

Senate

COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

Minutes of Meeting -- April 18, 1969

The forty-fourth meeting of the Committee on Federal, State and Local Governments met on the 18th day of April, 1969, at 3:00 P.M.

Committee members present: James Gibson, Chairman
 Chic Hecht
 Carl F. Dodge
 Marvin L. White
 F. W. Farr
 Vernon Bunker
 Warren Monroe

Others present were:

William Goni	Fiscal Officers
Jack B. Cunningham	County Commissioner, Washoe
Karl R. Harris	Dept. Health, Welfare and Rehabilitation
Robert A. Grayson	Deputy Attorney General
Joe Coppa	County Commissioner, Washoe
W. N. White	Incline Village
Art Wood	Incline Village, Inc.
Mark and Juanita Dann	Nevada Dog Fanciers, Inc.
Susie Silva	Nevada Dog Fanciers, Inc.
Keith Lockard	Legislative Intern
Lawrence E. Jacobsen	Assemblyman
Eileen Brookman	Assemblyman
Roy Nickson	Nevada Tax Commission
Ty Hilbrecht	Assemblyman
Hal Smith	Assemblyman
Curt Blyth	Nevada Municipal Association

Press representatives

Chairman Gibson called the meeting to order. The first bill to be considered was as follows:

AB-600 Proposed by Washoe-Storey Counties Districts' Delegation.
 Relieves county recorder of duties relating to marriage
 certificates.

Mr. Questa of Washoe County commented on this bill, stating that a Bureau of Vital Statistics was started here in this state three years ago and that there is a duplication of records now -- one in the county and one in the state. He said that in the handling of these marriage certificates Washoe County actually loses money, as well as any other county, and he felt that the \$1.00 from the county would certainly fund this program for the state to handle it all in one central location. Senator Dodge said that he felt

this was a good idea for the convenience of people writing for information from out-of-state to have a centralized system. Mr. Goni added his comments to those of Mr. Questa, stating that some of the procedures should be cleared up, and the money is not a big item. Committee discussion followed.

Senator Bunker moved to hold indefinitely, seconded by Senator Hecht. The vote on this motion carried, with Senator Farr voting "nay".

AB-100 Proposed by Mr. McKissick.
Authorizes board of county commissioners to act as or to appoint members of board of trustees of general improvement district.

Mr. Jacobsen explained that in Douglas County they have 18 improvement districts and it is an impossibility for the three county commissioners to sit as a board of trustees on this many boards, so this gives them the authority where they so wish to appoint members of the district, or they still have the authority to serve on them themselves. Senator Dodge pointed out that two years ago they had written a General Improvement District Act, Chapter 318, including some safeguards about conflict of interest of trustees of the improvement districts, et cetera, and wanted to know if in light of the experience of the past two years there had been any problems on this. After committee discussion, Chairman Gibson said that they would hold action on this for the present, and ask Mr. McDonald in for clarification.

AB-647 Proposed by Mrs. Brookman, Messrs. Hilbrecht, Bryan, Ashworth, Mrs. Tyson, Messrs. Lowman, Bowler, Close, Wilson, Frank Young, Reid, May and Branch.
Permits operation of non-commercial dog kennels in areas zoned for residence; exempts such kennels from business license requirements.

Mrs. Brookman spoke on this bill, stating that it had been requested by members of the Nevada Dog Fanciers, Inc. Mr. Dann from the Sparks area explained that they, as hobbyists, raise their dogs for show and for field obedience trials, and urged that this bill be passed. In the Reno area and in Washoe County it is against the law to sell puppies unless a business license is first obtained, and in raising dogs as they do for show, they do not make money, but raise them strictly as a hobby -- it is a form of recreation, and they feel that to impose a license is unfair. Mr. Blyth of the Nevada Municipal Association stated that he felt a determination on this should be made at the city council level rather than in this legislative body, and should be left in the hands of the local government. Senator Dodge concurred with Mr. Blyth. It was decided to hold any action on this at the present time.

AB-437 Proposed by Messrs. Hilbrecht and Smith.
Extends requirement of approval of local government bond issues by county bond commission.

