

Amendment No. 486

Senate Amendment to Senate Bill No. 246	(BDR S-1028)
Proposed by: Senator Neal	
Amendment Box: Consistent with Amendment No. 463.	
Amends: Summary: No Title: Yes 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 (§§ 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.

ERS/HAC



Date: 4/22/2023

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: Contains Appropriation not included in Executive Budget.

CONTAINS UNFUNDED MANDATE (§§ 1, 3, ~~4~~, 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 making an appropriation to Southern Nevada Enterprise Community Board to carry out the Southern Nevada Enterprise Community Improvement Project; 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 at every
9 meeting of the City Council; (2) the City Council to post information about the program in a

10 conspicuous place on the Internet website of the City; (3) every public utility owned or
 11 operated by the City to include certain information regarding opportunities available in
 12 workforce development in each utility bill; (4) each building that is owned in the City to have
 13 posted in a clear and conspicuous place all job openings that are available in the building; and
 14 (5) the City Council to provide a written report each year to the Director of the Department of
 15 Employment, Training and Rehabilitation and the Director of the Legislative Counsel Bureau
 16 relating to the workforce development program. **Section 3** of this bill sets forth the same
 17 requirements for the City of North Las Vegas.

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

21 The existing Charter of the City of North Las Vegas provides for the establishment
 22 of a Charter Committee by the City Council. (North Las Vegas City Charter § 1.100)
 23 Section 3.2 of this bill requires the Charter Committee to report any abuse of power by
 24 the City Council or City Manager to the Legislature or the Joint Interim Standing
 25 Committee on Government Affairs if the Legislature is not in session. Section 3.2 also
 26 prohibits the City Council and City Manager from interfering with the duties of the
 27 Charter Committee or committing any abuses of power with respect to the duties of the
 28 Charter Committee.

29 The existing Charter of the City of North Las Vegas sets forth certain duties of the
 30 City Clerk. (North Las Vegas City Charter § 3.040) Section 3.4 of this bill prohibits the
 31 City Clerk from committing any violation of law relating to his or her duties and
 32 provides that the City Clerk may be subject to civil and criminal liability for any such
 33 violation. Section 3.4 also prohibits the City Council and City Manager of the City of
 34 North Las Vegas from threatening, coercing or harassing or conspiring to threaten,
 35 coerce or harass the City Clerk to violate any provision of law.

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

41 **Section 4** of this bill makes an appropriation of \$5,000,000 from the State General Fund
 42 to the Southern Nevada Enterprise Community Board for purposes of carrying out the
 43 Southern Nevada Enterprise Community Improvement Project.

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

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

5 *Sec. 3.310 Workforce development.*

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

11 *(a) Must prioritize outreach and assistance in neighborhoods that*
 12 *have historically had high rates of poverty; and*

13 *(b) Must not prioritize any one minority group over another.*

14 *2. The City Council shall:*

15 *(a) Receive an update on the workforce development program*
 16 *established pursuant to subsection 1 at every meeting of the City Council.*

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 in each utility bill sent to a customer clear and conspicuous***
6 ***notification of the Internet address that sets forth opportunities in***
7 ***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. 2.** Section 3.300 of the Charter of the City of Las Vegas, being chapter
18 338, Statutes of Nevada 2007, at page 1532, is hereby amended to read as follows:

19 **Sec. 3.300** Programs: Employment and training.

20 **1.** Except as otherwise provided in subsection 2 ***and section 3.310***
21 ***and in addition to any other powers authorized by specific statute, the City***
22 ***Council may exercise such powers and enact such ordinances, not in***
23 ***conflict with the laws of this State, as the City Council determines are***
24 ***necessary and proper for the development and provision of programs***
25 ***relating to employment and training.***

26 **2.** The City Council shall not impose or increase a tax for the
27 purposes set forth in subsection 1 unless the tax or increase is otherwise
28 authorized by specific statute.

29 **Sec. 3.** The Charter of the City of North Las Vegas, being chapter 573,
30 Statutes of Nevada 1971, at page 1210, is hereby amended by adding thereto a new
31 section to be designated as section 3.110, immediately following section 3.100, to
32 read as follows:

33 **Sec. 3.110. Workforce development.**

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

39 ***(a) Must prioritize outreach and assistance in neighborhoods that***
40 ***have historically had high rates of poverty; and***

41 ***(b) Must not prioritize any one minority group over another.***

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

43 ***(a) Receive an update on the workforce development program***
44 ***established pursuant to subsection 1 at every meeting of the City Council.***

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

48 **3. Every public utility which is owned or operated by the City shall**
49 ***include in each utility bill sent to a customer clear and conspicuous***
50 ***notification of the Internet address that sets forth opportunities in***
51 ***workforce development available to residents of the City.***

1 4. *In each building that is owned by the City, there must be posted*
 2 *in a clear and conspicuous place all job openings that are available in the*
 3 *building.*

