive, the district shall be a "municipal corporation" as defined in  
32 NRS 350.010. For purposes of NRS 350.572, this act shall not be  
33 deemed expressly or impliedly to require an election prior to issuance of  
34 a security or indebtedness pursuant to NRS 350.500 to 350.720, inclu-  
35 sive.

36 7. To take by grant, purchase, gift, devise or lease, and to hold, use,  
37 lease or dispose of real and personal property within or without the serv-  
38 ice area of the district. Such property shall include but not be limited to  
39 lands, easements, water rights, waters, waterworks, conduits, pipelines,  
40 wells, reservoirs, structures, machinery and other property useful or neces-  
41 sary to store, convey, supply or otherwise deal with water to provide ade-  
42 quate water service to the service area.

43 8. To adopt ordinances, rules, regulations and bylaws necessary for  
44 exercise of the powers and conduct of the affairs of the board and district.

45 9. To exercise the power of eminent domain in the manner prescribed  
46 by law, within or without the service area of the district, to take any  
47 property including but not limited to property specified in subsection 7,  
48 necessary or convenient for the exercise of the powers of the district or  
49 for the provision of adequate water service to the service area. No action  
50 in eminent domain shall be commenced to acquire property outside the

1 service area unless the board of county commissioners of the affected  
2 county consents to such action. No property devoted to public use shall  
3 be taken by the district unless it is taken upon a finding by a court of com-  
4 petent jurisdiction that the taking is for a more necessary public use than  
5 the use to which the property is already devoted.

6 10. To contract or cooperate with the United States, the State of  
7 Nevada or any political subdivision thereof in order to store, conserve,  
8 supply, convey or otherwise deal with water to provide adequate water  
9 service to the service area.

10 11. To store or conserve water in surface or underground reservoirs,  
11 within or without the district, to appropriate water and to import water  
12 from without the district, all to provide adequate water service to the  
13 service area.

14 12. To sell and distribute water under the control of the district, with-  
15 out preference, to any person, firm, corporation, association, district,  
16 agency or inhabitant, public or private, for use within the service area,  
17 to fix, establish and adjust rates, classes of rates, terms and conditions  
18 for the sale and use of such water, and to sell water for use outside the  
19 service area upon a finding by the board that there is a surplus of water  
20 above that amount required to serve consumers within the service area.

21 13. To construct, acquire, alter, improve, operate and maintain  
22 waterworks, conduits, pipelines, wells, reservoirs, structures, machinery  
23 and other property and equipment useful or necessary to store, convey,  
24 supply or otherwise deal with water to provide adequate water service  
25 to the service area.

26 14. To restrict the use of district water during any emergency caused  
27 by drought or other threatened or existing water shortage, and to pro-  
28 hibit the waste of district water at any time.

29 15. To levy and collect taxes in the manner and for the purposes  
30 prescribed in this act.

31 16. To do all acts and things reasonably implied from and necessary  
32 for the full exercise of all the powers of the district granted by this act.

33 SEC. 5. All powers, duties and privileges of the Moapa Valley Water  
34 District shall be exercised and performed by the governing board of the  
35 district. Except as otherwise provided in this section, the board shall  
36 consist of seven members elected as prescribed in this act. The first  
37 board shall consist of the respective members of the governing boards of  
38 the Moapa Valley Water Company and Overton Water District sitting  
39 upon the effective date of this act. The members of the first board shall  
40 convene within 30 days after the effective date of this act to commence  
41 and continue operation of the district until election of their successors  
42 in conjunction with the Clark County general election in 1976. A  
43 simple majority of the members of such first board shall constitute a  
44 quorum. The vote of a simple majority of the quorum shall be required  
45 in order to take action.

46 SEC. 6. 1. Except for members of the first board, members of the  
47 board, in the manner provided in this section, shall be elected at a gen-  
48 eral district election held in conjunction with the general election of  
49 Clark County in 1976 and with each such general election every 2 years  
50 thereafter.

1 2. At the general district election of 1976 there shall be elected:

2 (a) One board member representing that portion of the service area  
3 to be designated as the Glendale-Moapa election area, lying between  
4 the centerline of A and W Farm Road and the northernmost boundary  
5 of the service area, which member shall serve a term of 4 years;

6 (b) Three board members representing that portion of the service  
7 area to be designated as the Logandale election area, lying between the  
8 centerline of A and W Farm Road and that of Cottonwood Lane, one  
9 of which members, chosen by lot, shall serve a term of 4 years and the  
10 others terms of 2 years each; and

11 (c) Three board members representing that portion of the service area  
12 to be designated as the Overton election area, lying between the center-  
13 line of Cottonwood Lane and the southernmost boundary of the service  
14 area, one of which members, chosen by lot, shall serve a term of 4 years  
15 and the others terms of 2 years each.

