

Item # 3-4B

**City of Carson City
Agenda Report**

Date Submitted: 8/2/2007

Agenda Date Requested: 8/16/2007

Time Requested: Consent

To: Board of Supervisors

From: Linda Ritter, City Manager

Subject Title: Action to approve a policy titled "Use of City Facilities by State and County Political Party Central Committees."

Staff Summary: The 2007 Legislature passes legislation that requires that public facilities be made available for activities associated with the presidential election and sponsored by political party central committees free of charge. During a non-presidential election year, it is permissible to charge for the use of the facility, but it must be at the lowest rate charged. This policy places Carson City in compliance with the new legislation.

Type of Action Requested: (check one)
☐ Resolution ☐ Ordinance
☒ Formal Action/Motion ☐ Other (Specify)

Does This Action Require A Business Impact Statement: ☐ Yes (XX) No

Recommended Board Action: I move to approve a policy titled "Use of City Facilities by State and County Political Party Central Committees."

Explanation for Recommended Board Action: This is a mandate by the 2007 Legislature

Applicable Statute, Code, Policy, Rule or Regulation: NRS 293

Fiscal Impact: - Unknown at this time. In the past, we have charged political parties for use of facilities.

Explanation of Impact: We will not allowed to charge during non-presidential years.

Funding Source: unknown

Alternatives: n/a

Supporting Material: Senate Bill 573; Draft policy

Prepared By: Linda Ritter

Reviewed By:

[Signature]
(Department Head)

Date: 8-7-07

[Signature]
(City Manager)

Date: 8-7-07

Melanie Burkett
(District Attorney)

Date: 8-7-07

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)

Use of City Facilities by State and County Political Party Central Committees

POLICY STATEMENT

It is the policy of the Consolidated Municipality of Carson City to provide the county and state political party central committees with free use of rooms or spaces that are available in City facilities that are open to the general public during years in which a presidential election is held. It is also the policy of the Consolidated Municipality of Carson City to provide these same facilities in non-presidential election years for precinct meetings organized by county and state political party central committees free of charge, and for all other meetings in non-presidential election years, at a charge no greater than the charge made to other groups using the same facility.

PURPOSE

This policy sets forth the procedures for accessing City facilities for meetings organized by the state or county political party central committees pursuant to NRS 293 as amended by the 2007 Legislature.

IMPLEMENTING PROCEDURES

Those city departments such as the Parks and Recreation Department that rent or reserve buildings, room and building spaces will allow for the free use of these facilities by state and county central committees for any purpose during presidential election years and therefore will not charge for labor, damage deposits, or rental/reservation fees. During years other than presidential election years, state and county central committees will also be allowed without charge to use these same facilities for precinct meetings. Any other use by these committees will be charged the lowest rate on the fee schedule that is available for other individuals, groups and organizations. In all cases, the political central committees using the space must abide by all policies and procedures in place at the time of the event or meeting. These policies and procedures will include, but not be limited to, reservations and rentals of these facilities, proper time and notification of reservation requests, the provision of all necessary permits and evidence of suitable insurance coverage.

DEPARTMENT RESPONSIBLE

This policy applies to any city department, division and agency that rents, reserves or otherwise makes their buildings, rooms or building spaces available to the general public.

DATE ADOPTED: August 16, 2007 (proposed)

LAST REVISION N/A.

CROSS REFERENCES Resolution 1195-R-42.

Senate Bill No. 573—Senators Raggio and Titus

Joint Sponsors: Assemblymen Buckley,
Mabey and Ocegüera

CHAPTER.....

AN ACT relating to elections; requiring rooms or space in public buildings to be provided without charge for certain purposes; revising provisions governing the scheduling of precinct meetings in relation to the county and state conventions of major political parties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that a county or city clerk may designate any public or private building, or portion thereof, as the site for any polling place during an election. (NRS 293.437) **Section 1** of this bill requires public buildings, or portions thereof, to be made available without charge to state or county central committees of major political parties in presidential election years and at other times for the purpose of conducting precinct meetings.

