

MEMBERS PRESENT

Chairman Dini
Mr. Marvel
Mr. Fitzpatrick
Mrs. Westall
Mr. Harmon
Mr. Robinson
Mr. Craddock
Mr. Jeffrey
Mr. Getto
Mr. Bedrosian
Mr. Bergevin

GUESTS PRESENT

See Guest List attached

* * * * *

Chairman Dini called the meeting to order at 9:00 A.M.

AB 598 - PROVIDES FOR ISSUANCE OF MARRIAGE LICENSES
BY CERTAIN WEDDING CHAPELS

AB 599 - ABOLISHES OFFICE OF COMMISSIONER OF CIVIL
MARRIAGES AND ALLOWS POLICE JUDGES TO
PERFORM MARRIAGES

AB 663 - INCREASES FEE CHARGED BY JUSTICE OF PEACE
FOR CELEBRATING MARRIAGES AND PERMITS
JUSTICE OF THE PEACE TO RETAIN FEES

GEORGE FLINT, representing Wedding Chapel Assn.

Mr. Flint advised the Committee he was testifying in regard to the three Bill package which represented the entire legislative proposals of the state's wedding chapel industry for the 1979 Legislative session. He stated the close camaraderie between the Marriage License Bureau staff and the Justices' of the Peace were a constant threat to the private sector and, therefore, they were again before the Legislature to request physical separation of the two offices. He stated the staffs of both offices reflect a general attitude that shows they actually "covet" each marriage couple for themselves when a license is issued. He further advised that because very couple must first purchase a marriage license from the Bureau before they are married each couple is influenced to some degree to be married at the Commissioner's Office. Mr. Flint read from a prepared text into the record, a copy of

(Committee Minutes)

which is attached hereto, and made a part hereof. Mr. Flint stated they strongly support the three Bills and the suggested amendments.

LARRY PETTY, Chapel of the Bells

Mr. Petty distributed to members of the Committee certain exhibits identified as "A", "B", "C", and "D", copies of which are attached hereto and made a part hereof. He stated the amendments were prepared in regard to changes that should be made in the Bills and proceeded to elaborate on the exhibits. He stated the amendments would not change the fee structure and \$20 as a fee is fair and beneficial to all involved and they propose not having a staggered fee schedule but have a set fee that would be in effect during all hours of the operation. He stated the amendment to AB 598 was prepared with the view in mind that there is quite a bit of opposition to somebody other than the County Clerk authorizing or issuing the marriage license. He stated further there does not seem to be an appetite for the judiciary (Justice of the Peace) to issue the license and, as an alternative, and to separate the offices, it is proposed to put the function with the City, the City Clerk, or an authorized Deputy, and suggest a fee that the Marriage Commissioner now collects of \$30.00 of which \$23.00 would be retained by the City, \$5.00 to the county, and \$2.00 at the time the certificate is recorded. He stated the fee of \$3.00 at the time the license is issued for the Recorder and the fee for the State of \$4.00 at the time the license is issued would remain in effect.

LLOYD W. ZOOK, Court Administrator, City of Las Vegas

He stated he was present to support the concept of the Municipal Court Judges and Police Judges being empowered to perform ceremony of marriage. However, he stated he felt the requirement that such marriages be performed during regular working hours should be stricken and is contradictory to what is sought to be done in the Municipal Court. He stated while they do not want to get into the marriage business but because there are those who desire civil marriage that the lower Court Judges should all have the power. He advised the Committee in the cities or counties of over 100,000 population they did not feel the Judge should retain any portion of the marriage fee.

MARGO PISCEVICH, Attorney, Reno, Nevada

Miss Piscevich advised the Committee she represented approximately 15 wedding chapel owners. She stated the people she represents oppose AB 598 and would agree to the amendments as proposed. She stated the main gist of AB 598 was to authorize the wedding chapels to issue licenses and none of the chapels wanted the responsibility of issuing a government document or legal document and felt there would be opportunity for abuse and policing would be difficult. She stated they would favor separating the functions of licensing and marriage; they feel there is a competition with the private sector that is unwarranted.

LORETTA BOWMAN, Clerk, Clark County, Las Vegas, Nev.

Mrs. Bowman stated she had concern under the original proposals that there would not be a 24 hour service for people who wish to have a civil ceremony. She stated that many people who come to Las Vegas to be married insist upon a civil ceremony so when they return to their home city they can then have a church ceremony. She stated if they are married by a minister they cannot then go to their church and have a simple ceremony. Mrs. Bowman went on to elaborate on the drop in marriages.

