

JOINT HEARING

Senate Committee on Federal, State and Local Governments
 Assembly Committee on Government Affairs

A joint hearing of the above named committees was held on February 20, 1969, at 7:00 P.M. in the assembly chambers. The purpose of this meeting was consideration of the consolidation of Carson City-Ormsby County.

Those in attendance were:

James I. Gibson, Chairman)	
Chic Hecht)	Senate Committee on Federal, State
Warren L. Monroe)	and Local Governments
Vernon E. Bunker)	
Hal Smith, Chairman)	
C. W. Lingenfelter)	Assembly Committee on Government Affairs
Virgil Getto)	
Joseph Dini)	
Tom Kean		Assemblyman
Arch Pozzi		Senator and Introducer of this bill
L. Jacobsen		Assemblyman
Curt Blyth		Nevada Municipal Association
Richard Hanna		Attorney, Carson City
James Robertson		Mayor, Carson City
John Meder		Board Chairman - County Commissioners
Dennis Wright		Attorney, Legislative Counsel Bureau
Albert Autrand		Former Mayor of Carson City
Henry Etchemendy		City-County Manager, Carson-Ormsby
Harry Migels		Citizen
Gertrude Gottschalk		Citizen
Ernest Gregory		Citizen
William Goni		County Clerk, Carson City

Press representatives

Chairman Gibson called the Joint Hearing to order and stated that the purpose of the meeting was to consider Senate Bill 75, which is identified as a bill consolidating Ormsby County and Carson City into one municipal government. He then asked Mr. Etchemendy to give an explanation of the purposes and provisions of the bill as they now stand, after which the matter would be opened to questions from the members of the two committees and comments from others in attendance. He noted that Assemblyman Hal Smith is chairman of the Assembly Committee and Senator Pozzi is the Introducer of the bill. Chairman Gibson also noted that the purpose of this particular hearing was to hear comments for the benefit of the Committee so that they would be informed and can properly act on the bill.

Mr. Etchemendy: Members of the Committees, Ladies and Gentlemen, I believe that before getting into the charter itself, and I don't intend to do it point-by-point, but just to cover the broad aspects of this thing -- I do think that especially for the benefit of the legislators who are present who will act in this bill in their committees -- that we should point out that as long ago as 1951, consolidation of one sort or another began in Carson City when five elected county officials were made ex-officio city officials by charter amendment. That means that in our existing city charter it has been in effect since 1951, that the Sheriff, the District Attorney, the County Assessor, the County Clerk, and the County Auditor are also by law, ex-officio city officials in those exact same capacities. So a great deal of this particular consolidation we are talking about today is not by any means a new concept -- not only throughout the United States or anywhere else, but also right here in Ormsby County -- we have consolidation in practically all the working functions of Carson City and Ormsby County -- in that all of our departments with some few exceptions are consolidated in joint operating departments.

The only thing that had to be done, or the primary thing that had to be done, was to join now the two governing boards into one governing board and into one municipality. The charter itself is, of course, only about one-third of the total bill that we have before us, which in itself has some 67 pages. The charter itself has maybe 24 or 25 pages of that. The rest are amendments to existing state statutes, which have to be made to accommodate the changes of Ormsby County and Carson City into Carson City.

I'd like to make another point very clear and that is this: the charter itself is not a radical departure from our existing city charter, nor from general law in Nevada Revised Statutes as they apply to counties. It is merely a welding of all these various laws into one. Many of the existing provisions that we have in our city charter today appear in the consolidated charter. Many state statutes as applied to the various elected office holders appear in this charter. The charter itself is not a radical change from anything we have -- it is just a welding of the provisions for Carson City and general county laws.

So going with those few brief statements, I would like to just highlight some of the provisions that are in this charter and, of course, as Senator Gibson has indicated, from that point we will conduct the meeting as he chooses with questions and answers or whatever you might desire.

Basically, in the beginning of the charter it describes the limits of Carson City itself. Carson City, as defined in this charter, is the exact same description as we presently have for the limits of Ormsby County. We have a legal description in here and it's exactly as it appears in the Nevada Revised Statutes right today for Ormsby County. That will, of course, be Carson City.

