

ASSEMBLY
GOVERNMENT AFFAIRS
April 12, 1977
7:00am

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

GUESTS PRESENT: See attached list

Chairman Murphy called the meeting to order at 7:10am.

ASSEMBLY BILL 401

Mr. Mike Ewald presented the committee with letters concerning amendments to A. B. 401. The letters are attached as Exhibits 1, 2, 3, 4, and 5.

Mr. Robin Bogich, Reno City Clerk, presented a letter also in which he stressed and urged the adoption of an amendment. His letter is attached as Exhibit 6.

Mr. Bruno Menecucci, Reno City Councilman, suggested that the committee amend the bill to make the Council a 7 member council with an elected mayor. He told the committee that the executive and administrative duties of the City of Reno are done by the City Manager. The mayor is supposed to bring together the Council for the benefit for the whole of Reno.

Assemblyman Mann commented that the committee usually accepts recommendations of the people who come before them because those are the people who are most involved and closest to the problems. He then asked Mr. Menecucci if the Assistant City Manager, Mr. Ewald, would go before the City Council and tell them that it was the intentions of this committee that no areas be expanded in terms of appointed positions. Mr. Menecucci replied that the City Manager did tell the Council that the committee had some problems with the bill in the area of appointive positions. The City Manager also told the Council that contact had been made with the fire department on the subject when in fact it had not been made.

Assemblyman Mann then asked Mr. Ewald why "instead of working in cooperation as was the instructions of this committee, that you sent a letter notifying them of the changes you were going to make."

Mr. Ewald replied that it is a philosophical thing and he explained it by saying, "these changes, the original recommendations came through

a citizens' advisory committee, it went through public hearings and then it went to the City Council. There were public hearings on that too and the City Council made a recommendation. As staff to the City Manager, and to the City Council, I did not feel it my place and the City Manager agreed, to make any kind of deal or arrangements with any particular group outside of the city council and therefore we placed this on the City Council agenda and from that point on it was published and Mr. Kearns did have an opportunity to show up and speak on this in the public hearings where the compromises should be reached. It is not my intention to try and make compromises in a firehouse. They should be made at the City Council table and then I would take them back to you, the committee.

Mr. Mann : "In other words you didn't get the message from this committee, in terms of, if this bill was that important, that we didn't want to expand the appointive positions." He continued by saying that the list of appointive positions should not be expanded.

Mr. Robin Bogich, proposed that the effective date of when the Council members take office should be made effective upon passage and approval. Also, page 5 line 33 should be June instead of July.

Mr. Ken Pulver, Reno City Police Department, spoke in opposition to the bill and said that the committee had to decide whether it wanted appointive positions or promotions based on the merit system. He passed out Exhibit 7 and stressed that the best way to run a police department is on the merit system. He then said that he was not made aware of the amendments proposed by the City Council to 401.

Mr. Bruno Menecucci returned to the witness table and said: "Mr. Mann asked me a question and I think it is due also an answer for all of the members of the committee, concerning on page two the question regarding appointive officers as Mr. Mann has asked for. I will be very emphatic and will put it on the agenda for clarification Monday, because as of the day that we reviewed the proposed amendment at the City Council table, we even discussed the possibility that it be done within the department. That was a portion of it but when we did discuss it on the table concerning the handout that you do have from us, the question was asked, 'has this wording been checked with the police and fire to see if they were in concurrence'. The answer on the table was yes. At that particular point, that was why we acted on it because we believed that it was in coordinance with both the police and fire. So I will rather than have a bill with some distaste, I will bring it up for an actual discussion and clarification. I was the one who asked the question, that is why I know the answer that was given by the City Manager. I will bring the minutes of that meeting and of the Monday meeting."

Chairman Murphy commented that there is a problem in the different ways the committee interprets the bill and how the City Manager in-

interprets the bill, and there is a problem in communications between the committee and the Council. He asked Mr. Menecucci to deliver the decision of the Council on Monday.

ASSEMBLY BILL 654

Mr. Paul Freitag, Sparks City Attorney, told the committee that the City of Sparks has a charter committee that is primarily responsible for the amendments proposed to the charter. Basically the changes are not major. He reviewed and explained his reasoning for desiring the changes.

Assemblyman Kosinski went through the bill explaining the changes.

Assemblymen Robinson, Craddock and Jeffrey did not like the variable probation periods.

Jay Milligan, Sparks City Manager, commented that 6 months is not enough to see if firemen and policemen for example will be capable.

Mayor Lillard told the committee that he told there were things that were put into the bill that were not suggested by the City Charter Committee. He felt that page 6 sub. 5 should be deleted.

Mr. Larry McDaniel, told the committee that if the language relating to fires is deleted then the fire department has no statutory existence. He added that he did not like variable probationary periods.

Chairman Murphy appointed a subcommittee of Mrs. Westall and Mr. Jeffrey to get with both sides of the issues and come back with some recommendations.

ASSEMBLY BILL 602

Chairman Murphy handed out Exhibit 8 which were amendments to his bill.

Mr. Gremban of Sierra Pacific Power, reiterated his previous objections.

COMMITTEE ACTION - A.B. 602

Mr. May moved to AMEND AND DO PASS, Mr. Mann moved to amend Mr. May's motion of adopting Mr. Murphy's amendments to include an amendment which would allow cities and counties to waive the 20 limit by written notice, Seconded by Mrs. Westall, Mr. Mann's motion passed unanimously. Mrs. Westall then seconded Mr. May's earlier motion to AMEND AND DO PASS (including Mr. Murphy's amendments and the one just adopted) this motion was interrupted once again by a motion from Mr. Robinson to delete (b) of section 2, seconded by Mr. Jacobsen. This motion failed with only Mr. Robinson, Mr. Jacobsen and Mr. Craddock voting for it. On the

ASSEMBLY
GOVERNMENT AFFAIRS
April 12, 1977
Page Four

original motion (Mr. May's), the motion passed with Mr. Jacobsen, Mr. Robinson and MR. Craddock voting no.

ASSEMBLY BILL 597

Assemblyman Alan Glover spoke in favor of the bill and said that Ways and Means has already approved a capital improvement appropriation for the purpose.

Speaker Dini spoke in favor of the measure by saying that Virginia City's position with the State needs to be protected.

Mayor Jacobsen and Paul Loomis of Carson City, spoke in favor of the bill and distributed Exhibit 9.

Chairman Murphy announced that testimony would be continued the next morning at 7:00am since the members were due at another committee meeting.

The meeting was adjourned at 9:45am.

Respectfully submitted,


Kim Morgan, Committee Secretary

GOVERNMENT AFFAIRS COMMITTEE

GUEST REGISTER

DATE: 4/12

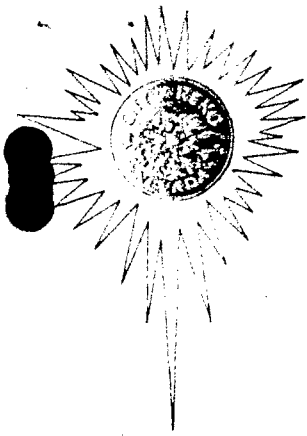
NAME, ADDRESS & PHONE NO.	REPRESENTING	TESTIFYING ON BILL NO.
JAN MILLIGAN	City of Sparks	A.B 654
Chloris Goodwin	" "	"
Bernie Gulla	" "	"
Jim Lillard	Mayor Sparks	"
KEN FULVER	RENO POLICEMEN	AB 401
Bruce Spencer	City of Reno	AB 401
Mike Ewald	" "	"
Sam McLean		
Paul Du Clerque	Sparks Firefighters	AB 654
Stephen E. Chapman	Sparks, Firefighters	AB 654
Paul Wharton	City of Sparks	AB 654

GOVERNMENT AFFAIRS COMMITTEE

GUEST REGISTER

DATE: 4/12

NAME, ADDRESS & PHONE NO.	REPRESENTING	TESTIFYING ON BILL NO.
OR Austin	Strouse Court	597
Marilyn J Strouse	"	597
Thelma Calhoun	Carson City	597
ROBIN BOGICIT	City of Reno	401
Tom Mearns	Clark Co	
WALTER DREW	Social Sec. e/s/d.	618



CITY OF RENO

From the Office of: The City Manager

April 8, 1977

Honorable Patrick Murphy, Chairman
Assembly Committee on Government Affairs
Legislative Building
410 South Carson Street
Carson City, Nevada 89701

Dear Assemblyman Murphy:

During testimony by representatives of the City of Reno to the Assembly Committee on Government Affairs on March 17, 1977, you instructed that the City Council develop a compromise position to its recommendation for a proposed change to Section 1.090 (2) of the Reno City Charter.

You will recall that members of the Assembly Committee on Government Affairs felt that by deleting the list of appointive offices, as is proposed in Section 1.090 (2) of Assembly Bill No. 401, the City Council could then make any office, including those in Civil Service, appointive. We submit that the City Council already has the right under its existing Charter to make any office appointive, and that the Sparks City Charter has the same provision as the one we had earlier proposed.

