

Assembly

GOVERNMENT AFFAIRS COMMITTEE
MINUTES OF THE MEETING
APRIL 5, 1971

2-267

ALL MEMBERS PRESENT

ALSO PRESENT: WILLIAM HANCOCK, STATE PLANNING BOARD
JOHN BAWDIN, STATE HIGHWAY ENGINEER
JOHN SHEEREN, TAX COMMISSION
JAMES LEIN, TAX COMMISSION
MARK CHILTON, CHILTON ENGINEERING
ROBERT ELSTON, NEVADA STATE MUSEUM
BRENT ARMSTRONG, LAS VEGAS NEWS
JOE DIGLES, NEVADA RESORT ASSOCIATION
ROLLAND WESTERGARD, STATE ENGINEER
ERIC CRONKHITE, DIRECTOR OF STATE PARKS

Chairman Smith called the meeting to order.

AB 304 - Requires state agencies to report and preserve archeologic discovery and provides that state has property rights to such discovery.

Mr. Hancock explained that his department had no strong feelings about the bill in any way, however, he did have some questions about it. Who would determine what is an archeologic discovery? How long would this take? Who would administrate the program?

Mr. Bawdin said his department tried to work with the archeologists in the state at present and that the only question he was concerned about was if such a find would hold up a contract and cost the state money while it was being determined if the find was worth preserving.

Mr. Cronkhite stated that he felt that the main purpose of the bill had been taken care of in AB 626.

Mr. Elston spoke in favor of the bill stating that he assumed that the museum would work with the agencies and before any work was done would try and examine the site. He stated he would not think that any discovery would be made that would cause a work stoppage.

SCR 22 - Authorizes Nevada state park system to acquire lands around Rye Patch Reservoir.

Mr. Cronkhite stated that the money for this project had already been appropriated and this is simply approval. He stated that this project was part of the 1966 State Park Master Plan and that SCR 24 would soon be before the committee which would be the same situation regarding Lahontan Reservoir.

SB 35 - Eliminates acreage exclusion from definition of "subdivision

Mr. Chilton spoke against this bill calling it special interest legislation. He stated he was a county surveyor in several counties in the northern part of the state and also a private engineer. He suggested that as president elect of the Nevada Society of Professional Engineers he would appoint a committee of engineers to work with any other group in the state to examine and revise the subdivision laws in the state and present their finding to the next session of the Legislature.

AB 631 - Proposes various amendments to General Improvement District Law.

Mr. MacDonald explained to the committee that he had amended the bill to take out all reference to airport districts and had also amended the bill so that the county commissioners could not take over existing water and sewer districts within the city limits of cities and towns. He suggested that the bill be further amended to add that the county commissions could not take over any special districts created under special law, which would take care of the Las Vegas Valley Water District. Mr. MacDonald took the bill for more amendments.

AB 529 - Extends time for local governments to file quarterly reports under Local Government Budget Act.

SB 586 - Permits local government budget augmentation if resources available.

Mr. Sheenen explained to the committee that these two bills are both needed, that AB 529 would not have any meaning without the passage of SB 586. He said the change from emergency loan to short term financing was a change that would more correctly describe what is actually being done. He explained that the citizens become very disturbed if they read the words "emergency loan" and in most cases there is no emergency. He explained that budget augmentation was also a term that would not be misleading to the citizens. He stated that SB 586 would give the local authorities the authority to spend their own money. All the steps required under the Local Government Budget Act would be the same except that the requirement that the spending of money would not have to be approved by the State Board of Finance. He explained that this budget augmentation would occur in cases where the local governments have more revenue than they had planned on or in cases where money was budgeted for some purpose and for some reason the purpose for which the money was intended could not be fulfilled, such as in cases of road work when the weather does not permit the work to take place, and the money is carried over to the next year's budget.

Mr. Blyth spoke in favor of both bills and stated that both were needed by local governments.

Le Bergstrom spoke in favor of the bills also, stating that the NSCPA was on record as favoring both bills.

AB 728 - Permits appropriation of effluent.

Mr. Westergard explained to the committee that this would simply make the practices that they had been following for the past fifteen years legal. He offered an amendment to the committee which he felt would protect the various interchange of waters now taking place. He felt that the bill as amended was very important. Assemblyman Bryan asked what the effect of the bill would be on the Master Plan for Clark County.

Mr. Westergard said he felt that the bill would help the Master Plan by establishing primary and secondary rights. It would establish that these were property rights.

Mr. Knisley explained to the committee that any problems that the committee could think of and any other problems had been anticipated by the group that worked on drawing the bill.

AB 318 - Requires Clark County board of county commissioners to appoint a special committee to study local government problems in Clark County.

Chairman Smith explained that this was a most important bill for Clark County. A similar bill was introduced in the last session and passed both houses, however, it was vetoed by the Governor on the basis of lack of local option.

Assemblyman Bryan expressed the fear that the bill would give the County Commissioners too much power on the committee.

Chairman Smith presented two proposed amendments to the bills. He told the committee that the fears of the governments in Clark County were as best he could determine, that such a committee would give too much power to the county commissioners, it would be too large a committee to work effectively, and it would force the will of the majority on the minority without any power to veto it or vote upon it separately.

There was also opposition to PAS being named in the bill as the company to do the job. He suggested that the advisory board could be made up of members of the local planning boards and governmental bodies and elected officials such as the county assessor and other officials which

Mr. Armstrong told the committee that it was his opinion that legislation is necessary to force the different bodies to work together in Clark County. He gave a brief history of the area and outlined the problems that now exist and stressed what will happen when the area is more populated. He felt that only by combining services could the taxpayer be given a break.

