

COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

Minutes of Meeting -- January 27, 1971

The second meeting of the Committee on Federal, State and Local Governments was held on January 27, 1971, at 3:00 P.M.

Committee members present: James I. Gibson
Warren L. Monroe
Carl F. Dodge
Lee Walker
Chic Hecht
Coe Swobe

Also present were:

Ross Prince, Assembly
Grover Swallow, Assembly
Curt Blyth, Municipal Association
Bob Petroni, Las Vegas Attorney
Dennis Wright, Legislative Counsel Bureau
Russ McDonald, Legislative Counsel Bureau
Randy Wright, Intern

SB-54 Authorizes Las Vegas Convention Authority in name of Clark County to issue not to exceed \$7,500,000 of bonds for acquiring recreational facilities for convention hall expansion and football stadium facilities.

Chairman Gibson explained that the voters had authorized the 7.5 million dollar bond issue for expansion of the convention hall and the football stadium. There were various questions raised as to the constitutionality of the bond issue and as a result the bonding attorneys said that the bond would not be saleable unless special legislative action were enacted. There is a problem in that the convention authorities have entered into contracts with large conventions scheduled within the building as soon as it is completed. The conventions are contingent upon the needed expansion which is tied up in the bond issue. Mr. McDonald of the Legislative Counsel Bureau gave background information to the committee regarding general obligation bonds, interest rates, and the maturity schedule.

Senator Swobe then moved "Do Pass" on this bill, and it was seconded by Senator Monroe. The vote was unanimous for passage.

Chairman Gibson requested approval from the committee that SB-54 be introduced as an emergency measure because of the timing.

Senator Swobe moved that the committee approve this request, which was seconded by Senator Dodge. The motion carried.

There was some further discussion and questions from the committee directed to Mr. McDonald concerning bond issues and marketability.

SB-59 Enacts new Caliente city charter.

Mr. Dennis Wright of the Legislative Counsel Bureau briefed the committee as to the status of the Caliente city charter, stating that the Caliente city officials have approved the draft. The city council and city attorney have both reviewed it and indicated that they wanted action taken on it as soon as possible. This was confirmed by Assemblyman Swallow and Assemblyman Prince.

A question was raised with regard to Section 2.010 of the Caliente charter (page 4) concerning the provision for the raising and lowering of salaries. Chairman Gibson pointed out that one of the uniform provisions agreed upon by the interim study committee was that they would include the ability to raise or lower the salaries, but not during term of office, in the hands of the city officials, rather than having to come to the legislature. He asked Mr. Wright to make the necessary change in this charter.

The discussion then turned to Section 7.010 of the charter (page 23) regarding the debt limit. Mr. Wright was requested to check on the present indebtedness of the City of Caliente and report back to the committee. It was felt that the 60% debt limit for Caliente was not realistic and that this should be lowered.

There was some discussion on the implementation provision of the charter and it was noted that the City of Caliente does not want a hearing on this matter, but prefer that it go into effect immediately for the purpose of their next election.

Chairman Gibson asked Mr. Wright to supply the committee members with a copy of the "Comparative Tables" to use as a checklist on each of the city charters.

January 27, 1971

Senate Committee on Federal, State, and Local Governments

SJR-22*

Proposes to amend Nevada constitution by abolishing provision for certain county officers.

An explanation on the background of this bill was given by Chairman Gibson. He said it had originated with the part pertaining to county surveyors. In White Pine specifically, they would like to hire people to do this work as needed and not have to elect a county surveyor. This is a redundant office in many areas and it was agreed that this could be stricken out of the constitution. Upon research of the law it was found that the section pertaining to superintendent of schools was also redundant. If this language is removed the county may still have the particular office if they so wish.

After discussion it was requested that Senator Monroe do some further research and report back to the committee. This bill was held for action at the next meeting.

Chairman Gibson then brought up the matter of reapportionment referring to a letter addressed to Mr. Arthur J. Palmer from Mr. Harding of Central Data Processing (copy attached). This is for general information only. There is to be a resolution forthcoming for the Legislative Counsel Bureau Research Department to spend up to \$25,000 out of the legislative funds for the purpose of developing computer capability to assist in reapportionment. With the court decisions that are presently on the books it appears that the courts are narrowing very tightly the variance that they are allowing in districts, regardless of the composition of the district -- whether its multi-member or single-member. It is physically impossible to come up with all the alternatives manually, whereas the computer will give a much greater ability to look at the various possibilities. It was pointed out that in a couple of the states the courts have indicated that if a better plan is offered than the one the legislature comes up with, that plan will be used.

The letter from Dr. Bushnell of the University of Nevada, also addressed to Mr. Palmer, was referred to (copy attached). This outlines some of the decisions she feels have to be made before the computer programming is undertaken.