Mr. Getto asked Mrs. Bowman to what she attributed the drop in marriages, and Mrs. Bowman responded in 1971 the marriage ceremonies were \$10 during regular office hours and \$15 all other hours. She advised the Committee it was amended in 1975 and increased to \$25.00 and \$30.00 after regular office hours, and after that change there was a decline and consistently dropped.

Mr. Getto questioned Mrs. Bowman concerning prior testimony on inducement and Mrs. Bowman responded that it has never been proven to her that her staff induces people to go over to the Marriage Commissioner. She advised that her staff is cautioned about accepting gifts or gratuities, the N.R.S. statute is clearly posted, and they are aware of the penalties involved.

JUDI BAILEY, Chief Deputy County Clerk, Washoe Co.

Mrs. Bailey advised the Committee she was present in opposition to AB 598 in its entirety and should receive no further consideration. She stated they exercise very stringent controls on the issuance of marriage licenses and they could not do so in a marriage chapel 50 miles away. Mrs. Bailey read from a prepared text into the

record, a copy of which is attached hereto and made a part hereof. Mrs. Bailey then proceeded to testify on AB 599 (abolishing the office of Commissioner of Civil Marriages) and what it would mean to the counties in loss of revenue and to the people who desire that type of service. She stated with the tremendous case load facing Justices of the Peace and Police Judges they would not have the time to perform marriages and keep up with their own volume of work. Mrs. Bailey read from a prepared text into the record, a copy of which is attached hereto and made a part hereof. Mrs. Bailey then proceeded to testify on AB 663 which proposes that the Justices of the Peace retain the \$30.00 fee for performing a marriage but not police judges. Mrs. Bailey advised the Committee this would be a great loss of revenue to Washoe County and it reverses the decision made by the Legislature in 1969 when they raised the salaries of J.P.'s to compensate for deleting the function of performing marriages. Mrs. Bailey passed out for the Committee members scrutiny a report indicating revenues generated by the Washoe marriage department, a copy of which is attached hereto and made a part hereof. She then elaborated on the schedules.

Mr. Dini inquired of Mrs. Bailey if the Commissioners in Washoe had supporting staff and she responded they did. Mrs. Bowman advised the Committee the Marriage Commissioners in Clark County were not given supporting staff.

Mr. Getto inquired of Mrs. Bowman if there were people on hand to be witnesses and Mrs. Bowman responded there were but they were not paid as the law prohibits any fee for a witness. She advised the witnesses were people in the Courthouse or anyone who is not busy.

A discussion ensued between Committee members and Mrs. Bailey regarding hours of operation and employee shifts.

MARCIA HUDGINS, City of Las Vegas

Miss Hudgins advised the Committee from an overall City management prospective they would oppose the Bill and would go so far as to say they agree 100% with the County. She stated the Municipal Court would be in the exact same position as the Justice of the Peace in that if the case load were heavy they would not have the time to perform marriages. She stated the second problem they have is that it would put the city in a role they do not now perform; their role is to provide municipal services and this would mandate their providing county-wide

services and they were opposed to that. She stated the third major problem is that it would just cause unlimited inconvenience, their courts are only open two nights a week just to hold court, and the citizen would have a convenience problem in terms of getting married.

Mr. Flint requested of the Chairman if he might have an opportunity to rebut some comments made by Mrs. Bowman and, such request being granted, he went on to elaborate on some of the religious aspects of the various ceremonies and in summation reiterated there was no reason for the public sector to be competing with the private sector.

Chairman Dini stated the testimony was concluded on the three Bills.

Chairman Dini then announced he had two BDR's for committee introduction: one was a constitutional amendment to eliminate the requirement that legislature fix compensation of certain county officers; the other makes amendments to the Charter of the City of Reno.

COMMITTEE ACTION:

BDR C-1714 & BDR S-1633 moved for Committee introduction by Mr. Jeffrey; seconded by Mr. Marvel, and unanimously carried.

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

Respectfully submitted,

Sandra Shatzman
Assembly Attache

Chairman Dini and members of the Government Affairs Committee - Good Morning. I come before you today with a package of 3 bills. AB 598, AB 599 and AB 663 represent the entire legislative proposals of the state's wedding chapel industry for this the 1979 legislative session.

Nevada's approximately 40 commercial wedding chapels are an integral part of the rather unique industry ~~that is~~ virtually unknown anywhere except here in Nevada. I believe, with good statistical backing, that wedding chapels and their guests spend annually \$150,000,000,00 while visiting our state. You as legislators have been good through the years to our industry. You have amended and modernized the statutes covering marriage to keep up with trends and social changes. And obviously the "Industry" as we call it has been good for all Nevadans. Only approximately 3% of the money coming to Nevada because of this unique industry is spent in our wedding chapels. The remaining 97% is spent in our hotels, casinos, restaurants, shopping centers, service stations - yes through the entire fabric of our business community. This year, 1979, there will be one wedding for every 6 residents of our state. A remarkable figure compared to 1 wedding for every 150 residents in California. For every 6 residents in

Nevada 1500 tourist dollars will be ^{received} ~~sent~~ this year from this segment of our tourist economy.