16 3. At the general district election next preceding expiration of the  
17 terms of office prescribed by subsection 2, and at each such election in  
18 every 4th year thereafter, there shall be elected respective members of  
19 the board representing the election areas designated in subsection 2.

20 4. The boundaries of the election areas specified in subsection 2  
21 shall be adjusted by the board whenever necessary to assure, as nearly  
22 as practicable, equal representation upon the board for all persons  
23 residing within the service area.

24 SEC. 7. 1. Except as otherwise provided in sections 5 and 6 of this  
25 act, each member of the board shall:

26 (a) Reside in the election area represented for at least 6 months prior  
27 to the general district election at which such member is elected;

28 (b) Be a qualified elector of the election area represented;

29 (c) Be elected by the qualified electors of the election area represented;

30 and

31 (d) Take office upon qualification therefor as provided in subsection 2,  
32 or on the 1st Monday in January next following such member's election,  
33 whichever is later, and leave office upon the 1st Monday in January next  
34 following the election of such member's successor in office.

35 2. Prior to taking office, each member of the board shall qualify by  
36 filing with the Clerk of Clark County:

37 (a) An oath of office taken and subscribed in the manner prescribed by  
38 such clerk; and

39 (b) A corporate surety bond, at the expense of the district, in an  
40 amount determined by the clerk, but no greater than \$10,000, which  
41 bond shall guarantee the faithful performance of the duties of such mem-  
42 ber.

43 3. A vacancy on the board shall be filled by appointment of the  
44 remaining members of the board. The person so appointed shall be a  
45 resident and elector of the election area represented, and, prior to taking  
46 office, qualify in the manner prescribed in subsection 2. Such person shall  
47 serve the remainder of the term of the member whose absence required  
48 appointment of such person. If the board fails, neglects or refuses to fill  
49 a vacancy within 30 days after such vacancy occurs, the board of county  
50 commissioners of Clark County shall fill such vacancy.

1 SEC. 8. 1. Unless otherwise required for purposes of an election to  
2 incur an indebtedness, the board shall conduct, supervise and, by ordi-  
3 nance, regulate all district elections in accordance, as nearly as prac-  
4 ticable, with the general election laws of the state including but not limited  
5 to laws relating to the time of opening and closing of polls, the manner of  
6 conducting the election, the canvassing, announcement and certification of  
7 results and the preparation and disposition of ballots.

8 2. At least 60 days prior to the election, a candidate for election to  
9 the board shall file a declaration of candidacy with the secretary. Timely  
10 filing of such declaration is a prerequisite to election. The secretary shall  
11 publish notice of the election and arrange other details in connection  
12 therewith as directed by the board.

13 3. Each member of the board shall be elected by a plurality of the  
14 qualified electors voting in the election area which such member repre-  
15 sents. If there are two seats upon the board to be filled at the same elec-  
16 tion, each of which represents the same election area, the two candidates  
17 therefor receiving the highest number of votes, respectively, shall be  
18 elected.

19 4. In the event a member of the board is unopposed in seeking  
20 reelection, the board may declare such member elected without a formal  
21 election, provided such member shall not participate in such declaration.

22 5. If no person files candidacy for election to a particular seat upon  
23 the board, such seat shall be filled in the manner of filling a vacancy.

24 SEC. 9. 1. The board shall:

25 (a) Choose one of its members chairman of the board and president  
26 of the district, prescribe the term of office, and the powers and duties  
27 thereof.

28 (b) Fix the time and place at which its regular meetings shall be held  
29 and provide for the calling and conduct of special meetings.

30 (c) Fix the location of the principal place of business of the district.

31 (d) Elect a secretary-treasurer of the board and the district, who may  
32 or may not be a member of the board.

33 (e) Appoint a general manager who shall not be a member of the  
34 board but may be the secretary-treasurer.

35 (f) Delegate and redelegate to officers of the agency the power to  
36 employ necessary executives, clerical workers, engineering assistants and  
37 laborers, and retain legal, accounting or engineering services, subject to  
38 such conditions and restrictions as may be imposed by the board.

