

Please oppose and vote against any and all of AB 545

I oppose the adoption of any portion of and all of AB 545 for the reasons enumerated and referenced herein.

Please read and place into the Public Record this communication at every possible opportunity

Of the Nevada State Constitution:

Article 4 Section 17 states:

Sec: 17. **Act to embrace one subject only; title; amendment.** Each law enacted by the Legislature shall embrace but one subject, and matter, properly connected therewith, which subject shall be briefly expressed in the title; and no law shall be revised or amended by reference to its title only; but, in such case, the act as revised or section as amended, shall be re-enacted and published at length.

Even a brief cursory review of the approximately 300 pages and 350 sections of this bill reveals that **it addresses far in excess of over 300 individual matters and/or laws.** A more flagrant attempt at legislation in violation of Article 4 Section 17 of the Nevada State Constitution will be found nowhere and at no time in the history of this State. **This Bill (AB 545) is such an unbelievably egregious violation of this provision of the State Constitution that its mere introduction before the legislature is a mockery of the State Constitution** and any form of Rule of Law in Nevada. Its mere introduction cries out for Legislative hearings as to how this matter has been even proposed and/or considered in any manner. Certainly any Legislator, Officer of the State, or other informed person that supports this Bill must be held accountable for any such act or action.

Article 4 Section 21 states:

Sec: 21. **General laws to have uniform application.** In all cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, **all laws shall be general and of uniform operation throughout the State.**

The general “scheme” created several decades ago to establish population thresholds to apply laws to various specific political subdivisions throughout the State and not to others has been, at a bare minimum, highly suspect since its inception. It has been obvious to most for decades that the “population threshold scheme” was and is merely a device to circumvent and bypass the intent of Section 21 of Article 4 of the State Constitution. Now that Washoe County has reached the population threshold to exceed 400,000 (between 100,000 and 400,000) persons originally intended to “distinguish” it from Clark County and the other Counties in the State, AB 545, this not even thinly veiled attempt to maintain the status quo, eliminates any speck of doubt as to this population threshold scheme’s original and prevailing intent. This “population threshold” test has been the bastard child kept not so hidden by the State Legislature in a closet for decades.

I and many others intend to follow the votes of every Nevada State Legislator in regards to AB 545 and publish and publicize them widely throughout the State. Additionally if this measure passes in any form, I intend to sponsor and/or join legal action against the Bill (and/or its legislative supporters) challenging it on a multitude of basis not the least of which it violates both Article 4 Section 17 and Article 4 of Section 21 of the Nevada State Constitution.

It will be abundantly clear that any legislator that supports this Bill in any manner **is not in support of the General Rule of Law** or the **Process that is Due** under said laws and is guilty of a breach of his or her oath of Office to defend and protect the State Constitution. Having recently run for elected office (Blue Dog Democrat Fiscally Conservative Constitutionalist candidate for State Senate) and having attended and spoken at many TEA party rallies I am well aware and a very vocal supporter of the renewed fervor and support for Constitutional based government which this Bill (AB 545) certainly spits in the face of. I sincerely hope and request that each and every State Legislator rises to the occasion and casts aside this measure (AB 545) that is such a threat to the Rule of Law and Constitutional based State Government. The crisis in representative Open Transparent Constitutional based Government that this Bill brings by far transcends any form of Party Politics and the Legislature's handling of this matter will be very revealing as to the future status in this State of **Government of, for, and by, the People**.

It should be inherently obvious that each of the 400 or so changes to State Law proposed within this Bill should have received its own airing thru the Public Hearing process before the proper State Assembly Committee. Also, any City, County, and/or other local political subdivision of the State that takes a position on any portion of this Bill should have had local Public Hearings to discuss before the members of the Public any position they might be taking. I believe that no such Public Hearings have taken place. Certainly none have taken place in Washoe County. The manner in which this Bill has been introduced and has progressed defies any respect or consideration of an Open and Transparent Process. I attended a Hearing that was held on all 300 plus subjects and provisions of this Bill combined before the Government Affairs Committee on April 13th and gave both written and oral testimony in opposition to the Bill for myself and others. At that Hearing when I spoke in opposition to the Bill in its entirety on the Constitutional grounds stated herein, the Chair attempted to restrict and suppress my testimony (see transcripts or tape).