However, in compliance with your Committee's wishes, we respectfully submit new language for Section 1.090 (2) which we believe will answer the type of compromise position requested by your Committee. You and your Committee are advised that the compromise position was introduced and discussed in open Council session on March 28, 1977, and the City Council accepted the following wording unanimously:

Sec. 1.090 (2) The city council may establish such other appointive offices as it may deem necessary for the operation of the city by designating the position and the qualifications therefor by ordinance with appointive offices limited to department heads, division heads, assistant to department heads, and special technical staff as may be required. Such appointive positions are not to extend below the positions of assistant chief in the fire and police departments of the city. Appointment of such offices shall

- CARL BOGART
Mayor
- CLYDE BIGLIERI
Assistant Mayor
- PAT HARDY LEWIS
Councilwoman
- BRUNO MENICUCCI
Councilman
- NICK LAURI
Councilman
- MARCEL DURANT
Councilman
- WILLIAM GRANATA
Councilman
- ROBERT H. OLDLAND
City Manager
- ROBERT VAN WAGONER
City Attorney
- ROBIN BOGICH
City Clerk

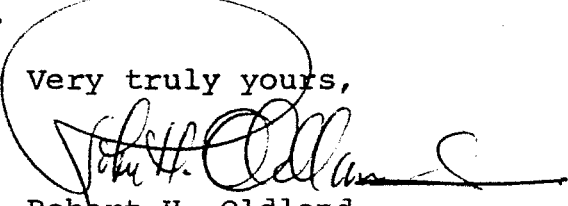
Page Two
April 8, 1977

be made by the city manager and confirmed
by the city council.

We request that the Committee on Government
Affairs consider and approve the above substitute
wording to Section 1.090 (2). We are confident
that it will meet with the Committee's approval
as an acceptable compromise position.

If the Committee has any further questions with
respect to this matter, please do not hesitate to
contact this office.

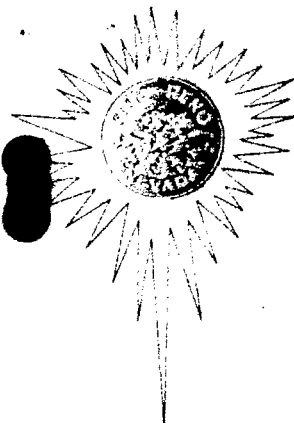
Very truly yours,



Robert H. Oldland,
City Manager

RHO:MWE:smb

xc: Mayor and City Council
City Attorney
Special Assistant to the City Manager



2

CITY OF RENO

From the Office of: The City Manager

April 8, 1977

- CARL BOGART
Mayor
- CLYDE BIGLIERI
Assistant Mayor
- PAT HARVEY LEWIS
Councilwoman
- BRUNO MENICUCCI
Councilman
- NICK LAURI
Councilman
- MARCEL DURANT
Councilman
- WILLIAM GRANATA
Councilman
- ROBERT H. OLDLAND
City Manager
- ROBERT VAN WAGOMER
City Attorney
- ROBIN BOGICH
City Clerk

Honorable Patrick Murphy, Chairman
 Assembly Committee on Government Affairs
 Legislative Building
 401 South Carson Street
 Carson City, Nevada 89701

Dear Assemblyman Murphy:

Mr. Vernon Bennett, Executive Officer of the Public Employees Retirement System, has advised this office in a letter dated March 17, 1977 that a provision in Assembly Bill No. 401, currently before the Assembly Committee on Government Affairs, would make appointive officers ineligible for membership in the Retirement System.

The problem brought to our attention is the proposed deletion of Section 1.100 (3) of the Reno City Charter, which provides that "All appointive officers shall be entitled to all employment benefits to which civil service employees are entitled."


Mr. Bennett's letter advises, "We would like to provide for your information and assistance the fact that deletion of this provision and the removal of normal employee benefits to appointive officers would eliminate their eligibility for membership in the Retirement System. Membership in the System is provided to employees. The term employee is defined under NRS 286.040 and includes the following: Any person employed by a public employer whose compensation and all other customary employee benefits are provided by the public employer and who is under the direction or control of officers of the public employer. Therefore, if your appointive officers are not provided your normal employee benefit package such as sick and annual leave, group insurance, etc., they would no longer meet the definition of an employee and would no longer be eligible for membership in the Retirement System."

Page Two
April 8, 1977

Based upon the advice of Mr. Bennett, the City of Reno would respectfully request that Section 1.100 (3) be retained and not deleted as proposed in Assembly Bill No. 401.

If you or your Committee have any questions with respect to this matter, please contact this office.

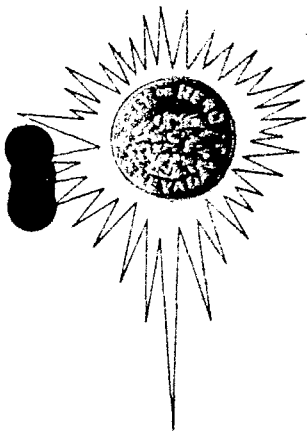
Very truly yours,



Robert H. Oldland
City Manager

RHO:MWE:kls

xc: Mayor and City Council
City Attorney
Special Assistant to the City Manager
Mr. Vernon Bennett, Executive Director
Public Employees Retirement System



CITY OF RENO

From the Office of: The City Manager

April 8, 1977

Honorable Patrick Murphy, Chairman
Assembly Committee on Government Affairs
Legislative Building
401 South Carson Street
Carson City, Nevada 89701

Dear Assemblyman Murphy:

The Reno Civil Service Commission has requested that consideration be given to an amendment to the Reno City Charter. It would seem appropriate to present this recommendation to the Assembly Committee on Government Affairs since it is considering Assembly Bill No. 401, a bill to amend the Reno City Charter.

The Commission recommends that Section 9.030 (1) of the Reno City Charter be amended as follows:

There shall be a civil service commission to implement the provisions of this article. The Commission shall consist of five members appointed by the mayor with approval of the city council (no more than three of whom shall belong to the same political party).

The words in parenthesis are to be deleted.

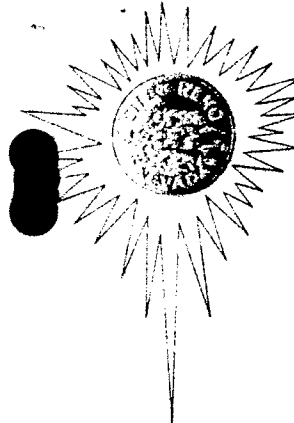
We would point out to the Committee that the Reno City Council is elected on a nonpartisan basis and, therefore, the political party reference to the Civil Service Commission would seem inappropriate.

The Reno City Council has not had an opportunity to study the Civil Service Commission's proposal and, therefore, does not have a formal position on this matter.

Very truly yours,

Robert H. Oldland
City Manager

RHO:MWE:kls
xc: Mayor and City Council
City Attorney
Civil Service Commission
Special Assistant to the City Manager



CITY OF RENO

From the Office of: The City Manager

April 11, 1977

- CARL BOGART
Mayor
- CLYDE BIGLIERI
Assistant Mayor
- PAT HARDY LEWIS
Councilwoman
- BRUNO MENICUCCI
Councilman
- NICK LAURI
Councilman
- MARCEL DURANT
Councilman
- WILLIAM GRANATA
Councilman
- ROBERT H. OLDLAND
City Manager
- ROBERT VAN WAGONER
City Attorney
- ROBIN BOGICH
City Clerk

Honorable Patrick Murphy, Chairman
 Assembly Committee on Government Affairs
 Legislative Building
 401 South Carson
 Carson City, Nevada 89701

Dear Assemblyman Murphy:

I write with respect to the proposed deletion of a section of the Reno City Charter, as proposed in Assembly Bill No. 401 currently before your Committee on Government Affairs.

It is proposed in the subject bill to delete Section 5.040 (2), which states, "Nothing in this charter shall be so construed as to deny or abridge the power of the City Council to provide for supplemental registration."

Although this deletion was recommended by the City Council, we have since had misgivings about its propriety. Advice from outside legal staff indicates that the City may face the possibility of not proceeding with a Municipal Election should supplemental registration not be specifically authorized by the Reno City Charter. The concern is the obvious detrimental impact on any future bond sale which requires approval of proceedings (including election proceedings) by a recognized Bond Attorney.

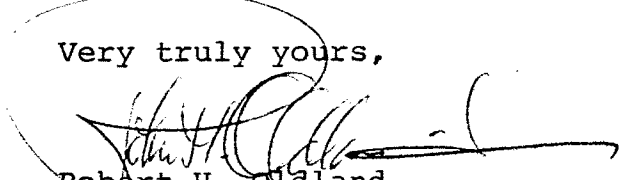
The City Clerk has discussed this matter with the Washoe County Registrar of Voters and the consensus is to leave the provision in the Charter in the event the City Council wishes to exercise their power and direct the Registrar accordingly.