Existing law provides for the conduct of precinct meetings of major political parties, including the number of delegates that each voting precinct may send to the county convention of a major political party, the dates on which precinct meetings are to be held, the requirements for giving notice of such dates and the manner in which vacancies in the position of delegate are to be filled. (NRS 293.133-293.137) **Sections 2-4** of this bill provide that the rules of the party govern such circumstances.

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

Section 1. Chapter 293 of NRS is hereby amended by adding thereto a new section to read as follows:

Upon application by a state or county central committee, if a room or space is available in a building that is open to the general public and occupied by the government of this State or a political subdivision of this State or an agency thereof, the public officer or employee in control of the room or space shall grant the use of the room or space to the state or county central committee without charge in a presidential election year for any purpose, including conducting precinct meetings, without charge during other years for the purpose of conducting precinct meetings and at a charge not greater than that made for its use by other groups during other years for purposes other than conducting precinct meetings.



Sec. 2. NRS 293.133 is hereby amended to read as follows:

293.133 1. The number of delegates from each voting precinct in each county to the county convention of any major political party for that county must be *determined pursuant to the rules of the party, if the rules of the party so provide, or, if the rules of the party do not so provide*, in proportion to the number of registered voters of that party residing in the precinct as follows:

(a) In the counties in which the total number of registered voters of that party has not exceeded 400, each precinct is entitled to one delegate for each 5 registered voters.

(b) In counties in which the total number of registered voters of that party has exceeded 400 but has not exceeded 600, each precinct is entitled to one delegate for each 8 registered voters.

(c) In counties in which the total number of registered voters of that party has exceeded 600 but has not exceeded 800, each precinct is entitled to one delegate for each 10 registered voters.

(d) In counties in which the total number of registered voters of that party has exceeded 800 but has not exceeded 1,400, each precinct is entitled to one delegate for each 15 registered voters.

(e) In counties in which the total number of registered voters of that party has exceeded 1,400 but has not exceeded 2,000, each precinct is entitled to one delegate for each 20 registered voters or major fraction thereof.

(f) In counties in which the total number of registered voters of that party has exceeded 2,000 but has not exceeded 3,000, each precinct is entitled to one delegate for each 30 registered voters or major fraction thereof.

(g) In counties in which the total number of registered voters of that party has exceeded 3,000 but has not exceeded 4,000, each precinct is entitled to one delegate for each 35 registered voters or major fraction thereof.

(h) In counties in which the total number of registered voters of that party has exceeded 4,000, each precinct is entitled to one delegate for each 50 registered voters or major fraction thereof.

2. ~~[The]~~ *Upon the request of a state or county central committee, the* county clerk shall determine the number of registered voters of each party in each precinct as of ~~[January 1 of each year in which a convention is held,]~~ :

(a) *The date 90 days before the date set for the precinct meeting pursuant to NRS 293.135 and shall notify the Secretary of State and the county central committee of each major political party of those numbers within [30] 10 days after the determinative date. If consistent with the rules of the party, the number determined*



pursuant to this paragraph must be used to determine the number of delegates to the county convention.

(b) Any date other than the date set forth in paragraph (a).

3. In all counties, *if consistent with the rules of the party*, every precinct is entitled to at least one delegate to each county convention.

Sec. 3. NRS 293.135 is hereby amended to read as follows:

293.135 1. The county central committee of each major political party in each county shall have a precinct meeting of the registered voters of the party residing in each voting precinct entitled to delegates in the county convention called and held on ~~for before the fifth day preceding~~ the dates set *for the precinct meeting* by the respective state central committees in each year in which a general election is held.

2. The meeting must be held in one of the following places in the following order of preference:

(a) Any public building within the precinct if the meeting is for a single precinct, or any public building which is in reasonable proximity to the precincts and will accommodate a meeting of two or more precincts; or

(b) Any private building within the precinct or one of the precincts.

3. The county central committee shall give notice of the meeting by:

(a) Posting in a conspicuous place outside the building where the meeting is to be held ; ~~at least 5 days before the date of the meeting;~~ and

(b) Publishing ~~at least 5 days before the date of meeting~~ in one or more newspapers of general circulation in the precinct, published in the county, if any are so published ~~+~~.

on the date set for giving notice of the meeting by the respective state central committees.