The next major provision is that in this creation Carson City will be divided into two taxing districts. The General Services District and the Urban Services District. The Urban Services District is described in here,

again with a legal description, and this legal description is the exact legal description as appears today for Carson City as it exists. In other words, everything that's within the city limits now will be in the Urban Services District when this is enacted. The General Services District is everything in the new Carson City outside of the Urban Services District. In other words, it corresponds then to what is now in the county outside the city limits.

The provision is made that when annexations are required for various reasons to be made from the General Services District to the Urban Services District, this will be done exactly as it is done now throughout the State of Nevada whenever a city finds it necessary to annex adjoining property. So here there is no radical departure. The annexations to the Urban Services District will be done by State Statute exactly as we do today for cities and counties. Again, deletions of property from Urban Services District will be done by State Statute as it is today.

The next major portion is the Legislative Department, which calls here, for the election of a Board of Supervisors. The governing body will consist of five people -- a mayor and four supervisors. The supervisors will be candidates from wards. The wards will be established by their various boundaries. You have wards one through four as we have right today in the present city. The boundaries will be different than we have and they will also be changed in the future as required by population shifts. This is taken care of also in this charter. As we do in the city today, the candidates from these wards are nominated from those wards. During the primary if there is more than one candidate for a ward, you have a primary election to see who is going to run from that ward. However, the election, both for the supervisors and for the mayor, is done at large -- everyone votes on them. The mayor can reside anywhere -- he doesn't have to reside in any particular ward. There are provisions in here on how you fill vacancies on the Board by appointment, when that becomes necessary. We have provisions on how ordinances are enacted, much like we do in cities and counties today. We have the various powers of the board which cover all the powers that are general to cities in their individual charters throughout the State of Nevada today.

We have one particular power of the Board that I would like to call special reference to, and this is in the section concerning animals and poultry. In Carson City today, as we who live here know, we have a strict leash law which we enforce very strictly. People in Carson City want this leash law. The people that are in the county today, by and large, do not want a leash law. Therefore, we have a provisions, both in the enabling act and in this charter that there can be separate provisions in the Urban Services District and the General Services District as it relates to leash laws or anything else. And for that purpose I would like to read this one section so that this would be crystal-clear to everyone who is here. "Any ordinance enacted pursuant to this section may, by reasonable classification, be made applicable in whole or in part to either the Urban Services District or the General Services District as such districts are defined . . ." and so forth.

The next point is the Executive Department itself. I touched on the Office of the Mayor a while ago. He actually comes within the Executive Department. The method for election and the salary that is entitled to be drawn by the mayor is in this particular section and it refers to other powers that he is given under Nevada Revised Statutes which are common to mayors in other communities. And while I'm talking about salaries, I'd like to go back to the Board of Supervisors and then again touch on the mayor.

The salary bracket for the Board of Supervisors is from \$2400.00 to 3,000.00 per year. For the mayor it is from \$3,000.00 to 3600.00 per year. At the present time the city councilmen receive \$2,400.00 per year -- the mayor receives \$3,600.00 per year. So this is no change, with the exception that the limits on the supervisors is from \$2400.00 currently, to 3,000.00 -- \$3,000.00 is actually the rate of the county commissioners today. So in effect, this is no change from what we are doing.

The next point in the Executive Department is the appointment of a city manager, if the Board so chooses. The law as far as a manager is concerned, is very brief. In fact, it's only got two or three sentences to it. The law for the city manager in this charter is the exact law that we have in the Nevada Revised Statutes today for county managers. If you had what they call a model city charter with a council-manager form of government, the section which applies to managers is very lengthy and very detailed. It's not the case for county managers in the State of Nevada and since this is a welding of city and county government, this section is very adequate and will work very well. It worked well for us here for two and a half years and I'm sure it could in the future without any problems to anyone.

