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Assembly

MINUTE OF MEETING - COMMITTEE ON STATE, COUNTY AND CITY AFFAIRS,
54th Session, January 30, 1967.

Meeting was called to order at 11:00 a.m.

Present: Hilbrecht, Garfinkle, Dini, Tyson, Bryan Hafen, Smith, Roy Young.

Absent: McKissick, Wooster.

Chairman Hilbrecht opened the meeting by calling for a general discussion of Assembly Joint Resolution No. 28 of the 53rd Session proposing an amendment to Article 4 of the Constitution of the State of Nevada, relating to consolidatin the city designated as the seat of government and the county containing it, namely Carson City and Ormsby County. He suggested that consideration be given the advisability of setting a precedent for political subdivisions desiring to consolidate or merge to do so by constitutional amendment especially in view of other proposed moves being considered throughout the State. He urged consideration of a single amendment to the Constitution that would establish a broad base and establish methods whereby such consolidations or mergers could be effected. The question was considered as to whether the legislature should be approached in every such instance and whether or not the localities concerned should be empowered after referendum approval to proceed without legislative intervention on purely constitutional grounds. The question of local determination was discussed and the dangers of allowing some unrestricted powers to rest with a small group of county commissioners were outlined. Assemblyman Kean, who was present as an interested party, was asked by the Chairman for his views.

Assemblyman Kean pointed out that in past considerations, the legislature, thought it might be remote to a given locality's problems, was oftentimes the body best equipped to judge or correct local problems by offering judgments removed from the local pressures or undesirable developments within that locality.

Chairman Hilbrecht stated that Senator Pozzi had requested a hearing on this resolution.

Mrs. Tyson moved AJR No. 28 for hearing to be set by further action of the committee after notifying Senator Pozzi.

Mr. Smith seconded.

Motion unanimously passed.

Mr. Smith asked for clarification relative to the time factor that would evolve if no action were taken on the specific merger request of Carson City and Ormsby County. A term of six years had been mentioned as that time that would have to elapse if no action were taken now. It was stated that would be the time required if a constitutional amendment were to become effective.

Chairman Hilbrecht at this time officially introduced Assemblyman Kean for his comments on AB 83 that has been referred to this committee.

Mr. Kean stated that this measure was proposed due to the ambiguity presently in effect with regard to procedures required precedent to the re-zoning of land development areas. The present requirement is that no changes in the zoning can be made without public hearings, postings, and publications but fails to outline satisfactory specifics with regard to these procedures. The law requires that the people within 300 yards of an area to be rezoned must be notified. However, example was cited of large tracts being considered for rezoning wherein only large estates are involved and it was suggested that consideration be given to formulating a method whereby a sufficient ratio of the people affected by a zoning change be required to receive notice for public hearing. Also it was suggested that the actual affected area be more specifically designated so that there would be less chance of people directly involved as owners would not be overlooked in the considerations. Mr. Kean advised the committee that he would appreciate their due consideration of the questions inherent and that he would welcome their cooperation in the solutions to be legislated.

Chairman Hilbrecht appointed a sub-committee to research the problems inherent in AB 83 composed of Mrs. Tyson, Chairman; Hal Smith and Mr. Garfinkle.

Mrs. Tyson moved AB 83 continued for consideration pending the sub-committee's findings.
Mr. Garfinkle seconded.
Motion unanimously passed.

Chairman Hilbrecht called the committee's attention to AB 109 supported by Assemblyman Swackhamer pertaining to school bonds. It was agreed that Mr. Swackhamer be called to report back to the committee on this measure at the next meeting.

Consideration now passed to AB 28 pertaining to the uniform time act.

Mr. Young moved AB 28 continued for future consideration when the interested members of the White Pine and Lincoln County districts could be heard.
Mr. Smith seconded.
Motion unanimously passed.

Discussion was then given to AB 21 an old act which makes it unlawful to drive animals across bridges at excessive speeds. It developed that Mr. Young was sponsoring a repeal measure that would be presented to the committee at a future date.

Mr. Young moved AB 21 for further consideration until the repeal measure is drafted.
Mr. Smith seconded.
Motion passed unanimously.

Consideration passed to Assembly Joint Resolution No. 3, a technical measure taking away from the legislature the right to fix the compensation of county officers. Discussion was held on the merits of county commissioners having the designated power versus the state. Also the matter of control over the compensatory rates established from a budget standpoint was discussed.

Mr. Young moved AJR No. 3 continued until Mr. Wooster could be called in as sponsor of the measure.
Mr. Garfinkle seconded.
Motion unanimously passed.

AB 45 dealing with legal holidays and days of observance was discussed. The problem of schools conforming to required attendance days as related to legal holidays was discussed and the practice of individual unions or banking institutions fixing their own holidays was mentioned.

Mrs. Tyson moved AB 45 for continued consideration at the next regular meeting.
Mr. Garfinkle seconded.
Motion unanimously passed.

Mr. Hilbrecht reminded the committee that AB 48 and 49 had been scheduled for hearing on Friday, January 3.

Mr. Terrell from the office of Fiscal Analyst was called to the committee hearing for consultation on AB 47 and AB 52.

While waiting for Mr. Terrell to appear discussion was opened on AB 58, a technical bill, and AB 56 relating to the town of Wells, Elko County.

Mrs. Tyson moved AB 58 for continued consideration pending further inquiry.
Mr. Garfinkle seconded.
Motion unanimously passed.

Mr. Young moved AB 56 for further consideration pending contact to ascertain if a new city charter had been adopted.
Mrs. Tyson seconded.
Motion unanimously passed.

Mr. Terrell appeared and presented the committee with a letter to Mr. McDonald regarding AB 47. He further explained the reasons for presenting AB 52 clarifying the duty of both the Treasurer and the Controller with regard to drawing of warrants, their deposit, etc.

Mr. Smith moved Do Pass AB 47.
Mrs. Tyson seconded.
Motion unanimously passed.

Mr. Smith moved Do Pass AB 52.
Mr. Garfinkle seconded.
Motion unanimously passed.

Discussion of AB 60 and the meeting of the Colorado River Commission's effect upon it was opened. Agreement was reached to contact the Commission's representative on his pending visit to the legislature with regard to this measure.

Mr. Garfinkle moved adjournment.
Mr. Hafen seconded.
Motion unanimously passed.

Chairman Hilbrecht announced that AJR 109, AB 28, and AJR 3 would be on the agenda of the next meeting Wednesday, February 1.