

Amendment No. 966

Assembly Amendment to Senate Bill No. 246 Second Reprint (BDR S-1028)

Proposed by: Assemblywoman Torres

Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to S.B. 246 R2 (§§ 1, 3, 3.6, 3.8).

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"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

AMD/HAC



Date: 6/4/2023

S.B. No. 246—Revises provisions relating to governmental administration.
(BDR S-1028)



SENATE BILL NO. 246—SENATOR NEAL

MARCH 9, 2023

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to governmental administration. (BDR S-1028)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§§ 1, 3, 3.6, 3.8) (NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

AN ACT relating to governmental administration; requiring the City Councils of the City of Las Vegas and the City of North Las Vegas to establish a workforce development program; requiring the City Councils to receive updates on the programs and post information about the programs; requiring every public utility which is owned or operated by the City of Las Vegas or the City of North Las Vegas to include certain information in utility bills; requiring that certain information be posted in each building owned by the City of Las Vegas or the City of North Las Vegas; requiring the City Councils to submit an annual report to the Director of the Department of Employment, Training and Rehabilitation and the Director of the Legislative Counsel Bureau relating to the workforce development program; revising provisions relating to the Charter Committee, City Clerk and City Manager of the City of North Las Vegas; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 The existing Charter of the City of Las Vegas authorizes the City Council of the City to
2 exercise such powers and enact such ordinances, not in conflict with the laws of this State, as
3 the City Council determines are necessary and proper for the development and provisions of
4 programs relating to employment and training. (Las Vegas City Charter § 3.300) **Section 1** of
5 this bill requires the City Council to establish a workforce development program, in
6 coordination with all applicable agencies which provide workforce development services, to
7 reduce the rate of unemployment in all areas of the City that have a high rate of poverty.
8 **Section 1** further requires: (1) the City Council to receive an update to the program on a
9 quarterly basis; (2) the City Council to post information about the program in a conspicuous
10 place on the Internet website of the City; (3) every public utility owned or operated by the
11 City to include certain information regarding opportunities available in workforce
12 development in each utility bill; (4) each building that is owned in the City to have posted in a
13 clear and conspicuous place all job openings that are available in the building; and (5) the City

Council to provide a written report each year to the Director of the Department of Employment, Training and Rehabilitation and the Director of the Legislative Counsel Bureau relating to the workforce development program. **Section 3** of this bill sets forth the same requirements for the City of North Las Vegas.

Section 2 of this bill creates an exception to the provision that authorizes but does not require the City Council of the City of Las Vegas to exercise powers and enact ordinances relating to programs relating to employment and training.

The existing Charter of the City of North Las Vegas provides for the establishment of a Charter Committee by the City Council and requires the Charter Committee to meet at least once every 2 years before the beginning of each regular session of the Legislature. (North Las Vegas City Charter §§ 1.100, 1.110) **Section 3.2** of this bill requires each member of the Charter Committee to report any abuse of power by the City Council or City Manager to the Legislature or the Joint Interim Standing Committee on Government Affairs if the Legislature is not in session. **Section 3.2** also prohibits the City Council, officers and employees of the City ~~(Manager)~~ from interfering with the duties of the Charter Committee or committing any abuses of power with respect to the duties of the Charter Committee. **Section 3.2** further requires the Charter Committee to meet at least ~~quarterly,~~ four times between regular sessions of the Legislature.

The existing Charter of the City of North Las Vegas sets forth certain duties of the City Clerk. (North Las Vegas City Charter § 3.040) **Section 3.4** of this bill ~~prohibits~~ requires the City Clerk ~~from committing any violation of law relating to his or her duties and provides that the City Clerk may be subject to civil and criminal liability for any such violation. Section 3.4 also prohibits the City Council and City Manager of the City of North Las Vegas from threatening, coercing or harassing or conspiring to threaten, coerce or harass the City Clerk to violate any provision of law.~~ to take and subscribe the constitutional oath of office before entering upon the duties of the office.

Section 3.6 of this bill requires the City Manager of the City of North Las Vegas to submit an annual report to the Committee on Local Government Finance that contains certain information relating to special revenue funds of the City. **Section 3.8** of this bill requires the City Manager to submit, on or before January 1, 2024, a similar report to the Committee for the period beginning July 1, 2013, and ending on June 30, 2024.

