

Senate

COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

Minutes of Meeting -- March 1, 1971

The sixteenth meeting of the Committee on Federal, State and Local Governments was held on the 1st day of March, 1971 at 3:00 P.M.

Committee members present: James I. Gibson
Carl F. Dodge
Coe Swobe
Lee Walker
Stan Drakulich
Chie Hecht

Also present were:

J. B. Cunningham, State Association of County Commissioners
Roy Robinette, Tahoe Regional Planning Agency
Glenn Hare, Washoe County School District
Hal Smith, Assemblyman
Keith Bawden, State Highway Engineer
Curt Blyth, Nevada Municipal Association
Bill Hancock, State Planning Board
Dennis Wright, Legislative Counsel Bureau
James Wittenberg, Personnel Department
Bob Gagnier, Nevada State Employees Association

Press representatives

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

AB-78 Requires state and its political subdivisions to comply with local building and zoning laws.

Assemblyman Hilbrecht testified to the committee regarding AB-78. He stated that this proposal had come about as the result of some plans of the State Highway Department to locate heavy equipment in an RE zoned area in Las Vegas. The people in the area were disturbed about this and found that the state is exempt from zoning laws.

Mr. Hancock of the State Planning Board stated his reservations concerning Sections 1 and 2. What is not said there is that state and school districts shall comply with local code, but no fees will be charged for plan checking. The trend now is to have a state code as opposed to a local code. He also

questioned Section 5 and suggested that language be added with reference to future or new developments so that present structures (such as the prison) not correctly zoned will not be affected. Mr. Hilbrecht concurred in this suggestion.

The committee also listened to testimony from Mr. Glenn Hare of the Washoe County School District who spoke in opposition to AB-78, stating that they feel this is duplication of effort and they see no purpose to be served the way this bill is presently written. Mr. Roy Robinette of the Tahoe Regional Planning Agency spoke briefly on this bill.

AB-152 Prohibits appointment of person who recently changed party registration to party-oriented state boards.

Mr. Hal Smith explained the purpose behind AB-152, stating that we do presently prohibit changing party registration for elective offices in the assembly and senate for a two-year period, and by the same reasoning if the appointive offices are party-oriented, the same rules should prevail.

ACR-16 Urges equal opportunity for on-the-job training for all state employees.

Mr. Smith noted that they had found existing situations which made this proposal desirable. It was felt that the state should assume some responsibility to see that equal training opportunities were provided for all state employees, regardless of federal funding levels on certain employees.

Mr. Bob Gagnier of the Nevada State Employees Association stated that their association is in accord with ACR-16 as it is now written with the amendment. They feel that all state employees should be able to compete equally and have the opportunity to train for supervisory positions.

The committee also listened to testimony from Mr. James Wittenberg, head of the State Personnel Department, who stated that they saw no problems with this proposal unless it was in regard to funding. There are some inequities primarily with regard to funding and sources of funds.

SB-208 Removes limitation on apportionment of county road fund to incorporated cities.

Chairman Gibson stated that this bill had been introduced at the request of the Nevada Municipal Association. Mr. Blyth was present and spoke on this proposal. He explained that at the present time the various county commissioners do establish a road fund which is made up from either direct ad valorem taxes or transfers into the fund from the general fund of the county. They are required in several areas to divide these types of funds with the cities within the county. Some years ago the apportionment of this road fund money to the cities was limited to a maximum of 10%, so that regardless of how much money is there the cities cannot receive their share, as determined by the ratio of assessed valuation. This would remove that limitation.

Further testimony will be heard on SB-208 on Wednesday, March 3rd.

SB-192 Enacts new Henderson city charter.

Mr. Dennis Wright of the Legislative Counsel Bureau referred to page 2, Section 1.030 of SB-192. It was suggested that this property description be deleted, and the section amended to refer to that property description as filed with the City Assessor's office, and as may be amended from time to time. This would simplify the charter. Mr. Wright is to research this problem and see what can be done.

Mr. Smith brought up a problem with regard to SB-192. He had just received a call from the city attorney in regard to something not covered in the revised charter -- this was in reference to leases to non-profit organizations. After discussion it was decided that this should be covered by a separate bill to be drawn up now and would not properly be covered in SB-192. Mr. Wright was asked to draft the necessary bill.

AB-43 Permits Washoe county to have 99-year lease on fairgrounds.

Chairman Gibson read the proposed amendments to this bill. Following discussion it was decided to delay action on this until someone could come in and speak to the committee on it.