Senator Dodge stated that he wanted to apprise the committee of the fact that last session they had heard all there was to hear regarding public employee negotiation proposals and they

* From the 55th session

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Senate Committee on Federal, State, and Local Governments

January 27, 1971

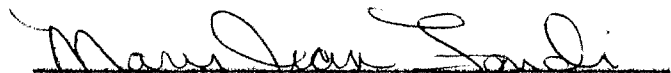
finally processed the bill that was passed. The problem now is: (1) The Clark county school district has, by mutual agreement, decided to defer a decision on what they are going to do on salaries this coming year until they see what the legislature appropriates, and (2) the Attorney General has ruled that under the act they cannot delay, but are locked in on the time schedule. Senator Dodge then asked that the bill now being prepared be introduced as a committee bill. There is some sense of urgency in light of the Attorney General's opinion.

Senator Swobe moved that this bill be introduced by the committee and that an early hearing be set. This was seconded by Senator Hecht. The motion carried.

It was agreed that a hearing on this matter would be scheduled next Tuesday at 3:00 P.M.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Mary Jean Fondi,
Committee Secretary



STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
CARSON CITY, NEVADA 89701

MIKE O'CALLAGHAN
Governor

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BUDGET DIVISION PERSONNEL DIVISION PURCHASING DIVISION DATA PROCESSING DIVISION BUILDINGS & GROUNDS DIVISION

January 22, 1971

Mr. Arthur J. Palmer
Legislative Counsel Bureau
Carson City, Nevada 89701

RE: Reapportionment and Redistricting

Dear Mr. Palmer:

During the meeting held on January 8, 1971, dealing with some of the preliminary aspects of the reapportionment problem, Central Data Processing was tasked with the responsibility of determining the feasibility of utilizing the computer to assist the Legislature in developing redistricting alternatives. After a thorough survey of those computer-based systems which have been used in other states to assist in reapportioning, we recommend the following course of action:

The State of Nevada should develop a local capability to utilize our computer to aid in the development of alternative reapportionment plans for review by the Nevada Legislature. This can be successfully accomplished by following these steps:

1. Acquire 1970 census data.
2. Prepare geographic coordinates describing census enumeration districts.
3. Obtain the necessary programs.
4. Perform a validation of these programs and data.
5. Retain a knowledgeable consultant experienced in reapportionment to review quality of data and approach.
6. Develop reapportionment and redistricting alternatives desired by the Legislature.
7. Again review these alternatives for technical accuracy with a consultant.

The above-mentioned consultants should be individuals who have participated in successful state reapportionment programs, and are intimately familiar with the difficulties and pitfalls which could be encountered. Qualified consultants include James B. Weaver and Dr. S. J. Hess, who participated

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in the development of the system used in Delaware; and Dr. Liittschwager, currently active in the reapportionment of the State of Iowa.

Central Data Processing has attempted to locate all computer-based reapportionment systems which have been employed in any state. Among those states contacted were Wisconsin, Iowa, Michigan and California. We have also considered those systems proposed for use in New York, Pennsylvania and Ohio. Most of these state systems are still in the developmental stage. The outstanding examples of systems which have been successfully utilized are those employed by the states of Iowa and Delaware. Inasmuch as the prime requisite for consideration of any such system was its proven performance, those systems now under development or proposed were not deemed acceptable. We have had extensive conversations with the developers of the systems used by Iowa and Delaware, and have also talked with individuals who have been active in their use. We recommend utilization of the programs used in Delaware.

The system used by the State of Delaware was developed independently by an organization called Computer Research on Non-partisan Districting, Inc. It employs reasonably sophisticated mathematical techniques to ensure equality of population and geographical compactness of legislative districts. It is compatible with our existing computer configuration within the State of Nevada, and is fully documented for ease of use. Thus, it would require the least time to implement. Data required for the successful use of this program is in (3) parts. The first of these is the 1970 population information obtained from the Bureau of the Census; the second is geographical coordinates which must be developed locally; the third is population unit identification information, also available from the Bureau of the Census. The census data available from the Bureau of the Census has been ordered some time ago, and a subsequent phone conversation indicates it should arrive within a few days. The CROND program is also on its way. Although geographical coordinates will be available from the Bureau of the Census in the near future, they will not be available soon enough for our needs. Inasmuch as it might require up to eight man weeks of effort to develop and verify the geographic coordinates required, this endeavor should be begun immediately.