Therefore, we respectfully request that Section 5.040 (2) be retained instead of deleted, as is proposed in Assembly Bill No. 401.

April 11, 1977
Page Two

If you or your Committee have any further questions on this matter, please contact this office.

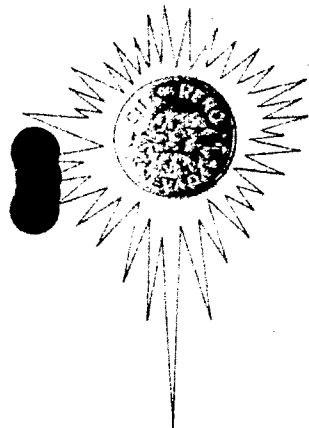
Very truly yours,



Robert H. Oldland
City Manager

RHO:tmy

xc: Mayor and City Council
City Attorney
City Clerk
Special Assistant to the City Manager



CITY OF RENO

From the Office of: The City Manager

April 11, 1977

- CARL BOGART
Mayor
- CLYDE BIGLIERI
Assistant Mayor
- PAT HARDY LEWIS
Councilwoman
- BRUNO MENICUCCI
Councilman
- NICK LAURI
Councilman
- MARCEL DURANT
Councilman
- WILLIAM GRANATA
Councilman
- ROBERT H. OLDLAND
City Manager
- ROBERT VAN WAGONER
City Attorney
- ROBIN BOGICH
City Clerk

Honorable Patrick Murphy, Chairman
 Assembly Committee on Government Affairs
 Legislative Building
 401 South Carson
 Carson City, Nevada 89701

Dear Assemblyman Murphy:

I write on advice of the City Attorney with respect to a provision in Assembly Bill No. 401.

The City Attorney has indicated his concern that by Section 17, page 8 of the subject bill, the sections of the Reno City Charter (2.150 through 2.350) would be eliminated.

In the legal judgment of the City Attorney, the specific grants of power by the State Legislature are superior to a general provision stating that the municipalities can enact and enforce any measures not in conflict with the general laws of the State of Nevada. The difference being, the authority of an ordinance versus a statutory grant of authority.

Therefore, it is the recommendation of the City Attorney and, based on that, this office as well, that the Assembly Committee on Government Affairs delete Section 17, page 8 of Assembly Bill No. 401.

If you or your Committee have any questions with respect to this matter, please contact this office or the City Attorney.

Very truly yours,

Robert H. Oldland
City Manager

RHO:tmy
 xc: Mayor and City Council
 City Attorney
 Special Assistant to the City Manager

6

CITY OF RENO

OFFICE OF THE CITY CLERK

ROBIN M. BOGICH
CITY CLERK
(702) 785-2030

POST OFFICE BOX 7 RENO, NEVADA 89504

GILBERT F. MANDAGARAN
CHIEF DEPUTY CITY CLERK
(702) 785-2032

April 8, 1977

Assemblyman Patrick Murphy, Chairman
Assembly Government Affairs Committee
Legislative Building
401 South Carson
Carson City, Nevada 89701

Dear Assemblyman Murphy:

Please refer to my letter of March 29, 1977, addressed to Assemblywoman Sue Wagner, copies of which were furnished all members of the Government Affairs Committee.

I have further reviewed the City Charter sections providing for the date upon which the Mayor and Assistant Mayor are selected vs. the date upon which newly elected Council members take office.

Following my further review, I have changed my opinion and feel it would be in the best interest of the City of Reno if the date upon which newly elected Council members take office were changed to the first regular meeting of the City Council following a City election (second Monday in June). The appropriate amendment to the City Charter to become effective upon passage and approval would be as follows:

Sec. 5.100

3. The city clerk, under his hand and official seal, shall issue to each person declared to be elected a certificate of election. The officers so elected shall qualify and enter upon the discharge of their respective duties on the [1st Monday in July next following their election.] *first regular meeting of the Council next succeeding that in which canvass of returns was made as above provided.*

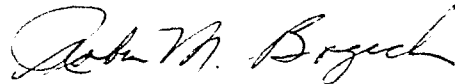
Assemblyman Patrick Murphy
April 8, 1977
Page 2

The above proposed amendment would be consistent with the existing City Charter provisions for selection of the Mayor and Assistant Mayor, and consistent with the existing City Charter provisions for canvassing of election returns.

The above proposed amendment would also allow for all election occurrences (canvass of election returns, newly elected Council members taking office and selection of a Mayor and Assistant Mayor) to be accomplished in the same manner and on the same dates as have occurred in the City of Reno since 1963.

I respectfully request your consideration of the above proposed amendment.

Very truly yours,



Robin M. Bogich
City Clerk

RMB/11

cc: Assembly Government Affairs Committeemembers

7

Honorable Committee Members
Committee on Government Affairs
Nevada State Assembly

Re: AB 401

The attached material is for your review. I have highlighted in red those particular points that I think best illustrate my position.

Both the National Standards of 1973 and the Nevada Standards of 1977, with reference to development, promotion, and advancement of police personnel, direct municipalities to develop comprehensive criminal justice standards and goals.

The City of Reno has not embraced that approach to increasing professionalism. To this date it has taken no affirmative action and instead, chooses to circumvent the existing merit promotional system.

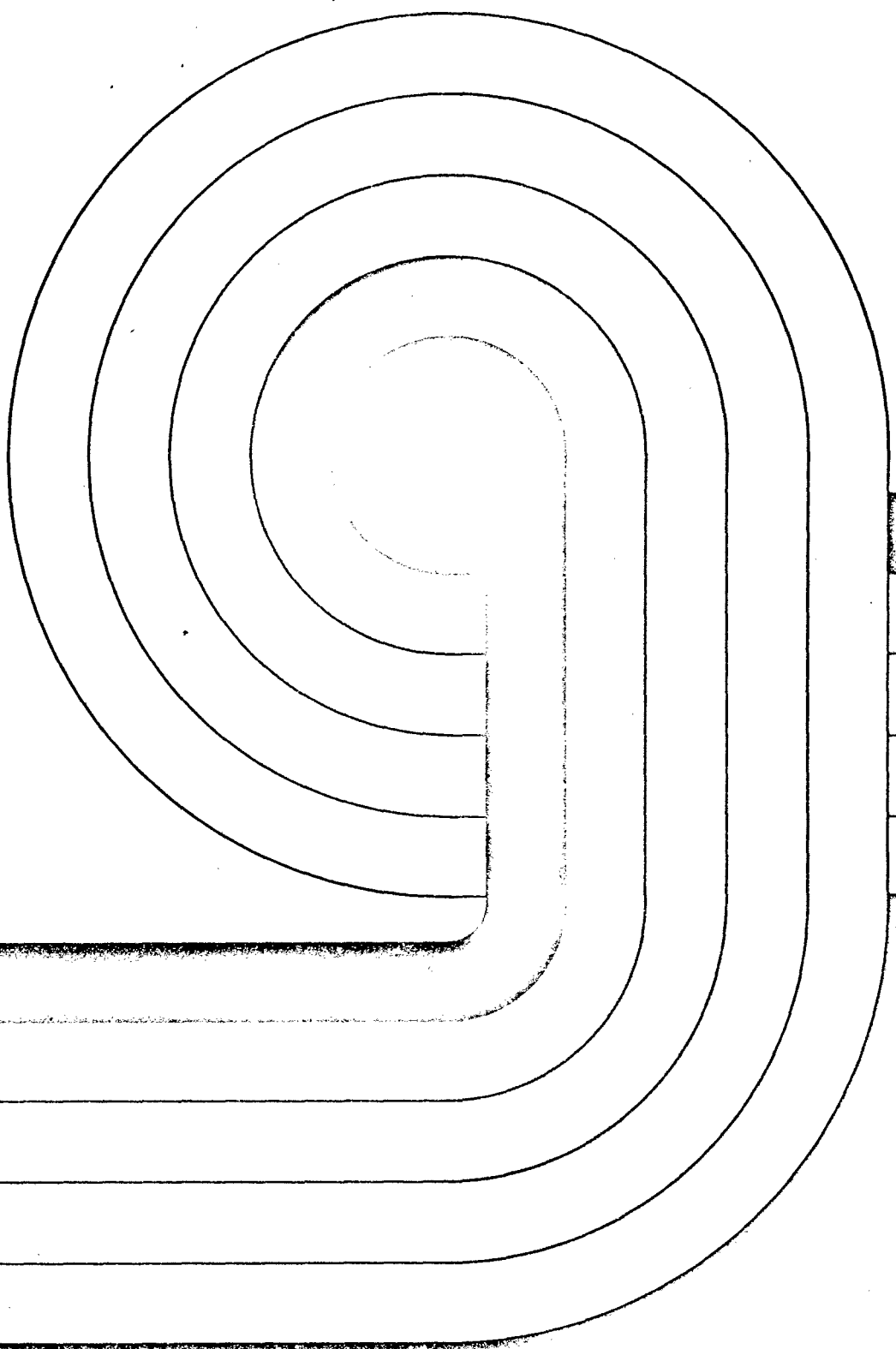
It is my belief that AB 401, Sec. 1.090, SEC. 3, is in direct opposition to the achievement of both National and State standards and goals.