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

Section 1. The Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, at page 1391, is hereby amended by adding thereto a new section to be designated as section 3.310, immediately following section 3.300, to read as follows:

Sec. 3.310 Workforce development.

1. The City Council shall establish a workforce development program, in coordination with all applicable agencies which provide workforce development services, to reduce the rate of unemployment in all areas of the City that have a high rate of poverty. The workforce development program established pursuant to this section:

- (a) Must prioritize outreach and assistance in neighborhoods that have historically had high rates of poverty;*
- (b) Must not prioritize any one minority group over another; and*
- (c) Must include, without limitation:*

(1) Targets to share work opportunities for all economic development projects within the boundary of the City with residents of the City based on the priorities established pursuant to paragraph (a); and

(2) Engagement and outreach regarding work opportunities from the beginning of an economic development project until completion.

1 **2. The City Council shall:**

2 (a) *Receive an update on the workforce development program*

3 *established pursuant to subsection 1 on a quarterly basis.*

4 (b) *Post information about the workforce development program*

5 *established pursuant to subsection 1 in a conspicuous place on the*

6 *Internet website of the City.*

7 3. *Every public utility which is owned or operated by the City shall*

8 *include in each utility bill sent to a customer clear and conspicuous*

9 *notification of the Internet address that sets forth opportunities in*

10 *workforce development available to residents of the City.*

11 4. *In each building that is owned by the City, there must be posted*

12 *in a clear and conspicuous place all job openings that are available in the*

13 *building.*

14 5. *The City Council shall provide a written report each year to the*

15 *Director of the Department of Employment, Training and Rehabilitation*

16 *and the Director of the Legislative Counsel Bureau for transmittal to the*

17 *Legislature, or if the Legislature is not in session, the Legislative*

18 *Commission, describing the efforts made by the workforce development*

19 *program established pursuant to subsection 1.*

20 **Sec. 2.** Section 3.300 of the Charter of the City of Las Vegas, being chapter

21 338, Statutes of Nevada 2007, at page 1532, is hereby amended to read as follows:

22 Sec. 3.300 Programs: Employment and training.

23 1. Except as otherwise provided in subsection 2 *and section 3.310*

24 and in addition to any other powers authorized by specific statute, the City

25 Council may exercise such powers and enact such ordinances, not in

26 conflict with the laws of this State, as the City Council determines are

27 necessary and proper for the development and provision of programs

28 relating to employment and training.

29 2. The City Council shall not impose or increase a tax for the

30 purposes set forth in subsection 1 unless the tax or increase is otherwise

31 authorized by specific statute.

32 **Sec. 3.** The Charter of the City of North Las Vegas, being chapter 573,

33 Statutes of Nevada 1971, at page 1210, is hereby amended by adding thereto a new

34 section to be designated as section 3.110, immediately following section 3.100, to

35 read as follows:

36 **Sec. 3.110 Workforce development.**

37 1. *The City Council shall establish a workforce development*

38 *program, in coordination with all applicable agencies which provide*

39 *workforce development services, to reduce the rate of unemployment in*

40 *areas of the City that have a high rate of poverty. The workforce*

41 *development program established pursuant to this section:*

42 (a) *Must prioritize outreach and assistance in neighborhoods that*

43 *have historically had high rates of poverty;*

44 (b) *Must not prioritize any one minority group over another; and*

45 (c) *Must include, without limitation:*

46 (1) *Targets to share work opportunities for all economic*

47 *development projects within the boundary of the City with residents of the*

48 *City based on the priorities established pursuant to paragraph (a); and*

49 (2) *Engagement and outreach regarding work opportunities from*

50 *the beginning of an economic development project until completion.*

51 2. *The City Council shall:*

52 (a) *Receive an update on the workforce development program*

53 *established pursuant to subsection 1 on a quarterly basis.*

1 (b) Post information about the workforce development program
 2 established pursuant to subsection 1 in a conspicuous place on the
 3 Internet website of the City.

4 3. Every public utility which is owned or operated by the City shall
 5 ~~include~~ provide quarterly in each a utility bill sent to a customer clear
 6 and conspicuous notification of the Internet address that sets forth
 7 opportunities in workforce development available to residents of the City.

8 4. In each building that is owned by the City, there must be posted
 9 in a clear and conspicuous place all job openings that are available in the
 10 building.