In addition to opposing this measure on the here for cited State Constitutional grounds I oppose it because it has been brought before the Legislature by illegal and scurrilous tactics and process that have violated numerous State Statutes and ethical standards as chronically in the stream of emails that follow. I concur with and join Terry Tiernay in his written testimony in opposition to this Bill.

Additionally I strongly support the application of State Law as it now and has for decades existed to provide for 7 County Commissioners to now be elected from Washoe County because the County has now reached 400,000 in population.

Gary Schmidt 395 Main Street, Gerlach, Nevada 89412
gary@reformnevadapolitics.com nobullschmidt@hotmail.com

38 year resident, business operator, and property owner in Washoe County, Former member of the Washoe County Board of Equalization, participant in thousands of City, County, State, and Federal Hearings, workshops, meetings, caucuses, legislative sessions, and reviews and presentations over 4 decades, Co Founder of the Mt. Rose and Gerlach Historical Societies, former Candidate for Public Office, Successful litigant/complainant against County, City, and State in Open Meeting Law and Public Records Law matters

E-MAILS TO AND FROM LCB

From: **gary schmidt** (nobullschmidt@hotmail.com)

Sent: Sun 4/10/11 9:09 AM

To: leg coun atty (erdoes@lcb.state.nv.us); kmonro@ag.nv.gov; ag taylor (gtaylor@ag.nv.gov); brianb@newsreview.com; norme@dailysparktribune.com (norme@dailysparktribune.com); rgj s falcone (sfalcone@reno.gannett.com); sparks tribune josh (jsiavent@dailysparktribune.com); sue voyles (svoyles@rgj.com); vegas review (evogel@reviewjournal.com); ralston (ralston@vegas.com); panama (thepanamashow@yahoo.com); ktvn (producers@ktvn.com); kirk tv 2 (kfrosdick@krnv.com); info@northvalleys.org; d gustavson (don.gustavson@sbcglobal.net); carson appeal (gdornan@nevadaappeal.com); bonanza tahoe (kmagin@tahoebonanza.com); anythingiron@charter.net (anythingiron@charter.net); naprice@att.net (naprice@att.net); Truthseeker4 Freedom (truthseeker4freedom@gmail.com); ttierknee@aol.com

First in response to your allegation in paragraph one, NRS F.150 only makes (tentatively) confidential matter “entrusted” to the LCB, not the internal responsibilities, obligations, and/or authorizations as a matter of specific law assigned to the LCB as internal functions. NRS F.150 1 (b) further denies any claim of confidentiality unless “at the time of creation a representation of confidentiality was (is) made” and you have adversely admitted that such was not done by your refusal to provide a certified copy of such. **This exception does not make provisions of the BDR confidential**; it only provides the opportunity for said provisions to be made confidential by declaration at the onset of consideration. That is why I have requested a certified copy of any “at the time of creation a representation of confidentiality” which was made. Your subsequent claim that Statutes do not require you to prove said “representation” is curious especially coming from an attorney. You of all people should have been cognizant that you may indeed have to prove such claim in a Court of Law if challenged and any level of prudence would have cried out for you to timely document any such claim. Your apparent position that you are the originator within the LCB and **apparently perhaps made the “representation” of confidentiality in your subconscious at the time of the origination of the BDR and before any work on it is laughable**. Further you are just now disclosing and/or identifying yourself as the person within the LCB that hatched this BDR which is an **untimely** disclosure to my previous Public Records Requests.