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The committee then took action on several bills as follows:

SB-69. Senator Hecht moved to "Hold," seconded by Senator Drakulich. The motion carried.

AB-78. Senator Dodge moved to "Hold," seconded by Senator Hecht. The motion carried.

AB-152. Senator Swobe moved "Do Pass," seconded by Senator Drakulich. The motion carried.

ACR-16. Senator Swobe moved "Do Pass," seconded by Senator Hecht. The motion carried.

AB-256. Senator Dodge moved "Do Pass," seconded by Senator Swobe. The motion carried.

SB-342. Senator Swobe moved "Do Pass," seconded by Senator Dodge. The motion carried.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Mary Jean Fondi,
Committee Secretary

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S. B. 208

**SENATE BILL NO. 208—COMMITTEE ON FEDERAL,
STATE, AND LOCAL GOVERNMENTS**

FEBRUARY 15, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY—Removes limitation on apportionment of county road fund to incorporated cities. Fiscal Note: No. (BDR 35-1179)



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

AN ACT relating to the county road fund; removing the limitation on the apportionment of such fund to incorporated cities; 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 403.450 is hereby amended to read as follows:
- 2 403.450 1. To provide funds for paying the expenses of road work,
- 3 the several boards of county commissioners shall, from time to time
- 4 upon the request of the city council, apportion to each incorporated city
- 5 within the respective counties such proportion of the general road fund of
- 6 the county as the value of the whole property within the corporate limits
- 7 of such city or cities, as shown by the last assessment roll, shall bear to the
- 8 whole property in the county, inclusive of property within the incorpo-
- 9 rated cities.
- 10 2. [The apportionment of moneys to cities as provided in subsection
- 11 1 shall not exceed an amount greater than 10 percent of the total amount
- 12 levied and collected for general road purposes within the county, exclu-
- 13 sive of funds for the payment of the principal and interest of bonds for
- 14 road and street purposes.
- 15 3.] All such moneys so apportioned shall be expended upon the
- 16 streets, alleys and public highways of such city or cities under the direc-
- 17 tion and control of the city council.

Original bill is on file at
the Research Library.

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(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 192

SENATE BILL NO. 192—COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

FEBRUARY 11, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY—Enacts new Henderson city charter. Fiscal Note: No. (BDR S-1380)

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

AN ACT incorporating the City of Henderson, in Clark County, Nevada, and defining 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 Henderson 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 Wards and 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
12 Henderson and the general welfare of its citizens the legislature hereby
13 establishes this charter for the government of the City of Henderson. It is
14 expressly declared as the intent of the legislature that all provisions of this
15 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 out
18 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 charter,
23 chapter 265, 266 or 267 of NRS) which are not in conflict with the
24 provisions of this charter apply to the City of Henderson.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 43

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

JANUARY 25, 1971

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; giving priority of use to certain groups; 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,

7
8 *The People of the State of Nevada, represented in Senate and Assembly,*
9 *do enact as follows:*

10
11 SECTION 1. In consideration of the payment of the sum of \$1, the
12 state land register, acting for the people of the State of Nevada, is hereby
13 authorized and directed forthwith to execute and deliver for and on behalf
14 of the State of Nevada to the county of Washoe a good and sufficient agree-
15 ment re-leasing, for a period of 99 years, all the rights, title and interest
16 of the State of Nevada in and to that certain property located in the
17 county of Washoe and more particularly described as that certain piece
18 or parcel of land situated in the county of Washoe, State of Nevada, desig-
19 nated as the northeast quarter (NE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$)
20 and the southeast quarter (SE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of
21 section 1, township 19 north, range 19 east, M.D.B. & M., containing 80
22 acres, more or less, excepting approximately 2.904 acres more or less and
23 described as follows: Beginning at the southwest corner of the E $\frac{1}{2}$ of

S. B. 69

SENATE BILL NO. 69—SENATOR YOUNG

JANUARY 28, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY—Harmonizes provisions of survey law. Fiscal Note: No. (BDR 54-477)

