

MINUTES

Assembly

WAYS AND MEANS COMMITTEE - NEVADA STATE LEGISLATURE - 57th SESSION

February 23, 1973

Meeting called to order by Chairman Mello at 8:05 AM in the Ways and Means Committee Room.

Present: Chairman Mello, Vice-Chairman Schofield, Messrs. Dreyer, Hafen, Capurro, Prince, Smith, Howard and Mr. Robinson arriving late due to appearance before another Committee.

Also Present: John Dolan, Randy Webb, Ron Sparks and Bill Bible.

Motion to accept the Minutes of the meeting of February 19, 1973, made by Mr. Prince. Second by Mr. Schofield. Passed.

Introducation of Robert List, Attorney General. A18 - Extradition Clerk. Represents moneys to be reimbursed to the individual counties for expenses last year in connection with extradition. A memorandum has also been furnished to Mr. Barrett's office requesting an additional \$10,000 for the same purposes for the current year, 72-73 budget. S.B. 206 covers this supplemental appropriation.

A20 - Furnishings for the Attorney General's office due to the expansion its facilities. A letter was presented to the Committee which fully explains the furnishings to be purchased.

A23 - S.B.251. Appropriation of money for litigation filed by property owners against the TRPA, Nevada and California which must be defended by the AG's office. \$200,000,000 has been filed in claims against the TRPA, Nevada and California. There has been one case filed in Federal Court in which the AG's office was successful in getting the State of Nevada dismissed as a defendant. All of these cases have been filed since the last session of the Legislature and therefore, no funds were available to fund the defense.

Requests not included in budget: Two other lawsuits that have been filed generally following what is happening at Lake Tahoe and both have been filed since the last session of the Legislature. (1) The Truckee River litigation involves a suit filed by the U.S. Government against Nevada and California that asks in effect that all of the water rights be relitigated. The water rights are those that our State Engineer has granted certificates for some going back as far as 100 years. The Government seeks to divest all of the rights that interfere with the level of Pyramid Lake. They ask that Pyramid Lake be maintained at its level as of 1959. This case affects everybody that lives in the Truckee River watershed area. Expenditures so far are \$33,000. We have asked for \$100,000 to be appropriated, without fiscal year limitation, for the defense of the Truckee River litigation.

The other case involves a suit filed by the DiGorgio Lumber Company, through its subsidiary the Feather River Lumber Company. This stems from the passage last session of the Forest Practices Act, in which

the harvesting of trees was controlled and restrictions were placed on the harvesting. This act prohibited the lumber company from cutting many of the trees which had been purchased and paid for prior to the enactment of this legislation. The lumber company is trying to have this act declared unconstitutional and secondly, if it is they want to be reimbursed under the theory of inverse condemnation. In this instance they are requesting a supplemental appropriation of \$40,000.

In total for legal costs the Attorney General is asking for \$240,000.

Attorney General Office Budget: Salary increases sought range from 1.7 to a high of 12%. Have attempted to even-up jobs based on the responsibility involved. There will be shifting of deputies in the HWR department. All deputies will be placed under the Office of the Director of HWR. Deputy for Education and Water Resources will be split 50-50 between the two departments. The Assistant requested would be used for administrative functions of a non-legal type, assigning cases, analyzing caseload, drafting letter replies, budgets, etc.

Outside legal services by various departments. A listing was prepared by the Budget Division of the agencies that use outside legal counsel. All of these are authorized by statute.

Under the heading of new positions, it does not appear in our budget, but the money appropriated for the new attorney general does appear in the Real Estate Division budget on page 406. Under legal and court expenses there appears a figure of \$21,000 which is actually the Deputy Attorney General. This should be listed as a new Deputy Attorney General in our budget.

Special Fund: For prosecution or defense of cases which might come up in the next two years, unanticipated cases.

Private Detective: Supported by license fees.

Taxi-Cab Authority, page 420: General explanation as outlined, no increases one item that was left out and should be inserted. Commissioner's Salaries should be \$5,760 for each year of the biennium.

Bond Interest & Redemption: Motion do pass according to the Governor's Recommendation by Mr. Smith. Second by Mr. Prince. MOTION PASSED.

Public Employees Retirement Administrative Fund: Messrs. Ray Presnell, Carl Shannon and Jim Sullivan. Based on a study prepared by Harris-Kerr which recommended the positions as listed under New Positions. It is felt at this time that the budget could not handle the appropriation necessary for these new positions. Special Reports covers the one previously mentioned and the Actuarial Report.

Real Estate Investigative Fund, page 410: Motion do pass Governor's Recommendation by Mr. Howard. Second by Mr. Dreyer. MOTION PASSED.

Real Estate, Recovery, page 411: Motion do pass Governor's Recommendation by Mr. Prince. Second by Mr. Capurro. MOTION PASSED.

Real Estate, Education, Research & Recovery, page 412: Motion do pass Governor's Recommendation by Mr. Capurro. Second by Mr. Dreyer, MOTION PASSED.

Real Estate, Education and Research, page 413: Motion do pass Governor's Recommendation by Mr. Capurro. Second Mr. Schofield. MOTION PASSED.

Oil and Gas Conservation Commission, page 444: Motion do pass Governor's Recommendation by Mr. Schofield. Second by Mr. Howard. MOTION PASSED.

Forest & Water Shed Rehabilitation, page 461: Motion do pass Governor's Recommendation by Mr. Schofield. Second by Mr. Smith. MOTION PASSED.

Honor Camp Fund, page 462: Motion do pass Governor's Recommendation by Mr. Capurro. Second by Mr. Schofield. MOTION PASSED.

Racing Commission, page 433: Motion do pass Governor's Recommendation by Mr. Howard. Second by Mr. Smith. MOTION PASSED.

Fish & Game Nevada Boat Act, page 477. Motion do pass Governor's Recommendation by Mr. Capurro. Second Mr. Prince. Nay - Mr. Robinson. MOTION PASSED.

Fish & Game Upland Game Birds, page 479: Motion do pass Governor's Recommendation by Mr. Howard. Second by Mr. Smith. MOTION PASSED.

Agricultural Registration & Enforcement Fund, page 485: Motion do pass Governor's Recommendation by Mr. Hafen. Second Mr. Prince. MOTION PASSED.

Insect Abatement, page 487: Motion do pass Governor's Recommendation by Mr. Howard. Second by Mr. Hafen. MOTION PASSED.

Apiary Inspection Fund, page 488: Motion do pass Governor's Recommendation by Mr. Hafen. Second by Mr. Howard. MOTION PASSED.

Livestock Inspection Fund, page 490: Motion do pass Governor's Recommendation by Mr. Prince. Second by Mr. Hafen. MOTION PASSED.

Meeting adjourned at 9:55 until 9:00 Monday morning.