

COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

Minutes of Meeting -- March 19, 1973

The twenty-fifth meeting of the Committee on Federal, State and Local Governments was held on the 19th day of March, 1973.

Committee members present: Chairman James Gibson
Lee Walker
Coe Swobe
Carl Dodge
Chic Hecht

Also present were:

Chan Griswold, Deputy District Attorney
Howard McKibbon, District Attorney, Douglas
Senator Pozzi
Mayor Eugene Schrivner, Carson City
Hank Etchemendy, Carson City Manager
John Meder, Board of Supervisors
Vaghn Smith, Carson City Clerk
Joe Braswell
Thomas Winters
Paul Carrington
Proctor Hug, Jr.
Harold Jacobsen, Board of Regents
William Morris, Board of Regents
Press

Chairman Gibson called the meeting to order at 3:00 P.M. He explained that several people had been interested in SB-392 and requested further hearing.

SB-392 Provides that land zoned and later annexed by city retains zoning classification.

Senator Drakulich moved that the committee "Re-consider SB-392 and hear additional testimony," seconded by Senator Walker. Motion carried. Senator Gibson set a time for hearing on Tuesday, at 7:00 P.M.

1.

Senate

SB-242 Amends Carson City charter to establish appointive office of treasurer and conform canvass of election provisions to state law.

Senator Pozzi stated that he had introduced this bill upon request of the Board of Supervisors of Carson City. Mayor Schrivner, Mr. Etchemendy, and Mr. Meder all spoke in support of the Treasurer being made an appointive position -- this would give the board of supervisors authority to appoint someone who would be well qualified in the financial aspect of this position. Mr. Vaughn Smith also testified, stating that he felt the Treasurer position should remain elective. Mr. Joe Braswell, Mr. Thomas Winters and Mr. Paul Carrington all spoke as interested citizens opposing the appointive aspect of the Treasurer's office for Carson City.

SB-391 Realigns election districts for board of regents of University of Nevada.

AB-18 Requires that members of the board of regents of the University of Nevada System be residents of the subdistrict from which they are elected.

It was explained by Chairman Gibson that both of these bills would have to be considered together. Mr. Harold Jacobsen, Chairman of the Board of Regents of the University of Nevada testified that the vote of the Board on this bill was mixed. Basically this sets out the four districts -- they split District No. 3 (15 small counties and Carson City) into two districts and left the other districts as they were. Mr. William W. Morris, Board of Regents, and Mr. Proctor Hug also spoke on SB-391 and AB-18. Extensive discussion followed.

SB-408 Permits acquisition of tax delinquent properties by University of Nevada system.

Mr. Hug testified that this bill takes care of a very minor technical amendment. On delinquent taxes the property is deeded in trust to the county and held in trust. Thereafter it can be sold to realize the delinquent taxes. This is a provision whereby any local government can acquire property so held after giving one last chance for 90 days to the delinquent owner. They can acquire the property by making application to the county.

SB-464 Requires utilization of district attorney as counsel for unincorporated local governments.

Senator Hecht explained that this had been introduced in the interest of saving tax money on unwarranted attorney's fees. Mr. McKibben, District Attorney from Douglas County and Mr. Chan Griswold, Deputy District Attorney from Washoe, both spoke in opposition to this bill.

The committee then discussed and took action on the following bills:

SB-408 Senator Drakulich moved "Do Pass," seconded by Senator Walker. Motion carried.

