

Senate

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COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

Minutes of Meeting -- March 8, 1971

The nineteenth meeting of the Committee on Federal, State and Local Governments was held on the 8th day of March, 1971.

Committee members present:

James I. Gibson  
Coe Swobe  
Warren L. Monroe  
Stan Drakulich  
Carl F. Dodge  
Lee Walker  
Chic Hecht

Also present were:

Lester Russell, Washoe County Park and Recreation Department  
J. B. Cunningham, State Association of County Commissioners  
Joe Midmore, Builders Association of Northern Nevada  
John Creighton, Washoe County Parks Department  
Bob Gagnier, Nevada Employees Association  
Jim Wittenberg, State Personnel Department  
Ruse McDonald, Legislative Counsel Bureau  
Ray Knisley  
Curt Blyth, Nevada Municipal Association  
Clark Guild, Union Pacific Railroad  
Carl Soderblum, Southern Pacific and Western Pacific Railroads  
Dave Branch, Assemblyman  
Fred Dressler, State Board of Agriculture

Chairman Gibson called the meeting to order at 3:00 P.M. There was some preliminary discussion as to notification of hearings to the various people who might be interested in testifying. The committee has been notified that there are additional people who would like to be heard regarding AB-43, Permits Washoe County to have 99-year lease on fairgrounds. A statement of rates presently charged on the Washoe fairgrounds and a paid statement are attached hereto. It was decided that a hearing on this bill would be set for Monday, March 15th.

SB-289 Specifies nature and extent of certain municipal powers.

Mr. McDonald of the Legislative Counsel Bureau spoke to the committee on SB-289, stating that this goes to Chapter 268,

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the commission form of government. The idea here is to keep the charters to a minimum and incorporate several provisions in the law which would be available to all cities. It doesn't add anything, but clarifies the language which every city can use.

Senator Monroe felt that an amendment to this bill would be appropriate with regard to republishing laws. Mr. McDonald said that he would take care of this matter.

SB-306 Makes various amendments relating to cities incorporated under general law.

Mr. McDonald stated that this bill goes to Chapter 266, the general law, and would affect Carlin and Boulder City and others that might be incorporated under the general law. This again, is an attempt to pull together common denominators and place them in one bill so that everyone will operate under the same rules. Exceptions are contained in the special charters and not in general laws.

Mr. Carl Soderblum, representing the Southern Pacific and Western Pacific Railroad companies stated that they oppose the language on page 9, line 1, subsection 4. He also referred to page 9, line 9, subsection 8. This language is a part of the wordage left out as follows: "tracks may be crossed at any time on any street, alley or avenue." Mr. McDonald said that this could be amended to contain the original language of the old section as suggested by Mr. Soderblum.

Mr. Clark Guild, representing the Union Pacific Railroad, referred to page 8, lines 49-50 and noted that under the old language they had set a standard of "one year" under the nuisance provision. He felt that this language as stated in the old section would be easier to live with. Chairman Gibson requested Mr. McDonald to draft the necessary amendments.

SB-348 Revises laws pertaining to public securities.

Mr. McDonald commented on this bill that there was language on the end of it which allows an increase to 8%. He suggested that a separate bill be drafted which would allow special assessments at the extra 1%.

SB-290 Amends Consolidated Local Improvements Law to authorize cities with commission form of government to acquire, operate, maintain electrical projects.

Mr. McDonald explained that legislation offered in the last session was an attempt to allow Boulder City by general language, to put in the local city improvements laws authority to construct electrical and telephone projects. This was "shot down" on the objections of the utility companies, allegedly on the basis that they couldn't get together and put the juice through the conduits that may be owned by the municipality. This would have applied to all cities and the bill fell and Boulder City ended up without anything except some special authority on one project. Now, what Boulder City particularly wants is the authority under the local improvements law (limited only to Carlin and Boulder City) to construct electrical and telephone projects.

Mr. Blyth of the Nevada Municipal Association pointed out that it is almost impossible to devise a method by which you can specially assess the property owner for the purchase and installation of underground distribution system which then belongs to the power company. Boulder City is a different type of operation because they (1) own much of the land down there subject to subdivision and they want to subdivide and then specially assess the properties for the installation of the off-site improvements; and (2) they want to be able to go back in and convert in some instances from aerial to underground and the cost of this conversion would be charged against the benefitted property owners rather than the total rate structure. They feel that this is more equitable than trying to establish a rate structure which would allow them to do it over a period of time. Chairman Gibson then read the proposed amendments to this bill.

