

ASSEMBLY BILL NO. 539—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF CARSON CITY)

MARCH 15, 1999

Referred to Committee on Government Affairs

SUMMARY—Makes various changes to charter of Carson City. (BDR S-686)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~for omitted material~~ is material to be omitted.

AN ACT relating to the charter of Carson City; providing for a charter committee; increasing the salary of the mayor; revising the restriction on certain city officials engaging in any other business or occupation; making various other changes to the city charter; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The charter of Carson City, being chapter 213, Statutes of Nevada 1969, is hereby amended by adding thereto new sections to be designated as sections 1.080, 1.090 and 1.100, respectively, immediately following section 1.070, to read as follows:

Sec. 1.080 Charter committee: Nomination; appointment; terms; qualifications; compensation.

1. The candidates for membership on the charter committee must be nominated as follows:

(a) Each supervisor shall nominate at least one candidate; and
(b) Each member of the senate and assembly delegation representing the residents of the city shall nominate at least one candidate.

2. The board shall:

(a) Determine the appropriate number of members of the charter committee from the candidates nominated; and
(b) Appoint the members of the charter committee.

3. *Each member of the charter committee must:*
 - (a) *Be a registered voter in Carson City;*
 - (b) *Serve a term concurrent to the term of the public officer by whom he was nominated;*
 - (c) *Reside in Carson City during his term of office; and*
 - (d) *Serve without compensation.*

Sec. 1.090 Charter committee: Meetings; duties. *The charter committee shall:*

1. *Elect a chairman from among its members who shall serve for a term of 1 year;*
2. *Meet at least once every 2 years before the beginning of each regular session of the legislature and when requested by the board or the chairman of the committee;*
3. *Advise the board with regard to the recommendations of the committee concerning necessary amendments to this charter; and*
4. *Assist the board in the timely preparation of such amendments for presentation to the legislature on behalf of the city.*

Sec. 1.100 Charter committee: Removal; vacancies.

1. *A member of the charter committee may be removed by the board for:*
 - (a) *Missing three consecutive regular meetings; or*
 - (b) *Other good cause.*
2. *The board shall fill any vacancy that occurs on the charter committee for the unexpired term.*

Sec. 2. Section 2.180 of the charter of Carson City, being chapter 213, Statutes of Nevada 1969, as last amended by chapter 425, Statutes of Nevada 1983, at page 1059, is hereby amended to read as follows:

Sec. 2.180 Power of board: Animals and poultry. The board may:

1. Fix, impose and collect an annual per capita tax on all dogs and provide for the capture and disposal of all dogs on which the tax is not paid.
2. Regulate or prohibit the running at large within Carson City of all kinds of animals and poultry, establish a pound, appoint a poundkeeper and prescribe his duties, distrain and impound animals and poultry running at large, and provide for the ~~sale or other~~ disposition of such animals and poultry. The proceeds arising from the ~~sale~~ **disposition** of such animals and poultry, after the payment of all costs, must be deposited in the treasury to be disposed of according to law.

3. Prohibit cruelty to animals.

1 **Sec. 3.** Section 3.010 of the charter of Carson City, being
2 chapter 213, Statutes of Nevada 1969, as last amended by chapter
3 118, Statutes of Nevada 1985, at page 476, is hereby amended to
4 read as follows:

5 **Sec. 3.010** Mayor: Duties ~~§~~ ; *salary.*

6 1. The mayor:

7 (a) Shall serve as a member of the board and preside over its
8 meetings.

9 (b) Is the head of the government of Carson City for all
10 ceremonial purposes and for purposes of military law.

11 (c) Shall perform such emergency duties as may be necessary for
12 the general health, welfare and safety of Carson City.

13 (d) Shall perform such other duties as may be prescribed by
14 ordinance or by *the* provisions of Nevada Revised Statutes which
15 apply to a mayor or to the chairman of a board of county
16 commissioners.