SB-464 Senator Walker moved "Hold Indefinitely," seconded by Senator Dodge. Motion carried.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Mary Jean Fondi,
Committee Secretary

SENATE BILL NO. 392—SENATORS SWOBE, YOUNG,
WILSON AND RAGGIO

MARCH 8, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Provides that land zoned and later annexed by city retains zoning classification. Fiscal Note: No. (BDR 22-1531)

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

AN ACT relating to planning and zoning: providing that land already zoned by a local government and annexed by a city retains such zoning classification and that unzoned land annexed by a city takes the most restrictive zoning classification; 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 278.260 is hereby amended to read as follows:

2 278.260 1. The governing body shall provide for the manner in
3 which such regulations and restrictions and the boundaries of such dis-
4 tricts shall be determined, established and enforced, and from time to time
5 amended, supplemented or changed. However, no such regulation,
6 restriction or boundary shall become effective until after a public hearing
7 in relation thereto, at which parties in interest and citizens shall have an
8 opportunity to be heard. At least 15 days' notice of the time and place of
9 the hearing shall be published in an official newspaper, or a newspaper of
10 general circulation, in the city, county, or region.

11 2. *If a land use classification has been established and land use*
12 *restrictions imposed by another local government upon land subsequently*
13 *annexed to a city, that classification and those restrictions shall remain in*
14 *effect and be enforced by the city until changed pursuant to subsection 1.*

15 3. *If land annexed by a city is not subject to a land use classification*
16 *or restrictions imposed by another local government, it shall take the most*
17 *restrictive land use classification existing within the annexing city upon*
18 *such annexation and such classification shall continue until changed pur-*
19 *suant to subsection 1 of this section.*

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

SENATE BILL NO. 242—SENATOR POZZI

FEBRUARY 14, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Amends Carson City charter to establish appointive office of treasurer and conform canvass of election provisions to state law. Fiscal Note: No. (BDR 20-815)

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

AN ACT relating to Carson City; providing for an appointive treasurer; extending the time for canvassing election returns; 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 249.010 is hereby amended to read as follows:
2 249.010 1. Except as provided in subsection 3, county treasurers
3 shall be elected by the qualified electors of their respective counties.
4 2. County treasurers shall be chosen by the electors of their respec-
5 tive counties at the general election in 1922, and at the general election
6 every 4 years thereafter, and shall enter upon the duties of their respective
7 offices on the 1st Monday of January subsequent to their election.
8 3. The county clerks of Churchill, Douglas, Esmeralda, Eureka, Lyon,
9 Mineral, Nye, Pershing and Storey counties are *ex officio* county treas-
10 urers of their respective counties. [The clerk of Carson City is the *ex*
11 *officio* treasurer of Carson City.] *The treasurer of Carson City shall be*
12 *appointed by the board of supervisors of Carson City.*
13 SEC. 2. The charter of Carson City, being chapter 213, Statutes of
14 Nevada 1969, at page 287, is hereby amended by adding thereto a new
15 section to be designated as section 3.055, which shall immediately follow
16 section 3.050 and shall read as follows:
17 *Section 3.055. Treasurer: Appointment; duties; salary.*
18 1. *The treasurer of Carson City shall be appointed by the board.*
19 2. *The provisions of chapter 249 of NRS apply to the office of treas-*
20 *urer.*
21 3. *The treasurer shall perform such other duties as may be imposed*
22 *by the board, or by provisions of Nevada Revised Statutes which apply to*
23 *county treasurers.*
24 4. *The treasurer shall receive an annual salary in the amount deter-*
25 *mined by the board.*

1 SEC. 3. Section 3.030 of Article 3 of the charter of Carson City,
2 being chapter 213, Statutes of Nevada 1969, as last amended by chapter
3 532, Statutes of Nevada 1971, at page 1113, is hereby amended to read
4 as follows:

5 Section 3.030 Clerk: Duties; salary.

6 1. The provisions of chapter 246 of NRS apply to the office of clerk.

7 2. The clerk shall:

8 (a) Keep the corporate seal and all books and papers belonging to
9 Carson City.

10 (b) Attend all meetings of the board and keep an accurate journal of
11 its proceedings, including a record of all ordinances, bylaws and resolu-
12 tions passed or adopted by it. After approval at each meeting of the
13 board, the clerk shall attest the journal after it has been signed by the
14 mayor.

15 (c) Sign warrants issued.

