

MINUTES

ASSEMBLY
GOVERNMENT AFFAIRS
March 2, 1977
7:30am

MEMBERS PRESENT: Chairman Murphy
Mr. May
Mr. Craddock
Mr. Jeffrey
Mr. Mann
Mr. Moody
Mr. Robinson
Mrs. Westall
Mr. Jacobsen

GUESTS PRESENT: Bob Felten, SNEA
Steve Stucker, City of North Las Vegas
Genevra Burke, Retired Employees Association
Earl Nicholson, " " "
Richard Bunker, City of Las Vegas
M. Douglas Miller, Nevada Mining Board
Howard Winn, Nevada Mining Association
Barton Jacka, L.V.M.P.D.
Orvis Reil, NRTA/AARP
Lloyd Saderthwaite
Charles Watson, Nevada Outdoor Recreation Assoc.

Chairman Murphy called the meeting to order at 7:30am and stated that this meeting was to hear testimony on Assembly Joint Resolution 25 and 26, Senate Bills 41, 87, and 216 and to receive the subcommittee report on A. B. 17. He mentioned that the final hearing on A. B. 17 will be on March 7 and testimony will be accepted then.

ASSEMBLY BILL 17

Assemblyman May presented the committee with the subcommittee's report. Chairman Murphy accepted it and said that discussion of this report and bill would be heard on Monday, March 7 at 7:30am. He thanked the subcommittee for its effort on this matter. Report is Exhibit 1.

SENATE BILL 41

Mrs. Genevra Burke, representing the Retired Employees Association told the committee that her organization was formed so that the retired public employees will not be forgotten again as they were last year when the committee on group insurance met and changed companies without consulting the retired members of the program. This bill would put a retired person on the committee.

Mr. Bob Gagnier, State of Nevada Employees Association, told the committee that his organization supports the bill and mentioned that it is identical to A.B. 23 with the amendments which were proposed before the same committee on February 3.

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Assemblyman Mann asked Mr. Gagnier if he felt there should be a stipulation mandating that the committee on group insurance put the policy out to bid every so often. Mr. Gagnier replied that S.B. 221 did that and that the Senate Government Affairs committee had that bill.

Mr. Orvis Reil told the committee of his support for the measure.

Assemblyman Peggy Westall asked Mr. Gagnier if it were possible to take deductions out to be used to pay the premium of the state insurance program for retired persons before they retire. He suggested that an interim study be requested on that subject.

ASSEMBLY JOINT RESOLUTION 25

Assemblyman Nancy Gomes explained to the committee her desire to ask Congress to designate portions of Nevada as wilderness areas which would restrict use of the land to recreational activities such as backpacking and hiking.

Assemblymen Jacobsen, Moody, Westall, and May voiced their concerns against more federal intervention and control of Nevada land.

Assemblyman May said that the resolution needed to make specific references to particular parcels of land so as not to give the federal government a blank invitation to come in to Nevada.

Assemblyman Gomes said that the federal government already controls most of the land in Nevada and that they are not just going to walk away, that Nevadans just have to do the best they can with their land and accept that the BLM and Forest Service would always be there. She added that if we don't start setting aside land now, pretty soon there would be no undeveloped land to set aside.

Assemblyman Craddock said that he felt that the resolution had to be broad to allow the proper choices and that there would be no more federal intervention than there is now.

Assemblyman Robinson commented that with the State Parks and the Scenic River Act enough land has been set aside which is restricted to foot travel only. He said that the people who are not able to backpack into those areas are being deprived of the beautiful scenery.

Mr. Charles Watson, Director, of the Nevada Outdoor Recreation Association told the committee of his support for the bill and said that members of various conservation and nature groups did not have sufficient notice of this meeting to come and express their support for the bill.

Chairman Murphy explained that the meeting had been scheduled for

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at least a week and that is ample notification for interested persons to prepare to attend the hearings or at least let their feelings be known on the matter. He asked the committee if they did not have any objections, he would schedule another hearing on this resolution for Wednesday March 9 for 7:30am to allow those who did not come to this meeting.

