

Amendment No. 240

Assembly Amendment to Assembly Bill No. 197

(BDR S-278)

Proposed by: Committee on Government Affairs**Amendment Box:** Replaces Amendment No. 178.**Resolves Conflicts with:** N/A**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend the bill as a whole by deleting sec. 5 and adding new sections designated sections 5 and 6, following sec. 4, to read as follows:

“**Sec. 5.** The two City Councilmen elected from Wards 1 and 3 whose terms of office commenced on July 1, 2005, shall be deemed to represent only Wards 1 and 3, respectively, commencing on July 1, 2007.

Sec. 6. This act becomes effective on January 23, 2007, for purposes related to the filing of a declaration of candidacy for the Office of City Councilman and on July 1, 2007, for all other purposes.”.

EGO/SGW

Date: 4/12/2005

A.B. No. 197—Revises Charter of City of North Las Vegas concerning election of City Councilmen.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Under existing law, the City of North Las Vegas is divided into four wards. (North Las Vegas City Charter, Section 1.045) Existing law requires that a candidate for City Councilman designate the ward that he seeks to represent and further requires that he be a resident of that ward. (North Las Vegas City Charter, Sections 2.010, 5.020) Although a candidate for City Councilman designates a ward that he seeks to represent, he is elected by the registered voters of the entire City. (North Las Vegas City Charter, Section 2.010)

This bill requires that each City Councilman be voted for and elected only by the registered voters of the ward that he represents, commencing with the election to be held on June 5, 2007.

Existing law provides that the term of office of City Councilmen is 4 years. Those terms are staggered so that two Councilmen are elected at the general city election every 2 years. (North Las Vegas City Charter, Sections 2.010, 5.010)

This bill provides that the two City Councilmen who are mid-term on July 1, 2007, are deemed to represent only their respective wards on July 1, 2007, to avoid infringement of the legal principle of "one person, one vote." *Avery v. Midland County*, 390 U.S. 474 (1968) (applying "one person, one vote" principle to apportionment of local governments, such as counties and cities).