The recommended approach is not only the most satisfactory from the point of view of quality of results, but is also the most economical. An estimated cost would be:

Census information	\$ 350.00
Programs and documentation	30.00
Geographic data collection	2,000.00
Computer	10,000.00
External consultants	5,000.00
Systems and programming	<u>5,000.00</u>
TOTAL	\$22,380.00

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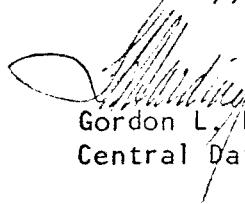
It should be noted that although the normal billing of the State computer facility would approximate \$10,000.00, the actual out-of-pocket expense to the State for this time would probably not exceed \$1,500.00. The Computer Facility manager has indicated that adequate computer time will be available.

It is most desirable that any computer programs used to aid in reapportionment be available for local use. In no other way can the appropriate degree of responsiveness to the Legislature be maintained. It should also be noted that subsequent to the development of this reapportioning capability within the State, this same system could be successfully utilized for a county reapportionment, voting districting, etc., if desired, at a minimal cost.

The paragraphs above deal primarily with the computer aspect of the problem. Dr. E. Bushnell of the University of Nevada has stated that the techniques employed in the recommended system are completely acceptable from a political science viewpoint. Dr. E. M. Beesley will be contacted to review the mathematics involved.

Inasmuch as the legislative session has already begun, and apportionment must be considered at an early date, work must begin immediately on the development of the computer capability to support redistricting. Although much of the basic data and programs are currently available, the amalgamation and testing of the various pieces is a time-consuming task. In fact, if authorization and funding is not provided before February 15, there can be no guarantee of timely project completion.

Sincerely,



Gordon L. Harding, Administrator
Central Data Processing

GLH:pw

Telephone message from Fred Dugger, January 25, 1971:

This is an appendix to proposal given by Central Data Processing last Friday to indicate the dates they will be capable of performing the functions they intend to perform.

At approximately 5 to 6 calendar weeks after the date of project initiation, assuming data capture requires only 3 weeks, the data and programs can be checked and verified and the system made available for the first official redistricting run. The balance of the proposed 60-75 days estimated for the total project would be spent in running and analyzing redistricting alternatives as required by the legislature.



UNIVERSITY OF NEVADA

RENO

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DEPARTMENT OF POLITICAL SCIENCE
RENO, NEVADA 89507

January 21, 1971

Mr. Arthur E. Palmer, Jr.
Research Division
Legislative Counsel Bureau
401 S. Carson Street
Carson City, Nevada

Dear Art:

Several policy decisions concerning reapportionment and also redistricting in Nevada should be made before potential programs are submitted to computer analysis. Based on current United States Supreme Court decisions, there is no doubt that very nearly equal populations among electoral districts must be achieved, and that any variation must be explained. (Other Court rulings have been summarized and are in your possession if needed.) It is desirable that districts be compact and contiguous, using visible, natural, or historical boundaries when possible.

With a desire to assist the policy-makers and to aid in identifying some of the problems that will arise, I suggest consideration of the following questions:

1. Granted that population-equality among districts is essential, what is the best redistricting choice for Nevada? Respect county lines (as now) and continue to clump several counties together with sub-districting in the large counties? Use enumeration districts as the base for determining district sizes? Use precincts as the base? Use the existing districts (with certain modifications) and reallocate representatives to them on the basis of the 1970 Census?
2. Should Assembly and Senate districts be identical? (With, of course, two Assemblymen and one Senator elected from each designated district, or the appropriate ratio if present districting is retained.)

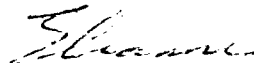
Mr. Arthur E. Palmer, Jr.
January 21, 1971
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3. What should be the absolute and relative sizes of the two chambers? Should the present 20-40 be changed? (i.e. do even-numbered bodies often produce tie votes?)
4. What would be the effect upon incumbents and upon political party strength if the sizes of the Senate and Assembly were changed to 21-42? 23-46? 23-45? 19-39? (Redistricting usually changes political strength in the legislature; this possibility has to be candidly faced, as does the effect of both reapportionment and redistricting upon incumbents.)
5. What should be considered the electoral population of a district--total population, as is now done? registered voters? residents of voting age? What about 18-year-olds?

These and other questions rooted in policy-making should be considered before any computer programming is undertaken. In my experience, policy determinations must be worked out first; then objective, mathematically-based solutions can be presented for final decision by the Legislature.