Mr. Orvis Reil, representing the Mineral Club told the committee that he knew of a group of out of state people who want 700,000 acres of Pershing County set aside as a wilderness area and that he did not think it was right to give an open invitation to have that much land taken away from all of the people and all of their interests.

M. Douglas Miller, Nevada Mining Board read to the committee the definition of wilderness in the 1964 federal Wilderness Act and challenged the validity of most of the premises in the resolution. He told the committee that the mining industry is a very important one in Nevada and that this much land should not be taken away from potential miners. He said that under the provisions of the Wilderness Act that any land under consideration is surveyed before it is designated as a wilderness area but that those surveys for minerals are not adequate and often are incorrect because they miss ore deposits. If the land is designated as a wilderness area or even under consideration to be designated as such then the land is off limits to miners and any other type of activities and that it was not fair to make people wait for the long periods of time that it takes for these decisions before they can get on with mining or developing if the land is turned down.

Assemblyman Robinson asked Mr. Miller if there is a mine on some land that is operating and then it is considered for designation, what happens to the mine. He was told that it was bought out but then later in Mr. Douglas' testimony it was mentioned that the mine was not included in designated areas, but left alone. Mr. Miller stressed his fear of losing the chance to find minerals in land that has not had exploration started for minerals before the designation as a wilderness area.

Assemblyman Mann told the committee that the only way there is going to be land for future generations to enjoy is if it is set aside now. He continued by saying that just because one industry might lose some earning possibilities was not a good enough reason to tear up all of our beautiful scenery.

Mr. Howard Winn of the Nevada Mining Association told the committee that mining people are always concerned when there are suggestions for wilderness area designations and that the country is running out of land to look for mineral reserves on. He added that care and caution should be taken when land is set aside. We need to ask the

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federal government to put Nevada's wellbeing first and then think of other interests.

Assemblyman Murphy asked Mr. Winn if after the land is being considered the Forest Service and BLM are the ones who survey it and watch it. He was told that they were the same agencies who maintained the land after it is designated. Mr. Murphy commented that there would be no actual change in the federal intervention under this process since those same agencies are controlling and maintaining 85% of Nevada's land now.

Mr. Bob Warren, Nevada League of Cities, voiced his opposition to the bill because half of Nevada's cities are dependent on mining and grazing and with this resolution and the possible actions of Congress this dependency might be jeopardized. He added that Nevada needs a multiple use concept not a limited use concept.

Mr. Lloyd Saderthwaite told the committee that this resolution is hazardous to the cattle industry because history shows that grazing rights are eliminated on designated wilderness areas. He added that there is no fire protection in these areas because there are no maintained roads.

SENATE BILL 87

No one appeared to testify on this measure. Chairman Murphy said that since the subject matter was the same as that of A.B. 117 he would hold the bill until the A.B. 117 subcommittee could discuss the bill with the State Archivist.

SENATE BILL 216

No one appeared to testify on this measure.

ASSEMBLY JOINT RESOLUTION 26

No one appeared to testify on this measure.

There being no further business to come before the committee, the meeting was adjourned.

Respectfully submitted,

Kim Morgan

Kim Morgan, Committee Secretary

A. B. 17

ASSEMBLY BILL NO. 17—ASSEMBLYMEN DEMERS,
BANNER AND HARMON

JANUARY 18, 1977

Referred to Committee on Government Affairs

SUMMARY—Changes composition of metropolitan police commission.
(BDR 22-485)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to the metropolitan police commission; changing the composition of the commission 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 280 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 and 3 of this act.
- 3 SEC. 2. 1. *Upon creation of a police commission in those counties*
4 *which have only one participating city, two members of the police com-*
5 *mission shall serve for a term of 2 years and two members of the police*
6 *commission shall serve for a term of 1 year. Thereafter all members of*
7 *the police commission shall serve for terms of 2 years.*
- 8 2. *Upon creation of a police commission in those counties which have*
9 *more than one participating city, three members of the police commission*
10 *shall serve for a term of 2 years and the remaining members of the com-*
11 *mission shall serve for a term of 1 year. Thereafter all members of the*
12 *police commission shall serve for terms of 2 years.*
- 13 3. *The initial terms of office of police commission members shall be*
14 *so ordered that to each political subdivision which is entitled to two mem-*
15 *bers there is allotted at least one term of office of 2 years.*
- 16 4. *The sheriff shall hold office as a member of the police commission*
17 *during his term of office as sheriff of the county.*
- 18 SEC. 3. 1. *The governing bodies of the various participating political*
19 *subdivisions shall, in determining the amounts of their respective budget*
20 *items allocated to law enforcement, apportion among all the participating*
21 *political subdivisions the total anticipated capital and operating costs of*
22 *the department, as submitted by the police commission, on the basis of a*
23 *formula which has been approved by the Nevada tax commission.*