Mr. Wood distributed information to all the committee members concerning this bill. (See attached.) He said he felt that they should leave this

bill for now and in two years amend all the various phases of it. Mr. Cunningham, Washoe County Commissioner, spoke on this bill, and explained that this proposal now includes special assessments, which are in a different category than the general obligation bonds that were handled by the act as it now is on the books. Special assessments are different in that the payment of them is predicated on the ability of the property owner as to who the assessments are attached to pay -- they are usually on a 10-year basis, and are usually approved by the people in an area that want the assessments (street, curbs and gutters, sanitary sewers, et cetera). Mr. Cunningham felt that they are in an area where it is for the betterment and the well-being of the people that a city can put in an assessment district upon the approval of 51% of the property owners. He also said it is not in the best interest for the betterment of the city that they must wait for the approval of the bond commission when they are not general obligation bonds -- they don't affect the bonded indebtedness of the county or the city -- they are merely means of getting an improvement on property, and the bond commission would be a superfluous set up.

There was extensive committee discussion regarding this bill, with Senator Monroe and Senator Dodge both speaking against the proposal. No action was taken at this time.

AB-713 Proposed by Committee on Government Affairs.
Authorizes Mineral County power system to purchase equipment, supplies of value under \$2,500 without advertising for bids.

Chairman Gibson went over the amendments to this bill. Following discussion Senator Farr moved Amend and Do Pass, seconded by Senator Bunker. Vote for this action was unanimous.

AB-138 Proposed by Messrs. Smith, Swallow, Lowman, Espinoza and Reid.
Permits certain library and school district purchases by informal bids. Executive estimate of cost: None.

Senator Farr explained the need for this legislation. After discussion, Senator Farr moved Do Pass, seconded by Senator Bunker. Vote for passage was unanimous.

AB-503 Proposed by Clark County Delegation.
Authorizes counties to acquire and improve street beautification projects.

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

AB-769 Proposed by Committee on Commerce.
Imposes additional regulations on public utilities and requires district attorneys to prosecute violations.

Chairman Gibson commented on this bill, which was followed by committee discussion.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

Patricia F. Burke

Patricia F. Burke,
Committee secretary

AB-437

"350.004 Before any proposal to issue general obligation, special assessment or revenue bonds may be submitted to the electors of a county, incorporated city or town, unincorporated city or town, school district, or other district or political subdivision (excluding the state) pursuant to this chapter or chapter 387 of NRS or any other law, before any ordinance may be enacted or resolution adopted by the governing body of any such political subdivision for the issuance of local improvement, special assessment or revenue bonds, or before any other formal action may be taken preliminary to the issuance of any general obligation bonds, their proposed issuance must receive the favorable vote of a majority of the members of the general obligation bond commission of the county in which it is situated."

The apparent intent of the foregoing provision is to bring all bonds of all public entities (excluding the state) under the purview of the "County Bond Commission." The bill, however, does not stop at this point. In addition to the provisions amending NRS Chapter 350, Assembly Bill No. 437 proposes to amend various sections of various laws to specifically require in these laws that the prior approval of the County Bond Commission be obtained. Herein lies the potential confusion because not all laws have been amended. For example, Assembly Bill No. 437 amends the Local Consolidated Improvements Law (NRS Chapter 271) but fails to amend the County Improvements Law (NRS Chapter 244.815, et seq.). Another example is that Assembly Bill No. 437 amends Chapter 268 to make charters adopted pursuant to NRS Chapter 267 subject to the jurisdiction of the County Bond Commission. However, the bill is silent with regard to charters adopted pursuant to Article 8, Section 1 of the Nevada Constitution. These charters include the City of North Las Vegas and the City of Sparks which contain their own procedures for issuance of bonds. A further example is contained in the General Improvement Districts Law (NRS Chapter 318). The provisions of this law specifically require prior approval of the County Bond Commission in the issuance of general obligation bonds (NRS 318.290). However, there is no attempt to amend the revenue bonds or special assessment bond authorizations contained in NRS Chapter 318.

April 11, 1969

Senator Jim Gibson, Chairman
Federal, State and Local Governments Committee
Nevada State Senate

A. B. 437 - NORTH LAS VEGAS AGAIN

- 1) The North Las Vegas situation was brought into the limelight due to the general property tax priority to pay bonds in default. It is possible that A. B. 437 in its present form might exclude North Las Vegas.

Without priority of the supplemental tax to pay bonds in default there would be no necessity to burden the rest of Nevada with this type of very restrictive legislation.

Section 318, The General Improvement District statute does not have this priority.

- 2) Line 37 Page 2 - Section 2, paragraph 10.

Is it intended that the Bond Commission approve the plans, plat and apportionment (paragraphs 1 thru 9), or is it to just rubber stamp the provisional order. If the Commission has to pass on the technical data there would be a need for professional consultants.

