

Date: May 4, 1981

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MEMBERS PRESENT: Chairman Glover
Vice Chairman Chaney
Mr. Beyer
Mrs. Ham
Mrs. Hayes
Mr. Hickey
Mr. Malone
Mr. Nicholas
Mr. Prengaman
Mr. Robinson
Mr. Sader

MEMBERS ABSENT: None

GUESTS PRESENT: Jerry McKnight, City Clerk of Fallon
David Stankow, Assembly Bill Drafting Adviser

Chairman Glover called the meeting to order at 3:10 p.m. in room 200. He informed the committee that an emergency measure was needed for Churchill County similar to the one passed for the City of Las Vegas.

Mr. Jerry McKnight, City Clerk for the City of Fallon, stated that the municipal election for the City of Fallon is to be held on June 2nd and that there are two councilmen who are up for election at that time. He explained that the filing date has closed and there is no opposition for either candidate. He asked for language in Section 266 that would declare these candidates elected since there is no opposition.

When Mr. Malone asked if there was anything else on the ballot, Mr. McKnight indicated that there was nothing else.

When Mr. Prengaman asked if there had been any attempt to ascertain the feelings of the public in regard to not holding an election, Mr. McKnight responded that in 1977 one of these same candidates ran unopposed and only 60 out of about 600 people went to the polls.

When Mr. Glover asked how much money would be saved by not holding this election, Mr. McKnight replied approximately \$4,000 to \$5,000 which is a substantial portion of the budget of the City of Fallon.

Mr. Malone moved to suspend the rules and have a bill* drafted as an emergency measure that would allow these candidates to be declared elected since no opposition has filed for candidacy, seconded by Mrs. Ham and unanimously carried by the members present.

* AB 616

Mr. Glover asked Mr. David Stankow, Assembly Bill Drafting Adviser, to draft such a bill by tomorrow morning's session.

AB 558: Requires candidates for public office to remove signs within specified period.

Assemblyman Paul Prengaman, District 26, Southeast Reno, distributed to the committee a copy of two pages of NRS 410 dealing with Highway Beautification which is attached to these minutes as EXHIBIT A.

Mr. Prengaman said that this bill would require that every candidate for public office remove all signs, displays or devices erected for his campaign within 60 days of the general election for federal or statewide offices or within 30 days for any other office.

Mr. Prengaman explained that the second part of the bill does not limit the power of the Department of Transportation to collect a fee for any political sign or remove it as provided in NRS 410.400 which is a part of EXHIBIT A, page 1. He said that this is the only law governing political advertising and campaign signs and he read No. 3 under NRS 410.400. He added that this law only applies to state highways; that there is nothing in the law that applies to local jurisdictions.

He enumerated the problems of signs blowing or falling down and remaining on vacant lots, of insignificant investment in small signs, and of plastic signs not deteriorating. He felt that there was a responsibility in running for office and that candidates should exercise tighter control over placement of signs. He said that legislation such as this would encourage candidates to keep lists of sign placement facilitating removal and discourage candidates from placing signs on unused buildings, telephone poles, fence posts, and from pasting signs which makes removal difficult.

Mr. Prengaman noted that he did not like the penalty provision in AB 558 and would like to give local governments the power to remove signs and charge candidates a fee for so doing.

Mr. Malone was concerned about vandalism where signs are sometimes moved to a location four blocks away out of the candidates district or thrown in a ditch somewhere. He questioned the responsibility of the candidate in such cases. Mr. Prengaman agreed that this could cause a problem.

The committee discussed the problems of keeping track of signs and of controlling where they are placed but agreed that they should be removed.

Mr. Hickey questioned if this bill would apply to bumper stickers, hand cards and billboards and suggested that the language may be too all inclusive. 215

Mr. Prengaman agreed that a definition of signs should be included in this bill.

Dr. Robinson pointed out that Clark County has ordinances controlling placement of signs and that an organization in Clark County, Junior Mesquite, collects a contribution from each candidate that is distributed to youth organizations, such as the Boy Scouts, for each sign brought in to a central location after each election. He added that most of the signs have been removed by the evening of the election.

Mr. Prengaman indicated that there are no such ordinances in Washoe County that he knew of but that he would check again and report back. He added that he was primarily interested in signs on vacant lots, corners, trees and on the rights of way.