The next sections apply to some of the elected county officials who will not serve as elected city officials. These again are the clerk, the auditor, the assessor, the sheriff and the district attorney. And in each of these cases, the reference is made to a chapter in NRS, such as the clerk. The provisions of Chapter 246 of NRS apply to the office of clerk. This means that all of the provisions of the county law applying to county clerks applies to the city clerk in our particular case. This goes right on down through for all these offices with the exception of the recorder and auditor. In county statutes today there are two chapters that applies to recorder and auditor. They are 247, which applies to the recorder and I think it's 251 applying to the auditor -- I'm not positive of that one. This particular charter does not have 251 applying to the auditor. The reason for this -- and people in the legislature here who are familiar with this know of what I speak -- and that is that in the county laws, as they exist today, which are a hundred years or better old in the State of Nevada, we still have provisions which are that old. The provisions which apply to the Auditor in many cases cause a great duplication in county government, which all counties in the State of Nevada realize, and realize it should be changed at some time -- and

sometime maybe they will. We feel that this is our opportunity to do it now and maybe we can set some sort of an example. You may or may not know it, but in the county auditor and the county treasurer's office, there are a duplicate set of books kept -- one office keeps the same set of books as the other office -- for no good purpose really in today's times (especially where today's state laws require that audits done by outside firms of CPA's be done on all county, city, school district, any other local government affairs). This is the reason that the chapter providing for the auditor does not appear in here in total. And again, like I say, this also applied to the sheriff and the district attorney and such. It provides for a Judicial Department. In other words, a justice court and municipal court, which is actually the elected justice of the peace.

In the elections this particular section now, applies to the election of officers after the first set of officers are chosen. The elections will be held in the fall at the same time as the general elections throughout the state. In other words, we won't have a spring city election as we do today. Our elections for city officers will be done in the fall at the same time as the general elections for the county and state officers.

We have other laws such as the local improvement law, which really is just an extension of the State Statutes. Local bonds and franchises -- we have here a debt limit which is being placed upon the new city of 10% of the assessed valuation. You may or may not know it, but Carson City today happens to be one of the cities in the State of Nevada -- and I don't know how many there are -- probably not too many -- which has no debt limit. Most cities have debt limits of 7%, 7½, 15, 10%, whatever it might be. School districts are 15%; counties are 10%. We have written into this charter, or the legislature has, a provision that our debt limit will be 10%.

The next section then -- this basically covers the basic aspects of the charter itself. There has to be some transitional provisions to take us from the existing situation today into the new government, which if this is adopted, takes effect July 1st of this year. So this requires that the existing Board of Supervisors, the existing City Council, and the County Commissioners stay in office right now until July 1st of 1969. Prior to this we would have to have an election to elect the new officers. So this calls for a primary election in April and a general election in May to choose the new Board of Supervisors, which will take effect July 1st of 1969.

Senator Gibson and Mr. Smith, I think this concludes my presentation. Thank you.

Mayor Robertson: Senator Gibson, Ladies and Gentlemen. I would like to speak briefly, rather than technically, regarding the five year's work that many of us have put into getting the consolidation to the point where it is right now. In effect, all we're trying to

do right now with the consolidation is merge the two boards. As Mr. Etchemendy has told you, we had a form of consolidation -- ex-officio consolidation -- for a number of years in Carson City and Ormsby County. Including the last five years we have, physically and fiscally, consolidated most of our departments. So people -- and very rightfully so -- ask how much money are you going to save with this consolidation? Other than the fact that we're going to have five elected officials instead of eight presently serving the city and county, (which would be a savings of \$7200.00 in elected official's salaries), and the fact that we would have one budget instead of two, one audit instead of two, which of course saves money -- the big factor is that if we do not consolidate and a future city council and a future board of county commissioners does not choose to get along with one another, and starts separating our Engineering Department and our Building Department, et cetera, on down the line, it's going to cost us money.

What I'm trying to say is, of course, the main reason -- and it always has been -- for consolidation, is to effect more efficiency and economy into our local government, which we have accomplished to a great degree already, and this would be the final step and also assure the members of our community of this form of efficient and economical government for the years to come. I would also like to point out to the members of the legislature that this, for the last five years, has always been unanimously agreed upon by all members of the City Council, and County Commissioners. We had public hearings -- everyone connected with this has made every effort to present this to the people of our community through appearing at all the service clubs and all the other groups in which we were able to be invited.