Respectfully submitted,



Ken Pulver
Captain
Reno Police Department

Police



Police Academy Curriculum on Criminal Justice Standards and Goals

This volume, *Report on Police*, is one of six reports of the National Advisory Commission on Criminal Justice Standards and Goals.

This Commission was appointed by Jerris Leonard, Administrator of the Law Enforcement Assistance Administration (LEAA), on October 20, 1971, to formulate for the first time national criminal justice standards and goals for crime reduction and prevention at the State and local levels.

The views and recommendations presented in this volume are those of a majority of the Commission and do not necessarily represent those of the Department of Justice. Although LEAA provided \$1.75 million in discretionary grants for the work of the Commission, it did not direct that work and had no voting participation in the Commission.

Membership in the Commission was drawn from the three branches of State and local government, from industry, and from citizen groups. Commissioners were chosen, in part, for their working experience in the criminal justice area. Police chiefs, judges, corrections leaders, and prosecutors were represented.

Other recent Commissions have studied the causes and debilitating effects of crime in our society. We have sought to expand their work and build upon it by developing a clear statement of priorities, goals, and standards to help set a national strategy to reduce crime through the timely and equitable administration of justice; the protection of life, liberty and property; and the efficient mobilization of resources.

Some State or local governments already may have equaled or surpassed standards or recommendations proposed in this report; most in the Nation have not. But in any case, each State and local government is encouraged to evaluate its present status and to implement those standards and recommendations that are appropriate.

The process of setting the standards that appear in the *Report on Police* and the other Commission volumes was a dynamic one. Some of the standards proposed are based on programs and projects already in operation, and in these cases the standards are supported with empirical data and examples.

The Commission recommends specific guidelines for evaluating existing practices or for setting up new programs. In some areas, however, the Commission was unable to be as specific as it would have liked because of the lack of reliable information. The Commission urges research in these areas.

The Commission anticipates that as the standards are implemented, experience will dictate that some be upgraded, some modified, and perhaps some discarded. Practitioners in the criminal justice field will contribute to the dynamic process as they test the validity of the Commission's assumptions in the field.

One of the main priorities of this volume—and of the Commission itself—is to encourage and facilitate cooperation among all the elements of the criminal justice system and with the communities they serve. Consequently, some of the subjects discussed in this volume bear a close correlation to standards in the other volumes. The Commission has attempted to maintain a consistent approach to basic problems, but different facets of common concerns are discussed in the volume that seems most appropriate.

This Commission has completed its work and submitted its report. The Commission hopes that its standards and recommendations will influence the shape of the criminal justice system in this Nation for many years to come. And it believes that adoption of those standards and recommendations will contribute to a measurable reduction of the amount of crime in America.

The Commission thanks Jerris Leonard, Administrator of LEAA, and Richard W. Velde and Clarence M. Coster, Associate Administrators, for their efforts in authorizing and funding this Commission and for their support and encouragement during the life of the Commission.

The Commission expresses its sincerest gratitude to the chairman, Chief Edward M. Davis, and members of the Task Force on Police; and to the many practitioners, scholars, and advisers who contributed their expertise to this effort. We are also grateful to the Commission and Police Task Force staffs for their hard and dedicated work.

On behalf of the Commission, I extend special and warmest thanks and admiration to Thomas J. Madden, Executive Director, for guiding this project through to completion.

Russell W. Peterson

RUSSELL W. PETERSON
Chairman

Washington, D.C.
January 23, 1973

Chapter 17

Development, Promotion, and Advancement

The quality of a police agency depends on the quality of police personnel. Therefore it is imperative that the police agency employ only the most qualified applicants and insure their professional development. Promotion and advancement should be based upon demonstrated ability and proven performance.

This chapter considers the development of police personnel, the criteria that should be used for promotions, the need for agencies to analyze jobs so that they may be filled with the best qualified personnel, and the police chief executive's ultimate responsibility to insure that his agency is properly staffed even when this means going outside his agency to recruit needed personnel.

The first standard of this chapter sets forth reasons for screening applicants and accepting only the most qualified. But even the most qualified individuals are seldom able to perform effectively in the basic ranks, much less meet the challenge of a progressive career. For this reason, better police agencies provide recruit training and assist individuals in developing additional skills needed for promotion and advancement.

Most large metropolitan agencies, most State police forces and highway patrol departments, and most Federal law enforcement agencies have well developed programs.

Professional Training

The FBI National Academy, established in 1935, is an early and successful effort by the Federal Government to provide this type of professional training. Widely acclaimed for its program, the National Academy has to date trained thousands of career administrative and supervisory officers from all levels of law enforcement. The opening of the new FBI Academy facilities at the Marine Corps Base at Quantico, Va., in 1972 has permitted the National Academy to greatly increase the number of officers it will train each year.

Over the years, the FBI National Academy has played a leading role in the field of advanced police training, and its graduates have been represented in police leadership positions. With the close of 1972, over one-fourth of National Academy graduates still active in law enforcement headed their respective agencies.

But many police agencies apparently do not or cannot provide this training. Charles Saunders, in *Upgrading the American Police Service*, has cited statistics showing that many police agencies fail to provide the basic criminal justice training and rudimentary police skills needed by police officers to perform even the most routine duties. There is an even greater lack of advanced training.

Standard 17.1

Personnel Development for Promotion and Advancement

Every police agency should adopt a policy of promoting to higher ranks and advancing to higher paygrades only those personnel who successfully demonstrate their ability to assume the responsibilities and perform the duties of the position to which they will be promoted or advanced. Personnel who have the potential to assume increased responsibility should be identified and placed in a program that will lead to full development of that potential.

1. Every police agency should screen all personnel in order to identify their individual potential and to guide them toward achieving their full potential. Every employee should be developed to his full potential as an effective patrol officer, a competent detective, a supervisor or manager, or as a specialist capable of handling any of the other tasks within a police agency. This screening should consist of one or more of the following:

- a. Management assessment of past job performance and demonstrated initiative in the pursuit of self-development;
- b. Oral interviews; and
- c. Job-related mental ability tests.

2. Every police agency should offer comprehensive and individualized programs of education, training, and experience designed to develop the potential of every employee who wishes to participate. These individualized development programs should be

based on the potential identified through the screening process and the specific development needs of the employee. These individualized programs should consist of one or more of the following:

- a. College seminars and courses;
- b. Directed reading;
- c. In-house and out-of-house training classes;
- d. Job rotation;
- e. Internship; and
- f. The occasional opportunity to perform the duties of the position for which an individual is being developed.

3. Personnel who choose to pursue a course of self development rather than participate in the agency-sponsored development program should be allowed to compete for promotion and advancement.

Commentary

In police agencies, as in other service organizations, personnel frequently are promoted or advanced without serious consideration of their qualifications; only after a person is promoted or advanced is it discovered that he is unprepared to assume a higher level of responsibility. Wilson and McLaren in *Police Administration* point out that in selecting personnel for promotion it is essential to choose those

Standard 17.2

Formal Personnel Development Activities

Every police agency should immediately implement formal programs of personnel development. Such programs should be designed to further the employee's professional growth and increase his capacity for his present or future role within the agency.

1. Every agency should allow all sworn personnel to participate voluntarily in at least 40 consecutive hours of formal personnel development activity annually, while on duty, and at full pay. Such activity may include:

a. Forty consecutive hours of in-house or out-of-house classroom training directed toward the development of personal, vocational, conceptual, or managerial skills;

b. Internship of at least 40 consecutive hours with another police, criminal justice, government, or private organization that can contribute significantly to the professional development of the intern;

c. The assumption of the position, responsibility, and authority of an immediate superior for a minimum of 40 consecutive hours when such assignment would contribute significantly to the professional development of the subordinate;

d. Employee participation in administrative and operational research and reporting that would not ordinarily be his responsibility but

would contribute significantly to his professional development;

e. Provision of leaves of absence with pay to allow the achievement of academic objectives that contribute significantly to the employee's professional growth and capacity for current and future assignments;

f. Employee service as a member of or an adviser to management committees and boards on which he would not normally serve, such as fleet safety boards, when such service would contribute significantly to the development of an employee's awareness and understanding of management philosophy and insight.

2. Every police agency with specialized units for detective, vice, traffic, staff, and other functions should immediately develop a formal system for personnel rotation. This system should be designed to develop generalist, specialist, and managerial resources.

a. Newly hired personnel should be rotated through geographic areas of varying crime incidence and major functional assignments in order to give them the valuable perspective and professional understanding that only experience in a wide range of agency functions and areas can provide.

of incur
develop
specifica
and adv
personn
needs f
potentia
agency
well as
the inve

nel rota
to meet
of high
nalist, s
ference
3. Ever
pursue de
agency fir
nars and
4. Ever
bility to
funding f
doing, th
ability of
budgetary

Comme

Person
toward i
personne
connel, q
eralists, s
tives.
concepts
developn
Traini
police of
contemp
cers and
criminal
as well
wide ran
Yet (
America
police a
in subu
cies d
wide
training
Limit
further
Mobilit
levels c

Standard 17.3

Personnel Evaluation for Promotion and Advancement

Every police agency should immediately begin a periodic evaluation of all personnel in terms of their potential to fill positions of greater responsibility. The selection of personnel for promotion and advancement should be based on criteria that relate specifically to the responsibilities and duties of the higher position.