39 (g) Prescribe the powers, duties, compensation and benefits of all  
40 officers and employees of the district, and require all bonds necessary  
41 to protect the funds and property of the district.

42 (h) Take all actions and do all things reasonably and lawfully neces-  
43 sary in order to conduct the business of the district and achieve the  
44 purpose of this act.

45 2. Except as otherwise provided for the first board, no regular or  
46 special meeting of the board shall commence or continue unless a  
47 quorum of at least four members is present. A majority vote of the  
48 quorum present is required to take action with respect to any matter.

1 3. Members of the board shall serve without compensation, except  
2 they shall be entitled to reasonable per diem and travel expenses, set by  
3 the board, for attendance at board meetings and conduct of other district  
4 business.

5 SEC. 10. 1. The board may levy and collect general ad valorem  
6 taxes on all taxable property within the district. Such levy and collection  
7 shall be made in conjunction with Clark County in the manner prescribed  
8 in this section.

9 2. The board shall determine the amount of money necessary to be  
10 raised by taxation for a particular year in addition to other sources of  
11 revenue of the district. The board then shall fix a rate of levy which,  
12 when applied to the assessed valuation of all taxable property within  
13 the district, will produce an amount, when combined with other revenues  
14 of the district, sufficient to pay general operating expenses, the cost of  
15 operation and maintenance of district property, works and equipment  
16 and, when due, all principal of and interest on general obligation bonds,  
17 other general obligations of the district and any defaults or deficiencies  
18 relating thereto.

19 3. In accordance with and in the same manner required by the law  
20 applicable to incorporated cities, the board shall certify to the board of  
21 county commissioners of Clark County the rate of levy fixed pursuant  
22 to subsection 2. The board shall instruct the county to levy a tax upon  
23 all taxable property in the district in accordance with such rate at the  
24 time and in the manner required by law for levying of taxes for county  
25 purposes.

26 4. The proper official or authority of Clark County, upon behalf of  
27 the district, shall levy and collect the district tax specified in subsection 3.  
28 Such tax shall be collected in the same manner, including interest and  
29 penalties, as other taxes collected by the county. When collected, such tax  
30 shall be paid to the district in monthly installments for deposit in the  
31 appropriate district depository.

32 5. If the taxes levied are not paid, the property subject to the tax lien  
33 shall be sold and the proceeds of such sale paid to the district in accord-  
34 ance with the law applicable to tax sales and redemptions.

35 6. The board may cause to be levied and collected taxes for the pur-  
36 pose of creating reserve funds in such amounts as the board may deter-  
37 mine to be necessary to meet obligations of the district for operation and  
38 maintenance expenses, depreciation and capital improvements.

39 SEC. 11. The district shall be exempt from regulation by the Nevada  
40 public service commission.

41 SEC. 12. 1. The Overton Water District, a public district incompass-  
42 ing a portion of the service area of the district created by this act, is  
43 hereby dissolved.

44 2. All assets of the Overton Water District including but not limited  
45 to any lands, buildings, easements, water rights, waters, waterworks, con-  
46 duits, pipelines, reservoirs, wells, structures, facilities, intangibles, cash on  
47 hand, bank deposits, office furniture, supplies and equipment and all other  
48 real or personal property of whatever nature belonging to the district,  
49 shall become the property of the Moapa Valley Water District. The offi-  
50 cers of the Overton Water District, subsequent to its dissolution, shall

1 have limited authority to wind up the affairs of the district and execute  
2 papers and documents necessary to accomplish the transfer of assets to  
3 the Moapa Valley Water District.

4 3. All liabilities of the Overton Water District, including but not lim-  
5 ited to any bonds, debentures, notes, mortgages, deeds of trust, accounts,  
6 things in action and all other liabilities of whatever nature of the district  
7 shall be the liabilities of the Moapa Valley Water District. Those liabilities  
8 of a type considered for purposes of legal debt limitations of a public  
9 entity shall be so considered for purposes of such debt limitation of the  
10 Moapa Valley Water District. The transfer of liabilities under this sub-  
11 section shall not in any fashion jeopardize, enhance or otherwise alter any  
12 security taken by any obligee with respect to any liability transferred.