I would also like to point out, which I feel is very significant, that on Question No. 3 on November 5th in Ormsby County and Carson City, we had a "yes" vote of 3,458, a "no" vote of 1,851, which is 65% in favor and 35% against. I think this is very significant, and I urge the legislature to pass our city-county consolidation right away so we can get started on this new form of government on July 1st of 1969.

Mr. Meder: Mr. Chairman, I would like to echo the words of our Mayor -- we certainly have worked on this for some time. I'm one of the officials who probably would be affected more than anything on this, because I had to run last fall and if I decided to run for this newly elected office, will have to turn around and run again in the next few months.

We are trying to do a job, provide a better government for everyone; -- we think we have done a fairly good job on this. As the Mayor has said, we have had many public hearings. The charter drafts have been available for at least a year now, and we feel that everyone has had an opportunity to make their suggestions known and heard by us.

Along with the Mayor's recommendation, we would heartily recommend that the legislature adopt the charter as it is currently drafted.

Chairman Gibson: I attended a meeting last week about this proposed legislation, and one of the items which seemed to be of most concern to the people there was whether or not the charter or the resulting proposals setting up the charter would be submitted to the voters of Carson and Ormsby prior to its being adopted. When I came back I asked the legal counsel to look into this question and I'd like to ask Dennis Wright now to state their findings -- at least their opinion on this particular question which I know is of concern to some of you.

Mr. Wright: Well, I'd say there's two questions: One as to whether or not the consolidation itself can be submitted. This, of course, is a question that was submitted to the voters in November. But the provision that was adopted as an amendment to the constitution -- the provision that was adopted by the voters of the state last November -- states that the legislature may, by law, consolidate the two governments if it goes on beyond that. But what, in effect, it says is that the legislature is the body that must determine whether or not there is to be a consolidation. If this were then placed before the voters, it would be an unconstitutional delegation of the legislative power, and any vote taken would be invalid.

The next question comes up then: Can the charter itself, if the legislature determines that the consolidation shall take place, be placed before the voters? Be approved, be accepted, before it would go into effect? And again, the answer to that, according to the best case law that the legislature itself must determine -- whether or not this charter shall go into effect. However, we do have -- and I am sure most of you are familiar with the referendum provisions in the State Statutes -- which provide that the voters of this county can obtain signatures of 10% of the electors and can then put the question of the charter to referendum. Then, at the initiative of the voters, the question could be placed before the voters. But the legislature itself does not have the power to submit the question as to whether or not the charter will go into effect to a vote.

Chairman Gibson: Two or three questions on the legislation. I'm not sure Dennis, whether you should answer them or maybe Mr. Etchemendy may be familiar with them. One question is in the matter of these elected officers. The charter contains a salary range for these that I couldn't see where it specifically says who sets their salaries.

Senator Pozzi: I have the amendments from bonding counsel, Senator Gibson, that tells us that the legislature should set the salaries originally as they currently exist at \$2,400.00 for the supervisors and \$3,000.00 for the Mayor and then we proceed from there. These amendments we just received today.

Chairman Gibson: We'll I'm talking about the other officers -- recorder, auditor, assessor. In the case of the Judge it does say that they set it.

Mr. Etchemendy: Senator, on that I'd say this, and I think you're absolutely right, there's no specific provision in here as to who sets it. However, this again is taken directly from county law, wherein the maximum salary today of Ormsby County officials -- and this is outside of their city duties -- is set at a maximum of \$12,000.00 per year. The county commissioners have the authority to set that at anywhere up to \$12,000.00.

Chairman Gibson: Well, I think we should include that language in the bill so that will be on, once the bill goes into effect. On the debt service portion of the charter, I would like to know if someone can answer what the present debt of the city is and what the present debt of the county is. Do you know percentage-wise?