4 5. *The City Council shall provide a written report each year to the*
 5 *Director of the Department of Employment, Training and Rehabilitation*
 6 *and the Director of the Legislative Counsel Bureau for transmittal to the*
 7 *Legislature, or if the Legislature is not in session, the Legislative*
 8 *Commission, describing the efforts made by the workforce development*
 9 *program established pursuant to subsection 1.*

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

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

14 1. The Charter Committee shall:

15 ~~1.1~~ (a) Elect a Chair and Vice Chair from among its members, who
 16 each serve for a term of 2 years;

17 ~~1.2~~ (b) Meet at least once every 2 years before the beginning of each
 18 regular session of the Legislature and when requested by the City Council
 19 or the Chair of the Committee; ~~and~~

20 ~~3.1~~ (c) Set the agenda for every meeting of the Charter Committee.
 21 The City Council may request not more than four items be considered by
 22 the Charter Committee at a meeting of the Charter Committee;

23 (d) Appear before the City Council on a date to be set after the final
 24 biennial meeting of the Charter Committee is conducted pursuant to
 25 paragraph (b) of subsection ~~1.1~~ 1 and before the beginning of the next
 26 regular session of the Legislature to advise the City Council with regard to
 27 the recommendations of the Charter Committee concerning necessary
 28 amendments to this Charter ~~1.1~~;

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

33 (f) Retain all records relating to the work of the Charter Committee.

34 2. The City Council and City Manager shall not interfere with the
 35 duties of the Charter Committee or commit any abuse of power with
 36 respect to the Charter Committee. In addition to any criminal action, the
 37 Attorney General may bring a civil action in a court of competent
 38 jurisdiction for a violation of the provisions of this subsection by the City
 39 Council, Council Members or City Manager and may recover a civil
 40 penalty of not more than \$1,000 for each violation.

41 3. For the purposes of this section, "abuse of power" includes,
 42 without limitation, preventing or threatening, coercing or conspiring to
 43 prevent the Charter Committee from setting an agenda for a meeting or
 44 holding a meeting.

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

48 Sec. 3.040 City Clerk: Office; duties.

49 1. The City Clerk shall:

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

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

~~(c)~~ (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.

~~(d)~~ (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.

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

~~(f)~~ (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.

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

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

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

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

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

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

2. The City Manager shall:

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

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

(1) As otherwise provided by law; and

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

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

5 (d) Be responsible for the enforcement of all laws, provisions of this
6 Charter and acts of the City Council subject to enforcement by the City
7 Manager or by his or her officers subject to his or her direction and
8 supervision.

9 (e) Prepare and submit the annual budget and capital program to the
10 City Council.

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

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

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

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

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

28 (a) Identify each special revenue fund;

29 (b) Indicate in detail all revenue received in the special revenue fund
30 for the immediately preceding fiscal year; and

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

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

35 Sec. 3.8. 1. On or before January 1, 2024, the City Manager of the City
36 of the North Las Vegas shall submit to the Committee on Local Government
37 Finance created by NRS 354.105 a report that compares the projected and
38 actual budgets of each special revenue fund maintained by the City for each
39 fiscal year of the period beginning July 1, 2013, and ending June 30, 2023.
40 Such report must:

41 (a) Identify each special revenue fund;

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

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

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

48 Sec. 4. 1. There is hereby appropriated from the State General Fund to the
49 Southern Nevada Enterprise Community Board the sum of \$5,000,000 for purposes
50 of carrying out the Southern Nevada Enterprise Community Improvement Project.

51 2. Upon acceptance of the money appropriated by subsection 1, the Southern
52 Nevada Enterprise Community Board agrees to:

1 (a) Prepare and transmit a report to the Interim Finance Committee on or
2 before December 20, 2024, that describes each expenditure made from the money
3 appropriated by subsection 1 from the date on which the money was received by the
4 Southern Nevada Enterprise Community Board through December 1, 2024;

5 (b) Prepare and transmit a final report to the Interim Finance Committee on or
6 before September 19, 2025, that describes each expenditure made from the money
7 appropriated by subsection 1 from the date on which the money was received by the
8 Southern Nevada Enterprise Community Board through June 30, 2025; and

9 (c) Upon request of the Legislative Commission, make available to the
10 Legislative Auditor any of the books, accounts, claims, reports, vouchers or other
11 records of information, confidential or otherwise, of the Southern Nevada
12 Enterprise Community Board, regardless of their form or location, that the
13 Legislative Auditor deems necessary to conduct an audit of the use of the money
14 appropriated pursuant to subsection 1.

15 3. Any remaining balance of the appropriation made by subsection 1 must not
16 be committed for expenditure after June 30, 2025, by the entity to which the
17 appropriation is made or any entity to which money from the appropriation is
18 granted or otherwise transferred in any manner, and any portion of the appropriated
19 money remaining must not be spent for any purpose after September 19, 2025, by
20 either the entity to which the money was appropriated or the entity to which the
21 money was subsequently granted or transferred, and must be reverted to the State
22 General Fund on or before September 19, 2025.

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