1. Every agency periodically should evaluate the potential of every employee to perform at the next higher level of responsibility.

a. This evaluation should form a part of the regular performance evaluation that should be completed at least semiannually.

b. Specific data concerning every employee's job performance, training, education, and experience should support the periodic evaluation for promotion and advancement.

2. Every police agency should use job analyses in the development of job related tests and other criteria for the selection of personnel for promotion and advancement. Selection devices should consist of one or more of the following:

a. Management assessment of past job performance, performance in the individualized development program, and demonstrated initiative in the pursuit of self development;

b. Oral interviews; and

c. Job related mental aptitude tests.

3. Every police agency should disallow the arbitrary awarding of bonus points for experience and achievement not related to the duties of the position for which the individual is being considered. Arbitrary awards include:

a. Bonus points for seniority;

b. Bonus points for military service;

c. Bonus points for heroism.

4. No agency should use any psychological test as a screening device or evaluation tool in the promotion and advancement process until scientific research confirms a reliable relationship between personality and actual performance.

5. Every agency should require that personnel demonstrate the ability to assume greater responsibility prior to promotion or advancement and should continue to observe employee performance closely during a probationary period of at least 1 year from the date of promotion or advancement.

Commentary

Evaluation of police personnel for advancement and promotion should not be limited to initial assessment of the individual's qualifications and abilities. Evaluation and selection of personnel for promotion and advancement should be an integral

Standard 17.4

Administration of Promotion and Advancement

Every police chief executive, by assuming administrative control of the promotion and advancement system, should insure that only the best qualified personnel are promoted or advanced to positions of greater authority and responsibility in higher pay grades and ranks. Agencies that have not developed competent personnel to assume positions of higher authority should seek qualified personnel from outside the agency rather than promote or advance personnel who are not ready to assume positions of greater responsibility.

1. The police chief executive should oversee all phases of his agency's promotion and advancement system including the testing of personnel and the appointing of personnel to positions of greater responsibility. The police chief executive should make use of the services of a central personnel agency when that personnel agency is competent to develop and administer tests and is responsive to the needs of the police agency.

2. The police chief executive should consider recruiting personnel for lateral entry at any level from outside the agency when it is necessary to do so in order to obtain the services of an individual who is qualified for a position or assignment.

Commentary

The police chief executive must have the authority to staff and manage his agency, because ultimate responsibility for police effectiveness resides with him.

Some central personnel and civil service agencies usurp much of the police chief executive's authority in the interest of preserving the merit system. Central control of personnel management, however, does not insure a merit system. Many of these agencies—concerned with the process at the expense of the end results—cannot guarantee the advancement or promotion of the best qualified personnel.

The Role of Central Personnel Agencies

The traditional role of central personnel agencies and civil service bodies is to provide technical expertise in the management of personnel resources and to insure the preservation of the merit system. The true merit system proposes to promote and advance the best qualified personnel. Many agencies today rely on procedural requirements that have outlived their usefulness. In some instances they even threaten the very merit system they are intended to preserve. Relying heavily on highly structured promotion systems incorporating bonus

points, written examinations, and oral interviews conducted outside the mainstream of management responsibility frequently results in an archaic system completely unresponsive to management and organizational needs.

Central personnel agencies and civil service commissions alone are not capable of selecting, advancing, and promoting personnel within the police service. While they may be qualified to manage personnel resources within other areas, police administrators frequently report unsatisfactory experiences in central personnel agencies' attempts to meet their needs. It can be argued that increasing professionalism diminishes the threat of the spoils system and other corrupt practices as police administrators assume a more responsible role in the management of personnel resources.

Central personnel agencies still serve a valuable purpose. The overall responsibility for insuring adherence to merit principles and the provision of technical assistance should be their charge. The U.S. Civil Service Commission provides a model worth examining. Its basic responsibility is to provide the framework within which individual Federal agencies may design and operate their own system of personnel management. Felix Nigro in *Public Personnel Administration* describes the Commission's broad framework as follows:

1. All promotions in the competitive civil service should be made on the basis of merit from among the best qualified employees;

2. Promotions are made only in accordance with agency promotion plans which conform with the policies of the Commission;

3. Agencies are to keep employees fully informed of the policies and procedures governing its promotion plan;

4. Each promotion plan is to use areas of competition as wide as possible, and evaluation methods are to be reasonable, valid, and applied fairly; and

5. The official record of each promotion must show that it was made in accordance with the agency's formal promotion plan.

The Commission not only provides guidelines for many Federal agencies but also assists them in developing personnel resources for advancement and promotion. The various regional offices of the Commission operate extensive training programs for the benefit of all Federal agencies within their jurisdiction. These training programs include classes for the development of technical-vocational skills as well as for the development of managerial and executive skills. In addition, the Commission provides testing services (written aptitude examinations) in specific subject areas as requested.

In the Federal model, agency management retains its prerogatives in the administration of personnel resources while the Civil Service Commission insures adherence to merit principles and provides supportive services. State and local agencies would do well to emulate the Federal service.

Lateral Entry

The staffing of senior positions within a police agency is best accomplished through the planned development of personnel to fill vacancies as they occur. The selection of an individual should be based on his demonstrated ability to perform the tasks and assume the responsibility required of a senior position. Rather than fill a vacancy with an unqualified individual, it is better to leave the position vacant until a suitable, well-qualified individual can be developed and promoted.

However, this is not a reasonable alternative in every case, because of the length of time required to develop competent people for promotion. In the more professional police agencies there may be an excess of individuals uniquely qualified by reason of education, training, or experience to fill a particular position in another agency lacking such personnel. In certain cases, a particular race or ethnic origin may be the unique qualification possessed by no one within the agency. That qualification may then have to be sought from another agency.

The recruitment, selection, development, and promotion of qualified minority officers will eventually rectify ethnic imbalance commonly found in police command staffs, but lateral entry is a reasonable short-term solution that would place qualified minority officers in command positions where the need is severe.

Lateral mobility between police agencies would do much to maximize the efficient use of total law enforcement personnel resources, would allow individual police professionals to reach their full potential, would allow individual agencies to satisfy particular personnel needs at all times, and would bring new perspectives to a department. Lateral mobility should be available at the generalist, specialist, managerial, and administrative levels and is particularly necessary for the selection of police chief executives.

Before the full benefits of lateral mobility will be realized, however certain dynamic changes must be made within the police service. Included among these necessary changes is the elimination of overly restrictive residency requirements and current civil service restrictions on eligibility for entry level positions as well as advanced positions. Additionally, national mechanisms for transferring retirement

pensions and other fringe benefits must be developed so that those who desire to move laterally do not suffer financially.

Increased lateral mobility will do much to professionalize the police service. Those who wish to ply their trade where the opportunity is best for them should be allowed to do so just as members of the medical and legal professions do. The increased use of total law enforcement personnel resources will do much to upgrade the criminal justice system.

In those instances where qualified personnel are available within the agency but better qualified personnel are believed available outside it, the decision should be made in favor of agency personnel. To staff senior vacancies any other way would have a devastating effort on morale. Qualified in-house personnel would feel they were being denied what is rightfully theirs, and would feel resentment toward the organization. The police service has built its reputation as a career service. To disrupt the career aspects is to damage a reputation that does much to attract qualified and competent personnel to the police service in the first place.

References

1. Nigro, Felix A. *Public Personnel Administration*. New York: Holt, 1959.
2. U.S. Internal Revenue Service. *Management in the Western Region, the Pursuit of Excellence Through Management by Objectives—Assessment by Results*. RC-4 Memorandum 12-24, February 20, 1967.
3. U.S. Internal Revenue Service. *Regional Management Career Program*. Internal Revenue Service Western Region Publication, No. 77 (12-67).
4. Wilson, O.W. *Police Planning*. Springfield, Ill.: Charles C. Thomas, 1972.

Related Standards

The following standards may be applicable in implementing Standard 17.4:

- 13.1 General Police Recruiting.
- 14.2(4) Position Classification Plan.
- 17.5 Personnel Records.



Commission on Crime, Delinquency, and Corrections

CAPITOL COMPLEX
CARSON CITY, NEVADA 89710
TELEPHONE (702) 885-4404

February 23, 1977

TO THE CITIZENS OF NEVADA

SUBJECT: PROPOSED CRIMINAL JUSTICE STANDARDS AND GOALS FOR
NEVADA

Dear Citizens:

The material contained herein represents a three-year long comprehensive development of Criminal Justice Standards and Goals for Nevada. They encompass vast areas of the law enforcement community which includes Police, Courts, Corrections, Community Crime Prevention and the Criminal Justice System. Their aim is to give direction and guidance to our Statewide Criminal Justice System so that it may operate more effectively, efficiently and with greater economy. They will, for the first time in Nevada history, provide a firm foundation from which to build a system that hopefully, will help make the streets of Nevada more safe.