Today we the wedding chapels have a very large and complex problem and that problem brings us to why I am here before you now. During the 1950's and 1960's our Justice Courts married approximately 35% of all couples coming to Las Vegas, Reno, Carson City and the rural areas of Nevada for the purpose of matrimony. Especially in Las Vegas and Reno this created such a "crush" on the regular judicial business of these justice courts that the legislature in 1969 took a serious look at some way of solving this problem. The chapel industry also suffered. We have documented testimony that portions of the large amounts of cash available through these civil marriage services was used to influence the license clerks to direct more and more of these weddings to the J.P.'s. The close camaraderie between the marriage license bureau staff and the Justice's of the Peace was a constant threat to the private sector. The chapel lobby worked hard and long with the legislature during the 1969 session and the final result was the establishing of the office of "Civil Marriage Commission" in Las Vegas and Reno. Monies previously kept by the Justice's of the Peace were now funneled directly in the County General Fund in Clark and Washoe Counties.

We have now had this office for nearly ten years. We as a chapel industry agree with many others, along with many legislators, that again now is the time for a change. This change was first suggested to us by several of your colleagues. Suggested two years ago when we appeared before you and asked you to physically separate the two offices of Marriage License Bureau and that of the Civil Marriage Commissioner. They are and were so close and inter-twined that for all practical purposes operated as one single unit. During the 1977 session several legislators expressed the opinion that they could see no purpose in the county being in the marrying business and competing vigorously with private enterprise. A sub-committee was established to study the feasibility of repealing this office. Time was against us as the legislative session was close to "sine die" before we were able to reach a bottom line decision that would work for all concerned. We as a chapel industry suggested what we hoped would be a temporary or stop-gap measure which was enacted into law by you during the 1977 session. This statute spoke to making illegal any steering or soliciting by the marriage license bureau or any other county employee or anyone to the marriage commissioner or any other separate entity for the purpose of performing a marriage ceremony. If this helped at all it was only very slight.

The basic problems still very much exist. However, we now feel we have a feasible plan to phase out this county office of marriage commission and in so doing phase out the county from competing with private enterprise and the churches for the over 100,000 weddings that will continue to come annually to Nevada. I might also mention at this point that "policing" and enforcing this statute and even more "prosecuting" it has proved impossible.

I have alluded to problems and now please let me explain to you in detail. First, we have two county offices. The Marriage License Bureau and the Civil Marriage Commissioner. Their staffs become one in the same. The camaraderie between the license clerks and the Deputy Commissioner and his or her clerks is naturally very close. I speak from personal experience that goes back to the genesis of this office. The staffs of both these offices reflect a general attitude that shows they actually "covet" each marriage couple for themselves when a license is issued. And because every couple must first purchase a marriage license from this bureau before they are married, each couple is influenced to some degree to be married at the commissioner's office. Let me please be carefule Mr. Chairman to point out that this influence is not always by direct solicitation. The very fact that in Las Vegas only a 4 foot high room divider exists between the two offices is

pretty strong influence in itself. The friendly smile of the Deputy Commissioner himself standing there with a cheery "good morning folks, are the two of you next?" may not be direct solicitation but it sure is a strong influence on a couple not to drive the 3 miles back to the Las Vegas Strip chapel in 105° heat through traffic snarled streets that are unfamiliar to them. The entire time where the minister and witnesses are waiting to honor an appointment the couple made earlier. In fact, practically every chapel in Las Vegas and Reno have been forced to protect their investment by personally escorting each couple to the Marriage License Bureau in the courthouse or take a chance that each couple will be solicited -- influenced if you prefer -- away and never seen again. One chapel in Las Vegas drove courtesy cars over 40,000 miles in 1978 taking their couples to the courthouse. Otherwise they were taking a chance that their clients might be "couple-napped" away! In fact this steering often happens when a chapel hires a new escort until the license bureau staffs realize that the 3rd party is a chapel employee and not just a friend of the couple. I cannot express strongly enough how vigorously the public employee seems to want these couples to stay in the courthouse to be married. I presume it can only be their way of doing what they can to justify their positions through a good daily cash report. Chapel owners and their lawyers have gone to