SB-197 Prohibits forced retirement of state employees  
65 years of age.

Senator Hecht introduced Mr. Bob Gagnier who had been asked to come in and testify before the committee on SB-197. Basically the bill provides that an employee who is not vested in the public employee retirement system would not be forcibly retired at age 65. This would particularly benefit those people who are hired between the ages of 55-60. They have to work for 10 years before they are assured of being vested in the retirement system. This proposal goes to amend the Personnel Act and does not affect the retirement system.

Mr. Wittenberg, director of the State Personnel Department noted that this bill is slightly "regressive" but actually does encourage the hiring of people between the ages of

55-60 years of age. Mr. Wittenberg said that he would get the exact figure as to the number of people presently employed that would be affected by this proposal.

The committee then took action as follows:

SB-289 Senator Drakulich moved to "Amend and Do Pass," seconded by Senator Monroe. The motion carried.

SB-306 Senator Monroe moved to "Amend and Do Pass," seconded by Senator Drakulich. The motion carried.

SB-290 Senator Dodge moved to "Amend and Do Pass," seconded by Senator Monroe. The motion carried.

SB-177 Enacts new Elko city charter.

SB-178 Enacts new Wells city charter.

Mr. Dennis Wright of the Legislative Counsel Bureau stated that he would go over the proposed amendments to the Elko city charter and then report back to the committee. Senator Monroe noted that he had been notified the city of Wells does not want their charter passed. Mr. Wright is to get in touch with them and explain the impact of this action with reference to the general law.

AB-139 Reduces residence requirements of North Las Vegas elective officials.

Assemblyman Branch asked to speak to the committee on AB-139. He explained that he had introduced this bill because the present requirement is not realistic. Many people have moved from North Las Vegas only temporarily and when they move back and again become property owners they are still not eligible to run for elective office. He also felt that the vote defeating this in the last election had been due to the way the language was written and the fact that the people didn't really know what they were voting on.

AB-142 Provides for election of North Las Vegas city attorney.

With regard to AB-142 Mr. Branch explained that since the last session of the legislature they have had 4 different city attorneys that were appointed, and they felt that by having

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March 8, 1971

the city attorney elected, they would at least be assured of having one around for four years.

The committee will take these two bills under further advisement.

There being no further business, the meeting was adjourned.

Respectfully submitted,

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Mary Jean Fondi,  
Committee Secretary

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James I. Gibson,  
Committee Chairman

# WASHOE COUNTY PARKS

1350 North Wells Avenue  
 Reno, Nevada 89502  
 Ph: 785-4306 785-6133

2-51

8700

Sold To California-Nevada Hereford Assn.  
P.O. Box 126  
Clovis, California 93612

Shipped To \_\_\_\_\_

DATE February 12, 1971
CUSTOMER'S ORDER
SALESMAN
TERMS
F.O.B.
SHIPPED VIA

1	Day Pavilion rental 2/13/71			100	00
1	Day Pavilion Concession rental 2/13/71			N/C	
2	Sides Marque Rental			20	00
	Building Clean-up			20	00
103	Head Barn Rental fee		4 00	412	00
	Less Deposit Credit			100	00
	Total Due Washoe County Parks			452	00

★ ★ PAID ★ ★  
 2/25/71

Rediform  
75 725

## INVOICE

Records w/ Russell  
2<sup>55</sup>  
Profit and Non-profit

WASHOE COUNTY PARKS AND RECREATION DEPARTMENT

Fairground Facilities Rates

Grounds . . . . .	\$100.00 per day
Exhibit Building - one day . . . . .	75.00 " "
two or more . . . . .	50.00 " "
Livestock Pavilion . . . . .	100.00 " "
Livestock Barns - County maintains - box stall . . . . .	3.00 " "
tie stall . . . . .	1.50 " "
User maintains - box stall . . . . .	2.00 " "
tie stall . . . . .	1.00 " "
Rodeo Arena . . . . .	75.00 " "
Meeting Rooms . . . . .	20.00 - 25.00 per day
Special set-ups . . . . .	As per occasion
Building Rental by the hour . . . . .	6.00 per hour
(\$12.00 minimum - \$30.00 maximum)	
Other Charges per day	
Ticket booth . . . . .	10.00 each
Bankstand . . . . .	5.00 per section
Special lights . . . . .	2.50 per unit
Marque (7 days maximum) . . . . .	10.00 per side
Concession stand . . . . .	20.00 each
Metal chairs . . . . .	.10 each
Metal tables . . . . .	.50 each
Basic sound system . . . . .	25.00
Special items . . . . .	Per request

