

COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

Minutes of Meeting -- March 14, 1969

The twenty-sixth meeting of the Committee on Federal, State and Local Governments was held on March 14, 1969 at 3:00 P.M.

Committee members present: Chairman James Gibson
Warren L. Monroe
Chic Hecht
Carl Dodge
F. W. Farr

Also present were:

Clark Guild, Jr. Attorney (Representing Union Pacific)
Russell McDonald Legislative Counsel Bureau
Marvin Humphrey

Chairman Gibson called the meeting to order. Under consideration were several bills.

- SB-418 Proposed by Committee on Federal, State and Local Governments.
(By request.)
Prohibits political subdivisions from entering into collective bargaining agreements.
- SB-407 Proposed by Senators Farr, Harris, Manning and Herr.
Provides for collective bargaining by public employees.
- SB-87 Proposed by Senator Dodge.
Regulates relations between local governments and employees and prohibits strikes in public employment.

Chairman Gibson pointed out that the bills listed above are the negotiation bills, and he briefly outlined each one. He pointed out that SB-418 was requested by the Nevada Municipal Association and that he did not regard it seriously. He asked the Committee for their feelings in regard to how they wished to handle these bills, what approach to take, et cetera. He said that the teachers now realize that they cannot now have a separate bill and he would ask them to comment on what provisions they feel are specifically objectionable.

Senator Dodge said that if the Committee considered SB-87 as the "vehicle," this could be amended and re-worked. The Committee agreed that one bill should be picked as the major bill. It was also noted that the Assembly has a strong feeling that there must be some sort of a bill put out at this session. There was further Committee discussion regarding collective bargaining in relationship to the fiscal situation in political subdivisions. At the close of this portion of the discussion, Senator Monroe moved that the Committee concentrate on SB-87, seconded by Senator Farr. Vote was unanimous for this action.

SB-367 Proposed by Committee on Federal, State and Local Governments.
Excludes division of certain land zoned for industrial, commercial development from definition of "subdivision."

Clark Guild, Jr. appeared before the Committee in regard to this bill, representing Union Pacific Railroad. He briefly explained the bill, stating that it would exclude lands that have already been zoned industrial from the definition of "subdivision," so that they can proceed with the development of the Union Pacific property in the Las Vegas area next to the railroad station. He also pointed out that he had no knowledge of the bill other than the language he had suggested to them, but added that he would try to develop some. Senator Monroe asked what would prevent them from zoning such lands commercial and then get the Planning Board to re-zone it into residential and thus go ahead with another subdivision. After further discussion, it was agreed that Mr. Guild would either develop more information about this bill or bring to a future meeting someone who could answer some of the questions.

SJR-18 of the 54th Session Proposed by Senator Pozzi.
Proposes constitutional amendment to provide for state civil service system.

There was brief Committee discussion about this bill. Senator Dodge questioned the wisdom of having this sort of thing in the constitution. It was agreed to hold this bill and ask Senator Pozzi in to explain it further.

SB-263 Proposed by Senator Brown.
Increases membership on the Nevada council on libraries.

After brief discussion, Chairman Gibson noted several proposed amendments and will bring this back to the Committee at a later date.

SB-364 Proposed by Committee on Federal, State and Local Governments.
Amends provisions of Consolidated Local Improvements Law, County Improvements Law relating to required notices for hearings when provisional order method is employed.

Chairman Gibson noted that this bill strikes out (as on page 3, line 7) the provision that at least 50% of the total number of tracts of property to be assessed for the improvements to the unimproved part of the street shall contain a permanent structure or building. Mr. McDonald read a letter from Curt Blyth of the Municipal Association requesting this bill, amending Chapter 271 of NRS. He further went into the bill, noting that there was no justification for some of the items -- and stating that the bill had simply been drafted exactly as they had requested it. He also suggested that Mr. Blyth be called in to explain the bill and reasons for the requested amendments.

SB-383 Proposed by Senator Dodge.
Modifies procedure for establishing law libraries in certain counties.

Senator Dodge explained the bill, stating that this would provide that the County Commissioners could establish a law library to be governed by a law library board, this being limited to a county with population under 20,000.

Senator Farr moved Do Pass, seconded by Senator Hecht. Vote was unanimous for passage.

AB-51 Proposed by Committee on Government Affairs.
Extends power of eminent domain to state planning board.
Executive estimate of cost: None.

There was very brief committee discussion.

Senator Dodge moved Do Pass, seconded by Senator Monroe. Vote was unanimous for passage.

