Senate



FEDERAL, STATE AND LOCAL GOVERNMENTS COMMITTEE

Minutes of Meeting -- February 10, 1971

The seventh meeting of the Committee on Federal, State and Local Governments was held on February 10, 1971.

Committee members present:

James I. Gibson Warren L. Monroe Carl F. Dodge Lee Walker Chie Hecht Coe Swobe

Also present were:

Cliff Young, Senator Myron Leavitt, County Commissioner, Clark County Jim Brennan, County Commissioner, Clark County Curt Blyth, Nevada Municipal Association Earl Wooster, City of Reno Gene Sullivan, City of Reno

Press representatives

Chairman Gibson called the meeting to order at 3:00 P.M. Several bills were before the committee for consideration.

<u>SB-105</u> Permits cities or counties to make dedication of recreation areas or in-lieu payments mandatory before approval of subdivision plat.

Senator Young was present to testify before the committee as to the need for this legislation. He pointed out that the cities and counties are unable to purchase areas for recreation due to a lack of funds and that this bill would provide parks where they are not now available. It requires subdividers to contribute either land or money in-lieu of land, for park and recreation areas.

One of the problems discussed in connection with this bill was how the county or local authority would determine just how much land would be set aside for this purpose. It was indicated that the percentage should correspond to the size of the development. The language in the bill now states:



Senate Committee on Federal, State, and Local Governments

February 10, 1971

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"as are reasonably necessary to service the proposed aubdivision and the future residents of the subdivision."

Mr. Earl Wooster, who has been a member of the Reno Recreation and Parks Commission for 26 years, spoke to the committee, stating that he felt it was quite important that legislation of this type be passed. The City of Reno has a cooperative program with the schools which has helped somewhat, but in the last 50 years they have only had 5 dedications. The committee heard testimony from Gene Sullivan, also of the City of Reno.

An amendment was suggested to this bill on page 2, line 12, by striking the sentence as it presently reads and inserting language as follows: "for the benefit of residents within the political subdivisions," which was agreed upon by the committee.

Senator Dodge moved "Amend and Do Pass," seconded by Senator Hecht. The motion carried.

<u>SB-119</u> Removes requirement that at least 50 percent of total number of tracts of property to be assessed for improvement contain permanent structure.

Chairman Gibson asked Mr. Blyth to give some of the background information concerning this bill. He referred to the problem now existing in the City of Sparks concerning a connection needed between two existing improvements, but at the present they do not meet the 50% criteria. Mr. Blyth said the main problem is in trying to complete the street patterns.

After some discussion it was decided to wait until witnesses could appear before the committee from the City of Sparks to clarify some of the problems.

<u>AB-43</u> Permits Washoe County to have 99-year lease on fairgrounds.

Senator Swobe stated that this property has "bounced" back and forth between the county and state for quite a few years now. At the present time the county is making extensive improvements on it. After some discussion it was agreed to hold this bill for further information.

<u>SB-30</u> Removes executive director and division directors of state department of agriculture from classified service.



Senate Committee on Federal, State, and Local Governments

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The committee discussed this bill with regard to an amendment restricting it to removal of the executor director from the classified service and not the division directors. It was agreed that all language would be removed from the bill referring to the "second echelon" and would retain only that pertaining to the executive director.

Senator Monroe moved "Amend and Do Pass," seconded by Senator Swobe. The motion carried.

Chairman Gibson then referred to a bill which has been prepared by the bill drafters, but not yet introduced. The summary of this bill is as follows: "Appropriates \$50,000 to be expended by the governor for the employment of staff, staff travel and operating expenses, provides an efficiency valuation of Nevada's state government." It was agreed to introduce this bill as a committee.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Mary Jean Fondi Committee Secretary

SENATE BILL NO. 105-SENATORS YOUNG AND HECHT

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FEBRUARY 2, 1971

dr at Referred to Committee on Federal, State and Local Governments William D

SUMMARY-Permits cities or counties to make dedication of recreation areas or in-lieu payments mandatory before approval of subdivision plat. Fiscal Note: No. (BDR 22-248)

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

AN ACT permitting cities and counties to select sites for future parks and playact permitting chies and counties to select sites for induce parks and pay-grounds and make dedication of such areas mandatory or require payment in lieu of dedication before subdividing; requiring establishment of standards regarding the amount of land selected; permitting the adoption of regulations; and providing other matters properly relating thereto.