13 SEC. 13. 1. All assets of the Moapa Valley Water Company, includ-  
14 ing but not limited to those of a nature specified in subsection 2 of section  
15 12 of this act, shall be the property of the Moapa Valley Water District.  
16 The officers of the Moapa Valley Water Company, subsequent to its dis-  
17 solution, shall have limited authority to wind up the affairs of the com-  
18 pany and execute papers and documents necessary to accomplish the  
19 transfer of assets to the Moapa Valley Water District.

20 2. All liabilities of the Moapa Valley Water Company, including but  
21 not limited to those of a nature specified in subsection 3 of section 12  
22 of this act, shall be the liabilities of the Moapa Valley Water District.  
23 The transfer of liabilities under this subsection shall not in any fashion  
24 jeopardize, enhance or otherwise alter any security taken by any obligee  
25 with respect to any liability transferred.

26 SEC. 14. If any provision of this act or the application thereof to  
27 any person, thing or circumstance is held invalid, such invalidity shall  
28 not affect the provisions or application of this act that can be given  
29 effect without the invalid provision or application, and to this end the  
30 provisions of this act are declared to be severable.

31 SEC. 15. This act shall become effective upon the later of the follow-  
32 ing dates:

33 1. July 1, 1975; or

34 2. The date upon which the members of the Moapa Valley Water  
35 Company, a nonprofit corporation with its principal office in Clark  
36 County, Nevada, take action in accordance with applicable law to  
37 dissolve such corporation and transfer its assets and liabilities to the  
38 Moapa Valley Water District created by this act.



## S. B. 395

## SENATE BILL NO. 395—SENATOR YOUNG

MARCH 26, 1975

Referred to Committee on Government Affairs

SUMMARY—Clarifies legislative intent in charter of City of Reno.  
Fiscal Note: No. (BDR S-1393)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 1.010 of Article I of the charter of the City of  
2 Reno, being chapter 662, Statutes of Nevada 1971, at page 1962, is  
3 hereby amended to read as follows:  
4 Section 1.010 Preamble: Legislative intent.  
5 1. In order to provide for the orderly government of the City of  
6 Reno and the general welfare of its citizens the legislature hereby estab-  
7 lishes this charter for the government of the City of Reno. It is expressly  
8 declared as the intent of the legislature that all provisions of this charter  
9 be liberally construed to carry out the express purposes of the charter  
10 and that the specific mention of particular powers shall not be construed  
11 as limiting in any way the general powers necessary to carry out the  
12 purposes of the charter.  
13 2. Any powers expressly granted by this charter are in addition to  
14 any powers granted to a city by the general law of this state. All provi-  
15 sions of Nevada Revised Statutes which are applicable generally to cities  
16 (not including, unless otherwise expressly mentioned in this charter,  
17 chapter 265, 266 or 267 of NRS) which are not in conflict with the  
18 provisions of this charter apply to the City of Reno.  
19 3. *It is the intent of this section to vest in the city council the power*  
20 *to perform all duties and functions necessary to administer and provide*  
21 *for the governmental operation of the City of Reno.*

S. B. 410

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SENATE BILL NO. 410—COMMITTEE ON  
GOVERNMENT AFFAIRS

MARCH 27, 1975

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Referred to Committee on Government Affairs

**SUMMARY**—Permits Carson City board of supervisors to enact and enforce ordinances requiring licensing of all animals and limiting number of animals per owner in residential districts. Fiscal Note: No. (BDR S-1319)

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

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AN ACT to amend an act entitled "An Act relating to Carson City; consolidating Ormsby County and Carson City into one municipal government to be known as Carson City; providing a charter therefor; and providing other matters properly relating thereto," approved April 1, 1969, as amended.

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

- 1 SECTION 1. Section 2.180 of Article II of the above-entitled act,  
2 being chapter 213, Statutes of Nevada 1969, at page 298, is hereby  
3 amended to read as follows:  
4 Section 2.180 Power of board: Animals and poultry.  
5 1. The board may:  
6 (a) Fix, impose and collect an annual [per capita tax on all dogs]  
7 license fee on all animals and provide for the capture and disposal of all  
8 [dogs] animals on which the tax is not paid.  
9 (b) Regulate or prohibit the running at large within Carson City of all  
10 kinds of animals and poultry, establish a pound, appoint a poundkeeper  
11 and prescribe his duties, distraint and impound animals running at large,  
12 and provide for the sale of such animals and poultry. The proceeds arising  
13 from the sale of such animals, after the payment of all costs, shall go to  
14 the treasury to be disposed of according to law.  
15 (c) Prohibit cruelty to animals.  
16 (d) *Limit the number of animals any owner may be permitted to keep*  
17 *in any area zoned for residential purposes.*  
18 2. Any ordinance enacted pursuant to this section may, by reasonable  
19 classification, be made applicable, in whole or in part, to either the urban  
20 district or the Ormsby district, as such districts are defined in section  
21 1.050.