1 2. *This formula shall take into account all meaningful factors which*
2 *will produce an equitable distribution of costs among the participating*
3 *political subdivisions, including but not limited to, comparative:*

4 (a) *Population statistics.*

5 (b) *Geographic extent of the participating incorporated and unincorporated*
6 *areas.*

7 (c) *Transient population of each of the participating political subdivi-*
8 *sions. The number of available hotel and motel rooms in each political*
9 *subdivision may be considered in determining transient populations.*

10 *For the purpose of this subsection, the population, area and facilities*
11 *attributable to a county do not include the population, areas or facilities*
12 *of the cities within such county.*

13 SEC. 4. NRS 280.010 is hereby amended to read as follows:

14 280.010 1. The legislature finds:

15 (a) That there is substantial duplication of functions, manpower and
16 expenses between the city and county law enforcement agencies in this
17 state.

18 (b) That merger of city and county law enforcement agencies would
19 increase the efficiency of such agencies by increasing communication
20 facilities, lowering purchasing costs and coordinating law enforcement
21 efforts throughout metropolitan areas.

22 [(c) That the best community interest can be served by delegating
23 ultimate police commission responsibilities to the board of county com-
24 missioners.]

25 2. It is the purpose of this chapter to provide the means whereby the
26 respective law enforcement agencies of the cities and counties in this state
27 may merge into county-wide metropolitan police departments.

28 SEC. 5. NRS 280.070 is hereby amended to read as follows:

29 280.070 "Police commission" means [a board of county commis-
30 sioners serving, ex officio, as] a metropolitan police commission.

31 SEC. 6. NRS 280.130 is hereby amended to read as follows:

32 280.130 [The board of county commissioners shall serve, ex officio,
33 as the metropolitan police commission.]

34 1. *The county and each participating city is entitled to at least one*
35 *representative on the metropolitan police commission.*

36 2. *In those counties which have:*

37 (a) *Only one participating city, the police commission consists of two*
38 *members from the city, two members from the county and the sheriff of*
39 *the county.*

40 (b) *More than one participating city, the police commission shall be*
41 *increased in number by one for each additional participating city.*

42 3. *Each representative of a participating political subdivision shall be*
43 *a member of its governing body.*

44 SEC. 7. NRS 280.150 is hereby amended to read as follows:

45 280.150 1. A majority of the police commission is a quorum for
46 the transaction of business.

47 2. [When a majority only of the members are present at the meeting
48 of a police commission, in case of a tie vote on any question, the ques-
49 tion shall be postponed to a subsequent meeting.] *On any question put*

1 *before the police commission, the sheriff may vote only in case of a tie.*
2 *vote on the question.*

3 SEC. 8. NRS 280.190 is hereby amended to read as follows:

4 280.190 The police commission shall:

5 1. Cause to be prepared and approve an annual operating budget
6 for the department.

7 2. Submit such budget to the governing bodies of the participating
8 political subdivisions prior to February 1 for funding for the following
9 fiscal year.

10 3. Cause to be prepared [a] the funding apportionment plan *pro-*
11 *vided for in section 3 of this act* and submit such plan to the governing
12 bodies of the participating political subdivisions and the department of
13 taxation for approval. The Nevada tax commission has the final right
14 of approval for such plan and shall act as an arbitrator if the local gov-
15 erning bodies cannot agree on the funding apportionment. [; but such
16 apportionment may not require the city which is the county seat of the
17 county to contribute more than an amount equal to \$1.94 ad valorem
18 tax on each \$100 of assessed valuation of taxable property within such
19 city until such funding apportionment plan is modified by the Nevada
20 tax commission.]