Mr. Etchemendy: Mr. Gibson, I'll have to take this from memory. I worked on this about a year and a half ago for another purpose. But at that time with the lesser assessed valuation in both entities, the debt in the Carson City was somewhere near 5 or 6%. Most of this debt was general obligation bonds backed by placed revenue from sewer fees. In fact, everything but about 2% was this. However, that does, by law, have to be part of your limitation. In the county at that time, it was about 7 to 7½% and today it would be something less than that because since I made those figures our assessed valuation is probably somewhere around four million dollars greater than it was at that point.

Chairman Gibson: Will you see that the committees have that information?

Mr. Etchemendy: I'll be happy to.

Chairman Gibson: On the indebtedness, I notice that there is a provision for indebtedness in the Urban Services District and in the city as a whole. Now, I assume it's impractical to set in a provision for the General Services District. Did you analyze that or consider that thing?

Mr. Etchemendy: I believe Dennis could answer this as well as I or probably better. We did consider this, but we found that in the future, as far as the bonds that are being sold are concerned, they are going to be a city-wide obligation and since we were not in any problems with either the city or the county at the present time, there was no real effect in setting a separate one for each of them. At first we did have a 30% in the General Services District, which is a county area, but after studying it we did take that out. This was done -- Nick Smith from Burrows & Smith in Salt Lake City, who helped us in this regard.

Assemblyman Dini: On page 22, line 16, there's described the indebtedness of Carson City and the Urban Services area. Does this mean that they can bond over 10% of what they already have in bonded indebtedness?

Chairman Gibson: I think I can answer your question because the same thing occurred to me when I read this. The indebtedness of Carson City now is a separate indebtedness, as you understand. In the transition I assume you want to preserve the separate nature of that and that's why this language had to be written in. Is that right, Mr. Etchemendy?

Mr. Etchemendy: That was my understanding of why it was done that way.

Chairman Gibson: I think if you analyze how they've written this, that's the conclusion you arrive at -- it makes sense.

Senator Monroe: With regard to the passage of ordinances, I notice there is mention in here for giving acts of notice and publication of notice with regards to passage of the ordinances. I notice in passage of uniform codes -- adopting uniform codes -- they seem to eliminate all due notice with regard to adoption of the other ordinances. I wondered if there shouldn't be the same provisions of notice and publication, and so forth as there is in the other ordinances. It seems to me that the public should have the right to have these notices.

Chairman Gibson: Can anybody answer that? Mr. Hanna is the City Attorney.

Mr. Hanna: We've had some trouble with our publication -- we're fouling up the law respecting publication of proposed ordinances. I think, without going into detail, that the provision with recommend to this proposed charter, to permit, where we have uniform codes and where they are sometimes two, three, and four hundred pages long and published in book form, to refer to them by title, and not require the publication of the code as a whole. Now, actually in Carson City we have adopted the Uniform Building Code, and the ordinance itself was published, no doubt, at the time it was adopted. But I think the charter -- existing charter -- requires a whole ordinance to be published and that would have required the publication of this whole volume. I think this is the reason for making the differentiation between the adoption of the Uniform Code which is generally available to the public when they want it, as opposed to an ordinance written locally.

Senator Monroe: I think there should be a notice given to the public that you're going to adopt the Uniform Code.

Mr. Hanna: I would agree.

Senator Monroe: -- and it's quite clear that no publication is required whatsoever. It should be necessary that you provide copies of the ordinance proposed Uniform Code with the City Clerk when we can pass an adoption that makes the code requirement that you give notice to the public and everything else, if you are going to adopt these things.

Mr. Hanna: I would agree with you, Senator Monroe, if it's not here.

Chairman Gibson: They would have to adopt the Uniform Code by ordinance so they'd have to publish the ordinance according to the procedure over here.

There will no longer be an Ormsby County should this be adopted. I understand this was a matter of some considerable discussion in the stages of setting up the charter and the terms. There is another provision in the constitution that says the seat of the government shall be at Carson City. They can't eliminate Carson City and call it Ormsby, and so they had to use the other statutory advice and eliminate Ormsby. Mr. Getto?