16 (d) Number and countersign all licenses issued by Carson City. All
17 licenses shall be in a form devised by the clerk and approved by the
18 board.

19 (e) [Establish, with the approval of the board, such bookkeeping con-
20 trols and accounting systems as are necessary to carry out effectively the
21 duties of his office. He shall keep an accurate account of all warrants
22 and orders in such manner that the board can, at any time, ascertain
23 the actual outstanding indebtedness of Carson City. He shall comply]
24 Comply with the provisions of subsection 4 of NRS 251.030 and the
25 recorder and auditor is relieved from the duties imposed by subsection
26 4 of NRS 251.030, it being the intention of the legislature that only one
27 set of books be kept for Carson City.

28 (f) Enter upon the journal the result of the vote of the board upon the
29 passage of ordinances, or of any resolution appropriating money, abol-
30 ishing licenses, or increasing or decreasing the rates of licenses.

31 (g) [Act as ex officio treasurer. The provisions of chapter 249 of
32 NRS shall apply to the clerk while acting in such capacity.

33 (h) Perform such other duties as may be required by the board, or
34 by provisions of Nevada Revised Statutes which apply to a county clerk.

35 3. The clerk shall receive an annual salary in the amount specified
36 in NRS 245.043.

37 SEC. 4. Section 5.100 of Article 5 of the charter of Carson City,
38 being chapter 213, Statutes of Nevada 1969, at page 306, is hereby
39 amended to read as follows:

40 Section 5.100 Election returns; canvass; certificates of election; entry
41 of officers upon duties.

42 1. The election returns from any special, primary or general munic-
43 ipal elections shall be filed with the clerk, who shall immediately place
44 such returns in a safe or vault, and no person shall be permitted to han-
45 dle, inspect or in any manner interfere with such returns until canvassed
46 by the board.

47 2. The board shall meet within [5] 10 days after any election and
48 canvass the returns and declare the result. The election returns shall then
49 be sealed and kept by the clerk for 6 months and no person shall have

1 access thereto except on order of a court of competent jurisdiction or by
2 order of the board.

3 3. The clerk, under his hand and official seal, shall issue to each per-
4 son declared to be elected a certificate of election. The officers so elected
5 shall qualify and enter upon the discharge of their respective duties on
6 the 1st Monday in January next following their election.

SENATE BILL NO. 391—COMMITTEE ON FEDERAL,
STATE AND LOCAL GOVERNMENTS

MARCH 7, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Realigns election districts for board of regents of
University of Nevada. Fiscal Note: No. (BDR 34-1145)

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

AN ACT relating to the board of regents of the University of Nevada; realigning
election districts; 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 396.040 is hereby amended to read as follows:
2 396.040 1. [After January 1, 1973, the] *The* board of regents
3 shall consist of nine members to be elected by the registered voters within
4 the following districts:
5 (a) Washoe County shall be known as district No. 1, with two mem-
6 bers of the board of regents residing therein.
7 (b) Clark County shall be known as district No. 2, with five mem-
8 bers of the board of regents residing therein.
9 (c) [The remainder of the state shall be known as district No. 3, with
10 two members of the board of regents residing therein, as provided in NRS
11 396.041.] *Northern Nevada and Central Nevada senatorial districts shall*
12 *be known as district No. 3, with one member of the board of regents*
13 *residing therein.*
14 (d) *Western Nevada and Capital senatorial districts shall be known as*
15 *district No. 4, with one member of the board of regents residing*
16 *therein.*
17 *Senatorial districts as used in this section refer to senatorial districts cre-*
18 *ated by chapter 218 of NRS.*
19 2. The members of the board of regents shall be elected as follows:
20 (a) [At the general election in 1972:
21 (1) From district No. 1, one member of the board of regents shall
22 be elected for a term of 6 years.
23 (2) From district No. 2, two members of the board of regents shall
24 be elected for terms of 6 years, and one member of the board of regents
25 shall be elected for a term of 4 years.