4. The notice must be printed in conspicuous display advertising format of not less than 10 column inches, and must include the following language, or words of similar import:

Notice to All Voters Registered
IN THE (STATE NAME OF MAJOR POLITICAL PARTY)

Nevada state law requires each major political party, in every year during which a general election is held, to have a precinct meeting held for each precinct. All persons registered in the party and residing in the precinct are entitled to attend the precinct



meeting. Delegates to your party's county convention will be elected at the meeting by those in attendance. Set forth below are the time and place at which your precinct meeting will be held, together with the number of delegates to be elected from each precinct. If you wish to participate in the organization of your party for the coming 2 years, attend your precinct meeting.

5. The notice must specify:

(a) The date, time and place of the meeting; and

(b) The number of delegates to the county convention to be chosen at the meeting.

Sec. 4. NRS 293.137 is hereby amended to read as follows:

293.137 1. Promptly at the time and place appointed therefor, the mass meeting must be convened and organized for each precinct. If access to the premises appointed for any such meeting is not available, the meeting may be convened at an accessible place immediately adjacent thereto. The meeting must be conducted openly and publicly and in such a manner that it is freely accessible to any registered voter of the party calling the meeting who resides in the precinct and is desirous of attending the meeting, until the meeting is adjourned. At the meeting the delegates to which the members of the party residing in the precinct are entitled in the party's county convention must be elected ~~{by ballot.}~~ *pursuant to the rules of the state central committee of that party. In presidential election years, the election of delegates may be a part of expressing preferences for candidates for the party's nomination for President of the United States if the rules of the party permit such conduct.* The result of the election must be certified to the county convention of the party by the chairman and the secretary of the meeting upon the forms specified in subsection 3.

2. At the precinct meetings, the delegates and alternates to the party's convention must be elected. If a meeting is not held for a particular precinct at the location specified, that precinct must be without representation at the county convention unless the meeting was scheduled, with proper notice, and no registered voter of the party appeared. In that case, the meeting shall be deemed to have been held and the position of delegate is vacant. If a position of delegate is vacant, it must be filled by the designated alternate, if any. If there is no designated alternate, the *vacancy must be filled pursuant to the rules of the party, if the rules of the party so provide, or, if the rules of the party do not so provide, the county central committee shall appoint a delegate from among the qualified members of the party residing in the precinct in which the vacancy*



occurred, and the secretary of the county central committee shall certify the appointed delegate to the county convention.

3. The county central committee shall prepare and number serially a number of certificate forms equal to the total number of delegates to be elected throughout the county, and deliver the appropriate number to each precinct meeting. Each certificate must be in duplicate. The original must be given to the elected delegate, and the duplicate transmitted to the county central committee.

4. All duplicates must be delivered to the chairman of the preliminary credentials committee of the county convention. Every delegate who presents a certificate matching one of the duplicates must be seated without dispute.

5. Each ~~[major political party shall adopt written rules not less than 95 days before the date set by the]~~ state central committee ~~[or fixed by law for the county convention or by January 1 of the calendar year of the national convention or conference, whichever is earlier,]~~ **shall adopt written rules** governing, but not limited to, the following procedures:

(a) The selection, rights and duties of committees of a convention;

(b) Challenges to credentials of delegates; and

(c) Majority and minority reports of committees.

Sec. 5. NRS 293.163 is hereby amended to read as follows:

293.163 1. In presidential election years, on the call of a national party convention, but one set of party conventions and but one state convention shall be held on such respective dates and at such places as the state central committee of the party shall designate. If no earlier dates are fixed, the state convention shall be held 30 days ~~[prior to]~~ **before** the date set for the national convention and the county conventions shall be held 60 days ~~[prior to]~~ **before** the date set for the national convention.

2. Delegates to such conventions shall be selected in the same manner as prescribed in NRS 293.130 to 293.160, inclusive, ~~[except as to time,]~~ and each convention shall have and exercise all of the power granted it under NRS 293.130 to 293.160, inclusive. In addition to such powers granted it, the state convention shall select the necessary delegates and alternates to the national convention of the party, and, if consistent with the rules and regulations of the party, shall select the national committeeman and committeewoman of the party from the State of Nevada.

Sec. 6. This act becomes effective upon passage and approval.