# WASHOE COUNTY FAIRGROUNDS

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 Reno, Nevada 89502  
 Ph: 785-4306 785-6133

56

8700

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P.O. Box 126  
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	Total Due Washoe County Parks			452	00

★ ★ PAID ★ ★  
 FEB 17 1971

Rediform  
 7S 725

## INVOICE



*Process w/ Russell*  
*Profit and Non-Profit*

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Livestock Barns - County maintains - box stall . . . . .	3.00 " "
tie stall . . . . .	1.50 " "
User maintains - box stall . . . . .	2.00 " "
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Building Rental by the hour . . . . .	6.00 per hour
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Marque (7 days maximum) . . . . .	10.00 per side
Concession stand . . . . .	20.00 each
Metal chairs . . . . .	.10 each
Metal tables . . . . .	.50 each
Basic sound system . . . . .	25.00
Special items . . . . .	Per request

**S. B. 289**

**SENATE BILL NO. 289—COMMITTEE ON FEDERAL,  
STATE AND LOCAL GOVERNMENTS**

FEBRUARY 22, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY—Specifies nature and extent of certain municipal powers.  
Fiscal Note: No. (BDR 21-1553)

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

AN ACT relating to cities; specifying the nature and extent of certain powers of the 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. Chapter 268 of NRS is hereby amended by adding
- 2 thereto the provisions set forth as sections 2 to 6, inclusive, of this act.
- 3 SEC. 2. *The corporate powers of any incorporated city are vested in*
- 4 *the city council or other governing body of such city.*
- 5 SEC. 3. *An incorporated city may:*
- 6 1. *Have and use a common seal, which it may alter at pleasure.*
- 7 2. *Purchase, receive, hold and use personal and real property*
- 8 *wherever situated.*
- 9 3. *Sell, convey and dispose of such personal and real property for the*
- 10 *common benefit.*
- 11 4. *Determine what are public uses with respect to powers of eminent*
- 12 *domain.*
- 13 5. *Receive bequests, devises, gifts and donations of all kinds of prop-*
- 14 *erty wherever situated in fee simple, in trust or otherwise, for charitable or*
- 15 *other purposes and do anything necessary to carry out the purposes of*
- 16 *such bequests, devises, gifts and donations with full power to manage, sell,*
- 17 *lease or otherwise dispose of such property in accordance with the terms*
- 18 *of such bequest, devise, gift or donation.*
- 19 SEC. 4. 1. *The city council or other governing body of an incorpo-*
- 20 *rated city shall have the power to codify and publish a code of its munic-*
- 21 *ipal ordinances in the form of a municipal code, which code may, at the*
- 22 *election of the council or other governing body, have incorporated therein*
- 23 *a copy of this chapter and such additional data as the council or other*
- 24 *governing body may prescribe. When such a publication is published, two*
- 25 *copies shall be filed with the librarian of the Nevada state library, and*
- 26 *thereafter the same shall be received in all courts of this state as an auth-*
- 27 *orized compilation of the municipal ordinances of the city.*

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S. B. 306

SENATE BILL NO. 306—COMMITTEE ON FEDERAL,  
STATE AND LOCAL GOVERNMENTS

FEBRUARY 23, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY—Makes various amendments relating to cities incorporated  
under general law. Fiscal Note: No. (BDR 21-1554)



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

AN ACT relating to cities incorporated under general law; making various amend-  
ments concerning the powers and government of such 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. Chapter 266 of NRS is hereby amended by adding
- 2 thereto the provisions set forth as sections 2 to 7, inclusive, of this act.
- 3 SEC. 2. 1. *All courts of this state shall take judicial notice in all civil*
- 4 *or criminal actions of:*
- 5 (a) *The change in class and organization of any city.*
- 6 (b) *All ordinances, rules, resolutions or other regulations of the city*
- 7 *council.*
- 8 2. *In all such actions, it shall not be necessary to plead the contents*
- 9 *of any order, ordinance, rule, resolution or other regulation, but may be*
- 10 *proved prima facie by the introduction of the original entry or a copy*
- 11 *thereof certified by the clerk.*
- 12 SEC. 3. *The city council may:*
- 13 1. *Regulate all matters relating to the construction, maintenance and*
- 14 *safety of buildings, structures and property within the city.*
- 15 2. *Adopt any building or safety code necessary to carry out the pro-*
- 16 *visions of this section and establish such fees as may be necessary.*
- 17 SEC. 4. 1. *The city council may enact and enforce such local police*
- 18 *ordinances as are not in conflict with the general laws of the State of*
- 19 *Nevada.*
- 20 2. *Any offense made a misdemeanor by the laws of the State of*
- 21 *Nevada shall also be deemed to be a misdemeanor in the city whenever*
- 22 *such offense is committed within the city.*
- 23 SEC. 5. 1. *The city council may:*
- 24 (a) *Divide the city into districts and regulate and restrict the erection,*

Original bill is 17 pages long.  
Contact the Research Library for  
a copy of the complete bill.