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

AN ACT relating to land surveying; deleting inconsistencies in laws relating to surveys of plats and subdivisions, planning and zoning and the practice of land surveying; deleting archaic references to engineers and making administrative changes in provisions relating to registered land surveyors; 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 89 of NRS is hereby amended by adding thereto
- 2 a new section which shall read as follows:
- 3 *No professional corporation may use the word "engineer" or any deriv-*
- 4 *ative thereof in its corporate name unless it was organized under the pro-*
- 5 *visions of NRS 89.050.*
- 6 SEC. 2. Chapter 116 of NRS is hereby amended by adding thereto the
- 7 provisions set forth as sections 3 and 4 of this act.
- 8 SEC. 3. *As used in this chapter, "surveyor" means a person author-*
- 9 *ized to practice as a registered land surveyor under the provisions of chap-*
- 10 *ter 625 of NRS.*
- 11 SEC. 4. *All records of survey made under the provisions of this chap-*
- 12 *ter shall be made in conformity with the provisions of NRS 278.500 to*
- 13 *278.560, inclusive.*
- 14 SEC. 5. NRS 116.020 is hereby amended to read as follows:
- 15 116.020 1. Whenever any lands are hereafter laid out and platted as
- 16 mentioned in NRS 116.010, the owner or owners of the same or any
- 17 trustee or trustees selected by the owner or owners shall cause to be made
- 18 out an accurate map or plat [], particularly setting forth and describing:
- 19 (a) All the parcels of ground so laid out and platted by their bound-
- 20 aries, course and extent, and their position with reference to monuments
- 21 erected or constructed, not less than one to each four blocks, with definite
- 22 and exact relation to the center lines of the streets of the plat or subdivi-
- 23 sion, and whether they are intended for avenues, streets, lanes, alleys,

Original bill is 14 pages long.
Contact the Research Library for
a copy of the complete bill.

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(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 78

ASSEMBLY BILL NO. 78—MESSRS. HILBRECHT, BRYAN, MAY, SCHOFIELD, MRS. BROOKMAN, MESSRS. MELLO, OLSEN, FRANK YOUNG, WILSON, RONZONE, BRANCH, SMALLEY, POGGIONE, MRS. WHITE, MESSRS. CAPURRO, LINGENFELTER, MISSES FOOTE, HAWKINS, MESSRS. LOWMAN AND DREYER

JANUARY 26, 1971

Referred to Committee on Government Affairs

SUMMARY—Requires state and its political subdivisions to comply with local building and zoning laws. Fiscal Note: No. (BDR 22-729)

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

AN ACT relating to planning and zoning; requiring the state and its political subdivisions to comply with local zoning laws; 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 278.580 is hereby amended to read as follows:
- 2 278.580 1. The governing body of any city or county may adopt a
- 3 building code, specifying the design, soundness and materials of struc-
- 4 tures and rules, ordinances and regulations for the enforcement of the
- 5 building code.
- 6 2. The governing body may also fix a reasonable schedule of fees for
- 7 the issuance of building permits. *Schedules of fees so fixed shall not*
- 8 *apply to the State of Nevada and its political subdivisions.*
- 9 3. A city building code which has rules, regulations and specifications
- 10 more stringent than the building code of the county within which such
- 11 city is located shall supersede, with respect to the area within a 3-mile
- 12 limit of the boundaries of such city, any provisions of such building code
- 13 not consistent therewith.
- 14 4. None of the provisions of subsection 3 shall be applicable to farm
- 15 or ranch buildings in existence on March 30, 1959.
- 16 5. *Notwithstanding any other provision of law, the state and its polit-*
- 17 *ical subdivisions must comply with all zoning regulations adopted pur-*
- 18 *suant to this chapter.*
- 19 SEC. 2. This act shall become effective upon passage and approval.

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A. B. 152

ASSEMBLY BILL NO. 152—COMMITTEE ON
GOVERNMENT AFFAIRS

FEBRUARY 3, 1971

Referred to Committee on Government Affairs

SUMMARY—Prohibits appointment of person who recently changed party registration to party-oriented state boards. Fiscal Note: No. (BDR 23-1117)



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

AN ACT relating to appointive state boards and commissions; prohibiting the appointment of a person who has changed his party registration within the preceding 2 years to a board or commission requiring party membership as a qualification.

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

- 1 SECTION 1. Chapter 281 of NRS is hereby amended by adding
- 2 thereto a new section which shall read as follows:
- 3 *When the law creating any appointive state board or commission*
- 4 *requires that political party affiliation be balanced among the members,*
- 5 *no person may be appointed to any such board or commission who has*
- 6 *changed his party registration within the immediately preceding 2-year*
- 7 *period.*

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Original bill is on file at
the Research Library.