I hereby re-request:

Under NRS 239 and all other relevant authority in law please provide me with a "certified" copy of any document that affirms that "at the time of creation a representation of confidentiality was (is) made" of The content of the work product of the Legal and Fiscal Analysis Divisions" in relation to BDR 548 or acknowledge if no such copy of a "representation" exists.

Your statement in paragraph two "In your prior email you indicated that you were merely trying to determine who requested BDR 548 and why it was requested" appears to be a diversion and is taken out of context. I withdraw any comment that "I am merely trying to determine who requested BDR 548 and why". It should be obvious that the depth and scope of my inquires are broad and far reaching and my exact intentions and motivations, while not masked, are not relevant to your and other's responsibilities and obligations to comply with the law included but not limited to the Nevada Public Records Law. Further, in paragraph two you claim or state that part of your duties are to "make recommendations to the Legislature for clarification of specific statutes and call the attention of the Legislature to conflicting statutes." I see nothing "unclear" or "conflicting" in any of the cited statutes now released as subject of BDR 545/AB 548. What I see "you and/or the LCB" doing is making and/or "urging "substantive changes to a vast array of State Statutes which is specifically forbid of you and yours and I believe is not only a clear violation of NRS 218D 100 1 (b) and (c) as well as NRS 218 F .150 1 (a), but very likely a violation of Nevada Ethics Law. If the "Legislature may wish to revise some of the thresholds" they should have timely submitted BDR's which they had the clear authority to do and **you do not**.

As to paragraph three, **let me just say that just because you and/or others may have acted in an unauthorized by law and perhaps unethical manner in 2001 and before it would not, of course, justify any such repeat in 2011.** What happened in 2001 and/or before is not directly relevant to current issues and concerns.

In response to paragraph four, let me just repeat that I have made a request for Public Records under NRS 239 and all other relevant authority and **you have not complied fully to said requests** as is required by law and **are now potentially subject to any action I may file for full and compliant disclosure under the law.**

We will leave for subsequent review and determination as to the sufficiency of the summary statement of the (unauthorized) BDR but let me just say that changing the population thresholds so as to not permit/require 7 County Commissioners in Counties of 400,000 or more persons does not “change” “certain powers of local governments” but at least in part **vetoes and eliminates a long standing right (or power) of representation of the people, not local governments.**

Please forward me under the authority of NRS 239 and all other relevant law any and all documents that reflect, commemorate, describe, and/or otherwise identify and/or reveal any contact with any “local governments” in regards to BDR 545 and/or AB 548.

It would seem incredulous that you would recommend or “urge” the legislature to “make changes to population basis for exercises of certain powers by local governments” without consultation with or recommendations from the “local governments” whose powers you are attempting to “change”. As previously stated if any of these so called local governments had wanted changes to existing law they should have timely submitted BDR’s themselves. The “powers of local governments” are in no way the direct concern of the LCB and for a variety of reasons under the Law the LCB had no authority to initiate this BDR. There is absolutely nothing “unclear” or “conflicting” under the current law(s) you are attempting to change and/or recommend changes to.

From: erdoes@lcb.state.nv.us

To: nobullschmidt@hotmail.com; kmonro@ag.nv.gov; gtaylor@ag.nv.gov; brianb@newsreview.com; norme@dailysparktribune.com; sfalcone@reno.gannett.com; jsiavent@dailysparktribune.com; svoyles@rgj.com; evogel@reviewjournal.com; ralston@vegas.com; thepanamashow@yahoo.com; producers@ktvn.com; kfrosdick@krnv.com; info@northvalleys.org; don.gustavson@sbcglobal.net; gdornan@nevadaappeal.com; kmagin@tahoebonanza.com; anythingiron@charter.net; naprice@att.net; truthseeker4freedom@gmail.com; ttierknee@aol.com

Date: Thu, 7 Apr 2011 22:27:16 -0700

Subject: RE: PUBLIC RECORDS REQUEST BDR 548 SECOND REQUEST !!!!!!!!!!!