Mrs. Loretta Bowman in Las Vegas and Harry Brown and Alex Coon in Reno dozens of times through the years with flagrant examples of this steering and attempted soliciting. Reaction has always been the same. Promises to talk to the clerks and remind them of fairness as well as the law. Mrs. Bowman told me herself she couldn't enforce this prohibition against steering unless she personally watched her staff 24 hours a day 7 days a week. Mr. Chairman, rather than be-labor you and your committee with further details of this problem let me give you a few examples of this situation if it were in another field of business. Remember, please, every couple must personally apply for and purchase their license at the courthouse. And at the courthouse immediately adjacent to the license bureau is the chapel's largest competition. A competitor I might mention that does no advertising, pays no property taxes, and has the advantage of the county general budget to cover all its operation expenses.

Can you imagine if only one casino on the strip in Las Vegas could give change and everyone wishing to play had to go there first to get their dimes and quarters? How many would return to their original starting place before beginning to pull the slot machine handles?

And what if everyone needing health care of anykind had to first obtain a permit or license at the courthouse. Where would the private sector be if the county also had a staff of doctors, dentists and optomitrists where this permit was purchased?

And how would the real estate business survive if each of us before shopping for property had to buy a license for that purpose from the county that was also in the real estate business. Can you imagine that scene especially with a group of eager and agressive salesmen ready to swing into action. And finally just imagine where the independant insurance agent would be if before a client could purchase a policy he had to stop by the courthouse and apply for a permit to purchase the insurance from an office that also sold insurance.

Yes, these are all "way-out" hypothetical situations but this is exactly where we are at in the Wedding Chapel industry. We live with this exact problem and find little comfort from it.

In short we feel we helped create a monster that refuses to play fair -- or even tries to see our problems. Yes, Mr. Chairman and members of the committee, we do have a large problem and anyone who really takes a close look at it can easily appreciate why we now come before you for help.

Let me now explain further the feasibility I have already referred to -- the feasibility of closing this office without financial loss to the counties involved. The expression "The Lord giveth and the Lord taketh away" will hardly satisfy in this situation. We know we must show the county that they will not lose valuable and badly needed revenue especially in view of the electorates position regarding Question Six. Mr. Harry Brown, Washoe County Clerk when the Commissioner's Office was created, said he didn't want this office established because it would not make the county any money. Yet in fiscal 1978 the county grossed \$217,860.00 from the Marriage Commissioner's Office. Although staff wages were nearly 50% of this revenue the county did enjoy a profit of approximately \$120,000.00. Clark County did even better grossing \$424,250.00 in fiscal 1978 from operating the Marriage Commissioner's Office. Exact operating costs in Clark County have been difficult to pin-down. For that primary reason I called upon Mr. Larry Petty for help to see if we could put together a package that we ^{MIGHT} present to you showing that it would be feasible to repeal the statute that created this position. Mr. Petty, former Deputy in your Legislative Council Bureau, worked together with me and we feel we have a good program that will allow the counties to completely go out of the marrying business and still enjoy their present profit plus more clear profit dollars than are presently being generated.

AB 599 speaks to that approach and it's details will be presented by Mr. Petty. He will prove beyond question that our formula will show that repealing this office is both wise and practical. As I mentioned in my opening remarks, you have 3 bills before you today. We also have for your consideration a series of amendments which we believe will make these 3 bills more agreeable to the counties and county clerks involved. Mr. Petty also will explain these amendments and the bills themselves.

The one major change (amendment) I want to mention at this time has to do with section 3 subsection 2 of AB 599. We find that there is more appetite for a "Municipal Marriage Officer" as part of the City Clerk's office rather than returning the performance of civil marriage to the ^{Judiciary via THE} Municipal Courts as suggested in AB 599's present form. This would give the cities of Las Vegas and Reno an opportunity for the very first time in the state's history to also make some revenue from the wedding industry. The chapels recognize the need for "some facility" available to people that gives an alternative to either a chapel or church wedding and ceremony. But as I have expressed in this presentation it should not be an agency that is the marriage licensing agent also. This situation only forces each and every chapel to expose all clients to it's own competition. Hardly a healthy situation for any business as I have attempted to show.

We will be suggesting rounding-off the marriage license fee to the same price at all hours and adding a simple \$2.00 filing fee to each recorded license. These two changes will make it possible for Clark and Washoe Counties to go out of direct competition with the private sector and still have their present-sized "piece of cake."

And as we have suggested with the one amendment already explained -- a choice will still be available for couples actually desiring a civil ceremony. This is a real opportunity for the counties to do something financially rewarding for the cities. Let them in on a piece of the wedding cake. And at the same time break-up a monopoly that should never have been created.