We will be offering these Criminal Justice Standards and Goals to you, the citizens of Nevada, in public hearings throughout the State. I hope each and every one of you take part in this democratic process. From these hearings, this publication will be finalized and presented to our Governor and Legislature.

On behalf of the Governor's Committee on Standards and Goals, it is my sincere hope these proposed Standards and Goals, meet with your satisfaction.

Sincerely,

A handwritten signature in cursive script that reads "James A. Barrett".

JAMES A. BARRETT
Director

JAB/RSS/lej

MIKE O'CALLAGHAN
GOVERNOR

NEVADA COMMISSION ON CRIME, DELINQUENCY, AND CORRECTIONS

BERNARD DEHL - CHAIRMAN
ROBERT J. GALLI - VICE CHAIRMAN
JAMES A. BARRETT - DIRECTOR

MEMBERS

Bernard Dehl
Robert J. Galli
William P. Beko
Philip Hannifin
Charles L. Wolff
Bill Richards
Robert List
John Moran
Thomas Hickey
George E. Holt

Leo J. Puccinelli
Floyd Osborn
Archie Robison
Frank Sullivan
Robert Van Wagoner
Nancy Williams
Sister Riccarda Moseley

ADVISORS

David Zenoff
Andras Babero
Patrick Murphy
Howard R. Hill
James Guinan
Larry Luna
John Mendoza

DEPARTMENT OF LAW ENFORCEMENT ASSISTANCE

PLANNING AND TRAINING DIVISION

ADMINISTRATIVE STAFF

JAMES A. BARRETT, DIRECTOR

JOHN W. PEEVERS, PROJECT DIRECTOR

JANET K. LADD, COORDINATOR

RICHARD S. STAUB, ASSISTANT COORDINATOR/RESEARCHER

JOHN KADLIC, RESEARCHER

GOVERNOR'S COMMITTEE
NEVADA CRIMINAL JUSTICE STANDARDS AND GOALS

POLICE

James Avance
Administrator
Taxicab Authority
Former Chief of Police NLVPD

Richard Bryan
Attorney at Law
State Senator Clark County

Robert Galli
Sheriff
Washoe County

CORRECTIONS

Carl Hocker
Executive Secretary
Board of Pardons & Parole
State of Nevada

Nancy Williams
Director of Probations
Services
Clark County Juv. Court

Tim Hafen
Former Assemblyman
Nye County

COURTS

Tom Beatty
Assistant District
Attorney
Clark County

Horace R. Goff
State Public
Defender

John Mendoza
District Court Judge
Las Vegas, Nevada

TASK FORCES

POLICE

James Berry
Chief Examiner
Reno Civil Service Commission
Designee:
Dave Shelton
Personnel Dept., Reno, Nevada

Frank Hart, Retired
Assistant Chief of Police, Reno
Replaced by:
Robert Smart, Captain
Reno Police Department

Norris Hinton
Former Chief of Police
Yerington, Nevada

Barton Jacka
Assistant Sheriff
LVMPD

Ardis Kearns
League of Women Voters
Las Vegas, Nevada

CORRECTIONS

A. A. 'Bud' Campos
Chief, Adult Probation
& Parole
State of Nevada

Donnie Johnson
Director, REBOUND
Reno, Nevada

Allen Chamberlain
Chief Juvenile
Probation Officer
Winnemucca, Nevada

Doyle Hamilton
Deputy Chief
Jail Division
LVMPD

James Carmany
Former Director
Juvenile Court Services
Clark County

COURTS

Jon R. Collins
Retired Supreme
Court Justice
Attorney at Law
Las Vegas, Nevada

Carl Christensen
District Court Judge
Clark County

Morgan Harris
Public Defender
Clark County

Jim Jensen
Municipal Judge
Henderson, Nevada

John Mowbray
Supreme Court Justice
Carson City, Nevada

CHAPTER 17. DEVELOPMENT, PROMOTION, AND ADVANCEMENT

STANDARD: 17.1 PERSONNEL DEVELOPMENT FOR PROMOTION AND ADVANCEMENT

Every police agency should adopt a policy of promoting to higher ranks and advancing to higher paygrades only those personnel who successfully demonstrate their ability to assume the responsibilities and perform the duties of the position to which they will be promoted or advanced. Personnel who have the potential to assume increased responsibility should be identified and placed in a program that will lead to full development of that potential.

1. Every police agency should screen all personnel in order to identify their individual potential and to guide them toward achieving their full potential. Every employee should be developed to his full potential as an effective patrol officer, a competent detective, a supervisor or manager, or as a specialist capable of handling any of the other tasks within a police agency. This screening should consist of one or more of the following:

- a. Management assessment of past job performance and demonstrated initiative in the pursuit of self-development;
- b. Oral interviews; and
- c. Job-related mental ability tests.

2. Every police agency should offer comprehensive and individualized programs of education, training, and experience designed to develop the potential of every employee who wishes to participate. These individualized development programs should be based on the potential identified through the screening process and the specific development needs of the employee. These individualized programs should consist of one or more of the following:

- a. College seminars and courses;
- b. Directed reading;
- c. In-house and out-of-house training classes;
- d. Job rotation;
- e. Internship; and
- f. The occasional opportunity to perform the duties of the position for which an individual is being developed.

3. Personnel who choose to pursue a course of self development rather than participate in the agency-sponsored development program should be allowed to compete for promotion and advancement.

APPLICABLE NEVADA LAW:

State personnel practices presently work to achieve this standard's objectives (NRS 284.205 - .330). Article 15, § 15 of the Nevada Constitution provides that a merit system shall govern employment in the executive branch of State government. Promotion in state government is achieved through open competitive examination whereby individuals progress to higher position classifications.

Internal administrative policies should cover the objectives set forth in this standard.

STANDARD: 17.2 FORMAL PERSONNEL DEVELOPMENT ACTIVITIES

Every police agency should immediately implement formal programs of personnel development. Such programs should be designed to further the employee's professional growth and increase his capacity for his present or future role within the agency.

1. Every agency should allow all sworn personnel to participate voluntarily in formal personnel development activity, while on duty, and at full pay. Such activity may include:
 - a. In-house or out-of-house classroom training directed toward the development of personal, vocational, conceptual, or managerial skills;
 - b. Internship with another police, criminal justice, government, or private organization that can contribute significantly to the professional development of the intern;
 - c. The temporary assumption of the position, responsibility, and authority of an immediate superior when such assignment would contribute significantly to the professional development of the subordinate;
 - d. Employee participation in administrative and operational research and reporting that would not ordinarily be his responsibility but would contribute significantly to his professional development;
 - e. Provision of leaves of absence with pay to allow the achievement of academic objectives that contribute

significantly to the employee's professional growth and capacity for current and future assignments;

f. Employee service as a member of or an advisor to management committees and boards on which he would not normally serve, such as fleet safety boards, when such service would contribute significantly to the development of an employee's awareness and understanding of management philosophy and insight.

2. Every police agency with specialized units for detective, vice, traffic, staff, and other functions should immediately develop a formal system for personnel rotation. This system should be designed to develop generalist, specialist, and managerial resources.

a. Newly hired personnel should be rotated through geographic areas of varying crime incidence and major functional assignments in order to give them the valuable perspective and professional understanding that only experience in a wide range of agency functions and areas can provide.

b. Selective and individualized rotation of incumbent personnel should be implemented to develop generalist and specialist expertise or specifically to prepare personnel for promotion and advancement. The movement of incumbent personnel should take into account individual needs for specific work experiences, individual potential and willingness to participate, and agency needs for the development of personnel as well as the potential for a cost-effective return on the investment of time and manpower.

c. Every agency should regulate personnel rotation so that the agency is continually able to meet its primary service objectives. The rotation of highly specialized personnel, such as a criminalist, should be restricted to avoid serious interference with the delivery of specialized services.

3. Every agency should encourage personnel to pursue development on their own time, as well as on agency time, by attending college courses and seminars and through suggested reading.

4. Every police agency should fulfill its responsibility to develop personnel by seeking adequate funding for personnel development activities. In so doing, the police agency should consider the availability of financial assistance outside the normal budgetary process.

APPLICABLE NEVADA LAW:

Implementation of this standard's objectives should be handled through internal administrative policies of the local agencies.

STANDARD: 17.3 PERSONNEL EVALUATION FOR PROMOTION AND ADVANCEMENT

Every police agency should immediately begin a periodic evaluation of all personnel in terms of their potential to fill positions of greater responsibility. The selection of personnel for promotion and advancement should be based on criteria that relate specifically to the responsibilities and duties of the higher position.

