

MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON GOVERNMENT AFFAIRS

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
February 4, 1981

The Senate Committee on Government Affairs was called to order by Chairman James I. Gibson, at 2:02 p.m., Wednesday, February 4, 1981, in Room 243 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

Senator James I. Gibson, Chairman
Senator Jean Ford, Vice Chairman
Senator Keith Ashworth
Senator Gene Echols
Senator Virgil Getto
Senator James N. Kosinski
Senator Sue Wagner

GUEST LEGISLATORS:

Senator William J. Raggio

STAFF MEMBERS PRESENT:

Mr. Frank Daykin, Legislative Counsel
Anne L. Lagé, Committee Secretary

SENATE BILL NO. 78

Makes various amendments to charter of City of Reno.

Mr. Ed Spoon, Reno City Councilman, explained the requested City Charter Amendments. See Exhibit C.

Senator Ford questioned the rationale behind the requirement for one year residency in Sec. 3.040.2. Mr. Spoon replied that the position of City Clerk has always been appointed from those people who have worked within that office for some time.

Mr. Ron Creagh, Reno City Manager, felt that there would not be any problem deleting this reference and also the

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requirement that one must be a property owner.

After further discussion by the committee, it was agreed to omit the entire section on requirements for the City Clerk (Section 3.040, No. 2. a-d). The bill was to be further amended to include Section 2050 (Topic Title No. 5), and also Section 9.270.3 (Topic Title No. 8). See Exhibit C.

Senator Ford moved "Amend and Do Pass" on Senate Bill No. 78.

Senator Wagner seconded the motion.

The motion carried unanimously.

Chairman Gibson assigned Senator Wagner to get the amendments and bring them back to the committee. Senator K. Ashworth reminded the committee that the City of Reno should see the amended bill prior to the committee acting on it.

SENATE BILL NO. 6

Changes provisions regarding ties and contests of certain elections.

Senator Raggio testified that this bill was a result of problems that arose in the last primary election held in Reno. A contest had been filed with the court on a very close election. Among other decisions, the court indicated that it had no jurisdiction. Senate Bill No. 6. was designed to remedy the problem in primary elections where there was a tie or contest. This bill will provide for a tie vote to be resolved by lot before the Secretary of State, or the Governor if it applies to the Secretary of State position.

Chairman Gibson inquired as to why Nevada Revised Statute No. 3.190 was being repealed. Senator Raggio felt that this was an error.

Chairman Gibson assigned this bill to the Election subcommittee to make it consistent with any other changes they may find necessary to make.

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SENATE BILL NO. 41

Requires hearings on adoption of county ordinances.

Senator Getto introduced this bill as a result of a problem which was encountered in Churchill County. The following suggested changes refer to the amendment of the Nevada Revised Statute No. 244.100, part b.

Mr. Bob Sullivan, Carson River Basin, Council of Governments, testified that he felt this bill was necessary although most local governments already follow procedures similar to this bill.

Mr. Dan Fitzpatrick, Clark County, expressed concern over the phrase "within 30 days after the date of publication". He stated that this would be limiting because very often an ordinance may be discussed during several hearings before agreement occurs. He suggested to change the above mentioned phrase to say "within 30 days after the date of the final public hearing on the ordinance".

Ms. Sharon Cleary, Nevada Association of Realtors, asked if the committee would consider deleting the phrase "adoption of the ordinance", and replace it with "date set for the hearing". Ms. Cleary stated that this followed the intent of the bill to insure that adequate notice be given to the public.

Mr. Bill Curran, Clark County District Attorney's office, suggested that "1 week" be changed to read "three working days" to stay consistent with the open meeting law.

Mr. Thomas E. Lee, Vice President of Pacific West Financing Corporation in Silver Springs, testified that he was in support of this bill.

Mr. Pete Kelly, Representative of the Nevada State Press Association, testified that the Nevada State Press Association was unanimously in favor of this bill.

Mr. Thomas Wixom, Nevada State Press Association and Vice President and General Manager of Carson Valley Publishing Company which publishes the Record Courier of Douglas

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County, testified that he favors this bill for the following reasons:

1. Cities are, at present, required to do this. Citizens of the county should be afforded this same courtesy.
2. The existing law requires proposed ordinances to be filed with the County Clerk. This no longer is an adequate way of notifying the public.
3. This bill would provide notice to interested citizens enabling them to express their opinions on proposed ordinances.