11 5. The City Council shall provide a written report each year to the
 12 Director of the Department of Employment, Training and Rehabilitation
 13 and the Director of the Legislative Counsel Bureau for transmittal to the
 14 Legislature, or if the Legislature is not in session, the Legislative
 15 Commission, describing the efforts made by the workforce development
 16 program established pursuant to subsection 1.

17 **Sec. 3.2.** Section 1.110 of the Charter of the City of North Las Vegas, being
 18 chapter 254, Statutes of Nevada 2021, at page 1325, is hereby amended to read as
 19 follows:

20 Sec. 1.110 Charter Committee: Officers; meetings; duties.

21 1. The Charter Committee shall:

22 ~~1-1~~ (a) Elect a Chair and Vice Chair from among its members, who
 23 each serve for a term of 2 years;

24 ~~2-1~~ (b) Meet at least ~~once every 2 years before the beginning of each~~
 25 ~~regular session~~ four times between regular sessions of the Legislature
 26 ~~quarterly~~ and at other times when requested by the City Council or the
 27 Chair of the Committee; ~~and~~

28 ~~3-1~~ (c) Set the agenda for every meeting of the Charter Committee.
 29 The City Council may request not more than four items be considered by
 30 the Charter Committee at a meeting of the Charter Committee; and

31 (d) Appear before the City Council on a date to be set after the final
 32 biennial meeting of the Charter Committee is conducted pursuant to
 33 paragraph (b) of subsection 2-1 and before the beginning of the next
 34 regular session of the Legislature to advise the City Council with regard to
 35 the recommendations of the Charter Committee concerning necessary
 36 amendments to this Charter. ~~1-1~~

37 ~~(e) Report any abuse of authority by the City Council or City~~
 38 ~~Manager to the Director of the Legislative Counsel Bureau for~~
 39 ~~transmittal to the Legislature or if the Legislature is not in session, the~~
 40 ~~Joint Interim Standing Committee on Government Affairs; and~~

41 ~~(f) Retain all records relating to the work of the Charter Committee.]~~

42 2. The City Council, officers and employees of the City [Manager,
 43 shall not interfere with the duties of the Charter Committee or commit
 44 any abuse of power with respect to the Charter Committee. [In addition to
 45 any criminal action, the Attorney General may bring a civil action in a
 46 court of competent jurisdiction for a violation of the provisions of this
 47 subsection by the City Council, Council Members or City Manager and
 48 may recover a civil penalty of not more than \$1,000 for each violation.]

49 3. ~~[For the purposes of this section, "abuse of power" includes,~~
 50 ~~without limitation, preventing or threatening, coercing or conspiring to~~
 51 ~~prevent]~~ Each person who is appointed to serve as a member of the
 52 Charter Committee [from setting an agenda for a meeting or holding a

~~meeting.] shall complete training which must include, without limitation, instruction relating to:~~

~~(a) The Code of Ethical Standards set forth in chapter 281A of NRS, including, without limitation, how to file a complaint with the Commission on Ethics created pursuant to NRS 281A.200;~~

~~(b) The provisions of chapter 241 of NRS; and~~

~~(c) Responsibilities of the Charter Committee.~~

Sec. 3.4. Section 3.040 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 254, Statutes of Nevada 2021, at page 1331, is hereby amended to read as follows:

Sec. 3.040 City Clerk: Office; duties.

1. The City Clerk shall:

(a) ~~Before entering upon the duties of office, take and subscribe the constitutional oath of office.~~

(b) Keep his or her office at the place of meeting of the City Council or some other place convenient thereto, as the City Council may direct.

~~(b)~~ (c) Keep the corporate seal and be the custodian of all official papers and records of the City, including, without limitation, contracts, agreements, documents, resolutions, ordinances, minutes and official city election records.

~~(c)~~ (d) Keep a record of the proceedings of, and be the Clerk of the City Council, whose meetings it shall be his or her duty to attend.

~~(d)~~ (e) Record votes of members of the City Council.

~~(e)~~ (f) Direct the transcription and keeping of minutes and official records and the making and keeping of audio recordings or transcripts of all City Council meetings.

~~(f)~~ (g) Countersign official contracts, bonds and other official City documents.

~~(g)~~ (h) Make arrangements for regular, special or emergency meetings of the City Council.

~~(h)~~ (i) Supervise the operation and maintenance of the records management system of the City.

~~(i)~~ (j) Supervise the printing of all ballots for city elections.

~~(j)~~ (k) Certify the election returns.

~~(k)~~ (l) Administer official oaths for the City.