Dear Mr. Schmidt,

In response to your initial email on March 7, 2011, your follow-up email on March 10, 2011, and your latest email on April 4, and as previously stated to you, we are prohibited by NRS 218F.150 from disclosing “the contents or nature” of the matter of BDR 548. Since, pursuant to NRS 218F.150, all of the information relating to the “matter” of this BDR is confidential other than the limited information noted in your request that is required to be included on the BDR List, this office is unable to “redact, delete, conceal or separate” any

information relating to BDR 548, because we have already disclosed all that we have that we are allowed to disclose.

In your prior email you indicated that you were merely trying to determine who requested BDR 548 and why it was requested. As indicated on the BDR List, BDR 548 was requested by the Legislative Counsel – I am the Legislative Counsel, and I requested the BDR. NRS 220.080 provides that one of my duties as Legislative Counsel is to make recommendations to the Legislature for clarification of specific statutes and call the attention of the Legislature to conflicting statutes and such other matters as the Legislative Counsel deems necessary. Many statutes base the exercise of the powers of local governments upon the population determined by the census as provided in NRS 0.050. With the 2010 census being completed and delivered to the State, the Legislature may wish to revise some of the thresholds.

As for your specific questions, the Legislative Counsel is authorized pursuant to NRS 218D.155 to request the drafting of as many legislative measures as are necessary or convenient for the proper exercise of the Legislative Counsel's duties. You seem to believe that this matter was requested by somebody else: it was not; as indicated on the BDR list, I requested the measure so that the Legislature could again consider this issue (similar legislation was considered and approved in 2001).

I will not be providing a “certified” copy of a representation of confidentiality, both because no such document is required by statute and, if it were, there is no requirement in statute to prove a representation of confidentiality. Further, as indicated in my previous emails, there are several grounds for the confidentiality of this information.

Finally, your claim that the summary is inadequate is similarly without merit. The summary describes exactly what the legislation does (to the extent that a brief summary can) and is comparable in length and detail to every summary ever placed on a BDR List.

Sincerely,

Brenda J. Erdoes

Legislative Counsel

From: gary schmidt [mailto:nobullschmidt@hotmail.com]

Sent: Monday, April 04, 2011 2:32 PM

To: Erdoes, Brenda; ag monro; ag taylor; brianb@newsreview.com; norme@dailysparkstribune.com; rgj s falcone; sparks tribune josh; sue voyles; vegas review; ralston; panama; ktvn; kirk tv 2; info@northvalleys.org; d gustavson; carson appeal; bonanza tahoe; anythingiron@charter.net; naprice@att.net; Truthseeker4 Freedom; ttierknee@aol.com

Subject: FW: PUBLIC RECORDS REQUEST BDR 548 SECOND REQUEST !!!!!!!!!

This is the **third written request for Public Records as described within the e-mails attached.** If after 3 days you have not complied with your obligation under the Nevada Public Records Law **I may be forced to proceed with a District Court Action against you and your organization.** I would additionally request at this time that BDR 548 (AB 545) be withdrawn and removed from consideration before the legislature as it was not offered or introduced by any person or organization with said authorization under the law. Additionally since the bill as currently drafted proposes to change population thresholds not just "inform" the legislature as to the effects of the new population figures, it obviously constitutes a recommendation or "urge(ing)" of support for the population changes. Since you have purported that the Legislative Counsel is the initiator of the Bill (unauthorized) you have violated the State Statute that forbids the Legislative Counsel from "urge(ing)" any legislation. This additionally taints the Bill and is further reason for it to be immediately withdrawn. It would appear to me at this time that there also may likely be State Ethical Violations that have occurred in this process.

From: nobullschmidt@hotmail.com
To: erdoes@lcb.state.nv.us
Subject: FW: PUBLIC RECORDS REQUEST BDR 548 SECOND REQUEST !!!!!!!!!!!
Date: Fri, 25 Mar 2011 12:17:15 -0700

Second Request !!