Assemblyman Getto: Chairman Gibson, as I understand it, the governing board will have the powers to draw separate ordinances that will apply within the Urban area and outside of the Urban area. I think you were describing this in your leash law.

Mr. Etchemendy: Yes, Mr. Getto, that is exactly correct and there are provisions in here, not only for the leash law, but for other provisions also as they become necessary -- they can have different applications in one district or the other.

Assemblyman Getto: Another question -- Your county rate is presently what?

Mr. Etchemendy: The county rate is approximately \$1.52 and the city rate is precisely \$5.00, total effective. The city portion is \$1.16.

Assemblyman Getto: But I mean, the total county rate is what? What is the difference between your county rate and your city rate now?

Mr. Etchemendy: The city rate today is \$5.00 and the county rate is \$3.82, so by incorporating you will have a much larger base.

Chairman Gibson: The way this is set up the tax rate will correspond to what it is right now. This is a unique device and apparently there is precedent for it, but they can have separate tax rates in these two. The Urban Services area will correspond to the present city area -- the General Services area will correspond to the present county. Now, that's where they start -- where they go from there the taxpayers will have to want.

Now, are there any comments? I know there are many of you here who are interested and we would like to hear some of the comments from many of the rest of you who have anything to say. Yes, sir -- would you identify yourself.

Mr. Rogers: My name is Bill Rogers, and I am here speaking for a group of county residents who are in opposition to consolidation. And what we're maintaining is that the consolidation bill on the ballot in November was grossly misrepresented to us. Inasmuch as the opponents of consolidation are running around the state, running around the county, representing that consolidation, the question on the ballot, was only to allow the legislature to make the necessary constitutional amendments allowing us to consolidate when we wanted to. Now for some reason, they're kind of turning this around saying that we voted for consolidation per se. Now we didn't. And we would like to have another chance to vote on consolidation.

We're also maintaining that if consolidation was voted on by the people of the county only, that it would definitely be defeated as far as the county being consolidated with the city. We would like to know what the big savings on consolidation is and also, in reading the existing charter -- the charter that's being proposed -- there is nothing in there spelling out how the tax monies are going to be pro-rated in all of the different districts throughout the City of Carson. We're maintaining that we believe that the existing county area is going to be even more short-changed than what it is right now.

That's about all I have to say. Thank you.

Chairman Gibson: Mayor Autrand?

Mayor Autrand: Fellow citizens, I'm here tonight as the former Mayor of Carson City, a candidate for the Assembly at the last election. I've had a certain amount of people in this community -- mostly from the county ask me to speak on this and my opinions on it. I will not say that this is good or bad for the people of Carson City because we don't know yet. I will say though that I don't feel that this was brought to us in a proper way. Mr. Rogers spoke here -- we did understand that we were to have -- which we all knew -- a state election to change the constitution to permit this. We also understood that the people of Carson City and Ormsby County would get to vote again, if we ever wanted this.

Personally myself, I feel being the county is involved as to whether they should come into the city or not, that the county people alone should vote on this. Why should the city have a chance to tell the people in the county you're going to be with us whether you want to or not? Again, some of these people don't know some 14 years ago I brought this very same subject up -- to consolidate this city because we had a few of them, and I thought then it was a good thing. I was told that I was NUTS -- that we'd have to give water, sewage to Lake Tahoe where Ormsby County enjoins there and all over the hills over here that it just wouldn't work. So I give up the idea, more or less, then I became the Mayor of this town and up to that time I thought it was a good thing -- until I got in there and found out what was happening -- and I decided it was a very bad thing. I still feel today that it is.

Under the present conditions I still feel that from listening to the fellows up there -- and all respect to them -- that most of the people sitting in this room still don't understand what it is all about. Very few has read this charter. The charter is big -- I don't even know whether you can pick up this charter, each individual, and read it -- whether they'd have to buy it. And I still feel that the people of this community still should have a vote, as to whether they want to belong to Carson City or not.

Thank you very much.