1. Every agency periodically should evaluate the potential of every employee to perform at the next higher level of responsibility.
 - a. This evaluation should form a part of the regular performance evaluation that should be completed at least semiannually.
 - b. Specific data concerning every employee's job performance, training, education, and experience should support the periodic evaluation for promotion and advancement.
2. Every police agency should use job analyses in the development of job related tests and other criteria for the selection of personnel for promotion and advancement. Selection devices should consist of one or more of the following:
 - a. Management assessment of past job performance, performance in the individualized development program, and demonstrated initiative in the pursuit of self development;
 - b. Oral interviews; and
 - c. Job related mental aptitude tests.
3. Every police agency should disallow the arbitrary awarding of bonus points for experience and achievement not related to the duties of the position for which the individual is being considered. Arbitrary awards include:
 - a. Bonus points for seniority;
 - b. Bonus points for military service;

c. Bonus points for heroism.

4. No agency should use any psychological test as a screening device or evaluation tool in the promotion and advancement process until scientific research confirms a reliable relationship between personality and actual performance.

5. Every agency should require that personnel demonstrate the ability to assume greater responsibility prior to promotion or advancement and should continue to observe employee performance closely during a probationary period of at least one year from the date of promotion or advancement.

APPLICABLE NEVADA LAW:

Administrative policies of law enforcement agencies should address the objectives of this standard.

STANDARD: 17.4 ADMINISTRATION OF PROMOTION AND ADVANCEMENT

Every police chief executive, by assuming administrative control of the promotion and advancement system, should insure that only the best qualified personnel are promoted or advanced to positions of greater authority and responsibility in higher pay grades and ranks. Agencies should institute training programs to insure qualified replacements from within the department to assume positions of greater responsibility.

1. The police chief executive or Merit System Administrative Body should oversee all phases of his agency's promotion and advancement system including the testing of personnel and the appointing of personnel to positions of greater responsibility. The police chief executive should make use of the services of a central personnel agency when that personnel agency is competent to develop and administer tests and is responsive to the needs of the police agency.

APPLICABLE NEVADA LAW:

Implementation of this standard should be handled through internal administrative policies.

STANDARD: 17.5 PERSONNEL RECORDS

Every police agency immediately should establish a central personnel information system to facilitate management decision-making in assignment, promotion, advancement, and the identifi-

cation and selection of individuals for participation in personnel development programs.

1. The personnel information system should contain at least the following personnel information:

- a. Personal history;
- b. Education and training history;
- c. Personnel performance evaluation history;
- d. Law enforcement experience;
- e. Assignment, promotion, and advancement history;
- f. Commendation records;
- g. Sustained personnel complaint history;
- h. Medical history;
- i. Occupational and skills profile;
- j. Results of special tests; and
- k. Photographs.

2. The personnel information system should be protected against unauthorized access; however, employees should have access to agency records concerning them, with the exception of background investigation data;

3. The system should be updated at least semiannually and, ideally, whenever a significant change in information occurs; and

4. The system should be designed to facilitate statistical analysis of personnel resources and the identification of individuals with special skills, knowledge, or experience.

APPLICABLE NEVADA LAW:

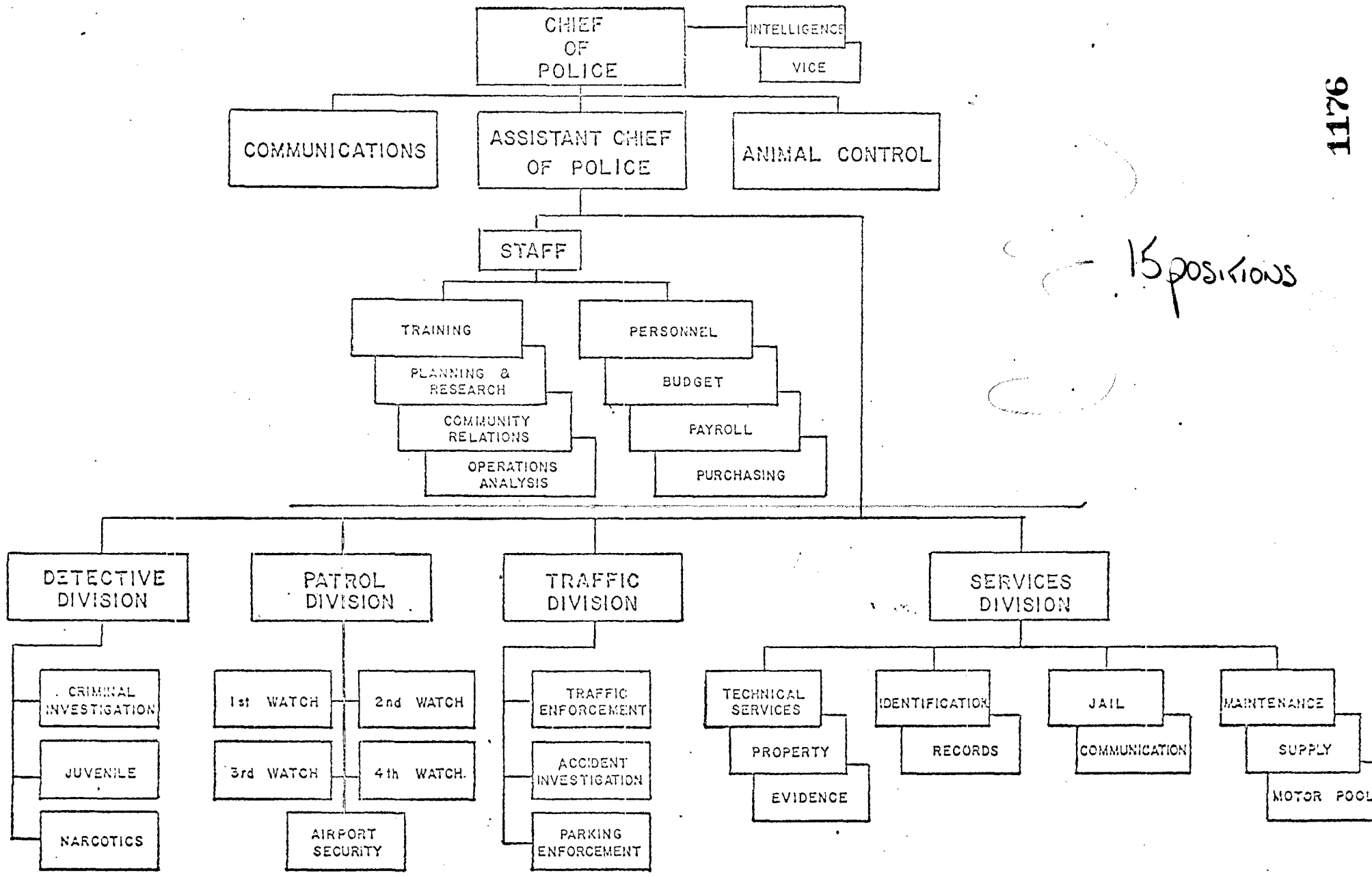
Implementation of this standard should be covered by internal administrative policies.

ANNUAL REPORT



1975





15 positions

RENO POLICE DEPARTMENT
ORGANIZATIONAL STRUCTURE

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

SECTION 1. Chapter 704 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. 1. A county may submit a verified claim for reimbursement for participating in proceedings before the Commission and before any court for the purpose of representing the interests of any or all consumers within a county. Those proceedings for which a county may submit a verified claim for reimbursement include:

- (a) Applications by a utility to increase any rate, fare or charge.
- (b) Applications by a utility to construct any utility facility as defined in NRS 704.860
- (c) Formal investigations initiated by the Commission to consider rates or rate structures relating to any public utility or public utilities within the county.

2. If a county does not elect to participate within twenty (20) days of the time an application by a public utility is filed or a formal investigation is initiated by the Commission any incorporated city may submit a verified claim for reimbursement for the expense it incurred through its participation in said proceeding to represent the interest of any or all consumers within the city.

3. Cities and counties may make joint appearances and presentations before the Commission for the purposes heretofore set forth.

4. Any city or county which incurs expenses while engaged in the activities authorized in this section may submit a verified claim to the Commission for reimbursement of those expenses incurred to employ an expert or experts to appear and testify before the Commission or any court or to

assist in the preparation of the presentation of any city or county and to provide legal counsel to represent the city or county in such proceedings.

5. Any action taken by any city or county pursuant to this section does not bind any consumer individually and does not prevent any consumer or consumers from participation in proceeding before the Commission or any court.

Sec. 3. 1. Reimbursement for any county for any calendar year shall be limited to $\frac{1}{2}$ mill on each dollar of gross Nevada intrastate operating revenues actually collected during the previous calendar year from any public utility resulting from rates, fares or charges collected from public utility customers within the county.

2. Reimbursement for any city for any calendar year shall be limited to $\frac{1}{2}$ mill on each dollar of gross Nevada intrastate operating revenues actually collected during the previous calendar year from any public utility resulting from rates, fares or charges collected from public utility customers within the city.