17 2. The mayor ~~shall receive \$600 in addition to the annual~~
18 ~~salary provided~~ *is entitled to an annual salary of 130 percent of*
19 *the amount specified* in NRS 245.043.

20 **Sec. 4.** Section 3.020 of the charter of Carson City, being chapter 213,
21 Statutes of Nevada 1969, as amended by chapter 118, Statutes of Nevada
22 1985, at page 476, is hereby amended to read as follows:

23 **Sec. 3.020** Manager: Appointment; duties ~~§~~ ; *salary.*

24 1. The board may appoint a manager who is the chief
25 administrative officer of the city. He is responsible for carrying out
26 the policy of the board. His duties and salary must be fixed by the
27 board.

28 2. The manager may appoint such clerical *personnel* and *create*
29 *such* administrative ~~assistants~~ *positions* as he considers necessary,
30 subject to *the review and* approval of the board.

31 **Sec. 5.** Section 3.030 of the charter of Carson City, being chapter 213,
32 Statutes of Nevada 1969, as last amended by chapter 23, Statutes of
33 Nevada 1987, at page 56, is hereby amended to read as follows:

34 **Sec. 3.030** Clerk: Duties; salary.

35 1. The provisions of chapter 246 of NRS apply to the office of
36 clerk, except that all deputy clerks other than the two provided for
37 in section 2.330 must be appointed pursuant to and are governed by
38 the regulations for the merit personnel system.

39 2. The clerk shall:

40 (a) Keep the corporate seal and all books and papers belonging
41 to Carson City.

42 (b) Attend all meetings of the board and keep an accurate journal
43 of its proceedings, including a record of all ordinances, bylaws and
44 resolutions passed or adopted by it. After approval of the journal at

1 each meeting of the board, the clerk shall attest the journal after it
2 has been signed by the mayor.

3 (c) Enter in the journal the results of the vote of the board upon
4 the passage of ordinances or of any resolution appropriating money,
5 abolishing licenses or increasing or decreasing the rates of licenses.

6 (d) Act as ex officio recorder. The provisions of chapter 247 of
7 NRS apply to the clerk while acting in that capacity, except that all
8 deputy recorders other than the two provided for in section 2.330
9 must be appointed pursuant to and as governed by the regulations
10 for the merit personnel system.

11 (e) Serve as public administrator without additional salary. The
12 provisions of chapter 253 of NRS apply to the office of clerk while
13 performing the duties of public administrator.

14 (f) Perform such other duties as may be required by ~~the board or~~
15 ~~by the~~ :

16 (1) *The board; or*

17 (2) *The provisions of Nevada Revised Statutes ,*
18 *which apply to ~~a county clerk.~~ county clerks.*

19 3. The clerk is entitled to an annual salary in the amount
20 specified in NRS 245.043. The clerk shall not engage in any other
21 business or occupation ~~that creates a conflict of interest~~
22 *between his personal interest in the business or occupation and*
23 *his official duties.*

24 **Sec. 6.** Section 3.045 of the charter of Carson City, being chapter 23,
25 Statutes of Nevada 1987, as amended by chapter 535, Statutes of Nevada
26 1993, at page 2240, is hereby amended to read as follows:

27 **Sec. 3.045** Treasurer: Duties; salary.

28 1. The provisions of chapter 249 of NRS apply to the office of
29 treasurer, except that all deputy treasurers other than the two
30 ~~deputy treasurers~~ provided for in section 2.330 must be appointed
31 pursuant to and *are* governed by the regulations for the merit
32 personnel system.

33 2. The treasurer shall:

34 (a) Invest all surplus money of Carson City.

35 (b) Keep a record of the cash balance and reconcile it with the
36 controller's records monthly.

37 (c) Perform such other duties as may be required by ~~the board~~
38 ~~or by the~~ :

39 (1) *The board; or*

40 (2) *The provisions of Nevada Revised Statutes ,*
41 *which apply to county treasurers.*

(d) Establish and maintain a policy for the investment of the surplus money of Carson City. The board of supervisors shall review the policy at least once each year at a public hearing at which public comment is accepted.