A. C. R. 16

**ASSEMBLY CONCURRENT RESOLUTION NO. 16—MESSRS.
HOMER, SWALLOW, JACOBSEN, GLASER AND DINI**

FEBRUARY 8, 1971

Referred to Committee on Government Affairs

SUMMARY—Urges equal opportunity for on-the-job training
for all state employees. (BDR 701)

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

ASSEMBLY CONCURRENT RESOLUTION—Urging heads of state agencies,
boards, commissions and departments to give equal opportunity for all state
employees to participate in on-the-job specialized training.

- 1 WHEREAS, It is the policy of the legislature of the State of Nevada to
- 2 promote equal opportunity for all employees of the State of Nevada; and
- 3 WHEREAS, The legislature has become aware that not all state employ-
- 4 ees have been given an equal opportunity to participate in on-the-job
- 5 specialized training programs and opportunities that are offered by the
- 6 agencies, boards, commissions and departments of this state; and
- 7 WHEREAS, Such discrimination reflects adversely on employees who
- 8 are denied equal opportunity for such training; and
- 9 WHEREAS, All employees in the service of the State of Nevada deserve
- 10 an equal chance to receive promotions and higher compensation; now,
- 11 therefore, be it
- 12 *Resolved by the Assembly of the State of Nevada, the Senate concur-*
- 13 *ring,* That the heads of all agencies, boards, commissions and depart-
- 14 ments of government in the State of Nevada, are hereby urged to afford
- 15 equal opportunity to all employees for on-the-job specialized training so
- 16 that all employees in state government may have an equal chance to
- 17 advance in their chosen fields of endeavor.

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Original bill is on file at
the Research Library.

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A. B. 256

ASSEMBLY BILL NO. 256—MESSRS. SWALLOW AND PRINCE

FEBRUARY 11, 1971

Referred to Committee on Elections

SUMMARY—Provides for filling school trustee vacancy from list submitted by board of county commissioners. Fiscal Note: No. (BDR 34-796)

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

AN ACT providing for the filling of a vacancy on a board of trustees of a school district; 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 386.270 is hereby amended to read as follows:
- 2 386.270 1. Any vacancy occurring in a board of trustees shall be
- 3 filled [for the unexpired term by an appointment by the superintendent of
- 4 public instruction.] *by appointment by the remaining members of such*
- 5 *board at a public meeting held after notice of such meeting is published*
- 6 *at least once each week for 2 weeks in a newspaper qualified pursuant to*
- 7 *the provisions of chapter 238 of NRS. The appointee shall serve until the*
- 8 *next general election, at which time his successor shall be elected for the*
- 9 *balance of the unexpired term.*
- 10 2. Any person appointed to fill a vacancy shall have the qualifications
- 11 provided in NRS 386.240.
- 12 SEC. 2. This act shall become effective upon passage and approval.

Original bill is on file at the Research Library.

S. B. 342

SENATE BILL NO. 342—COMMITTEE ON FEDERAL,
STATE AND LOCAL GOVERNMENTS

FEBRUARY 26, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY—Clarifies provision governing photographing public records. Fiscal Note: No. (BDR 19-1695)

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

AN ACT clarifying the provision governing photographing and microfilming public records.

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

- 1 SECTION 1. NRS 239.050 is hereby amended to read as follows:
- 2 239.050 1. Whenever any department, commission, board or officer
- 3 of the State of Nevada, except the department of highways, [or its political
- 4 subdivisions] shall have photographed or microphotographed or
- 5 filmed all or any part of the records kept by or in such department,
- 6 commission, board or by such officer in the manner and on film or paper
- 7 that complies with the minimum standards of quality approved for such
- 8 photographic records by the National Bureau of Standards, and whenever
- 9 such photographs or microphotographs or films shall be placed in conveniently
- 10 accessible files and provision made for preserving, examining
- 11 and using the same, the department, commission, board or officer may,
- 12 upon the approval of the state board of examiners or order of the district
- 13 court, cause the original records from which the photographs or micro-
- 14 photographs or films have been made, or any part thereof, to be disposed
- 15 of or destroyed.
- 16 2. Whenever the state highway engineer shall have photographed or
- 17 microphotographed or filmed all or any part of the records of the department
- 18 of highways required by NRS 408.215 to be kept by him, in the
- 19 manner and on film or paper that complies with the minimum standards
- 20 of quality approved for such photographic records by the National Bureau
- 21 of Standards, and whenever such photographs or microphotographs or
- 22 films shall be placed in conveniently accessible files and provisions made
- 23 for preserving, examining and using the same, the state highway engineer

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