From: nobullschmidt@hotmail.com
To: erdoes@lcb.state.nv.us; kmunro@ag.nv.gov; brianb@newsreview.com; info@northvalleys.org; gary@reformnevadapolitics.com; sfalcone@reno.gannett.com; jsivent@dailysparktribune.com; svoyles@rgj.com; truthseeker4freedom@gmail.com; ttierknee@aol.com
CC: malkiewich@lcb.state.nv.us
Subject: RE: PUBLIC RECORDS REQUEST BDR 548
Date: Sun, 13 Mar 2011 19:32:09 -0700

Brenda J. Erdoes; Legislative Counsel

The web site listing for BDR 548 lists the Legislative Counsel as the requester. Please provide copies of any and all authority for the Legislative Counsel to **initiate** this BDR and/or any BDR. Please note;

(1. The Director, other officers and employees of the Legislative Counsel Bureau shall not:

(a) Oppose or urge legislation, except as the duties of the Director, the Legislative Auditor, the Legislative Counsel, the Research Director and the Fiscal Analysts require them to make recommendations to the Legislature.

If the Legislative Counsel is indeed the actual requester of BDR 548 that would then imply that no Legislator or other person made the request for the BDR of the Legislative Counsel and indeed it was initiated solely by the Legislative Counsel and not by them as a surrogate for any other person or persons. In that event, please provide copies of any and all documents that reflect who within the Legislative Counsel made the request, that is which person or persons actually initiated and/or completed the request that caused the BDR to be placed on the web site. If the Legislative Counsel was just an intermediary, then please provide copies of any and all documents that disclose the **actual** Legislative requester or requesters and/or other requesters. NRS 218D 130 certainly provides that the **actual** requester must be disclosed and not just some shill or pitchman used to hide the true identity of the requester.

Please also provide a "certified" copy of any document that affirms that "at the time of creation a representation of confidentiality was (is) made" of "The content of the work product of the Legal and Fiscal Analysis Divisions" in relation to BDR 548.

Additionally I believe that the verbage "**Makes changes to population basis for exercises of certain powers by local governments.**" included on the BDR (548) does not satisfy the requirement of "a brief summary of the request." Does it propose to raise or lower the "population basis", what "certain powers, and there is no assertion or description of any fiscal impact?

I again repeat; The air of secrecy and resistance evolving in reaction to our attempts to become informed just further creates an atmosphere of distrust and suspicion that is unbecoming to a legislature and State that makes claims to openness and "sunshine" in the overall process of governess.

Gary R. Schmidt, Reform Nevada Politics .com

From: erdoes@lcb.state.nv.us

To: nobullschmidt@hotmail.com; kmunro@ag.nv.gov; brianb@newsreview.com; info@northvalleys.org; gary@reformnevadapolitics.com; sfalcone@reno.gannett.com; jsiavent@dailysparkstribune.com; svoyles@rgj.com; truthseeker4freedom@gmail.com; ttierknee@aol.com

CC: malkiewich@lcb.state.nv.us

Date: Sat, 12 Mar 2011 23:34:25 -0800

Subject: RE: PUBLIC RECORDS REQUEST BDR 548

Dear Mr. Schmidt,

In response to both your initial email on March 7, 2011, and your follow-up email on March 10, 2011, we are unable to furnish any public books or records at this time because disclosure of any information described in your request is prohibited by NRS 218F.150. That section provides:

1. The Director, other officers and employees of the Legislative Counsel Bureau shall not:

(a) Oppose or urge legislation, except as the duties of the Director, the Legislative Auditor, the Legislative Counsel, the Research Director and the Fiscal Analysts require them to make recommendations to the Legislature.