21 4. Cause a new funding apportionment plan to be prepared:

22 (a) Every 10 years upon ascertaining the results of the national
23 decennial census taken by the Bureau of the Census of the United States
24 Department of Commerce;

25 (b) If the law enforcement agencies of additional cities are merged
26 into an existing department; and

27 (c) At intervals of not less than 4 years upon request by a majority
28 vote of each of a majority of the governing bodies of the participating
29 political subdivisions. If only one city is participating in a department,
30 the police commission shall prepare a new plan under the provisions of
31 this paragraph only upon request by a majority vote of each of the gov-
32 erning bodies of the participating political subdivisions.

ASSEMBLY GOVERNMENT AFFAIRS SUBCOMMITTEE REPORT
CONCERNING ASSEMBLY BILL 17

February 25, 1977

To: Patrick Murphy, Chairman

Dear Chairman Murphy:

Your subcommittee on Assembly Bill 17 consisting of myself and Assemblyman Bob Robinson has on various occasions met both semiformally and informally with one or more representatives of the city of Las Vegas, County of Clark, and the Metropolitan Police Department of Clark County.

The subcommittee wishes to thank profusely those of the above-referenced political subdivisions and the Metropolitan Police Department for their cooperation, sincerity, and willingness to cooperate with regard to meeting times within logistic limitations.

The logistics involved in being able to meet with one or more members of the three entities has caused the delay occasioned by this report. The subcommittee has been able to make some progress with regard to the provisions of Assembly Bill 17 and has been unable to reach agreement in certain other areas. These items are listed below for the edification of yourself and the Committee on Government Affairs.

Among those areas of agreement found in Assembly Bill 17 are the following:

1. The concept of 50-50 funding. The disagreement within this concept arises from the fact that there are presently certain funds generated by the Metropolitan Police

Department that have traditionally been diverted to the general fund of one or the other of the two political entities concerned, i.e., see attached.

2. In the proposed amendment attached, we have reached agreement that items D and E should be inserted as found on Page 2 of the proposed Amendment #14.

3. We have reached consensus with regard that the effective date of the measure should be on the passage of the bill instead of July 1, 1977, provided, however, that the final actions of the Assembly Committee on Government Affairs does not cause local government budget processes presently in progress to be interfered with to a degree that would cause excessive discomfort to either of the two political subdivisions involved.

4. The 2-2-1 concept has been discussed thoroughly along areas the sheriff is proposed to sit as a non-voting chairman acting only in tie-breaking capacity. Other alternatives have been explored and no unanimous agreement has been reached with regard to a 2-2-1 concept, 3-3-1 concept member, the odd member in either case being not the sheriff but a rotating member serving for a period of one year being first appointed from the City of Las Vegas for the first year with the County having the smaller number of members selecting from its memberships the chairmanship for the first year. The second year the alternating member would swing to the

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County's favor with the City having the lesser number of appointees, and in the second year selecting the chairman from its members.

5. The 60,000 population figure referenced in your amendment is tied directly into actions being considered by this Legislature regarding possible annexation of urban areas in Clark County by the City of Las Vegas. This specific area could best be left unresolved until a more definitive attitude toward consolidation has become apparent in this legislative session.

6. We have reached agreement that the personnel officer and his duties as referenced in the Amendment #14 on Pages 4 and 5 should remain as presented. The subcommittee did investigate the possibility of using a fixed ad valorem rate by the City and County with regard to the Metropolitan Police Department funding and have reached unanimous agreement this concept is extremely impractical (see attached).

The subcommittee would recommend that the Committee chairman schedule as soon as practical a full Committee hearing day to resolve the problems inherent in this subject matter.

Signed,

Paul W. May, Subcommittee Chairman
Bob Robinson, Member

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Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	Proposed by <u>Committee on Government Affairs</u>
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1977 Amendment No 29

Conflicts with Amendments Nos. 9, 14, 15A, 45A and 92A.

- Amend section 2, page 1, line 4, delete "two" and insert "four".
- Amend section 2, page 1, line 5, delete "two" and insert "the remaining".
- Amend section 2, page 1, line 9, delete "three" and insert "four".
- Amend section 2, page 1, delete lines 14 to 17, inclusive, and insert: "so ordered that two members from each political subdivision serve for terms of 2 years".