Chairman Gibson: I would remind those who speak their purposes to talk to the committee here and not the audience. I know the audience is here to react to them, but we would like to have you speak to the committee. Yes, sir?

Mr. Migels: Senator Gibson, my grandfather sat right there, Speaker of this House, believe it or not, and I was born and raised here. As you can well see this was many many years ago. I think that it is time that this little pipsqueak county was consolidated 100%. We have a duplication of government all over. If this can save us some money, I'm all for it. As I listen to Mr. Etchemendy talk, the county tax will be put in, maybe, -- correct me if I'm wrong -- into a district, but why do we have to have duplication of government? As I say, I've paid taxes here since the day one. My grandparents came here before it was a state, and I'm all for 100% consolidation. Thank you.

Mrs. Gottschalk: Mr. Gibson, members of the committee, and Ladies and Gentlemen. I'm Gertrude Gottschalk. I have lived in Carson City since 1936. My maternal grandparents came here in 1862 and they've reared eight children here so my ties and my problems tonight is both emotional and practical. My grandparents are buried out in the GAR section of our cemetery here and I'm sure that they would be with me in what I am going to say.

I feel that when this problem of consolidation first came up in Ormsby County I certainly was for it because at that time there was sort of a friction between the City Council and the commissioners, and it seemed that it would effect a great money saving in the affairs of the county -- and so anyone who was in business then that was at all interested certainly was for that. So I have been for consolidation ever since its very beginning. But I had no idea until this last August exactly what was going to happen, and when I found it out I've been very concerned ever since, because I seriously question the wisdom of completely deleting a county from the historic map of Nevada. In fact, the very first county on the map of Nevada, particularly in view of the fact that it is the seat of our state government.

Now, I have read the bill -- I've been through it all -- and I realize that a great many sincere dedicated people have spent a lot of time in arriving at this point and they certainly deserve a lot of credit for it,

but I think sometimes when we're so interested in a project we don't get a true perspective. Sometimes we're so close to it that all we can see is what we're doing. But knowing how voluminous the Nevada Revised Statutes are, I wonder if somewhere in all this we may have neglected to -- certainly many of the statutes must deal with county affairs -- I wonder if perhaps some of these have been left out and they may come back to haunt us before this thing is over.

And, or course, I didn't realize, because when I first heard about this the fact that Ormsby County is to be completely erased from the map -- I was given to understand that once this bill was presented to the legislature and passed then we would have the privilege of referendum and we could study the final bill and then vote on it. And I think this is the way it should be done, because I think it will be practically irrevocable, I'm sure, once it's done. I think we should study it seriously and carefully and be absolutely sure that it's right and proper before this action is taken.

Thank you very much.

Mayor Robertson: I would like to state that as far as the name is concerned throughout all the meetings that we had on this that there was never anyone pushing for "let's do away with Ormsby County" or vice versa or anything else. I'm sure that everyone who has worked on this could really care less what you call it as long as we are consolidated. I know this question -- it was a technical one, but I don't think it was ever clearly researched until just recently -- in fact it was my understanding that Carson City would be a general term for the area, but legally Ormsby County would still be maintained and I guess just very recently that that was researched and the answer that we have just received now that Ormsby County has to be deleted is the legal answer. I just want to assure anyone that is concerned with this that if there is any way to maintain the name of Ormsby County, I'm sure someone who's worked on this would object, but I just want to make it clear that no one in working on this consolidation is trying to push the name "Ormsby County" off the map.

Mr. Wright: The name problem I think was indicated by Mr. Etchemendy, perhaps. The constitution provides the seat of government will be at Carson City. We checked into the constitutional debate and the specific question was brought up. It was asked and they specifically said Carson City. Now we at one time even thought of saying "City and County of Carson City," but that again, adds to the name that was given to the city by the constitution.

Now with the consolidation, by itself, I think this automatically does away with the name. We have combined the government -- we can't call it Ormsby County because of the constitution. The only thing left is Carson City, and there was no deliberate attempt, I'm sure, to do away with Ormsby County or the memory of Major Ormsby. I suspect that nobody will ever stop calling it Ormsby County as long as this generation is alive, at least. But just as a matter of law it has to be called Carson City.