2. Copies of all papers filed in the office of the City Clerk and transcripts from all records of the City Council certified by him or her, under the corporate seal, shall be evidence in all courts to the same effect as if the original were produced.

~~3. The City Clerk shall not knowingly and willfully violate any provision of law governing elections, commit fraud, abuse the public trust, abuse his or her authority, falsify records or violate any other provision of law governing his or her duties. In addition to any criminal action, the Attorney General may bring a civil action for civil penalties for a violation of this prohibition not to exceed \$1,000 for each violation.~~

~~4. The City Council and City Manager shall not threaten, coerce or harass or conspire to threaten, coerce or harass the City Clerk to violate any provision of law.~~

Sec. 3.6. Section 3.020 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 254, Statutes of Nevada 2021, at page 1330, is hereby amended to read as follows:

Sec. 3.020 City Manager: Power and duties.

1 1. The City Manager is the Chief Administrative Officer of the City.
 2 He or she is responsible to the City Council for the efficient and proper
 3 administration of all City affairs placed in his or her charge by or under this
 4 Charter.

5 2. The City Manager shall:

6 (a) Except as otherwise provided by law, this Charter, or personnel
 7 rules adopted pursuant to this Charter, appoint, and when he or she deems it
 8 necessary for the good of the service, discharge or suspend all City
 9 employees and appointed administrative officers provided for by this
 10 Charter. He or she may authorize any administrative officer who is subject
 11 to his or her direction and supervision to exercise the powers enumerated in
 12 this paragraph with respect to subordinates in that officer's department,
 13 office or agency.

14 (b) Direct and supervise the administration of all departments, offices
 15 and agencies of the City, except:

16 (1) As otherwise provided by law; and

17 (2) For any department, office or agency whose head is not
 18 appointed by the City Manager.

19 (c) Attend all City Council meetings and have the right to take part in
 20 all discussions. The City Manager may not vote.

21 (d) Be responsible for the enforcement of all laws, provisions of this
 22 Charter and acts of the City Council subject to enforcement by the City
 23 Manager or by his or her officers subject to his or her direction and
 24 supervision.

25 (e) Prepare and submit the annual budget and capital program to the
 26 City Council.

27 (f) Submit to the City Council and make available to the public a
 28 complete report on the finances and administrative activities of the City as
 29 of the end of each fiscal year.

30 (g) Make such other reports as the City Council may require
 31 concerning the operations of City departments, offices and agencies subject
 32 to his or her direction and supervision.

33 (h) Keep the City Council fully advised as to the financial condition
 34 and future needs of the City and make such recommendations to the City
 35 Council concerning the affairs as he or she deems desirable.

36 (i) Perform such other duties as are specified in this Charter or which
 37 may be required by the City Council.

38 ***3. In addition to the duties set forth in subsection 2, on or before***
 39 ***January 1 of each year, the City Manager shall submit to the Committee***
 40 ***on Local Government Finance created by NRS 354.105 a report that***
 41 ***compares the projected and actual budgets of each special revenue fund***
 42 ***maintained by the City for the immediately preceding fiscal year. Such***
 43 ***report must:***

44 ***(a) Identify each special revenue fund;***

45 ***(b) Indicate in detail all revenue received in the special revenue fund***
 46 ***for the immediately preceding fiscal year; and***

47 ***(c) Indicate in detail all expenses for the immediately preceding fiscal***
 48 ***year which were paid with money from the special revenue fund.***

49 ***4. The report submitted pursuant to this section to the Committee on***
 50 ***Local Government Finance is a public record.***

51 **Sec. 3.8.** 1. On or before January 1, 2024, the City Manager of the City of
 52 the North Las Vegas shall submit to the Committee on Local Government Finance
 53 created by NRS 354.105 a report that compares the projected and actual budgets of

1 each special revenue fund maintained by the City for each fiscal year of the period
2 beginning July 1, 2013, and ending June 30, 2023. Such report must:

3 (a) Identify each special revenue fund;

4 (b) Indicate in detail all revenue received in the special revenue fund for each
5 fiscal year in the reporting period; and

6 (c) Indicate in detail all expenses for the fiscal year which were paid with
7 money from the special revenue fund.

8 2. The report submitted pursuant to this section to the Committee on Local
9 Government Finance is a public record.

10 **Sec. 4.** (Deleted by amendment.)

11 **Sec. 5.** This act becomes effective upon passage and approval.