ASSEMBLY BILL NO. 18—MR. DREYER

JANUARY 16, 1973

Referred to Committee on Elections

SUMMARY—Requires that members of the board of regents of the University of Nevada System be residents of the subdistrict from which they are elected.
Fiscal Note: No. (BDR 34-330)

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

AN ACT relating to elections, providing that members of the board of regents of the University of Nevada System be residents of the subdistrict from which they are elected; 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 396.040 is hereby amended to read as follows:
2 396.040 1. After January 1, 1973, the board of regents shall consist of nine members to be elected by the registered voters within the
3 following districts:
4
5 (a) Washoe County shall be known as district No. 1, with two members of the board of regents residing therein.
6
7 (b) Clark County shall be known as district No. 2, with five members of the board of regents residing therein.
8
9 (c) The remainder of the state shall be known as district No. 3, with
10 two members of the board of regents residing therein, as provided in NRS
11 396.041.
12 2. The members of the board of regents shall be elected as follows:
13 (a) At the general election in 1972:
14 (1) From district No. 1, one member of the board of regents shall
15 be elected for a term of 6 years.
16 (2) From district No. 2, two members of the board of regents shall
17 be elected for terms of 6 years, and one member of the board of regents
18 shall be elected for a term of 4 years.
19 (3) From district No. 3, one member shall be elected.
20 (b) At the general election in 1974:
21 (1) From district No. 1, one member of the board of regents shall
22 be elected for a term of 6 years.
23 (2) From district No. 2, one member of the board of regents shall
24 be elected for a term of 6 years and one member of the board of regents
25 shall be elected for a term of 2 years.

1 (3) From district No. 3, one member of the board of regents shall
2 be elected for a term of 6 years and one member of the board of regents
3 shall be elected for a term of 2 years.

4 (c) At the general election in 1976: [and every 6 years thereafter:]

5 (1) From district No. 1, no members of the board of regents shall
6 be elected.

7 (2) From district No. 2, two members of the board of regents shall
8 be elected for terms of 6 years.

9 (3) From district No. 3, one member of the board of regents shall
10 be elected for a term of 6 years.

11 (d) At the general election in 1978 and thereafter, all terms shall be
12 for 6 years.

13 3. The members of the board of regents as the board is constituted
14 on May 4, 1971 shall continue to hold office for the terms for which they
15 were elected.

16 SEC. 2. NRS 396.041 is hereby amended to read as follows:

17 396.041 1. In district No. 1 created by NRS 396.040, one member
18 shall be elected from each subdistrict hereby created, [in which residence
19 shall not be required:] and he shall be a resident of the subdistrict from
20 which he is elected:

21 (a) Subdistrict A shall consist of assembly districts Nos. 23, 24, 25,
22 27 and 28.

23 (b) Subdistrict B shall consist of assembly districts Nos. 26, 29, 30, 31
24 and 32.

25 2. In district No. 2, created by NRS 396.040, one member shall be
26 elected from each subdistrict hereby created, [in which residence shall
27 not be required:] and he shall be a resident of the subdistrict from which
28 he is elected:

29 (a) Subdistrict A shall consist of assembly districts Nos. 7, 18 and 19;
30 enumeration districts Nos. 242, 243B, 243D, 244, 247B, 248, 291, 292,
31 293 and 294 in assembly district No. 17 and enumeration districts Nos.
32 241, 249, 279, 280, 281, 282, 283, 284A, 284B, 285, 286, 288, 289,
33 297, 299, 300, 301A, 301B and 302 in assembly district No. 20.

34 (b) Subdistrict B shall consist of assembly districts Nos. 1, 2, 3, 4 and
35 enumeration districts Nos. 85, 87, 108 and 147 in assembly district No. 8.

36 (c) Subdistrict C shall consist of assembly districts Nos. 5, 10, 13, 15
37 and enumeration districts Nos. 126, 127, 128, 129, 165A and 166 in
38 assembly district No. 8.