As I bring my prepared remarks to a close let me review myself with these 3 points:

Point No. 1: We have on numerous occasions asked the county to voluntarily separate these 2 offices into separate county buildings. We have even suggested to at least re-locate them onto separate floors or levels of the courthouse. We have even been willing to accept the separation to opposite ends of the same hallway. Our pleas are always received with the same answer "We have no place to move either office." Mrs. Bowman, Clark County Clerk and Civil Marriage Commissioner,

recently said she could have probably planned on separating them had the recent Courthouse expansion bond issue not failed.

Point No. 2: We have brought this problem before the legislature previously and found increasing appetite to just plain abolish the Marriage Commissioner. Time defeated us in 1977 before we could present a plan to replace the funds being received through this office. We now have that plan for your consideration.

Point No. 3: Not only is this a financially feasible move for the counties but can also be financially rewarding for the cities of Las Vegas and Reno, And it can also be a tremendous boost for private enterprise. In this period of rampant inflation you can help strike a positive plus for the private businessman that desires to stay in business but who doesn't feel it is fair to have to compete with the public entity that he helps support with his tax dollars. The ironic thing is that one chapel operator mentioned that his chapel property taxes would just about pay all the utility bills annually for these two offices.

We urge your quick acceptance of our proposals and proposed amendments. A do-pass from your committee will be a big step in re-affirming your belief in private enterprise. It will also be a positive step in halting

bureaucratic empire-building that only makes government bigger and bigger and bigger. Something I know none of us really thinks wise!

Mr. Petty will now articulate our approach to the replacing of funds now enjoyed by Clark and Washoe Counties through this office. He will also explain our support to these 3 bills and our suggested amendments.

On behalf of the Chapel Industry in Nevada and for myself personally, Mr. Chairman and Members of the Committee, I thank each of you.

AMENDMENTS TO AB 663

Amend section 1 page 2 by deleting "he receives" and Inserting:

"he may retain".

Amend section 2 page 2 by deleting lines 28 and 29 and Inserting:

"he is permitted by law to do so, shall collect a fee of \$30,
which must be distributed as follows:

1. The sum of \$15 must be retained by the justice of the peace.

2. The sum of \$13 must, on or before the 5th day of each month
be remitted to the treasurer of the county.

3. The sum of \$2 must, when the certificate is recorded, be
remitted to the county recorder of the county in which the
certificate is recorded.

"EXHIBIT A"

AMENDMENTS TO AB 598

Amend section 1 page 1 by deletin lines 4 - 7 and Inserting:

"county in the state. Licenses may be obtained [:"
(a) At] at the county seat. [; and ".

Amend section 1 page 1 on line 12 by deleting "or".

Amend section 1 page 1 by deleting lines 13 and 14.

Amend section 1 page 1 lines 15 and 16 by deleting:

"or other person authorized to issue the license.".

Amend section 1 page 1 by deleting line 18 and Inserting:

" [may also require]".

Amend section 1 page 2 line 1 by deleting :

"or authorized person".

Amend section 1 page 2 lines 5 and 6 by deleting:

"or authorized person.".

Amend section 1 page 2 line 11 by deleting:

"or authorized person."

Amend section 1 page 2 by deleting line 13 and Inserting:

"(a) Personally given before the clerk;"

Amend section 1 page 2 on lines 15 and 16 by deleting:

"or authorized person".

Amend section 2 page 2 by deleting line 26 and Inserting:

"a new section which shall read as follows:".

Amend the bill as a whole by deleting section 3.

Amend section 4 page 2 line 48 by deleting: "Sec. 4. ".

Amend section 4 page 3 by deleting lines 1 and 2 and Inserting:

"county clerk must be open to the public for the purpose of".

Amend section 4 page 3 line 6 by deleting:

"and chapels".

EXHIBIT B

AMENDMENTS TO AB 599

Amend section 1 page 1 by deleting line 14 and Inserting:

"city clerk or his authorized deputy within a (township) wherein he is permitted to solemnize mar-".

Amend section 1 page 1 line 18 by deleting the open bracket.

Amend section 1 page 1 line 21 by deleting the closed bracket.

Amend section 1 page 2 line 5 by deleting the open bracket.

Amend section 1 page 2 line 9 by deleting the closed bracket.

Amend section 3 page 2 by deleting line 50 and Inserting:

"(a) In any city having a population of more than 75,000, as".

Amend section 3 page 3 line 2 by deleting "police judge" and Inserting:

"city clerk or his authorized deputy".

Amend section 3 page 3 line 4 by deleting "police judge" and Inserting:

"city clerk or his authorized deputy".