3. The treasurer is entitled to an annual salary in the amount specified in NRS 245.043 . ~~[-and]~~ *The treasurer* shall not engage in any other business or occupation ~~[-]~~ *that creates a conflict of interest between his personal interest in the business or occupation and his official duties.*

Sec. 7. Section 3.050 of the charter of Carson City, being chapter 213, Statutes of Nevada 1969, as last amended by chapter 690, Statutes of Nevada 1979, at page 1861, is hereby amended to read as follows:

Sec. 3.050 Assessor: Duties; salary.

1. The provisions of chapter 250 of NRS apply to the office of assessor, except that all deputy assessors other than the two provided for in section 2.330 must be appointed pursuant to and are governed by the regulations for the merit personnel system.

2. The assessor shall perform such other duties as may be ~~imposed by the board, or by~~ *required by:*

(a) *The board; or*

(b) *The* provisions of Nevada Revised Statutes , which apply to county assessors.

3. The assessor is entitled to an annual salary in the amount specified in NRS 245.043. The assessor shall not engage in any other business or occupation ~~[-]~~ *that creates a conflict of interest between his personal interest in the business or occupation and his official duties.*

Sec. 8. Section 3.060 of the charter of Carson City, being chapter 213, Statutes of Nevada 1969, as last amended by chapter 690, Statutes of Nevada 1979, at page 1861, is hereby amended to read as follows:

Sec. 3.060 Sheriff: Duties; salary.

1. The provisions of chapter 248 of NRS apply to the office of sheriff, except that all deputy sheriffs except the five described in section 2.330 must be appointed pursuant to and are governed by the regulations for the merit personnel system.

2. The sheriff shall:

(a) Diligently enforce all ordinances of Carson City.

(b) Perform such other duties as may be ~~imposed by the board, or by~~ *required by:*

(1) *The board; or*

(2) *The* provisions of Nevada Revised Statutes , which apply to county sheriffs.

1 3. The sheriff ~~[shall not be]~~ *is not* answerable upon his official
2 bond for the conduct of deputies appointed ~~[under]~~ *pursuant to* the
3 provisions of this charter, but the board may require of such
4 deputies such bonds as it may deem proper.

5 4. The sheriff is entitled to an annual salary in the amount
6 specified in NRS 245.043. The sheriff shall not engage in any other
7 business or occupation ~~[]~~ *that creates a conflict of interest*
8 *between his personal interest in the business or occupation and*
9 *his official duties.*

10 **Sec. 9.** Section 3.070 of the charter of Carson City, being chapter 213,
11 Statutes of Nevada 1969, as last amended by chapter 58, Statutes of
12 Nevada 1981, at page 152, is hereby amended to read as follows:

13 **Sec. 3.070** District attorney: Duties; salary.

14 1. The provisions of chapter 252 of NRS apply to the office of
15 district attorney for Carson City but:

16 (a) All deputy district attorneys serve at the pleasure of the
17 district attorney; and

18 (b) Deputy district attorneys shall not engage in the private
19 practice of law after July 1, 1979.

20 2. The district attorney shall perform such other duties as may
21 be ~~[imposed by the board or by]~~ *required by:*

22 (a) *The board; or*

23 (b) *The provisions of Nevada Revised Statutes ,*
24 *which apply to county district attorneys.*

25 3. The district attorney may, subject to the approval of the
26 board, contract for the services of special deputy district attorneys.

27 4. The district attorney is entitled to an annual salary in the
28 amount specified in NRS 245.043.

29 5. The district attorney shall not engage in *the private practice*
30 *of law or* any other business or occupation ~~[]~~ *that creates a*
31 *conflict of interest between his personal interest in the business or*
32 *occupation and his official duties.*

33 **Sec. 10.** 1. This section and sections 1, 2, and 4 to 9, inclusive, of
34 this act become effective on October 1, 1999.

35 2. Section 3 of this act becomes effective on January 1, 2001.