Chairman Gibson: We'll probably pursue this further in the committees to make sure that there isn't some way this can be handled. I have the same feeling some of you have on the elimination of Ormsby from the statutes.

Mr. Gregory: Mr. Chairman, my name is Ernest Gregory, I'm a resident of Ormsby County -- I'd like to state there was no confusion in my mind as to the process of this bill. I understood that it would be voted on by the people and then it would be turned over to the legislature for action. I think it's a good bill and I'm here trying to help the legislature with it. I think I've found an error in Section 2.190 on page 13. There is the power for the Board of Supervisors to create a health department or board of health. I'd like to point out that in the statutes there are three provisions for boards of health. 439.280 for a county board of health; 439.420 for a city board of health; and 439.370 for a health district. I can't find the changes or amendments to the statutes where it specifically spoke up which type of health department we could have -- I'd like to see that included.

Chairman Gibson: Which type is that going to be -- the county type?

Mr. Gregory: No, I believe this is up to the city and the county bill drafters. I personally would prefer someone who is appointed rather than having the supervisors board of health.

Chairman Gibson: I see what you mean -- we'll clarify this before we go any further with the bill.

Mr. Gregory: Thank you.

Mr. Hanna: Yes, I wanted to talk just a little on what has been raised by several of the speakers respecting the need or the advisability of having an election to determine whether or not we want the charter if/as/and when it's passed by the legislature.

I want to be clear in stating that I have no objection to the people determining what kind of government they want. I have no objection to elections. I have lived within the framework of government and local government for many years. But in this particular case, I think for the benefit of the committee or committees, they should know that this project, if you will, in obtaining an amendment to the State Constitution, has been going on for a number of years. It went through two general sessions of the legislature and then was put on the ballot in 1968. Whether or not the constitutional provision or amendment was to provide for or permit the consolidation of city and county as the seat of government. With respect to the charter, itself, I can't give you exact times or dates, but it has been discussed certainly for longer than a year.

Copies of this proposed legislation were available in the city-county clerk's office. The call for it was not great and getting to the meat

of an objection or a possible objection to be considered by the Committee as to a vote, if it can go to a vote legally -- we would like to point out that it would be impossible for the consolidation to take effect in July of 1969. You would have to extend the effective date, I think, for another year to tie in with your fiscal year to July 1, 1970. It is the thinking -- and I believe I speak for the City Council, at least, who has discussed this recently -- this possibility of election -- that an election probably, in view of the past history, would not serve a useful or a good purpose and would be an additional and an unnecessary expense. This is in the light of the knowledge, the publicity, the opportunity for everyone to discuss and consider this matter. Thank you.

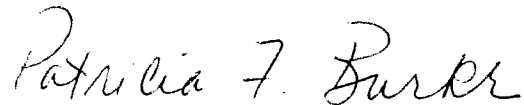
Chairman Gibson: In the county as a whole they have a compilation of what the vote was in the county area on Question 3?

Mr. Goni: There were four precincts in the county area and it lost by 2% in votes in one precinct and it carried in the other three by anywhere from 25 to 30% in the other three. So it did lose in one by 2% and carried in the others. This is strictly county. On the over-all county total it certainly passed by at least 20%.

Mr. Rogers: Regarding the misrepresentation on this constitutional amendment and it bears out, I think, if you go back to the last election during the months of October and the first week in November, and read the newspapers in regard to the publicity put out on consolidation, I'm sure the committee will see where I'm telling the truth -- that we were not voting on being consolidated in 1969 -- we were voting on a constitutional amendment only, and the question was to allow the legislature to make the constitutional amendment allowing us to consolidate when we want it. That was the propaganda put out, not only by the city councilmen and the county commissioners, but also by the League of Women Voters.

Chairman Gibson: That closes this Hearing, and the committee will take the bill under advisement. Thank you for your attendance.

Respectfully submitted,



Patricia F. Burke
Committee Secretary