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

SECTION 1. Chapter 278 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. Any city or county which has adopted a master plan, as provided in this chapter, may include as a part of the plan future sites for parks and playgrounds. Thereafter, the city or county may require that a subdivider of land dedicate such land areas, sites and locations for park and playground purposes as are reasonably necessary to service the proposed subdivision and the future residents of the subdivision.

2. Any city or county which makes dedication of sites for parks and 9 playgrounds mandatory shall adopt regulations that shall set forth the 10 standards to be applied in determining the amount of land that is 11 required to be dedicated. Such regulations shall be adopted in accordance 12 with procedures set forth in the Nevada Administrative Procedures Act 13 and shall contain standards determining the amount, quality and location 14 of land that is required to be dedicated which are based upon the number 15 and type of dwelling units or structures included in each subdivision and 16 give due consideration to the relative desirability and market value of the 17 land that may be included within the area of any particular proposed sub-18 division. Such regulations also may, without limiting the general powers 19 conferred in this chapter, include the following: 20

(a) A delegation of authority to designated departments or agencies of 21 the city or county to select the location of the land areas to be dedicated 22 for school, park and playground purposes. 23

> Original bill is <u>2</u> pages long. Contact the Research Library for a copy of the complete bill.

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SENATE BILL NO. 119-SENATOR DRAKULICH

FEBRUARY 3, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY-Removes requirement that at least 50 percent of total number of tracts of property to be assessed for improvement contain permanent structure. Fiscal Note: No. (BDR 20-592)

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

AN ACT relating to consolidated local improvements and county government improvements; removing the requirement that at least 50 percent of the total number of tracts of property to be assessed for an improvement contain a permanent structure.

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

SECTION 1. NRS 244.873 is hereby amended to read as follows: 244.873 1. In the provisional order the board shall set a time at 3 least 20 days thereafter and place at which the owners of the tracts to 4 be assessed, or any other persons interested therein, may appear before the board and be heard as to the propriety and advisability of acquiring or improving, or acquiring and improving, the project or projects provisionally ordered.

2. Notice shall be given:

(a) By publication.

(b) By mail.

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11 12 (c) By posting.

Proof of publication shall be by affidavit of the publisher. 3.

13 Proof of mailing and proof of posting shall be by affidavit of the 14 engineer, clerk, or any deputy mailing the notice and posting the notice, respectively. 5. Proof 15

16Proof of publication, proof of mailing and proof of posting shall be maintained in the records of the county until all the assessments apper-17 18 taining thereto shall have been paid in full, principal, interest, any penal-19 ties, and any collection costs. 20

6. The notice shall describe:

21 (a) The kind of project or projects proposed (without mentioning 22minor details or incidentals). 23

(b) The estimated cost of the projects, or the estimated total amount

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

ASSEMBLY BILL NO. 43—WASHOE-STOREY DISTRICTS' DELEGATION

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Referred to Committee on Government Affairs

SUMMARY—Permits Washoe County to have 99-year lease on fairgrounds. Fiscal Note: No. (BDR S-18)

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

AN ACT relating to a lease on certain state property; authorizing the lease of designated property by the state department of agriculture to the board of county commissioners of Washoe County; empowering the board of county commissioners of Washoe County to enter into certain contracts relating to the property; declaring inconsistent acts not applicable insofar as they conflict; and providing other matters properly relating thereto.

1 WHEREAS, The State of Nevada is the owner in fee simple of certain 2 lands located in Washoe County, having acquired such lands by deed to 3 the State of Nevada, dated March 9, 1889; and

4 WHEREAS, It is the expressed desire of the people of the State of Nevada 5 as set forth in Statutes of Nevada 1887, at page 35, that such land be used 6 for public use and purposes; now, therefore,

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

10 SECTION 1. In consideration of the payment of the sum of \$1, the 11 12 state department of agriculture, acting for the people of the State of Nevada, is hereby authorized and directed forthwith to execute and 13 deliver for and on behalf of the State of Nevada to the county of Washoe 14 15 a good and sufficient agreement releasing all the rights, title and interest of the State of Nevada in and to that certain property located in the 16 county of Washoe and more particularly described as that certain piece 17 or parcel of land situated in the county of Washoe, State of Nevada, desig-18 nated as the northeast quarter $(NE\frac{1}{4})$ of the southwest quarter $(SW\frac{1}{4})$ and the southeast quarter $(SE\frac{1}{4})$ of the northwest quarter $(NW\frac{1}{4})$ of 19 20 section 1, township 19 north, range 19 east, M.D.B. & M., containing 80 acres, more or less, excepting approximately 2.904 acres more or less and 21 22 described as follows: Beginning at the southwest corner of the E1/2 of 23 Lot 2 of NW1/4, section 1, T. 19 N., R. 19 E., M.D.B. & M., thence south 24 0°20' east 600.50 feet more or less, thence northeasterly along the north

> Original bill is <u>2</u> pages long. Contact the Research Library for a copy of the complete bill.