Amend section 3 page 3 by deleting lines 5 - 12 and Inserting:

"a city may solemnize a marriage during regular office hours. For solemnizing a marriage, he shall collect a fee of \$30, which must be distributed as follows:

(a) The sum of \$23 must be retained by the city clerk and remitted to the treasurer of the city.

(b) The sum of \$5 must, on or before the 5th day of each month, be remitted to the treasurer of the county in which the city is located.

(c) The sum of \$2 must be remitted to the county recorder at the time the certificate is recorded."

Amend section 5 page 3 line 39 by deleting "minister[,] or" and Inserting: "minister,"

Amend section 4 page 3 line 40 after "marriages,]" Insert:

"or city clerk or his authorized deputy".

Amend section 6 page 4 line 6 by deleting "judge[,] or" and Inserting: "judge,"

Amend section 6 page 4 line 8 after "riages,]" Insert:

"or city clerk or his authorized deputy".

Amend section 7 page 4 line 23 after "county" Insert: "or city".

Amend section 7 page 4 line 26 by deleting "judge" and Inserting:

"city clerk or his authorized deputy".

Amend section 8 page 4 line 32 after "marriages]" Insert: "city clerk or his authorized deputy".

Amend section 8 page 4 line 38 before "who" Insert: "city clerk or his authorized deputy".

"EXHIBIT C"

WASHOE COUNTY
CURRENT

MARRIAGE LICENSE

YEAR	NUMBER	COUNTY	RECORDER	STATE
1976	34,251	\$285,345	\$102,753	\$137,004
1977	34,556	\$289,293	\$103,668	\$138,224
1978	36,794	\$310,470	\$110,382	\$147,176

MARRIAGE COMMISSIONER

YEAR	REVENUE
1977	\$233,930
1978	217,860

PROJECTED

YEAR	COUNTY	RECORDER
1978	\$478,332	\$66,229

REVENUES (1978)

CURRENT	PROJECTED	SOURCE
\$510,470	\$478,332	License fees
110,382	110,382	Recorder
147,176	147,176	State
217,860	--	Commissioner
--	66,229	Recorder
785,888	802,119	
785,888		
802,119		
16,231		

CLARK COUNTY
CURRENT

MARRIAGE LICENSE

YEAR	NUMBER	COUNTY	RECORDER	STATE
1976	48,643	\$420,717	\$145,929	\$194,561
1977	52,415	430,851	157,245	209,666
1978	56,010	465,729	168,030	224,044

MARRIAGE COMMISSIONER

YEAR	REVENUE
1977	\$433,700
1978	424,250

PROJECTED

YEAR	COUNTY	RECORDER
1978	\$728,130	\$100,818

REVENUES (1978)

CURRENT	PROJECTED	SOURCE
\$465,729	\$728,130	License fees
168,030	168,030	Recorder
224,040	224,040	State
424,250	--	Commissioner
--	100,818	Recorder
1,282,049	1,221,018	
1,282,049		
1,221,018		
(61,031)		

EXHIBIT D

Mr. Chairman and Members of This Committee:

I am Judi Bailey, Chief Deputy County Clerk, Washoe County, Nevada. I am here to speak for the County Clerk's Department, the Washoe County Manager, and for Chairman Bill Farr, and the Board of Washoe County Commissioners.

We are opposing this bill, Assembly Bill 598, in its entirety and think it should be killed in this Committee. We exercise very stringent controls on the issuance of marriage licenses, following the law to the best of our ability. This we could not do in a marriage chapel 40 miles away. We would have no control over their employees issuing these marriage licenses. Marriage licenses are issued from the County Clerk's office by Deputies of the County Clerk. The employees of a wedding chapel would not be our deputies, and we would have no control over who they hire or over who is selling these licenses, and we do not feel that the public coming in for marriage licenses would be adequately served as they are now.

Another type of control we have on issuing marriage licenses is through our auditing firm. We must account for every single number. If a numbered license is voided, and we use a blank one, we have to tear off the number and attach it to the blank form. If we would give a group of blank forms to a marriage chapel, how can we or our auditors control what they are doing with these licenses? I think this would defeat the existing law covered in the statutes for the control ^{with the exception of the purpose of} of issuing marriage licenses. There would be no control whatsoever. We, as County employees, an entity of the total State government, are sworn under oath to uphold the law. How can the government control private enterprise and employees who are not sworn in as deputies of a government entity? Gentlemen, it is impossible.

Mr. Chairman and Members of This Committee:

I am Judi Bailey, Chief Deputy Washoe County Clerk. I would like to speak on Assembly Bill 599 which proports to abolish the office of Commissioner of Civil Marriages, and to speak to you on what it would mean to the Counties in loss of revenue and to the people who desire this type of service.