SB-393 Proposed by Committee on Federal, State and Local Governments.
Provides alternative methods for determining full cash value in assessing tracts for purposes of local improvements.

Mr. McDonald said that there had been some dickering with bond counsel for some time on the question of the market value limit on special assessment bonds. He then read related material as follows: "NRS 271.365 states that no assessment for any one project shall exceed the reasonable market value of the tract assessed. We hope to work out some politically acceptable way of having a conclusive determination of market value without private counsel without there being any implication that expert evidence must be before the counsel or that an appraisal of each parcel must be made. Perhaps it would be best to change the language of 271.365 and similar charter provisions to read 'no assessment to any one project shall exceed the full cash value of the tract assessed as last determined by the county assessor pursuant to 361.227 or as the governing body may at its discretion decide.' This decision shall be final and conclusive as determined by an appraiser to be employed by the governing body."

There was further committee discussion on this bill (SB-393), and comments by Mr. McDonald.

Senator Dodge moved Do Pass, seconded by Senator Farr. Vote for passage was unanimous.

SB-411 Proposed by Senator Fransway.
Provides for election, terms of office of mayor and councilmen of third-class cities; provides number of councilmen for second-class cities.

Mr. McDonald explained that this bill involves Fallon, Ely, Lovelock and Winnemucca. The mayor of Winnemucca had contacted him regarding this bill. Winnemucca is now classed as a third-class city, but when the population reaches 5,000 it now becomes a second-class city and under the present statute then requires five councilmen. Ely is presently involved in annexing

East Ely -- which would bring that city to the 5,000 mark -- and it is the feeling of these cities that they do not want to be compelled to have five councilmen. There was committee discussion on this and the general feeling was that the limit of the second-class city should be changed to 7,500 -- thus keeping these cities out of that category for some time to come. Mr. McDonald noted that the bill, as now amended, would have to be tailored to specify this and stated that he would do so.

SB-360 Proposed by Clark County Delegation.
Limits service of certificated airline companies to one municipal airport in any county.

This bill has been discussed in Committee previously. There was discussion regarding concern that this bill "does not lock the carrier" into such an agreement. Senator Dodge stated that he was concerned about another aspect of this -- that of a "two-way street." In other words, what about the implied problem of a carrier being locked into such an agreement with an inadequate facility. In such a case, he added, the bill would not permit the carrier to go elsewhere. It was agreed that Mr. McDonald should find out more about this problem.

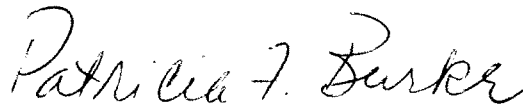
SB-261 Proposed by Senators Slattery, Fransway, Farr and Titlow.
Prohibits picketing and mass demonstrations which obstruct orderly procedures.

The language of this bill was discussed and the suggested amendment, changing the wording concerning "picketing" will be changed to "parading." This bill has been heard previously in Committee with Mr. Lou Paley (AFL-CIO) testifying as to their wishes regarding the wording.

Senator Hecht moved Amend and Do Pass, seconded by Senator Monroe. Vote was unanimous for passage.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Patricia F. Burke,
Committee Secretary

S. B. 383**SENATE BILL NO. 383—SENATOR DODGE**

MARCH 10, 1969

Referred to Committee on Federal, State and Local Governments

SUMMARY—Modifies procedure for establishing law libraries in certain counties.
(BDR 33-1769)EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to law libraries; modifying the procedure for establishing law libraries in certain counties; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 380.010 is hereby amended to read as follows:
 2 380.010 [It shall be discretionary with the board of county commis-
 3 sioners of any county to provide by ordinance for the application of the
 4 provisions of this chapter to such county.]
 5 1. *The board of county commissioners of any county may:*
 6 (a) *Establish by ordinance a law library to be governed and managed*
 7 *by a board of law library trustees in accordance with the provisions of*
 8 *this chapter; or*
 9 (b) *Provide for no law library.*
 10 2. *The board of county commissioners of any county with a popula-*
 11 *tion under 20,000 may establish by ordinance a law library to be gov-*
 12 *erned and managed as prescribed by the board of county commissioners*
 13 *of that county. Such board may exercise or delegate the exercise of any*
 14 *power granted to a board of law library trustees under this chapter.*
 15 3. *Any law library established pursuant to subsection 2 is subject to*
 16 *the provisions of NRS 380.110 and 380.130 to 380.200, inclusive.*
 17 SEC. 2. NRS 380.020 is hereby amended to read as follows:
 18 380.020 1. Any law library established by ordinance [under the
 19 provisions of this chapter] *as provided by subsection 1 of NRS 380.010*
 20 *shall be governed and managed by a board of law library trustees.*
 21 2. A board of law library trustees shall consist of not less than five
 22 nor more than seven members. The district judge or judges of the judicial
 23 district in which the county is situated shall be ex-officio trustees, and the
 24 board of county commissioners shall appoint a sufficient number of
 25 trustees to complete the board from members of the bar of the county.