Sincerely,



Eleanore Bushnell
Professor

EB:mhd

S. B. 54

SENATE BILL NO. 54—CLARK COUNTY DELEGATION

JANUARY 26, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY—Authorizes Las Vegas Convention Authority in name of Clark County to issue not to exceed \$7,500,000 of bonds for acquiring recreational facilities, for convention hall expansion and football stadium facilities. Fiscal Note: No. (BDR S-498)



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

AN ACT authorizing the Las Vegas Convention Authority on the behalf and in the name of Clark County to construct, otherwise acquire, improve, extend and better recreational facilities incidental thereto, and sites and grounds, equipment and furnishings therefor; authorizing the issuance of bonds for such purpose in not to exceed the aggregate principal amount of \$7,500,000; providing for the payment of the bonds and the interest thereon by the levy and collection of general (ad valorem) taxes and optionally with revenues derived from the county's exposition and convention hall buildings and appurtenant recreational facilities and from license taxes fixed and imposed for revenues upon certain operators of hotels and motels and upon gaming; concerning other securities relating to such project and such bonds; otherwise stating powers, duties, immunities, rights, privileges, liabilities, disabilities, other limitations and other details in connection therewith; and providing other matters properly relating thereto.

1 WHEREAS, The Las Vegas Convention Authority, in the county of
2 Clark, State of Nevada (sometimes designated in this act as the "Author-
3 ity," the "County" and the "State," respectively), ordered the submission
4 of, and there was submitted, at the primary election held in the County on
5 Tuesday, the 1st day of September 1970, to the duly qualified electors
6 of the County, a proposal authorizing it to incur an indebtedness by the
7 issuance of the County's negotiable, coupon, general obligation bonds, in
8 one series or more, in the aggregate principal amount of \$7,500,000,
9 or so much thereof as may be necessary, for the purpose of constructing,
10 otherwise acquiring, improving, extending and bettering recreational
11 facilities for the County for convention hall expansion and football
12 stadium facilities, improvements incidental thereto, and sites and grounds,
13 equipment and furnishings therefor (sometimes designated in this act as
14 the "bonds"), the bonds to bear interest at a rate or rates of not exceed-
15 ing 7 percent per year, to mature serially commencing not later than
16 3 years from the date or respective dates of the bonds and ending not
17 later than 10 years therefrom, payable from general (ad valorem) taxes

SENATE BILL NO. 59—COMMITTEE ON FEDERAL, STATE
AND LOCAL GOVERNMENTS

JANUARY 27, 1971

Referred to Committee on Federal, State and Local Governments
SUMMARY—Enacts new Caliente city charter. Fiscal Note: No. (BDR S-998)



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

AN ACT incorporating the City of Caliente, in Lincoln County, Nevada, and defin-
ing the boundaries thereof, under a new charter; 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. The charter of the City of Caliente is as follows. Each
2 section of the charter shall be deemed to be a section of this act for the
3 purpose of any subsequent amendment.

4
5 ARTICLE I

6
7 Incorporation of City; General Powers; Boundaries;
8 Annexations; City Offices

9
10 Section 1.010 Preamble: Legislative intent.

11 1. In order to provide for the orderly government of the City of Cali-
12 ente and the general welfare of its citizens the legislature hereby estab-
13 lishes this charter for the government of the City of Caliente. It is
14 expressly declared as the intent of the legislature that all provisions of
15 this charter be liberally construed to carry out the express purposes of the
16 charter and that the specific mention of particular powers shall not be
17 construed as limiting in any way the general powers necessary to carry
18 out the purposes of the charter.

19 2. Any powers expressly granted by this charter are in addition to
20 any powers granted to a city by the general law of this state. All pro-
21 visions of Nevada Revised Statutes which are applicable generally to
22 cities (not including, unless otherwise expressly mentioned in this char-
23 ter, chapter 265, 266 or 267 of NRS) which are not in conflict with the
24 provisions of this charter apply to the City of Caliente.

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S. J. R. 22 of the 55th Session

SENATE JOINT RESOLUTION NO. 22—SENATOR MANNING

MARCH 17, 1969

Referred to Committee on Federal, State and Local Governments

SUMMARY—Proposes to amend Nevada constitution by abolishing provision for certain county officers. (BDR C-1845)



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

SENATE JOINT RESOLUTION—Proposing to amend section 32 of article 4 of the constitution of the State of Nevada, relating to county officers, by abolishing the provision for certain county officers.

- 1 *Resolved by the Senate and Assembly of the State of Nevada, jointly,*
2 That section 32 of article 4 of the constitution of the State of Nevada be
3 amended to read as follows:
4 **[Section thirty-two.]** *Sec. 32.* The Legislature shall have power to
5 increase, diminish, consolidate or abolish the following county officers:
6 County Clerks, County Recorders, Auditors, Sheriffs, District Attorneys
7 **[, County Surveyors,]** and Public Administrators. **[and Superintendents**
8 **of Schools.]** The Legislature shall provide for their election by the
9 people, and fix by law their duties and compensation. County Clerks shall
10 be ex-officio Clerks of the Courts of Record and of the Boards of County
11 Commissioners in and for their respective counties.

30

Original bill is on file at
the Research Library.