Line 21, Page 6 - 350.0051

Seems to set guidelines (in paragraphs 1 thru 4) for the Bond Commission but makes no mention of the provisional order or the technical detail in such order.

- 3) Incline Village - Section 318, General Improvement District present procedures:

- Step 1. To Washoe County Planning Commission for special use permit and tentative map.
- Step 2. Two appearances before the Tahoe Planning Agency in connection with the approval of land use.
- Step 3. After the foregoing you then make two appearances before the Tahoe Planning Agency to get approval of your public works (sewer, water, roads, underground utilities, etc.).
- Step 4. Public Service Commission has to approve your overall costs in relation to your bond proceedings.
- Step 5. Washoe County Commissioners - approval of land use plan, utilities and final map for recording.

In addition you will note that the Bond Attorney and Bond House is now required by the Securities and Exchange Commission to make full disclosures - Goodbody letter and prospectus attached.

On Page 4, lines 38 thru 46, is in all probability the most unworkable part of A. B. 437 as to a General Improvement District under as many authorities as the Incline District. At each of the above appearances there are many changes as you move from authority to authority. Please note the 29 changes indicated in the attached Washoe County approval. It is just not feasible to first get Bond Commission tentative approval and go through all of the expense and time involved with the present authorities then have to take your chances again with the Bond Commission.

Incline Village, Inc., The Incline Village General Improvement District and the Washoe County Bond Commission respectfully request a hearing before your Senate Committee.

A. B. 713**ASSEMBLY BILL NO. 713—COMMITTEE ON GOVERNMENT
AFFAIRS****MARCH 18, 1969**

Referred to Committee on Government Affairs

SUMMARY—Authorizes Mineral County power system to purchase equipment, supplies of value under \$2,500 without advertising for bids. (BDR S-1886)**EXPLANATION—**Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT to amend an act entitled "An Act to authorize the board of county commissioners of the county of Mineral, State of Nevada, to purchase, acquire and construct an electrical power and telephone line, extending from the Lundy generating plant of the Nevada-California power company, situated in the county of Mono, State of California, to the town of Hawthorne, Nevada, and thence via Luning and Mina to the town of Simon in the county of Mineral, State of Nevada, and branches thereof; providing for the maintenance and operation of said line as a public utility; the issuance and sale of bonds therefor; the levy and collection of taxes for the payment of such bonds, and other matters relating thereto," approved March 4, 1921, as amended.

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

1 SECTION 1. Section 17 of the above-entitled act, being chapter 45,
2 Statutes of Nevada 1921, as last amended by chapter 371, Statutes of
3 Nevada 1963, at page 805, is hereby amended to read as follows:
4 Section 17. (a) The county commissioners of Mineral County shall
5 constitute the board of managers. The board of managers shall employ
6 as general manager of such system, and fix his compensation at not to
7 exceed \$1,000 per month, a qualified and competent person, but who
8 must have had at least three years' practical engineering experience with
9 an electric utility, or as a general or assistant manager or superintendent
10 of an existing public utility, who shall qualify as required by law, and
11 give bond in the sum of not less than five thousand (\$5,000) dollars for
12 the faithful discharge of his duties, who shall have complete charge of
13 and be liable to said board for his actions in connection with the operation
14 of said system, and who shall devote his entire time thereto. He shall have
15 charge of such system, and be responsible to such board for his actions in
16 connection with the operation thereof. He shall devote all necessary time
17 thereto, or such time as may be required by such board, and receive such
18 compensation as may be fixed by said board in their order appointing

A. B. 138

ASSEMBLY BILL NO. 138—MESSRS. SMITH, SWALLOW,
LOWMAN, ESPINOZA AND REID

JANUARY 30, 1969

Referred to Committee on Government Affairs

SUMMARY—Permits certain library and school district purchases by informal bids. Executive estimate of cost: None. (BDR 27-156)



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

AN ACT relating to library purchases; permitting certain purchases without advertising; permitting term subscriptions; 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 332 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:

3 1. *The purchase of books and library materials for public libraries*
4 *and school districts in an amount exceeding \$1,000 may be let on a*
5 *contract, by subscription or otherwise, without advertising if requests for*
6 *informal bids have been submitted to and such bids have been received*
7 *from at least three persons who are capable of performing the contract.*

8 2. *The contract price for the purchase of such books or library mate-*
9 *rials by subscription may be paid in advance of the receipt of such books*
10 *or materials.*