A. B. 51

**ASSEMBLY BILL NO. 51—COMMITTEE ON
GOVERNMENT AFFAIRS**

JANUARY 22, 1969

Referred to Committee on Government Affairs

SUMMARY—Extends power of eminent domain to state planning board.
Executive estimate of cost: None. (BDR 28-137)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

AN ACT relating to the state planning board; enabling the board to exercise the power of eminent domain in the acquisition of real property whose acquisition has already been approved and funded by the legislature.

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1 SECTION 1. Chapter 341 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *The board may acquire by the exercise of the power of eminent*
4 *domain any real property whose acquisition has been approved by the*
5 *legislature of the State of Nevada and for whose acquisition there have*
6 *been appropriated moneys from the general fund in the state treasury to*
7 *support the board in accomplishing such acquisition.*
8 2. *This power shall be exercised in the manner provided by law for*
9 *the condemnation of private property for public use.*
10 SEC. 2. This act shall become effective upon passage and approval.

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S. B. 393**SENATE BILL NO. 393—COMMITTEE ON FEDERAL,
STATE AND LOCAL GOVERNMENTS**

MARCH 11, 1969

Referred to Committee on Federal, State and Local Governments

SUMMARY—Provides alternative methods for determining full cash value in assessing tracts for purposes of local improvements. (BDR 21-510)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to the method used by governing bodies in assessing tracts for the purposes of local improvements; providing alternative methods of determining the full cash value of such tracts.

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1 SECTION 1. NRS 244.822 is hereby amended to read as follows:
 2 244.822 "Assessment" or "assess" means a special assessment, or
 3 the levy thereof, against any tract specially benefited by any project, to
 4 defray wholly or in part the cost of the project, which assessment shall
 5 be made on a front foot, zone, area or other equitable basis, as may be
 6 determined by the board, but in no event shall any assessment exceed
 7 the estimated maximum special benefits to the tract assessed or its
 8 [reasonable market] *full cash* value, as determined by the board, as
 9 provided in NRS 244.885.
- 10 SEC. 2. NRS 244.885 is hereby amended to read as follows:
 11 244.885 1. If the assessment is made upon the basis of frontage, the
 12 engineer shall assess each tract with such relative portion of the whole
 13 amount to be levied as the length of front of such premises bears to the
 14 whole frontage of all the tracts to be assessed, and the frontage of all
 15 tracts to be assessed shall be deemed to be the aggregate number of feet
 16 as determined upon for assessment by the engineer.
- 17 2. If the assessment is directed to be according to another basis, the
 18 engineer shall assess upon each tract such relative portion of the whole
 19 sum to be levied as is proportionate to the estimated benefit according to
 20 such basis.
- 21 3. Regardless of the basis used, in cases of wedge or V or any other
 22 irregularly shaped tracts, an amount apportioned thereto shall be in pro-
 23 portion to the special benefits thereby derived.

Original bill is 5 pages long.
 Contact the Research Library for
 a copy of the complete bill.

S. B. 261

**SENATE BILL NO. 261—SENATORS SLATTERY, FRANSWAY,
FARR AND TITLOW**
FEBRUARY 24, 1969

Referred to Committee on Federal, State and Local Governments
**SUMMARY—Prohibits picketing and mass demonstrations which obstruct
orderly procedures. (BDR 16-1631)**

**EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.**

AN ACT relating to public property; prohibiting picketing and mass demonstrations which obstruct the free flow of traffic and the transaction of public business; providing a penalty; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1 SECTION 1. Chapter 203 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 *Any person is guilty of a misdemeanor who participates or engages in*
4 *picketing or mass demonstrations in such a manner as to obstruct or*
5 *unreasonably interfere with:*
6 1. *The free access to public premises, state property or buildings, the*
7 *property or buildings of county or municipal governments, public schools*
8 *or universities, office buildings, or other public buildings;*
9 2. *The transaction of public business or the administration of justice*
10 *in any building or on any property of the State of Nevada or any of its*
11 *political subdivisions; or*
12 3. *Free use of public streets, sidewalks or other public ways adjacent*
13 *or contiguous to such streets or sidewalks.*
14 SEC. 2. This act shall become effective upon passage and approval.