(b) Except as otherwise provided in this section, NRS 218D.130, 218D.135, 218D.250 and 353.211, disclose to any person outside the Legislative Counsel Bureau the contents or nature of any matter, unless the person entrusting the matter to the Legislative Counsel Bureau so requests or consents.

2. The nature or content of any work previously done by the personnel of the Research Division of the Legislative Counsel Bureau may be disclosed if or to the extent that the disclosure does not reveal the identity of the person who requested it or include any material submitted by the requester which has not been published or publicly disclosed. The content of the work product of the Legal and Fiscal Analysis Divisions is confidential and not subject to subpoena only if at the time of creation a representation of confidentiality is made.

3. When a statute has been enacted or a resolution adopted, the Legislative Counsel shall upon request disclose to any person the state or other jurisdiction from whose law it appears to have been adopted.

4. The records of the travel expenses of Legislators and officers and employees of the Legislative Counsel Bureau are available for public inspection at such reasonable hours and under such other conditions as the Legislative Commission prescribes.

(Emphasis added.) The only one of the 5 exceptions to the prohibition in NRS 218F.150 that is applicable to your request relates to the BDR List. NRS 218D.130 provides that, with certain limited exceptions, the BDR List “must only contain the name of each requester, the date and a brief summary of the request.” Thus, we are prohibited by NRS 218F.150 from disclosing “the contents or nature” of the matter of BDR 548. Since, pursuant to NRS 218F.150, all of the information relating to the “matter” of this BDR is confidential other than the limited information noted in your request that is required to be included on the BDR List, this office is unable to “redact, delete, conceal or separate” any information relating to BDR 548, because we have already disclosed all that we have that we are allowed to disclose.

All of the other citations included in my first email to you are redundant in this matter so are not further set out here.

In response to your assertion that there is an “air of secrecy and resistance evolving in reaction to our attempts to become informed” I will renew my earlier offer to you to discuss with you the BDR process and the manner in which BDRs of this kind are generally brought before the Nevada Legislature. My phone number is (775) 684-6833.

Sincerely,

Brenda J. Erdoes

Legislative Counsel

From: gary schmidt [mailto:nobullschmidt@hotmail.com]

Sent: Thursday, March 10, 2011 10:38 AM

To: Erdoes, Brenda; ag munro; brianb@newsreview.com; info@northvalleys.org; reform nevada politics; rgj s falcone; sparks tribune josh; sue voyles; Truthseeker4 Freedom; ttierknee@aol.com

Subject: RE: PUBLIC RECORDS REQUEST BDR 548

Thank you for your response to my Public Records Request. Under NRS 239.010 3. "A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate the confidential information from the information included in the public book or record that is

not otherwise confidential." Please comply with my request providing the documents in any form, redacted or otherwise, with specific reference and identification to any and all privileges claimed for each line or data point. Even if you redact substantially a complete document the form and such things as the dates will be of value the the Court in its review of your claims of privilege and/or confidentiality. Further any reference to "case law" in general does not satisfy the strict parameters required under NRS 239.0107 (d) (2) "A citation to the specific statute or other legal authority that makes the public book or record, or a part thereof, confidential." A "**specific**" reference to each claim you are now making in reference to each item of information on each "document" on which you are claiming any privilege and/or confidentiality is required. Further, a reference to "case law" is not "specific" and does not satisfy the requirements of the statute. You must identify the specific "cases" and the relevance to each item of information that any claim of privilege or confidentiality is made. Hopefully with further disclosure and explanation of your positions we can avoid the necessity of an 'application to the Court" can be avoided. Certainly you are familiar with the provisions of NRS 239.011 whereby "If the requester prevails, the requester is entitled to recover his or her costs and reasonable attorney's fees in the proceeding from the governmental entity whose officer has custody of the book or record."