39 (d) Subdistrict D shall consist of assembly districts Nos. 14, 16, 21
40 and 22, enumeration districts Nos. 240, 277, 278, 296 and 298 in assem-
41 bly district No. 17 and enumeration district No. 290 in assembly district
42 No. 20.

43 (e) Subdistrict E shall consist of assembly districts Nos. 6, 9, 11, 12
44 and enumeration districts Nos. 110, 111, 112, 113, 114, 115, 116, 117,
45 118, 119, 120, 121 and 123 in assembly district No. 8.

46 3. In district No. 3, created by NRS 396.040 one member shall be
47 elected from each subdistrict hereby created, [in which residence shall be
48 required:] and he shall be a resident of the subdistrict from which he is
49 elected:

1 (a) Subdistrict A shall comprise the area of the state included within
2 the Northern Nevada and Central Nevada senatorial districts.

3 (b) Subdistrict B shall comprise the area of the state included within
4 the Western Nevada and Capital senatorial districts.

5 4. Assembly districts, senatorial districts and enumeration districts,
6 as used in this section, refer to and have the meaning conferred by the
7 appropriate provisions of chapter 218 of NRS.

8 SEC. 3. NRS 396.042 is hereby repealed.



SENATE BILL NO. 408—COMMITTEE ON FEDERAL,
STATE AND LOCAL GOVERNMENTS

MARCH 12, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Permits acquisition of tax delinquent properties by University
of Nevada System. Fiscal Note: No. (BDR 32-925)

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

AN ACT to amend NRS 361.603 by permitting acquisition of tax delinquent
properties by the University of Nevada System.

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

- 1 SECTION 1. NRS 361.603 is hereby amended to read as follows:
2 361.603 1. Any local government *or the University of Nevada Sys-*
3 *tem* may, in the manner provided in this section, acquire property held
4 in trust by the treasurer of the county in which such local government
5 *or any part of the system* is located by virtue of any deed made pursuant
6 to the provisions of this chapter.
7 2. Whenever any local government *or the system* determines that a
8 public purpose may be served by the acquisition of such property, it may
9 make application to the board of county commissioners for permission to
10 acquire such property. If the board of county commissioners approves the
11 application, it shall direct the county treasurer to give notice of intent to
12 sell to the last-known owner or heirs or devisees of such last-known
13 owner of the property in the manner provided by law.
14 3. Such last-known owner may, within 90 days of such notice,
15 redeem the property by paying to the treasurer the amount of the delin-
16 quent taxes, plus penalties, interest and costs.
17 4. If such owner fails to redeem the property within the time allowed,
18 the county treasurer shall transfer the property to the local government *or*
19 *the board of regents of the University of Nevada* upon receiving from it
20 the amount of the delinquent taxes, plus penalties, interest and costs.

S. B. 464

SENATE BILL NO. 464—SENATORS HECHT AND LAMB

MARCH 14, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Requires utilization of district attorney as counsel for unincorporated local governments. Fiscal Note: No. (BDR 20-819)

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

AN ACT relating to local government; clarifying the status of the district attorney as counsel for certain entities; 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 252.110 is hereby amended to read as follows:
2 252.110 The district attorney shall:
3 1. Draw all indictments, when required by the grand jury.
4 2. Defend all suits brought against his county.
5 3. Prosecute all recognizances forfeited in the district court and all
6 actions for the recovery of debts, fines, penalties and forfeitures accruing
7 to his county.
8 4. Draw all legal papers and transact the legal business of the county
9 school district whose boundaries are conterminous with the boundaries of
10 his county, and such other legal duties as may be required of him by the
11 board of trustees of the county school district.
12 5. *Unless otherwise expressly provided by law, serve as legal counsel*
13 *for town and county agencies, boards, districts and institutions unless he*
14 *is unable to do so. If he is so unable, he shall so notify the agency, board,*
15 *district or institution, and it may retain counsel of its own selection.*
16 6. Perform such other duties as may be required of him by law.