Mr. Nicholas observed that this legislation does not deal with the problem of signs on private property.

Since there was no further testimony on AB 558, Chairman Glover directed attention to AB 559.

AB 559: Repeals local provisions for election of trustees for school districts.

Mr. Glover indicated that this was a request from the Clark County School District which would repeal those sections of NRS that require the legislature to reapportion the Clark and Washoe County School Districts. He added that this would allow the districts to reapportion themselves after the session.

The committee felt that the school trustees should testify and indicate their feeling on this matter before any action was taken. Chairman Glover rescheduled the hearing on AB 559 for the following Monday, May 11th, and indicated that he would contact the school trustees or their lobbyists.

There being no further business, the meeting was adjourned at 3:40 p.m.

Respectfully submitted,



Patricia Hatch
Secretary

HIGHWAY BEAUTIFICATION

410.400

410.380 Informational signs, devices within right of way authorized. The director may, in consultation with the Secretary of Transportation, provide within the right of way of the interstate highway system for areas at appropriate distances from interchanges at which signs, displays and devices giving specific information in the interest of the traveling public may be erected and maintained. Such signs must conform to national standards prescribed by the Secretary of Transportation.

(Added to NRS by 1971, 1329; A 1979, 1787)

410.390 Inventory of existing signs, devices required; contents; penalty.

1. All persons and business entities engaged in the outdoor advertising business, which includes, but is not limited to, the erection, maintenance and selling of advertising space on and along the interstate and primary highways of this state, shall, not later than January 1, 1972, furnish the director a written inventory of all outdoor advertising signs, displays or devices erected and being maintained by such person or entity. Such inventory must include, with respect to each such sign, not less than the following information:

- (a) Location and dimensions of the sign;
- (b) Distance from the nearest edge of the right of way;
- (c) Date erected; and
- (d) Name and address of the owner of the property on which the sign is located.

2. For failure to comply with the conditions set forth in this section the board may declare such outdoor advertising signs, displays or devices to be a public nuisance and remove them in the manner provided by NRS 410.360.

(Added to NRS by 1971, 1329; A 1979, 1787)

410.400 Regulations concerning permits, fees, other matters; fee not required for certain signs; disposition of permit fees.

1. The board shall prescribe:

(a) Regulations governing the issuance of permits for advertising signs, displays or devices and the collection of fees therefor reasonably related to defraying the administrative costs of processing and issuing such permits; and

(b) Such other regulations as it deems necessary to implement the provisions of NRS 410.220 to 410.410, inclusive.

2. No fee may be collected for any authorized directional sign, display or device, or for authorized signs, displays or devices erected by chambers of commerce, civic organizations or local governments, advertising exclusively any city, town or geographic area.

3. No fee may be collected for any temporary sign, display or device advertising for or against a candidate, political party or ballot question in an election if the sign, display or device is:

410.410 HIGHWAY BEAUTIFICATION

(a) Erected not more than 60 days before a primary election and concerns a candidate, party or question for that primary or the ensuing general election; and

(b) Removed within 30 days after:

(1) The primary election if the candidate, party or question is not to be voted on at the ensuing general election.

(2) The general election in any other case.

The department may summarily remove any temporary political sign for which no fee has been paid if the sign is erected before or remains after the times prescribed.

4. All permit fees must be deposited with the state treasurer for credit to the state highway fund.

(Added to NRS by 1971, 1329; A 1979, 436)

410.410 NRS 410.220 to 410.400 supplementary to NRS 405.020 to 405.110; federal reimbursement prerequisite to continued effectiveness. The provisions of NRS 410.220 to 410.400, inclusive:

1. Are supplementary to the provisions of NRS 405.020 to 405.110, inclusive. Where both such sets of provisions apply to any outdoor advertising sign, display or device, that set of provisions which prohibits the erection or maintenance of such sign, display or device or which imposes greater restrictions upon such sign, display or device shall prevail.

2. Shall remain effective only so long as federal-aid highway funds are apportioned to the State of Nevada and the Federal Government reimburses the state in accordance with 23 U.S.C. § 131 for its share of compensation required for the removal of outdoor advertising signs, displays and devices.

(Added to NRS by 1971, 1329)

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