

NEVADA LEGISLATURE - SPECIAL SESSION

SENATE FINANCE COMMITTEE

February 19, 1968

A meeting of the Senate Finance Committee regarding Senate Bill No. 9 was called to order by Chairman, Floyd R. Lamb, on February 19, 1968, at 2:50 p.m.

All members of the Senate Finance Committee were present.

Also present: Senator Young
Senator Christensen
Senator Bunker
Senator Hecht
Ray Knisley
Lee De Lauer
Wally White
Esther Nicholson, League of Women Voters
Art Wood, Incline Village Developer
Mrs. Richard Miller

Mr. Wally White began the discussion on amendments to Senate Bill No. 9 which were passed out to those present.

He stated first that he would like to make it very clear that Lake Tahoe has a clear water supply without pollution. They have adequate restrictions up there to prevent water pollution. However, he said, if those present were talking about uncontrolled planning, about such a thing as soil erosion, then there are not adequate controls. He did suggest some changes, and these have been included. Now, he stated, as he saw it, this is a broad agency. It does not intend, but it can take over the powers of the two states or the counties. It does cover five counties of the Basin area.

Art Wood said that \$150,000 would barely open the door as far as expense was concerned. He said it had to be limited somewhere, and it should be limited to the amount of money appropriated.

Ray Knisley said he did agree with the premise that this agency could run wild and spend money, but he didn't think the function of this agency had been fully studied by those present. There is, he said, a coordinating-planning agency. Once this commission is set up, the Act provides for the planning agency here. As far as a staff is concerned, a secretary in the office and two men in the field is about all it will amount to. This is not a monstrosity. It is a very simple structure.

Art Wood said he would like to ask Mr. Knisley if he has looked at what has already happened in California.

Senator Lamb asked if he was saying that California had already appropriated more money. Mr. Wood replied that if you looked at the California Bill, you would find the two Bills were exactly alike.

Mr. Knisley stated he would go home and study the Bill step by step. He reiterated its simplicity and said that the super-agency would only act when a violation wasn't covered at the county level. There is still appeal to a court, he said, when a matter has not been satisfactorily handled. Further, there is appeal to the Legislature. This agency does not usurp the county authority.

Senator Lamb asked if the super-agency thought the local agency wasn't doing right in the interim, who would have jurisdiction, to which Mr. Knisley replied he believed the super-agency would have that jurisdiction.

Mr. Wood stated that Washoe County had adopted a plan and he had worked with them for eight years. He didn't want this work all wiped out. He said this Act took all authority away from the state and county.

Senator Lamb called attention to Section 8, Lines 25 and 26.

Mr. De Lauer then spoke and said that they were trying to be practical about this Act. He said there were five counties and one city with this master plan, but there was just a technical staff with no representation from the people at the Lake. He said they had suggested to Senator Swobe that they make it a Planning Commission. We would like the Technical Agency to have some men on it who live in the Basin. The Technical Committee, he said, should be made a Planning Commission which will be responsible to the Agency. We would like to have Senator Swobe talk to us about lay representation. We feel it would strengthen the Swobe Bill.

Mr. White answered that what Mr. De Lauer wanted was taken care of in the amendment on Page 4. He said they went through this hassle before, regarding people from the Lake being represented, and from one county there wouldn't be a person from the Lake on our side. He said all of the jobs would be as good as the people appointed to them. Mr. White indicated that California wouldn't buy it.

Mr. De Lauer asked if Mr. White was saying that people in Natural Resources should be the ones who supervise planning at the Lake.

Mr. White said he thought this was logical.

Mr. Knisley stated that in California, the two counties that border on the Lake each have a Supervisor. It is mandatory in California that these two men serve on the Commission.

Senator Swobe entered at 3:20 p.m.

Senator Alleman entered at 3:22 p.m.

Senator Brown stated that those present had indicated that many of the present plans were the ones that would be adopted by the super-agency. He asked if they were doing anything now at Incline that would be detrimental to the Lake. He said he would think the concern in this matter would come from the smaller developer.