Amend section 3, page 1, delete line 18 and insert:

- "Sec. 3. 1. In those counties which have:
- (a) Only one participating city, the county and the city shall pay equal shares of the entire capital and operating costs of the department.
 - (b) More than one participating city, the governing bodies of the various participating political".

Amend section 3, page 2, between lines 9 and 10 insert:

- "(d) Historical crime statistics.
- (e) Law enforcement requirements of the respective participating political subdivisions."

Amend section 6, page 2, delete lines 34 through 39 and insert:

- "1. In those counties which have:
- (a) Only one participating city, the police commission consists of seven members."

Amend section 6, page 2, between lines 41 and 42 insert:

Drafted by LP:m1 Date 2-25-77

"2. The members of the commission shall be selected so that the political subdivision whose representative is chairman has only two representatives in addition to the chairman."

Amend section 7, page 2, delete lines 44 through 49 and on page 3, delete lines 1 and 2, and insert:

"Sec. 7. NRS 280.170 is hereby amended to read as follows:

280.170 1. [The police commission shall elect one of their number as chairman on the commission.

2.] Upon creation of a police commission, the chairman shall be a member who is a representative of the county. The representative or representatives of any one political subdivision shall not serve as chairman for consecutive terms.

2. The chairman shall serve for a term of 1 year.

3. The police commission shall employ a clerk and may employ other clerical personnel necessary to the discharge of its duties. The clerk [shall be] is secretary for the commission."

Amend section 8, page 3, delete line 10 and insert:

"3. [Cause] If there is more than one participating city, cause to be prepared [a] the funding apportionment plan pro-".

Amend section 8, page 3, delete line 21 and insert:

"4. [Cause] If there is more than one participating city, cause a new funding apportionment plan to be prepared:"

Amend the bill as a whole by adding new sections designated sections 9 and 10, following section 8, to read as follows:

Sec. 9. NRS 280.310 is hereby amended to read as follows:

280.310 1. Each department shall have a system of civil service, applicable to and governing all employees of the department except elected officers and such other positions as designated by the police commission.

2. The system of civil service shall be governed by a board composed of five civil service trustees appointed by the police commission. Upon creation of such board, the police commission shall appoint one trustee for a term of 2 years, two trustees for terms of 3 years and two trustees for a term of 4 years. Thereafter all trustees shall serve for terms of years.

3. The board shall prepare rules [and] or regulations governing the system of civil service to be adopted by the police commission, but in the case of a county having a population of 200,000 or more which is required to comply with the provisions of this chapter by July 1, 1973, [pursuant to NRS 280.100,] the initial civil service rules shall be those governing the police department of the largest city in the county, as such rules are modified and approved for such purpose by the law enforcement consolidation committee organized and operating pursuant to resolution of the special committee created by chapter 613, Statutes of Nevada 1971, to study the problems of local government in Clark County. Such rules [and] or regulations shall provide for:

- (a) Examination of potential employees;
- (b) Recruitment and placement procedures;

(c) Classification of positions;

(d) Procedures for promotion, disciplinary actions and removal of employees; and

(e) Such other matters as the board may consider necessary.

4. Copies of the rules [and] or regulations of the system of civil service shall be distributed to all employees of the department.

5. The [board shall appoint] commission shall designate a personnel officer to administer the personnel functions of the department according to the policies, rules [and] or regulations of the board, including but not limited to the items enumerated in subsection 3. [The personnel officer shall be subject to the administrative supervision of the sheriff of the department.]

Sec. 10. This act shall become effective upon passage and approval."

ASSEMBLY ACTION	SENATE ACTION	AMENDMENTS / RESOLUTIONS
opted <input type="checkbox"/>	Adopted <input type="checkbox"/>	Amendments to Assembly / Senate
st <input type="checkbox"/>	Lost <input type="checkbox"/>	Bill / Joint Resolution No. <u>17</u> (BDR <u>22-485</u>)
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1977 Amendment **N^o** **14** Replaces Amendments 15A, 45A, 9 and 92A.

Amend section 2, page 1, line 5, delete "two" and insert "the remaining".