After discussing the proposed amendments to Senate Bill No. 41, the committee agreed to amend the bill as suggested.

Senator Getto moved "Amend and Do Pass" on Senate Bill No. 41.

Senator K. Ashworth seconded the motion.

The motion carried unanimously.

Chairman Gibson assigned Senator Getto to get the amendments.

SENATE BILL NO. 88 AND SENATE BILL NO. 124

Clarifies requirements for reporting campaign contributions and expenses.

Mr. William D. Swackhamer, Secretary of State, testified that there was some question as to when a person should be required to start reporting campaign expenditures and contributions. This bill would specify January 1 of the election year as the date to begin reporting.

Mr. David Howard, Assistant Secretary of State, testified that Nevada Revised Statute No. 293.031 was in conflict with Nevada Revised Statute No. 294A.

Senator Kosinski explained that Senate Bill No. 124 attempts to deal with two issues. This bill would use January 1 of the election year for reporting contributions

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and expenditures for the challenger. While the incumbent would begin reporting immediately following the general election in which he was elected.

The second issue would make it necessary to report any contribution in excess of \$500 received from an individual throughout a campaign, rather than treating each reporting period separately.

Mr. Donald Classic, Deputy District Attorney for the State of Nevada, questioned treating incumbents differently from challengers. He stated that both should be treated uniformly.

Senator K. Ashworth stated that he believed January 1 to be an appropriate date to begin to declare contributions and expenditures.

Senator K. Ashworth moved that January 1 of an election year be set as the date for reporting all contributions and expenditures.

Senator Echols seconded the motion.

The motion failed to carry. (Senators Ford, Getto, Kosinski and Wagner voted "No.")

Senator Ford moved that the law be amended to say that all candidates must report all contributions and expenditures from the last general election.

Senator Wagner seconded the motion.

The motion carried. (Senators Gibson, K. Ashworth and Echols voted "No.")

Senator Ford moved that the concept on Senate Bill No. 124 regarding contributions be reported on a cumulative basis be adopted.

Senator Kosinski seconded the motion.

The motion carried. (Senators Gibson, K. Ashworth and Echols voted "No.")

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Senator Ford moved to incorporate Senate Bill No. 88
into Senate Bill No. 124.

Senator Wagner seconded the motion.

The motion carried. (Senator K. Ashworth voted "No.")

Senator Ford moved "Amend and Do Pass" on Senate Bill
No. 124.

Senator Kosinski seconded the motion.

The motion carried. (Senators Gibson and K. Ashworth
voted "No.")

Chairman Gibson assigned this bill to Senator Kosinski to
get the amendments and bring back to the committee for
further discussion before presenting it to the Senate floor.

SENATE BILL NO. 105

Creates new filing requirements for initiative and referendum
petitions.

Mr. William Swackhamer, Secretary of State, explained that
this bill would require a copy of a petition for initiative
or referendum to be placed on file in the office of the
Secretary of State before the petition is circulated.

Senator Wagner moved "Do Pass" on Senate Bill No. 105.

Senator Kosinski seconded the motion.

The motion carried unanimously.

SENATE BILL NO. 97

Permits use of the Nevada National Guard in search and
rescue operations.

Adjutant General William Engel, Nevada National Guard,
testified that the purpose of this bill was to broaden

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the Governor's ability to use the National Guard in cases of emergency. It would include the use of the Guard in search and rescue operations.

Sergeant Jerry Maple, Douglas County Sheriff's Office, testified that he was in favor of this bill.

Senator K. Ashworth moved "Do Pass" on Senate Bill No. 97.

Senator Ford seconded the motion.

The motion carried unanimously.

SENATE BILL NO. 89

Deletes obsolete provisions regarding photocopy room of Secretary of State.

Mr. William Swackhamer, Secretary of State, discussed Senate Bill No. 89 which he had revised upon the request of the committee on Monday, February 2, 1981.

In Nevada Revised Statute No. 225.140 the word "written" shall be omitted. He also asked that Nevada Revised Statute Nos. 225.110 and 78.785 (9) be repealed.

Mr. Swackhamer discussed the problem of charging. The committee decided to change the existing language to allow the Secretary of State discretion on charging fees.

Senator Getto moved "Amend and Do Pass" on Senate Bill No. 89.

Senator K. Ashworth seconded the motion.

The motion carried unanimously.

Chairman Gibson assigned Senator Ford to handle the amendments on this bill.