## S. B. 414

## SENATE BILL NO. 414—COMMITTEE ON JUDICIARY

MARCH 27, 1975

Referred to Committee on Government Affairs

**SUMMARY**—Amends charters of City of Las Vegas and City of Reno with respect to salary of city attorney of Las Vegas and private practice of law by city attorneys of both cities and their deputies and assistants. Fiscal Note: No. (BDR S-1320)

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

AN ACT to amend the charters of the City of Las Vegas and the City of Reno to establish a maximum salary for the city attorney of Las Vegas and to prohibit the private practice of law by the city attorneys of Las Vegas and Reno and their deputies and assistants after certain dates; 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. Section 3.060 of Article III of the charter of the City of  
 2 Las Vegas, being chapter 515, Statutes of Nevada 1971, as last amended  
 3 by chapter 752, Statutes of Nevada 1973, at page 1572, is hereby  
 4 amended to read as follows:  
 5 Section 3.060 City attorney: Qualifications; duties.  
 6 1. The city attorney shall be:  
 7 (a) A duly licensed member of the State Bar of Nevada.  
 8 (b) The legal officer of the city and shall perform such duties as may  
 9 be designated by ordinance.  
 10 (c) At least 25 years of age.  
 11 (d) A citizen of the United States.  
 12 (e) A registered voter, for at least 2 years immediately prior to the  
 13 year in which the election is held, within the territory established by the  
 14 boundaries of the city on the last day for filing an affidavit of candidacy.  
 15 2. The city attorney shall receive a salary in an amount *not in excess*  
 16 *of \$30,000 per annum as fixed by the board of commissioners.*  
 17 3. The city attorney *and deputy city attorneys* shall not engage in  
 18 the private practice of law after [July 1, 1975.] *July 1, 1977.*  
 19 SEC. 2. Section 3.060 of Article III of the charter of the City of  
 20 Reno, being chapter 662, Statutes of Nevada 1971, as amended by chap-  
 21 ter 553, Statutes of Nevada 1973, at page 881, is hereby amended to  
 22 read as follows:

1 Section 3.060 City attorney: Qualifications; duties; salary.

2 1. The city attorney shall be a duly licensed member of the State Bar  
3 of Nevada and a resident of the city and taxpayer on real property in  
4 the city at the time of his election. He shall hold office for the term of 4  
5 years and until his successor shall be duly elected and qualified.

6 2. The city attorney shall be the legal officer of the city and shall  
7 perform such duties as may be designated by ordinance. He shall be pres-  
8 ent at all meetings of the city council and shall be counsel for the civil  
9 service commission. He shall devote his full time to the duties of the  
10 office and shall not engage in the private practice of law.

11 3. The city attorney shall receive a salary as fixed by resolution of  
12 the city council.

13 4. The city attorney may appoint and remove such assistants as he  
14 may require in the discharge of the duties of his office. Such assistants  
15 shall not be civil service employees. The council may appropriate suc-  
16 funds as it may deem proper to compensate any such assistants. *Such*  
17 *assistants shall not engage in the private practice of law.*

18 SEC. 3. Notwithstanding the provisions of subsection 5 of section  
19 2.090 of Article II of the charter of the City of Las Vegas, the board of  
20 commissioners may pass an ordinance increasing the salary, to an amount  
21 not to exceed \$30,000 per annum, of the city attorney who holds office  
22 during the term extending until the 1st Monday in July, 1977.

