

**Amendment No. 1093**

Assembly Amendment to Senate Bill No. 20 First Reprint

(BDR 20-682)

**Proposed by:** Assemblyman Atkinson**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: Yes Title: Yes 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"/>	_____
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Amend the bill as a whole by renumbering sec. 2 as sec. 7 and adding new sections designated sections 2 through 6, following section 1, to read as follows:

“**Sec. 2.** Section 1.050 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as amended by chapter 215, Statutes of Nevada 1997, at page 747, is hereby amended to read as follows:

Sec. 1.050 Elective offices.

1. The elective officers of the City consist of:

(a) A Mayor.

(b) ~~Four Councilmen.~~ ***One Councilman from each ward.***

(c) One or more Municipal Judges, as determined pursuant to section 4.005 of this Charter.

2. Such officers must be elected as provided by this Charter.

JCB/BJE

Date: 5/27/2005

S.B. No. 20—Revises provisions governing certain county fair and recreation boards.

**Sec. 3.** Section 2.010 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 344, Statutes of Nevada 1999, at page 1413, is hereby amended to read as follows:

Sec. 2.010 City Council: Qualifications; election; term of office; salary.

1. The legislative power of the City is vested in a City Council consisting of four Councilmen and a Mayor.

2. The Mayor must be:

(a) A bona fide resident of the City for at least 6 months immediately preceding his election.

(b) A qualified elector within the City.

3. Each Councilman:

(a) Must be a qualified elector who has resided in the ward which he represents for at least 30 days immediately preceding the last day for filing a declaration of candidacy for his office.

(b) Must continue to live in the ward he represents, except that changes in ward boundaries made pursuant to section 1.045 of this Charter will not affect the right of any elected Councilman to continue in office for the term for which he was elected.

4. At the time of filing, if so required by an ordinance duly enacted, candidates for the office of Mayor and Councilman shall produce evidence in satisfaction of any or all of the qualifications provided in subsection 2 or 3, whichever is applicable.

5. ~~[All Councilmen, including the Mayor,]~~ ***Each Councilman*** must be voted upon ***only*** by the registered voters of the ~~[City at large, and their terms]~~ ***ward that he seeks to represent, and his term*** of office ~~[are]~~ ***is*** 4 years.

**6. *The Mayor must be voted upon by the registered voters of the City at large, and his term of office is 4 years.***

**7.** The Mayor and Councilmen are entitled to receive a salary in an amount fixed by the City Council.

**Sec. 4.** Section 5.010 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 73, Statutes of Nevada 2003, at page 485, is hereby amended to read as follows:

Sec. 5.010 General municipal elections.

1. On the Tuesday after the first Monday in June 1977, and at each successive interval of 4 years thereafter, there ~~[shall]~~ **must** be elected , ~~[by the qualified voters of the City,]~~ at a general election to be held for that purpose, a Mayor and two Councilmen, who shall hold office for a period of 4 years and until their successors have been elected and qualified.

2. On the Tuesday after the first Monday in June 1975, and at each successive interval of 4 years thereafter, there ~~[shall]~~ **must** be elected , ~~[by the qualified voters of the City,]~~ at a general election to be held for that purpose, two Councilmen, who shall hold office for a period of 4 years and until their successors have been elected and qualified.

**3. *In such a general election:***

**(a) *A candidate for the office of City Councilman must be elected only by the registered voters of the ward that he seeks to represent.***

**(b) *Candidates for all other elective offices must be elected by the registered voters of the City at large.***

**Sec. 5.** Section 5.020 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 637, Statutes of Nevada 1999, at page 3566, is hereby amended to read as follows:

Sec. 5.020 Primary municipal elections; declaration of candidacy.

1. The City Council shall provide by ordinance for candidates for elective office to declare their candidacy and file the necessary documents. The seats for City Councilmen must be designated by the numbers one through four, which numbers must correspond with the wards the candidates for City Councilmen will seek to represent. A candidate for the office of City Councilman shall include in his declaration of candidacy the number of the ward which he seeks to represent. Each candidate for City Council must be designated as a candidate for the City Council seat that corresponds with the ward that he seeks to represent.

2. If for any general municipal election there are three or more candidates for the offices of Mayor or Municipal Judge, or for a particular City Council seat, a primary election for any such office must be held on the Tuesday following the first Monday in April preceding the general election. ***In the primary election:***

***(a) A candidate for the office of City Councilman must be voted upon only by the registered voters of the ward that he seeks to represent.***

***(b) Candidates for all other elective offices must be voted upon by the registered voters of the City at large.***

3. Except as otherwise provided in subsection 4, after the primary election, the names of the two candidates for Mayor, Municipal Judge and each City Council seat who receive the highest number of votes must be placed on the ballot for the general election.

4. If one of the candidates for Mayor, Municipal Judge or a City Council seat receives a majority of the total votes cast for that office in the primary election, he shall be declared elected to office and his name must not appear on the ballot for the general election.

**Sec. 6.** The two City Councilmen for the City of North Las Vegas 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.”.

Amend sec. 2, page 3, by deleting line 34 and inserting

“**Sec. 7.** 1. This section becomes effective upon passage and approval.

2. Section 1 of this act becomes effective upon passage and approval”.

Amend sec. 2, page 3, after line 38, by inserting:

“3. Sections 2 to 6, inclusive, of this act become effective on January 27, 2007, for the purposes related to the filing of a declaration of candidacy for the Office of City Councilman for the City of North Las Vegas and on July 1, 2007, for all other purposes.”.

Amend the title of the bill to read as follows:

“AN ACT relating to local government; increasing the membership of certain county fair and recreation boards; revising the procedure for appointing certain members of such county fair and recreation boards; requiring that City Councilmen for the City of North Las Vegas be voted for and elected only by the registered voters of the ward that the Councilman will represent; and providing other matters properly relating thereto.”.

Amend the summary of the bill to read as follows:

“SUMMARY—Makes various changes relating to governing bodies of certain local governments.

(BDR 20-682)”.

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

**Legislative Counsel's Digest:**

Existing law establishes the number and qualifications of members of county fair and recreation boards, which are commonly known as convention and visitors authorities in some counties. (NRS 244A.599, 244A.601, 244A.603) In counties with a population of 400,000 or more (currently Clark County), such a board consists of 13 members, including two members of the board of county commissioners, four members designated for certain incorporated cities in the county, one member designated for all the remaining incorporated cities in the county and six members from the private business sector. (NRS 244A.603)

This bill increases the membership of a county fair and recreation board in a county with a population of 400,000 or more to 14 members by adding an additional member who is selected by the governing body of the incorporated city with the smallest population in the county (currently the City of Mesquite) and who is a member of that governing body. This bill also clarifies that membership on the board is based on the population of an incorporated city as determined by the last national decennial census.

Existing law provides a procedure for rotating representation on the county fair and recreation board in a county with a population of 400,000 or more (currently Clark County) among the remaining incorporated cities in the county that do not have a specifically designated member. (NRS 244A.603)

This bill acknowledges that this rotation is not required when there is only one such remaining incorporated city in the county.

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).