There being no further business, meeting was adjourned at 5:10 p.m.

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Respectfully submitted by:

Anne L. Lagé
Anne L. Lagé, Secretary

APPROVED BY:

James I. Gibson
Senator James I. Gibson, Chairman

DATE: 2/9/81

SENATE AGENDA

COMMITTEE MEETINGS

Committee on Government Affairs , Room 243 .

Day Wednesday , Date February 4 , Time 2:00 p.m. .

S. B. No. 6--Changes provisions regarding ties and contests of certain elections.

S. B. No. 41--Requires hearings on adoption of county ordinances.

S. B. No. 78--Makes various amendments to charter of City of Reno.

S. B. No. 88--Clarifies requirements for reporting campaign contributions and expenses.

S. B. No. 124--Revises provisions for reports of campaign contributions.

S. B. No. 105--Creates new filing requirements for initiative and referendum petitions.

S. B. No. 97--Permits use of Nevada National Guard in search and rescue operations.

CITY OF RENO
LEGISLATIVE PROPOSALS
1981 LEGISLATIVE SESSION

EXHIBIT C

City Charter Amendments

The Reno City Council has reviewed and proposed the following modifications to the City Charter:

1. Topic Title: Sec. 1.040. Annexations (BDR No. S-287)

Existing Law: The City may annex territory by following the procedure provided for the annexation of cities in those sections of chapter 268 of NRS, as amended from time to time, which apply to counties having a population of less than 200,000.

Proposed Change: Amend the 200,000 population reference to the current statutory requirements of 250,000.

Justification: To make the City Charter consistent with provisions of NRS 268.

2. Topic Title: Sec. 1050.3. Wards: Creation; boundaries (BDR No. S-288)

Existing Law: Ordinances establishing or changing the boundaries of wards shall not be passed or amended until the County Clerk of Washoe County certifies that the number of registered voters in each proposed ward will not exceed the number of registered voters in any other ward by more than 5 percent.

Proposed Change: Amend reference to County Clerk of Washoe County to also include Washoe County Registrar of Voters.

Justification: To anticipate this function being assumed by a Registrar of Voters position.

3. Topic Title: Sec. 1090.3(a). Appointive Officers (BDR No. S-287)

Existing Law: Provides for the City Council establishment of appointive officers. Further provides that appointive officers are limited to the head of each department except "...(a) One immediate assistant for the director of public works and one immediate assistant for the airport manager".

Proposed Change: Delete reference to one immediate assistant to the airport manager.

Justification: To reflect the fact that the Airport Authority is no longer under the jurisdiction of the City.

4. Topic Title: Sec. 2010. Mayor and City Council (BDR No. S-287)

Existing Law: Generally provides for qualifications for Mayor and City Council, terms of office, etc.

Proposed Change: Add subsection to require City Council members to live in the ward from which elected during their entire term.

Justification: To assure that Council members reside in their ward during their entire term of office.

5. Topic Title: Sec. 2050. Meetings: Special (BDR No. S-287)

Existing Law: 1. Special meetings may be held on call of the mayor, city manager or by a majority of the city council, by giving a minimum of 6 hours notice of such special meeting to each member of the city council prior to the meeting.

Proposed Change: Amend by adding "subject to the provisions of NRS Chapter 241,"

Justification: To assure that this Charter provision is consistent with terms of the open meeting law.

6. Topic Title: Sec. 3.020.2. City Manager: Duties, compensation (BDR No. S-287)

Existing Law: The City Manager may appoint such clerical and administrative assistants as he may deem necessary, subject to the approval of the City Council.

Proposed Change: Delete reference to City Council approval of City Manager appointment of clerical personnel.

Justification: To make the City Manager clerical appointment process consistent with City Charter Civil Service requirements.

7. **Topic Title:** Sec. 3.040.2(a). City Clerk: Duties; qualifications; salary (BDR No. S-287)

Existing Law: The City Clerk shall: (a) Serve for a term of 4 years.

Proposed Change: Delete four-year term of City Clerk.

Justification: To make the City Clerk appointive at the pleasure of City Council, which is consistent with other appointive positions.

8. **Topic Title:** Sec. 9.270.3 Civil Service Commission - Appeals to Commission (BDR No.)

Existing Law: City Charter currently requires all hearings on appeals to Civil Service to be transcribed.

Proposed Change: Delete reference to mandatory transcription.

Justification: Transcription need not be required for all appeals; this is also to achieve cost savings.