A number of years ago when the Justices of the Peace were performing the ceremony, there were many complaints lodged that they were too busy with court cases to perform marriages and to do justice to both functions. Their case load has increased tremendously since that time, and I don't feel Justices of the Peace nor Police Judges would have the time to perform marriages and keep up with their heavy volume of court cases. In fact, many of the J.P.'s have voiced their opinion that they do not want this added burden. They do not wish to perform marriages. They are too busy with court procedures and other duties. - *Smaller Counties - new com.*

The Police Judges have the same feeling. With the increased traffice in our counties, with our growth today, their work load can only go up. They do not have time nor the desire to take on the extra amount of work involved in performing marriages. If the cities or townships retain part of the revenue from Police Judges, this is more lost revenue to the Counties. Taking revenue away from an established County function by the cities does not totally answer their problem that they are facing with the new tax till. *marriage* I feel we should also consider the public wishing a civil ceremony. Our Civil Marriage Commissioners are located in the Courthouse with easy access to the people desiring this service. *Do not steer - not influenced
We do enforce it*

Some people come to Reno without a car and it would be a great hardship on them if they prefer a civil ceremony to have to go across town to a police judge or to wait a considerable length of time for a Justice of the Peac^s to perform the marriage ceremony because that judge is tied up on court matters. What happens to these people then? If the judges should set aside certain hours for performance of civil marriages, what will be the impact on their case load in court?

Weekends and holidays entail the heaviest marriage traffic. Will the judges devote their personal time on weekends to perform marriages for which they receive no additional compensation? Really, will our judges be available unless adequately compensated?

Assembly Bill 663 proposes that the Justices of the Peace retain this \$30.00 fee for a performance of a marriage, but not the police judges. Only the Justices of the Peace. This would be a great loss of revenue to Washoe County, and to their taxpayers, and I believe an equal impact to Clark County. And, it reverses the decision made by the legislators in 1969 when they raised the salaries of the Justices of the Peace to compensate for deleting the function of performing marriages.

I would like to explain a little bit about the report I handed out to you on revenues generated by our marriage department.

Having followed my figures, you will realize that the impact will be a loss of expected County revenues. This amount of revenue turned over to the General Fund is revenue which enables us to run our department and serve the public as mandated by statute without using ad valorem tax. These are monies the taxpayers of Washoe County do not have to pay. These monies help defray expenses of other divisions of the Clerk's department, making our department a self-supporting one. In fact, we turn in money each year to the General Fund over and above our budget, and we would like to continue to do so. Our department does not use taxpayers money. But, if we loose the revenues of the Commissioners of Civil Marriages, we will then be forced to utilize the ad valorem tax to defray expenses of our department.

I ask each one of you to take a close look at this Bill and ask yourself what, if any, benefit would be realized by changing the present system. The Legislature saw the need in 1969 to take the duties of performing marriages out of the hands of the J.P.'s so they could devote more time to court activities, and thereby also adding revenues to the County's General Fund.

I believe you will find it has proven beneficial both to

the Counties and to the public. As I explained before in going over my figures, we have no objection to raising the fees. But, I think the County should be able to realize the benefits of these fees and leave the Marriage Commissioner's function where it is, where it has been -- in the County.

This has never been a city function. Licenses have always been in the County seat, and I can see no valid reason for changing this over to the cities so far away from the place where licenses are issued.

EXHIBIT 1

Exhibit 1

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MARRIAGE COMMISSIONER

	Marriages Performed	Revenue	Average Per Ceremony
FY 1977-1978	7,869	\$217,860	\$ 27.68
FY 1978-1979 (Estimated April through June)	10,031	276,570	27.57

MARRIAGE LICENSES

	Licenses Sold	Revenue	Average Per License	Fee			Recorder				
				Fee	Recorder	Fee	State	Fee	County	Fee	Recorder
FY 1976-1977	34,261	\$285,132	\$ 8.32	\$3.00	\$102,783	\$4.00	\$137,044	\$13.00	\$445,393	\$2.00	\$68,502
FY 1977-1978	35,116	294,456	8.38	3.00	105,348	4.00	140,464	13.00	456,508	2.00	70,232
FY 1978-79 (Estimated April through June)	40,086	337,000	8.40	3.00	120,258	4.00	160,344	13.00	521,118	2.00	80,172

FY 1978-1979

REVENUES

License Fees	\$337,000
Recorder	120,258
State	160,344
Marr. Comm.	<u>276,570</u>
	\$894,172