**S. B. 419****SENATE BILL NO. 419—SENATOR RAGGIO (by request)**

APRIL 1, 1975

## Referred to Committee on Government Affairs

**SUMMARY**—Amends Reno city charter to permit city manager to employ and dismiss officers and employees and providing powers of deputy city clerk in absence of city clerk. Fiscal Note: No. (BDR S-1386)

**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 3.020 of Article III of the above-entitled act,  
2 being chapter 662, Statutes of Nevada 1971, at page 1973, is hereby  
3 amended to read as follows:  
4 Section 3.020 City manager: Duties; compensation.  
5 1. The city manager shall be the chief executive and administrative  
6 officer of the city government. He shall be responsible to the city council  
7 for the proper administration of all affairs of the city. His duties and  
8 salary shall be fixed by the city council and he shall be reimbursed for  
9 all expenses incurred in the performance of his duties.  
10 2. The city manager may appoint such clerical and administrative  
11 assistants as he may deem necessary, subject to the approval of the city  
12 council.  
13 3. He may designate an acting city manager to serve in his absence  
14 or, if he fails to do so, the city council may appoint an acting city  
15 manager.  
16 4. No councilman shall be appointed as city manager during the  
17 term for which he was elected, or for 1 year thereafter.  
18 5. *The city manager shall appoint, subject to the provisions of*  
19 *article IX of this charter, all officers and employees of the city and may*  
20 *remove for cause any officer or employee of the city except as may other-*  
21 *wise be provided in this charter. The city manager may authorize the*  
22 *head of a department or office to appoint or remove his subordinates.*  
23 *The appointment of a head of a department or office by the city manager*

1 shall not take effect until it has been confirmed by a majority vote of the  
2 members of the city council; and if a person so nominated is not con-  
3 firmed, the city manager shall continue to submit nominations until a  
4 nominee is confirmed. The city council may, by a majority vote of all  
5 the members elected, remove for cause any head of a department or  
6 office.

7 SEC. 2. Section 3.040 of Article III of the above-entitled act, being  
8 chapter 662, Statutes of Nevada 1971, as amended by chapter 553, Stat-  
9 utes of Nevada 1973, at page 880, is hereby amended to read as follows:

10 Section 3.040 City clerk: Duties; qualifications; salary.

11 1. The city clerk shall:

12 (a) Keep the corporate seal and all books and papers belonging to  
13 the city.

14 (b) Attend all meetings of the city council and keep an accurate journal  
15 of its proceedings, including a record of all ordinances, bylaws and resc-  
16 lutions passed or adopted by it. After approval at each meeting of the city  
17 council, the city clerk shall attest the journal after it has been signed by  
18 the mayor.

19 (c) Sign all warrants issued.

20 (d) Number and sign all licenses issued by the city. All licenses shall  
21 be in a form devised by the city clerk and approved by the city council.

22 (e) Enter upon the journal the result of the vote of the city council  
23 upon the passage of ordinances, or of any resolution appropriating money,  
24 abolishing licenses, or increasing or decreasing the rates of licenses.

25 (f) Be the official collector of all business license fees and penalties of  
26 the city; and all moneys making up the city revenues, except general taxes  
27 and special assessments, shall be paid over to him.

28 2. The city clerk shall:

29 (a) Serve for a term of 4 years.

30 (b) Be a bona fide resident of the city for at least 1 year immediately  
31 preceding his appointment.

32 (c) Be a registered voter and a taxpayer on real property in the city.

33 (d) Be at least 21 years of age.

34 3. The city clerk shall have custody of all the official records of the  
35 city. He shall be responsible to the city council for the proper discharge  
36 of his duties. His duties and salary shall be fixed by the city council and  
37 he shall be reimbursed for all expenses incurred in the performance of  
38 his duties.

39 4. The city clerk may, subject to the approval of the city council,  
40 appoint one chief deputy, who shall not be subject to the provisions of  
41 article IX of this charter. Such chief deputy [shall be authorized and  
42 empowered to] may administer oaths [.] and shall perform all the duties  
43 of the city clerk in the latter's absence.

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**S. B. 426**

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**SENATE BILL NO. 426—SENATORS HERR AND RAGGIO**

**APRIL 1, 1975**

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Referred to Committee on Government Affairs

**SUMMARY**—Provides that historical property of bicentennial commission, after its termination, be transferred to division of state, county and municipal archives.  
Fiscal Note: No. (BDR 18-816)

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

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**AN ACT** relating to the bicentennial commission; providing that on termination of the commission all its historical property shall be transferred to the division of state, county and municipal archives in the office of the secretary of state.

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

- 1 SECTION 1. NRS 233E.140 is hereby amended to read as follows:
- 2 233E.140 The commission shall be terminated on June 30, 1977. All
- 3 historical property of the commission shall then be transferred to the
- 4 **[Nevada historical society.]** *division of state, county and municipal*
- 5 *archives in the office of the secretary of state.*