

Assembly

MINUTES OF THE MEETING OF
STATE, COUNTY AND CITY AFFAIRS COMMITTEE
FEBRUARY 19, 1968

Members Present: Hilbrecht, Garfinkle, Young, Smith, Tyson, Petrini
Dini, McKissick

Members Absent: Hafen

Also Present: Members of the Press and interested people.

Chairman Hilbrecht opened the meeting with the presentation of the amendments he had had prepared on AB 2, explaining that these amendments applied only to AB 2, and would be in addition to the amendments already approved on SB 9. The Chairman stated that he and Assemblyman Smith had met with California Assemblyman Z'Berg, and he had indicated that the changes already made in SB 9 were acceptable to the California Legislature, and that he saw no problems in connection with the proposed amendments Chairman Hilbrecht was presenting. Chairman Hilbrecht explained that these amendments changed the dual majority to a two-thirds majority, thus eliminating the two single states majority in all except fiscal matters. The Chairman also pointed out that these amendments also require at least 20 days notice of a public hearing, and a public hearing before adopting any plan, he stated that he felt that this procedure would be more successful as this is the way it is now being done in both California and Nevada. He also felt the amendment covering the adopting of a master plan, requiring 60 days for such action to become effective would give all local governments the chance to adopt their own ordinance, therefore the enforcement of such ordinances would be in the hands of the local governments, which would be more workable, both from the standpoint of good government and from the practical standpoint of finances. Under the proposed budget, it would be impossible to have the personnel necessary to enforce such ordinances. These amendments also clarified the intent of having a planning committee, made up of technical people to formulate the actual plans, and the governing body, which would have the final authority. Such an amendment would satisfy much of the criticism brought out at the public hearing, concerning the lack of administrative recourse, and would in fact, avoid forcing court action and many of these matters and also would be much the same as the situation is now, the way people are used to doing, with the final authority being vested in the governing body. Senator Swobe states that this was the intent of his bill, and this amendment will make it crystal clear.

The Chairman stated that he felt that the charge that the bill was being killed with amendments was unjustified, that the need for a strong regional agency with the authority to enact ordinances was great, that we cannot wait for the local governments to act, and that it cannot be individual action, all must act together. He stated that he had just had a meeting with Governor Laxalt, who agreed to all the amendments.

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At present SB 9 is in the Senate Finance Committee, so the suggestion of the chair is that these amendments be adopted, but the bill be held, until SB 9 is sent from the Senate, in order to keep the authorship intact and give the author credit.

Assemblyman McKissick stated that his feeling was that we should sent a good bill to California. He said that we must face the fact that the local agencies are doing a poor job in this respect (planning) and the super agency should not get bogged down in details, he felt that the creation of the planning agency would allow the regional agency and the local agency to do a better job. The super agency would be concerned with policy, the planning agency with the technical details, and the local governments would be concerned with enforcement, while still retaining control over the other two agencies, by the selection of the membership of the agencies. This is a new area of government, and should contain some measure of the check and balance system.

Chairman Hilbrecht explained that the money needed to enforce such ordinances will not be available to the super agency, and he compaired it to the stop sign laws, stating that the State of Nevada has a law concerning stop signs, and that every individual governmental body in the State also has such a law, people who break this law are tried by the local authorities under the local regulations, however, if one of these bodies repealed their law, the law could still be enforced by the State. This is the situation which hopefully would develope under this legislation.

Assemblyman Smith stated that although Assemblyman Z'Berg had assured him that he had the authority to accept the discussed amendments, he would suggest that a conference be arranged with the Committee from the California Legislature to discuss these areas of change.

Assemblyman Tyson moved that the amendments be adopted and that the bill be held in Committee.

Assemblyman Garfinckle seconded the motion.

Assemblyman Young questioned the idea of removing the dual majority, stating that he feared that a few members from one state could control the agency. Assemblyman McKissick pointed out that this would work either way, and a few members from one state could stop something they didn't approve of. Chairman Hilbrecht pointed out that he felt that the 2/3 would tend to make the agency act as a regional agency, instead of two state agencies. Assemblyman Z'Berg suggested that a veto power could be given both states, which would be a great mastake in his opinion.

Assemblyman McKissick discussed the addition of another amendment which he had had drafted, concerning the allocation of water, asking for cooperation between this agency and the Water Compact, so that their work could be coordinated, as water is such an important thing in Nevada. Chairman Hilbrecht stated that he had discussed this idea with Mr. Daykin, who was of the opinion that the Legislature had already placed the allocated. of water under another agency. Mr. Knisley stated that he had attended the Compact meeting for the past 12 years and urged the Committee not to include water allocation in this bill. He stated that Senator Dodge had submitted a well considered amendment concerning water allocation, and that any further amendments were not necessary.

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Assemblyman McKissick stated that he would reconsider offering the amendment.

Assemblyman Tyson amended her motion to recommend a Do Pass as amended, and asked that the bill be held on the Chief Clerk's desk.

Assemblyman Garfinckle seconded the motion.

The motion carried.

Chairman Hilbrecht stated that a hearing would be held on Tuesday, February 20, at 2:30 PM, in the Assembly Chambers, concerning the complaints against the rates of the Southwest Gas Company. He asked for a motion that the hearing be considered a Committee Hearing.

Assemblyman Smith moved to consider the hearing on ACR 9 as Committee business.

Assemblyman Garfinckle seconded the motion.

The motion carried.

Assemblyman Petrini asked that a representative of the Public Service Commission be invited to attend the hearing. Chairman Hilbrecht stated that this would be done. He stated that he planned to have all parties limited in time, and would see that the hearing was not overlong.

Chairman Hilbrecht asked Assemblyman Smith to arrange a conference with the California Legislative Committee and report back to this Committee on the arrangements.

The next meeting will be held on February 20, 1968, at 9:00 AM.

Assemblyman Garfinckle moved the meeting be adjourned.

Assemblyman Petrini seconded the motion.