DIFFERENCE	\$894,172	\$1,158,462
	<u>- 881,892</u>	<u>- 881,892</u>
	\$ 12,280	\$ 276,570

FY 1978-1979 PROJECTED (AB 599)

License Fees	\$521,118
Recorder	120,258
State	160,344
Recorder	<u>80,172</u>
	\$881,892

FY 1978-1979 PROJECTED (AB 599)
PLUS MARRIAGE COMM. FEES

Marr. Comm. Fees	\$276,570
License Fee	521,118
Recorder	120,258
State	160,344
Recorder	<u>80,172</u>
	\$1,158,462

REPORT
 COMMISSIONER OF CIVIL MARRIAGES
 REVENUES - SALARIES AND FRINGE BENEFITS
 F/Y JULY 1, 1978 THROUGH JUNE 30, 1979

<u>MONTH</u>	<u>REVENUES</u>	<u>NUMBER OF CEREMONIES</u>
July 78	\$ 24,825.00	891
August 78	25,647.00	934
September 78	23,145.00	826
October 78	21,945.00	784
November 78	23,150.00	822
December 78	27,470.00	989
January 79	17,995.00	655
February 79	18,440.00	662
March 79	23,955.00	858
Actual Total To Date	\$206,570.00	7,421
Estimated - April/May/June	<u>70,000.00</u>	<u>2,610</u>
Total	\$276,570.00	10,031

SALARIES AND FRINGE BENEFITS - TOTAL
 F/Y JULY 1, 1978 THROUGH JUNE 30, 1979

<u>EMPLOYEE</u>	<u>SALARY</u>	<u>FRINGE BENEFITS</u>	<u>TOTAL</u>
B.	\$ 15,938.00	+ 21.4% =	\$ 19,348.73
C.	16,252.08	+ 21.4% =	19,730.02
C.	14,279.20	+ 21.4% =	17,334.94
B.	12,298.00	+ 21.4% =	14,929.77
F.	12,298.00	+ 21.4% =	14,929.77
W.	12,298.00	+ 21.4% =	14,929.77
P.	8,996.00	+ 21.4% =	10,921.14
M.	8,996.00	+ 21.4% =	10,921.14
H.	<u>9,882.00</u>	+ 21.4% =	<u>11,996.74</u>
Total	\$111,237.28		\$135,042.02

REVENUE	\$276,570.00	REVENUE	\$276,570.00
SALARIES -	<u>111,237.28</u>	SALARIES + 21.4% FRINGE BENEFITS -	<u>\$135,042.02</u>
NET TO COUNTY	\$165,332.72	NET TO COUNTY	\$141,527.98

REPORT
 COMMISSIONER OF CIVIL MARRIAGES
 REVENUES - SALARIES - FRINGE BENEFITS
 F/Y JULY 1, 1977 THROUGH JUNE 30, 1978

<u>MONTH</u>	<u>REVENUES</u>	<u>NUMBER OF CEREMONIES</u>
July 77	\$ 21,895.00	788
August 77	18,785.00	682
September 77	17,955.00	649
October 77	17,825.00	638
November 77	17,800.00	642
December 77	18,285.00	667
January 78	11,820.00	427
February 78	13,490.00	488
March 78	17,695.00	643
April 78	20,175.00	720
May 78	19,485.00	703
June 78	<u>22,650.00</u>	<u>822</u>
TOTAL	\$217,860.00	7869

SALARIES AND FRINGE BENEFITS - TOTAL
 F/Y JULY 1, 1977 THROUGH JUNE 30, 1978

<u>EMPLOYEE</u>	<u>SALARY</u>	<u>FRINGE BENEFITS</u>	<u>TOTAL</u>
B.	\$14,976.00	+ 21.4% =	\$ 18,180.86
C.	14,976.00	+ 21.4% =	18,180.86
C.	12,272.00	+ 21.4% =	14,898.20
B.	11,113.44	+ 21.4% =	13,491.71
F.	11,113.44	+ 21.4% =	13,491.71
H.	8,502.00	+ 21.4% =	10,321.42
W.	11,113.44	+ 21.4% =	13,491.71
P.	8,112.00	+ 21.4% =	9,847.96
M.	<u>7,618.00</u>	+ 21.4% =	<u>9,248.25</u>
TOTAL	\$99,796.32		\$121,152.68

REVENUE	\$217,860.00	REVENUE	\$217,860.00
SALARIES	<u>-99,796.32</u>	SALARIES + 21.4% FRINGE BENEFITS	<u>-121,152.68</u>

NET REVENUE TO COUNTY	\$118,063.68	NET REVENUE TO COUNTY	\$ 96,707.32
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