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Assemblyman Getto asked if some duplication of services was not something that could not be avoided.

Mr. Armstrong stated that it was true that there would always be duplication of services, however, the main point had been the lack of co-operation between the different governing bodies in Clark County.

Assemblyman Dini asked if this were a matter for the whole committee to discuss as most of the members knew little or nothing about Clark County problems.

Chairman Smith stressed that the opinions of the committee members would be of value in the consideration of this bill.

He appointed a special sub-committee consisting of Assemblymen Ronzone, Branch, Smith and Bryan to discuss the proposed amendments and report their recommendations back to the committee.

The League of Women Voters asked to be on record as supporting AB 318.

SCR 22 - Assemblyman Dini moved DO PASS.

Assemblyman Ronzone seconded the motion.

The motion carried.

AB 728 - Assemblyman Lauri moved DO PASS AS AMENDED.

Assemblyman Ronzone seconded the motion.

The motion carried.

AB 807 - Validates prior action creating unincorporated town of Beatty.

The chairman explained to the committee that there were no records of the town of Beatty ever being created and this bill would make legal everything the county commissioners have done.

Assemblyman Dini moved DO PASS.

Assemblyman Lauri seconded the motion.

The motion carried.

AB 804 - Authorizes State and certain political subdivisions to negotiate sale, lease of Marlette Lake water system; creates advisory committee for system

Chairman Smith explained that this bill would allow the State to get out of the water business.

Assemblyman Dini moved DO PASS.

Assemblyman Getto seconded the motion.

The motion carried.

Assemblyman Frazzini voted no.

Proposed Amendments

Delete Paragraph 3 of Assembly Bill 728 as originally printed and insert as Paragraph 3:

"Effluent discharged from the point of final treatment from within a sewage collection and treatment system shall be considered water as referred to in Chapter 533 of NRS, and shall be subject to appropriation for beneficial use under the reservoir-secondary permit procedure described in this section. Nothing in this section shall preclude appropriation in accordance with and subject to the provisions of NRS 533.325 to 533.435, inclusive."

ASSEMBLY BILL 728

Proposed Amendments

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April 5, 1971

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TO: THE MEMBERS OF THE GOVERNMENT AFFAIRS COMMITTEE

FROM: HAL SMITH, CHAIRMAN

SUBJECT: BILLS STILL IN COMMITTEE

THE FOLLOWING IS A LIST OF BILLS STILL BEFORE THE COMMITTEE WHICH WILL BE ACTED UPON IN THE NEXT FEW DAYS, SO PLEASE BE PREPARED.

AB 123 - DINI, NELLO, HAWKINS, GETTO, FOOTE, BRANCH

Removes time limits and restrictions on repayment of public employees' retirement contributions after withdrawal from and return to system; requires redeposited contributions to be accompanied by compound interest.

AWAITING AMENDMENT.

AB 304 - HILBRECHT, BRANCH, MAY, FRANK YOUNG AND SMITH

Requires state agencies to report and preserve archeologic discovery and provides that State has property rights in such discovery.

AB 318 - COMMITTEE ON GOVERNMENT AFFAIRS

Requires Clark County board of county commissioners to appoint a special committee to study local government problems in Clark County.

AB 525 - COMMITTEE ON GOVERNMENT AFFAIRS

Grants power to boards of county commissioners to declare and abate nuisances.

AB 548 - WHITE, FRAZZINI, DREYER

Requires state, county, city and local governments to grant employees leave of absence while serving in elective or appointed public office.

BRYAN PREPARING AMENDMENT

AB 631 - SMITH

Proposes various amendments to General Improvement Districts Law. AMENDMENTS READY.

AB 728 - SMITH

Permits appropriation of effluent.

AB 529 - COMMITTEE ON GOVERNMENT AFFAIRS

Extends time for local governments to file quarterly reports under Local Government Budget Act.

DO PASS - GENERAL FILE - CCD - REFERRED TO COMMITTEE TO USE WITH SB 586.

SB 423 - COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS.

Removes ambiguous provision requiring certification of unaudited claims against counties.

DO PASS - HOLDING FOR AMENDMENT AND SB 607.

SB 289 - COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS.

Specifies nature and extent of certain municipal powers.

DO PASS - HOLDING FOR AMENDMENT AND SB 607.

SB 212 - COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS.

Permits closed meetings of local government employers with their management representatives.

DO PASS - TO GENERAL FILE - CHIEF CLERK'S DESK - TO COMMITTEE

SB 222 - SWOBE -

Establishes boundary between Washoe and Storey counties.

DO PASS - TO GENERAL FILE - TO CHIEF CLERK'S DESK - TO COMMITTEE

SB 282 - CLARK COUNTY DELEGATION

Provides that directors of Las Vegas Valley water district be voted upon by electors of their divisions rather than running at large.

SB 302 - POZZI

Changes authority of State Planning Board relating to sale of certain lands

SB 309 - SWOBE

Provides for liberal construction of ordinances and building codes to encourage establishment of condominiums.

SB 467 - COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS.

Authorizes lease of real property interest above or below established grade line of highway pavement.

BRYAN WORKING WITH HIGHWAY ATTORNEYS ON AMENDMENTS.

SB 559 - FRANSWAY

Changes method for calculating retirement benefits of former legislators continuing in service under public employees' retirement system.

SB 566 - COMMITTEE ON FEDERAL STATE AND LOCAL GOVERNMENTS.

Enacts new Las Vegas city charter.

SB 575 - COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS.

Allows Nevada Commissioner for Veteran Affairs certain fees and creates Veterans' Relief Fund.

SCR 22 - FRANSWAY

Authorizes Nevada State Park System to acquire lands around Rye Patch Reservoir.