3. The Commission shall, subject to the approval of the State Board of Examiners, reimburse any city or county for those expenses that the city or county has incurred up to limits set forth in subsections 1 and 2.

Sec. 4. NRS 704.033 is hereby amended to read as follows:

704.033 1. The Commission shall levy and collect an annual assessment from all public and general improvement districts subject to the jurisdiction of the Commission.

2. The annual assessment shall be not more than 4 mills on each dollar of gross operating revenue derived from the intrastate operations of such utilities and improvement districts in the State of Nevada, except that the minimum assessment in any 1 year shall be \$10. The gross operating revenue of such utilities shall be determined for the preceding calendar year. The gross operating revenue of a general improvement district shall be determined

for the preceding fiscal year. In the case of:

(a) Telephone utilities, such revenue shall be deemed to be local service revenues plus intrastate toll revenues.

(b) Railroads and airlines, such revenue shall be deemed to be revenue received only from freight and passenger intrastate movements.

(c) All public utilities and general improvement districts, such revenue shall not include the proceeds of any commodity, energy or service furnished to another public utility for resale.

3. The Commission shall set aside in the Public Service Commission regulatory fund $\frac{1}{2}$ mill on each dollar of gross operating revenue to reimburse cities and counties for expenses incurred to intervene in rate proceedings before the Commission or any court pursuant to Section 2 of this act. Any money in the fund which is set aside to reimburse cities or counties shall be available for use by the Commission for the purpose set forth in NRS 704.039 sections 1 - 4 if it is not used by the city or county within two (2) calendar years of the time it is made available to the city or county. The Commission shall provide each county and city an annual accounting of the receipt and expenditure of such monies.

Sec. 5 SAME AS ORIGINAL SECTION 5 IN AB 602

9

HOBART PROPOSAL

FEBRUARY 1977

I. PURPOSE:

The purpose of this report is to define areas of mutual benefit to Carson City and the State of Nevada for the construction of Hobart Reservoir. Since a mutual benefit is derived by the construction of the dam, joint participation in the construction cost will be justified.

II. AREAS OF MUTUAL BENEFIT:

Some of the benefits derived from construction of Hobart Reservoir by the State of Nevada which have a definite value, but which we were unable to precisely define that value are as follows:

- a. The construction of Hobart Reservoir would tend to improve the quality of the water used from that reservoir.
- b. The Hobart watershed is part of the State park system and the reservoir would enhance the recreational value of the land.
- c. Use of the reservoir for municipal water supply is compatible to use as a fishery and would create a value to the State of Nevada in terms of angler days.
- d. The reservoir would provide some degree of flood control to Franktown Creek.
- e. During wet years the reservoir could provide controlled discharges to Washoe Valley and Washoe Lake providing better management of those resources.

Areas of benefits derived from construction of Hobart Reservoir which can be precisely defined are as follows:

- a. By developing the entire watershed, 2450 acre feet of water will be developed. Of this 1000 ac. ft./yr. is projected for Capitol Complex and Storey County use in year 2000. That means that only 1450 acre feet of the total amount developed will be available for Carson City Water Company use.
- b. The cost of construction includes certain system upgrading which is necessary to maintain the system whether Hobart Reservoir is constructed or not. These include upgrading the redwood diversion tanks, and upgrading the east slope collection system.

III. COST OF CONSTRUCTION:

The following is a summary of the construction costs of Marlette and Hobart Reservoirs as taken from the engineering report prepared by Waterresource Consulting Engineers and Montgomery Engineers for the State of Nevada. The table brings the costs as shown in the original report to current values.

MARLETTE LAKE WATER SYSTEM

PROJECT ELEMENT	COST ESTIMATE			
	ORIGINAL REPORT	MARCH 75 UPDATE	MARCH 76 ESTIMATE	MARCH 77 ESTIMATE
<u>MARLETTE ALTERNATIVE 2950 AC. FT.</u>				
1. Gravity Pipeline from Marlette Lake to West Portal Incline Tunnel	800,000	1,260,000	1,411,200	1,580,544
2. Rehabilitate the Incline Tunnel in a three phase program	319,000	351,000	393,120	440,294
3. East Slope Pipeline, including Marlette Lake water	565,000	850,000	952,000	1,066,240
4. Rehabilitation pipeline from Redhouse to tanks	180,000	267,120	299,174	335,075
5. New Siphon Tank	20,000	25,000	28,000	31,360
6. New pipeline from tanks to upper State reservoir, including rehabilitating existing facilities	320,000	371,000	415,520	465,382
	<u>2,204,000</u>	<u>3,124,120</u>	<u>3,499,014</u>	<u>3,918,895</u>
Engineering, Construction Review, Administration, Legal and Special Engineering Services 22%	2,688,900	3,811,500	4,268,800	4,781,052

HOBART ALTERNATIVE 2450 AC. FT.

1. Cost Hobart Dam		3,041,000	3,405,920	3,814,630
2. Items 4, 5 & 6 from above		663,120	742,695	831,817
3. East Slope Pipeline	549,000	603,900	676,370	757,534
	<u>549,000</u>	<u>4,308,020</u>	<u>4,824,985</u>	<u>5,403,981</u>
Engineering, Construction Review, Administration, Legal and Special Engineering Services 22%		5,255,784	5,886,481	6,592,857

IV. WATER USE ALLOCATION:

From the WRC/ME report the projected water needs for the years 1980 and 2000 are as follows:

	<u>WATER DEMAND</u>	
	<u>YEAR</u>	
	<u>1980</u>	<u>2000</u>
Carson City	6,900 Ac.Ft.	13,600 Ac. Ft.
State Complex & Storey County	675 Ac.Ft.	1,005 Ac. Ft.
TOTAL	7,575 Ac.Ft.	14,605 Ac. Ft.

The construction of a 10,000 acre ft. dam at Hobart Reservoir would produce an average annual yield of 2450 acre ft. of water.

The Capitol Complex and Virginia City will require 675 acre ft. of this capacity by year 1980 and 1005 acre ft. by year 2000.

Therefore, the distribution of water produced from the Hobart watershed would be as follows:

DISTRIBUTION OF WATER
DEVELOPED BY HOBART RESERVOIR
(2450 ACRE FEET)

	<u>YEAR</u>	
	<u>1980</u>	<u>2000</u>
	State Complex & Storey County	675 Ac. Ft. 28%
Amount Available to Carson City	1,775 Ac.Ft. 72%	1,445 Ac. Ft. 59%
TOTAL	2,450	2,450

V. COST PARTICIPATION:

As shown by the above tabulation, direct participation in the cost of constructing Hobart Reservoir is justified in the range of 28% to 41% depending on whether water is reserved for the Capitol Complex and Virginia City to year 2000.

Based on estimated construction costs from Section III and a proration based on allocation shown in Section IV the cost distribution would look like this:

HOBART CONSTRUCTION COST
DISTRIBUTION

	<u>YEAR OF WATER RESERVATION</u>		<u>50% PARTICIPATION</u>
	<u>1980</u>	<u>2000</u>	
Capitol Complex & Storey County	\$1,846,000 28%	\$2,703,071 41%	\$3,296,428 50%
Carson City	4,746,857 72%	3,889,786 59%	3,296,429 50%
TOTAL	\$6,592,857 100%	\$6,592,857 100%	\$6,592,857 100%

VI. ANNUAL COST SUMMARY:

The following annual costs would result from the construction of Hobart Reservoir based on a 6% interest rate:

<u>ANNUAL COST SUMMARY</u>				
		<u>20 Yr. PAYBACK</u>	<u>50 Yr. PAYBACK</u>	<u>100 Yr. PAYBACK</u>
State of Nevada & Storey County	28% 1,846,000	160,934	117,110	111,092
	41% 2,703,071	235,653	171,483	167,050
	50% 3,296,428	287,383	209,125	198,379
<hr/>				
Carson City	72% 4,746,857	413,831	301,141	285,665
	59% 3,889,786	339,112	246,768	234,087
	50% 3,296,429	287,383	209,125	198,379
<hr/>				
TOTAL		574,765	418,251	396,757

The rate structure recently adopted by Carson City will generate approximately \$1,171,232 in Fiscal Year 76-77. The above cost distribution would have the following effect on Carson City's revenue requirements.

REVENUE REQUIRED TO FINANCE
HOBART RESERVOIR

(50 YEAR PAYBACK)

<u>PERCENT PARTICIPATION</u>	<u>ANNUAL COST</u>	<u>PRESENT ANNUAL REVENUE</u>	<u>PERCENT OF PRESENT REVENUE</u>
100%	418,251	1,171,232	35.7%
72 %	301,141	1,171,232	25.7%
59 %	246,768	1,171,232	21.1%
50 %	209,125	1,171,232	17.9%

The above tabulation shows that the effect on Carson City will in its water use rates will vary in the amount of approximately 35.7% to offset payback of 100% of the cost of the construction of Hobart Reservoir to a rate increase of approximately 17.9% to offset a payback of 50% of the construction cost of Hobart Reservoir.