Amend section 3, page 1, delete line 18 and insert:

"Sec. 3. 1. In those counties which have:

(a) Only one participating city, the county and the city shall pay equal shares of the capital and operating costs of the department.

(b) More than one participating city, the governing bodies of the various participating political."

Amend section 3, page 2, between lines 9 and 10 insert:

"(d) Historical crime statistics.

(e) Law enforcement requirements of the respective participating political subdivisions."

Amend section 6, page 2, delete lines 34-41 and insert:

"1. The metropolitan police commission consists of the sheriff of the county and representatives from the county and from each participating city.

2. Except as provided in subsection 3, the county and each participating city are entitled to one representative on the commission for each 60,000 persons residing within the boundaries of the county or of the city. In determining the number of representatives:

(a) A participating political subdivision is not entitled to an additional representative for any fraction of the population which is less than 60,000; and

(b) Persons residing within the boundaries of an incorporated city shall not be included in the population of the county.

3. The county and each participating city are entitled to at least one representative regardless of the number of persons residing within the boundaries of the county or of the city."

Amend section 6, page 2, line 42, delete "3." and insert "4."

Amend section 8, page 3, line 3, delete "Sec. 8." and insert:

"Sec. 8. NRS 280.170 is hereby amended to read as follows:

280.170 1. The [police commission shall elect one of their number as chairman on the commission.] sheriff of the county is the chairman of the commission.

2. The police commission shall employ a clerk and may employ other clerical personnel necessary to the discharge of its duties. The clerk [shall be] is secretary for the commission.

Sec. 9."

Amend section 8, page 3, delete line 10 and insert:

"3. [Cause] If there is more than one participating city, cause to be prepared [a] the funding apportionment plan pro-".

Amend section 8, page 3, delete line 21 and insert:

"4. [Cause] If there is more than one participating city, cause a new funding apportionment plan to be prepared:"

Amend the bill as a whole by adding new sections, designated sections 10, 11 and 12 following section 8, to read as follows:

"Sec. 10. NRS 280.220 is hereby amended to read as follows:

280.220 Upon merger, the county auditor or county comptroller of a county which has a department shall:

1. Create a metropolitan police department fund in the county treasury for the exclusive use of the department.

2. Receive all [moneys] money from the county, participating cities and any other source on behalf of the department and deposit [such moneys] the money in the department fund.

3. Receive all money collected by the department for any purpose, except criminal and civil fines, and deposit the money in the department fund.

4. Issue warrants against the department fund in the manner provided in this chapter.

Sec. 11. NRS 280.310 is hereby amended to read as follows:

280.310 1. Each department shall have a system of civil service, applicable to and governing all employees of the department except elected officers and such other positions as designated by the police commission.

2. The system of civil service shall be governed by a board composed of five civil service trustees appointed by the police commission. Upon creation of such board, the police commission shall appoint one trustee for a term of 2 years, two trustees for terms of 3 years and two trustees for a term of 4 years. Thereafter all trustees shall serve for terms of 4 years.

3. The board shall prepare rules [and] or regulations governing the system of civil service to be adopted by the police commission, but in the case of a county having a population of 200,000 or more which is required to comply with the provisions of this chapter by July 1, 1973, [pursuant to NRS 280.100,] the initial civil service rules shall be those governing the police department of the largest city in the county, as such rules are modified and approved for such purpose by the law enforcement consolidation committee organized and operating pursuant to resolution of the special committee created by chapter 613, Statutes of Nevada 1971, to study the problems of local government in Clark County. Such rules [and] or regulations shall provide for:

- (a) Examination of potential employees;
- (b) Recruitment and placement procedures;
- (c) Classification of positions;
- (d) Procedures for promotion, disciplinary actions and removal of employees; and
- (e) Such other matters as the board may consider necessary.

4. Copies of the rules [and] or regulations of the system of civil service shall be distributed to all employees of the department.

5. The [board shall appoint] sheriff shall designate a personnel officer to administer the personnel functions of the department according to the policies, rules [and] or regulations of the board, including but not limited to the items enumerated in subsection 3. [The personnel officer shall be subject to the administrative supervision of the sheriff of the department.]