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SÈNATE BILL NO. 30-SENATORS LAMB AND GIBSON

JANUARY 25, 1971

- Referred to Committee on Federal, State and Local Governments

SUMMARY-Removes executive director and division directors of state department of agriculture from classified service. Fiscal Note: No. (BDR 50-913)

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

ACT placing the executive director and the division directors of the state AN department of agriculture in the unclassified service of the state; and providing other matters properly relating thereto.

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

SECTION 1. NRS 284.140 is hereby amended to read as follows: The unclassified service of the State of Nevada shall be com-284.140 prised of positions held by state officers or employees in the executive department of the state government as follows:

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1. Persons chosen by election or appointment to fill an elective office. Members of boards and commissions, and heads of department, 2. agencies and institutions required by law to be appointed.

3. At the discretion of the elective officer or head of each department, agency or institution, one deputy and one chief assistant in such department, agency or institution.

4. All employees in the office of the governor and all persons required by law to be appointed by the governor or heads of departments or agencies appointed by the governor or by boards.

5. All employees other than clerical in the office of the attorney. general required by law to be appointed by the attorney general.

6. Officers and members of the teaching staff and the agricultural 16 extension department and experiment station staffs of the University of 17Nevada System, or any other state institution of learning, and student 18 employees of such institutions; but custodial, clerical or maintenance 19 20employees of such institutions shall be in the classified service. The board of regents shall assist the chief in carrying out the provisions of this 21chapter applicable to the University of Nevada System. 2223

7. Officers and members of the Nevada National Guard.

Original bill is <u>3</u> pages long. Contact the Research Library for a copy of the complete bill.

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SENATE BILL NO. 68-COMMITTEE ON FEDERAL. STATE AND LOCAL GOVERNMENTS

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JANUARY 28, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY—Amends Local Government Employee-Management Relations Act to provide procedure to stay submission of factfinding; provides complementary procedure concerning reemployment of public school teachers. Fiscal Note: -10 ° off No. (BDR 23-1008) 191/0/11

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

AN ACT amending the Local Government Employee-Management Relations Act to establish a procedure to stay submission of factfinding in disputes between parties to negotiation in years when the legislature meets; providing complementary procedures with respect to the reemployment of public school teachers represented by recognized employee organizations; and providing other matters properly relating thereto.

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

SECTION 1. NRS 288.200 is hereby amended to read as follows: 288.200 1. If at the expiration of 75 days from the date of service of the notice required by NRS 288.180, the parties have not reached 2 3 agreement, the mediator is discharged of his responsibility, and the parties shall submit their dispute to a factfinding panel. Within 5 days, the local 4 5 government employer shall select one member of the panel, and the 6 employee organization or organizations shall select one member. The 7 members so selected shall select the third member, or if within 5 days 8 9 they fail to do so, the board shall select him within 5 days thereafter. The third member shall act as chairman. 10

2. The local government employer shall pay one-half of the costs of 11 factfinding, and the employee organization or organizations shall pay one-12 13 half.

The factfinding panel shall report its findings and recommendations 14 to the parties to the dispute within 25 days after its selection is complete. 15 16 These findings are not binding upon the parties, but if within 5 days after the panel has so reported the parties have not reached an agreement, the 17 panel shall make its findings public. 18

> Original bill is <u>2</u> pages long. Contact the Research Library for a copy of the complete bill.

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SENATE BILL NO. 71-COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

FEBRUARY 1, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY—Validates securities, voted and nonvoted, securities issued in antici-pation of the issuance of such securities and proceedings pertaining to such securities. Fiscal Note: No. (BDR S-1011)

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

AN ACT to be designated as the 1971 Public Securities Validation Act; validating, ratifying, approving and confirming outstanding public securities of the state and all corporate subdivisions and agencies thereof, and acts and proceedings had or taken thereby and pertaining to public securities; repealing acts in conflict with this act; and providing other matters properly relating thereto.