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(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 290

SENATE BILL NO. 290—COMMITTEE ON FEDERAL,  
STATE AND LOCAL GOVERNMENTS

FEBRUARY 22, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY—Amends Consolidated Local Improvements Law to authorize cities with commission form of government to acquire, operate, maintain electrical projects. Fiscal Note: No. (BDR 21-1552)

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

AN ACT amending the Consolidated Local Improvements Law to authorize incorporated cities with a commission form of government to acquire, improve, equip, operate and maintain electrical and telephone projects as defined or combinations of such projects.

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

- 1 SECTION 1. Chapter 271 of NRS is hereby amended by adding
- 2 thereto the provisions set forth as sections 2 and 3 of this act.
- 3 SEC. 2. "Electrical project" means any facilities for the transmission
- 4 and distribution of electrical power, either above or beneath the surface
- 5 of the ground, including lines, poles, conduits, house connections, trans-
- 6 formers and related appliances, and all appurtenances and incidentals
- 7 necessary, useful or desirable for any such facilities (or any combination
- 8 thereof), including real and other property therefor.
- 9 SEC. 3. "Telephone project" means facilities pertaining to the distri-
- 10 bution of telephone cables and lines, including without limitation sub-
- 11 surface conduits, and all appurtenances and incidentals related thereto
- 12 (or any combination thereof).
- 13 SEC. 4. NRS 271.265 is hereby amended to read as follows:
- 14 271.265 1. The governing body of a municipality, upon behalf of the
- 15 municipality and in its name, without any election, shall have power from
- 16 time to time to acquire, improve, equip, operate and maintain, within
- 17 or without the municipality, or both within and without the municipality:
- 18 [1.] (a) A curb and gutter project;
- 19 [2.] (b) A drainage project;
- 20 [3.] (c) An offstreet parking project;
- 21 [4.] (d) An overpass project;
- 22 [5.] (e) A park project;

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

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S. B. 197

SENATE BILL NO. 197—SENATOR HECHT

FEBRUARY 11, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY—Prohibits forced retirement of state employees 65 years of age. Fiscal Note: No. (BDR 23-700)

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

AN ACT relating to the state personnel system; prohibiting the forced retirement of employees 65 years of age if they meet certain requirements; providing a penalty; 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 284.378 is hereby amended to read as follows:
- 2 284.378 1. **[On July 1, 1966,]** *Except as provided in subsection 3,*
- 3 *any employee in the classified service who has attained the age of 65*
- 4 *years [shall be retired from service. Any employee who attains the age of*
- 5 *65 years after July 1, 1966,] after the effective date of this act shall be*
- 6 *retired from service on the last day of the calendar month in which he has*
- 7 *attained the age of 65 years or the last day of compensation, whichever*
- 8 *is later. [The appointing authority may rehire employees so retired on*
- 9 *a year-to-year basis, subject to the provisions of subsection 4.]*
- 10 2. Any person 65 to 69 years of age, inclusive, may be hired in the
- 11 classified service on a year-to-year basis.
- 12 3. **[Any]** *No person employed by the state [on or before January*
- 13 *1, 1965, who would otherwise be retired by the provisions of this section,*
- 14 *may remain employed until he has completed the 10-year period nec-*
- 15 *essary to qualify him for retirement benefits under chapter 286 of NRS.*
- 16 4. **[Any]** *who is still under the age of 70 years after the effective date*
- 17 *of this act shall be retired from service under subsection 1, if he:*
- 18 *(a) Has not acquired a vested interest in retirement benefits under*
- 19 *chapter 286 of NRS;*
- 20 *(b) Satisfactorily passes an annual physical examination; and*
- 21 *(c) Is able to acquire a vested interest in such retirement benefits prior*
- 22 *to or upon attaining the age of 70 years.*
- 23 4. *No employee who has attained the age of 70 years on July 1,*
- 24 *[1966, and any employee who attains the age of 70 years after July 1,*
- 25 *1966, is not] 1971, or who attains that age after July 1, 1971, is eligible*
- 26 *for state employment in the classified service.*