11 SEC. 2. NRS 333.280 is hereby amended to read as follows:

12 333.280 1. The chief shall have power to let contracts, by advertis-
13 ing therefor in the manner provided for by law, for the furnishing of sup-
14 plies, materials and equipment for a period of not more than 1 year, on
15 a standard form of contract [], *except that contracts may be let for*
16 *more than 1 year for the purchase of books or library materials for the*
17 *Nevada state library, or public libraries or school districts electing to use*
18 *the facilities of the purchasing division, on a subscription basis without*
19 *advertising if requests for informal bids have been submitted to and such*
20 *bids have been received from at least two persons who are capable of*
21 *performing the contract or if such books or library materials may only*
22 *be purchased from a single source.*

23 2. *The contract price for the purchase of such books or library mate-*
24 *rials by subscription may be paid in advance of the receipt of such books*
25 *or materials.*

1 **SEC. 3.** Chapter 380 is hereby amended by adding thereto a new sec-
2 tion which shall read as follows:

3 *The price for the purchase of books or library materials by subscrip-*
4 *tion may be paid in advance of the receipt of such books or materials.*

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A. B. 503

ASSEMBLY BILL NO. 503—CLARK COUNTY DELEGATION

FEBRUARY 26, 1969

Referred to Committee on Government Affairs

SUMMARY—Authorizes counties to acquire and improve street beautification projects. (BDR 20-574)

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

AN ACT authorizing counties to acquire and improve street beautification projects and to assess the cost thereof, including operation and maintenance expenses, against the property benefited thereby; authorizing the issuance of bonds; 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 244 of NRS is hereby amended by adding*
 2 *thereto the provisions set forth as sections 2 to 75, inclusive, of this act.*
 3 SEC. 2. *It is hereby declared as a matter of legislative determination:*
 4 1. *That the acquisition, improvement, equipment, operation and*
 5 *maintenance of any street beautification project authorized in sections*
 6 *2 to 75, inclusive, of this act is in the public interest and is of special*
 7 *benefit to the property assessed to defray the cost thereof.*
 8 2. *That the notices provided in sections 2 to 75, inclusive, of this act*
 9 *are reasonably calculated to inform each interested person of his legally*
 10 *protected rights.*
 11 SEC. 3. *Except where the context otherwise requires, the definitions*
 12 *in sections 4 to 25, inclusive, of this act govern the construction of sec-*
 13 *tions 2 to 75, inclusive, of this act.*
 14 SEC. 4. *“Acquisition” or “acquire” means the opening, laying out,*
 15 *establishment, purchase, construction, securing, installation, reconstruc-*
 16 *tion, lease, gift, grant, endowment, bequest, devise, condemnation, trans-*
 17 *fer, assignment, option to purchase, other contract or other acquirement*
 18 *(or any combination thereof) of facilities, other property, any street beau-*
 19 *tification project or an interest therein authorized in sections 2 to 75,*
 20 *inclusive, of this act.*
 21 SEC. 5. *“Ad valorem” as describing a method of apportioning special*
 22 *benefits against assessable property means the spreading of the cost of a*
 23 *project on the basis of the assessed valuation of the real property in the*
 24 *improvement district. For purposes of computation, the ad valorem*
 25 *method may be based upon the valuation of benefited property to a certain*

A. B. 769**ASSEMBLY BILL NO. 769—COMMITTEE ON COMMERCE**

APRIL 1, 1969

Referred to Committee on Commerce

SUMMARY—Imposes additional regulations on public utilities and requires district attorneys to prosecute violations. (BDR 58-1923)



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

AN ACT relating to the regulation of public utilities; requiring compliance with specified rules; imposing a penalty; and requiring district attorneys to prosecute criminal violations.

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

- 1 SECTION 1. Chapter 704 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.
- 3 SEC. 2. 1. *Any person who fails to comply with the provisions of the*
4 *safety rules for the installation and maintenance of electric supply and*
5 *communication lines of the National Bureau of Standards as such rules*
6 *are adopted or amended by the commission is liable to a penalty of not*
7 *less than \$300 nor more than \$500. Each day's refusal or failure to*
8 *comply with such rules shall be deemed a separate offense.*
- 9 2. *The penalty provided in subsection 1 shall be recovered upon the*
10 *complaint of the commission in a civil action in any court of competent*
11 *jurisdiction.*
- 12 SEC. 3. *The district attorney of any county in this state shall prose-*
13 *cute all violations of this chapter for which a criminal penalty is provided*
14 *which occur in his county.*
- 15 SEC. 4. This act shall become effective upon passage and approval.