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

This act shall be known as the 1971 Public Securities SECTION 1. Validation Act. 2

SEC. 2. As used in this act:

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1. "Public body" of the state means any state educational institution or other state institution, its board of regents or other governing body 4 5 thereof constituting a body corporate, any county, incorporated city or 6 incorporated town, whether incorporated or governed under a general act, 7 special legislative act or special charter enacted, adopted or granted pur-8 suant to sections 1 or 8, article 8, of the constitution of the state, or otherwise, any unincorporated city or unincorporated town, any school 10 district, local improvement district, general improvement district, power 11 district, irrigation district, drainage district, water conservancy district, water district, sanitation district, water and sanitation district, sewage, water and garbage disposal district, flood control district, swimming pool 12 13 14 district, public cemetery district, county fire protection district, fire pro-15 tection district, television maintenance district, housing authority, urban 16 renewal agency, community redevelopment agency, any other corporate 17 district, any corporate commission, or any other political subdivision of 18 the state constituting a body corporate. 19

"Public security" means a bond, note, warrant, debenture, interim 20 2. 21 debenture, certificate of indebtedness, or other obligation for the payment

> Original bill is <u>3</u> pages long. Contact the Research Library for a copy of the complete bill.

SENATE BILL NO. 96-SENATOR HUG

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FEBRUARY 2, 1971

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Referred to Committee on Federal, State and Local Governments

SUMMARY—Conditionally authorizes board of trustees of Washoe County School District on behalf and in name of the district to issue not to exceed \$25,000,000 of bonds for improving school facilities. Fiscal Note: No. (BDR S-1012)

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

AN ACT authorizing the board of trustees of the Washoe County School District to improve the district's school facilities by constructing and purchasing new school buildings, enlarging and remodeling existing school buildings, acquiring school building sites and additional real property for necessary school purposes, and purchasing necessary school equipment therefor; conditionally authorizing the issuance of the district's bonds for such purpose in not to exceed the aggregate principal amount of \$25,000,000; providing for the payment of the bonds and the interest thereon by the levy and collection of general (ad valorem) taxes; 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.

WHEREAS, The board of trustees of the Washoe County School District, in the county of Washoe and State of Nevada (sometimes designated in this act as the "Board," the "District," the "County" and the "State," 2 3 4 respectively), caused to be submitted to, and approved on the 21st day of December, 1970, by, the general obligation bond commission of the County, pursuant to NRS 350.001 to 350.006, inclusive, a proposal 5 6 (sometimes designated in this act as the "Proposal") authorizing the 7 Board to issue and sell, in one series or more, the District's negotiable, 8 coupon, general obligation bonds, in the maximum principal amount of 9 10 \$25,000,000, for the purpose of improving the District's school facilities by constructing and purchasing new school buildings, enlarging and 11 remodeling existing school buildings, acquiring school building sites and 12 additional real property for necessary school purposes, and purchasing 13 necessary school equipment therefor (sometimes designated in this act as the "bonds" and the "Project," respectively), such bonds to bear 14 15 interest at a rate or rates of not exceeding 7 percent per year, to mature 16 serially within not to exceed 25 years from the date or respective dates 17 of their issue, and to be issued and sold at, above or below par at an 18 effective interest rate (including any sale discount) of not more than 7 19 percent per year to maturity, and otherwise in such manner, upon such 20

Original bill is <u>4</u> pages long. Contact the Research Library for a copy of the complete bill.

S. B. 97

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SENATE BILL NO. 97—COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

FEBRUARY 2, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY—Makes changes in appeal procedure under state purchasing act. Fiscal Note: No. (BDR 27-100)

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

AN ACT relating to state purchasing; making certain changes in the appeals procedures to be followed by unsuccessful bidders.

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

SECTION 1. NRS 333.370 is hereby amended to read as follows: 333.370 1. Any unsuccessful bidder may file a notice of appeal at 1 2 the time of the award by posting bond with good and solvent surety in an 2 amount equal to 25 percent of the [average] successful bid submitted, 4 and thereafter within 10 days from the opening of the bids may appeal 5 to the [chief,] director, who may cancel the award for lack of compli-6 ance with the provisions of this chapter. Any such cancellation shall 7 necessitate readvertising for bids and a new award under the provisions 8 of this chapter. 9

10 2. Any notice of appeal under the provisions of this section shall 11 operate as a stay of action in relation to entering into any contract under 12 such award until the expiration of 10 days and, if the appeal is taken, 13 pending decision thereon.

14 3. The chief may make such open market purchases of the commodi-15 ties as urgently may be needed to meet the requirements until a determi-16 nation is made of the appeal.

17 SEC. 2. This act shall become effective upon passage and approval.

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pendent contractors. 2. An independent contractor is a person, firm or corporation who agrees to perform services for a fixed price according to his or its own methods and without subjection to the supervision or control of the other contracting party, except as to the results of the work, and not as to the means by which the services are accomplished.