Mr. White said the big developer should be interested, if anyone, because this was the only way they were going to get their money out of it.

Senator Brown asked if they did not think the criteria they had used is so superior to anything else that they should continue along the same lines.

Art Wood stated at this point that if the Bill passed, they would file two suits. He stated they were for the preservation of Lake Tahoe also.

Senator Lamb said he raised the question to Coe Swobe in regards to planning that had already been started, and what this Agency would do with these people.

Mr. Wood said if they could have some overall plan grandfathered in-- He said this Bill needs a provision in it where the Agency can't hold up something for any length of time. They should be limited as to time.

Senator Swobe said he didn't want to carry the matter on, but that as of August of last year, they were supposed to have received some requested amendments from Mr. Wood, which were not forthcoming. We could strike "Technical" and call it "Advisory Planning Committee." The governing agency can add to this committee, then, if a matter comes before the governing agency, the governing agency can take action on themselves, and if so, they may also send it to the advisory committee for hearing. Then they will come back and suggest recommendations to the governing board. The governing board can alter, change or reject these recommendations. Then, before an ordinance becomes effective, it takes 60 days. He stated Assemblyman Hilbrecht and his group agree with the changes recommended, and they will have the amendments ready to pass out to the Finance Committee the next morning. He said he did not agree with Wally White and he felt that ten years ago, Art Wood would have agreed with the Committee.

He also said the Technical Advisory Committee can say if they want some lay people in there.

Mr. De Lauer said he thought they should appoint five lay people from the counties, to which Mr. Swobe answered that all that was needed was adequate representation from the counties.

Further discussion followed on the language of Mr. De Lauer's proposed amendment.

Mr. Wood stated he would much rather deal with technical people than lay people who didn't know what they were doing.

Senator Lamb said that it was still not clear to him what would happen to those plans that had already been approved.

Senator Swobe answered that the double majority protects these people. There is also due process of law. He said they should not hamstring these people. What we are trying to do is create a master plan for the entire area. The County Commissioners of Washoe County have adopted a plan. He said it seemed impractical to him that these men would go in and say what they did was entirely wrong.

Art Wood said that in Placer County they asked for Placer County to bring in everything they had done for the past 18 months.

Mr. Swobe explained that a certain number of months have been inserted for them to come up with an interim plan and then a general plan. Then the local jurisdiction would have the right to conform their planning to the master plan. He said that if there is some concern that this agency might have an application and refuse to act on it, it can be put in there that they have to do something within 60 or 90 days.

Senator Gibson said he wanted to clear up one thing. He called attention to Sections 14 and 15. He said that if the time was changed, the Bill would have to go back to California and then if they concur, come back to the Governor of Nevada. It wouldn't become effective for 90 days, then, 18 months later would come the final plan. It doesn't throw out the existing plans here after it is passed.

Mr. Wood stated that his point is that they can't do what they say they are going to do without a lot of money, unless you can cut it to a guideline authority.

Senator Lamb asked if he was asking if they only gave them \$150,000, where would they get the rest.

Senator Swobe asked if he was suggesting they put in a fee schedule. Mr. Wood stated that what he was saying was that they were giving them unlimited power in the Tahoe Basin, to which Mr. Swobe replied that he agreed, but felt that where there were representatives of the people there, they would not try to destroy the Lake.

Mr. Wood replied that he did not want to see Lake Tahoe destroyed, but that he was for development, and he felt the Bill had enough authority to shut this out.

Senator Lamb asked what kind of a clause he would like written into this.

Mr. Wood said he wanted a clause that would prevent them from starting over again with eight years of zoning work.


Senator Lamb stated they wanted to do the best thing for the most people.

With this comment, Chairman, Floyd R. Lamb, adjourned the meeting at 4:00 p.m.

Respectfully submitted,



Viola R. Bonawitz - Secretary



Floyd R. Lamb - Chairman