Please note that I am merely trying to determine "by whom" and "Why" this BDR was requested as I anticipate I and many others may likely be opposed to it and we would like to begin to express any such opposition but require some additional information to commence any such action. Members of the media also have expressed an interest in this BDR and its origin. The air of secrecy and resistance evolving in reaction to our attempts to become informed just further creates an atmosphere of distrust and suspicion that is unbecoming to a legislature and State that makes claims to openness and "sunshine" in the overall process of governess. Gary Schmidt

I am merely attempting to determine the origin of the request

From: erdoes@lcb.state.nv.us
To: nobullschmidt@hotmail.com
Date: Wed, 9 Mar 2011 22:31:31 -0800
Subject: RE: PUBLIC RECORDS REQUEST BDR 548

Dear Mr. Schmidt:

In your e-mail below to me on March 7, 2011, you requested copies of any and all documents, electronic or otherwise related to, referencing, noting, involved in the inception or creation of, indentifying the authors or requestors of, commemorating conversations concerning, and/or requesting the posting on the Legislative or Legislative Counsel's WEB sites of BDR 548. The term "public books and public records" for the purposes of chapter 239 of NRS does not include the information you requested. Additionally, the information you requested is not subject to disclosure based on the following grounds: confidentiality of matters entrusted to officers and employees of the Legislative Counsel Bureau (NRS 218F.150(1)(b)), legislative privilege (under the Nevada Constitution, NRS 41.071 and case law), the deliberative process privilege (under case law), the official information privilege (under case law), attorney-client privilege (NRS 49.095) and communications made to a public officer in official confidence (NRS 49.285).

Please contact me if you have any questions concerning this matter.

Sincerely,

Brenda J. Erdoes

From: gary schmidt [mailto:nobullschmidt@hotmail.com]
Sent: Monday, March 07, 2011 1:58 PM
To: Erdoes, Brenda
Subject: PUBLIC RECORDS REQUEST BDR 548

To Brenda Erdoes, Attorney for the Legislative Counsel

This is a Public Records Request under NRS 239 and all other relevant law, policy, procedures, and/or Judicial Directives. Please provide copies of any and all documents electronic or otherwise related to, referencing, noting, involved in the inception or creation of, indentifying the authors or requestors of, commemorating conversations concerning, and/or requesting the posting on the Legislative or Legislative Council's WEB sites AB 548 as depicted from the following "copy" from said sites.

Legislative Counsel

Makes changes to population basis for exercises of certain powers by local governments..

Respond under the requirements as commanded in law to:

Gary Schmidt at

nobullschmidt@hotmail.com and/or

gary@reformnevadapolitics.com and/or

Gary Schmidt at 775 622-4670

Still in need of consideration are the following issues: ARTICLE. 4. - Legislative Department.
Section 20. **Certain local and special laws prohibited. The legislature shall not pass local or special laws in any of the following enumerated cases—that is to say:**
Regulating county and township business;

Sec: 21. **General laws to have uniform application.** In all cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, **all laws shall be general and of uniform operation throughout the State.**

AB545, without a doubt creates multiple standards of regulation concerning county powers under section 20. If AB545 is in fact a “general” law, then the currently established thresholds in NRS must remain in effect or the requirement of “uniform operation throughout the State” would be violated.

2. (a) Although AB545 groups issues under general title of ‘population basis,’ the bill addresses more than one issue under that general title (ARTICLE 4 Sec: 17. Nevada Constitution).

Article 4

Sec: 17. **Act to embrace one subject only; title; amendment.** Each law enacted by the Legislature shall embrace but one subject, and matter, properly connected therewith, which subject shall be briefly expressed in the title; and no law shall be revised or amended by reference to its title only; but, in such case, the act as revised or section as amended, shall be re-enacted and published at length.

Sec: 21. **General laws to have uniform application.** In all cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the State.

Article 1

Sec: 10. **Right to assemble and to petition.** The people shall have the right freely to assemble together to consult for the common good, to instruct their representatives and to petition the Legislature for redress of Grievances

Sec: 13. **Representation apportioned according to population.** Representation shall be apportioned according to population.