3. For the purposes of this section:

(a) Travel, subsistence and other personal expenses may be paid to an independent contractor, if provided for in the contract, in such amounts as provided for in the contract. Such expenses shall not be paid under the provisions of NRS 281.160.

(b) There shall be no:

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Withholding of income taxes by the state;
Industrial insurance coverage provided by the state;

(3) Participation in group insurance plans which may be available 18 to employees of the state; 19 20

(4) Participation or contributions by either the independent con-tractor or the state to the public employees' retirement system;

(5) Accumulation of vacation leave or sick leave.

4. An independent contractor is not in the classified or unclassified

> Original bill is <u>2</u> pages long. Contact the Research Library for a copy of the complete bill.

SENATE BILL NO. 104-SENATOR SWOBE

FEBRUARY 2, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY—Excludes Clarke-McNary fire protection districts from Local Government Budget Act, Fiscal Note: No. (BDR 31-70)

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

AN ACT relating to the Local Government Budget Act; excluding from the Local Government Budget Act the Clarke-McNary fire protection districts.

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

SECTION 1. NRS 354.474 is hereby amended to read as follows: 354.474 1. Except as otherwise provided in subsection 2, the provi-2 3 sions of NRS 354.470 to 354.626, inclusive, shall apply to all local governments. For the purpose of NRS 354.470 to 354.626, inclusive, "local 4 government" means every political subdivision or other entity which has 5 6 the right to levy or receive moneys from ad valorem or other taxes or any 7 mandatory assessments, and includes without limitation counties, cities, towns, boards, school districts and other districts organized pursuant to chapters 244, 309, 318, 379, [473,] 474, 540, 541, 542, 543 and 555 of NRS, NRS 450.550 to 450.700, inclusive, and any agency or depart-8 9 10 ment of a county or city which prepares a budget separate from that of the 11 parent political subdivision. 12

13 2. An irrigation district organized pursuant to chapter 539 of NRS shall fix rates and levy assessments as provided in NRS 539.667 to 14 539.683, inclusive. The levy of such assessments and the posting and pub-15 lication of claims and annual financial statements as required by chapter 16 539 of NRS shall be deemed compliance with the budgeting, filing and 17 publication requirements of NRS 354.470 to 354.626, inclusive, but any 18 such irrigation district which levies an ad valorem tax is required to 19 comply with the filing and publication requirements of NRS 354.470 to 20 354.626, inclusive, in addition to the requirements of chapter 539 of 21 22 NRS.

SEC. 2. This act shall become effective upon passage and approval.

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Original bill is on file at the Research Library.

A. B. 190

ASSEMBLY BILL NO. 190-MESSRS. SMITH AND HILBRECHT

FEBRUARY 5, 1971

Referred to Committee on Government Affairs

SUMMARY—Amends text of California-Nevada Interstate Compact to conform to California changes. Fiscal Note: No. (BDR 48-478)

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

AN ACT amending the text of the California-Nevada Interstate Compact to conform language to the text of the compact as enacted by the State of California; and providing other matters properly relating thereto.

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

SECTION 1. NRS 538.600 is hereby amended to read as follows: 1 $\mathbf{2}$ 538.600 The legislature of the State of Nevada hereby ratifies and 3 approves the California-Nevada Interstate Compact as signed at Reno, Nevada, on July 25, 1968, by the commissioners of the State of Nevada, $\mathbf{4}$ 5 acting pursuant to the authority granted by the legislature of this state, and the commissioners representing the State of California, and approved 6 by the representatives of the United States, which compact is quoted in 7 full] set forth in this section. The provisions of the compact shall become 8 the law of this state upon the compact becoming operative as provided 9 in Article XXII of the compact. The provisions of the California-Nevada 10 Interstate Compact are as follows: 11

ARTICLE [I-] I. Purposes

Consistent with the provisions of the authorization Acts of the State 15 of California and the State of Nevada and the United States, the major 16 purposes of this compact are to provide for the equitable apportionment 17 of water between the two states; to promote interstate comity and to further intergovermental cooperation; to protect and enhance existing 18 19 economies; to remove causes of present and future controversies; to per-2021 mit the orderly integrated and comprehensive development, use, conser-22vation and control of the water within the Lake Tahoe, Truckee River, 23Carson River, and Walker River Basins.

> Original bill is <u>22</u> pages long. Contact the Research Library for a copy of the complete bill.

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