

SENATE FEDERAL, STATE AND LOCAL GOVERNMENTS COMMITTEE

MINUTES OF MEETING

Friday, March 23, 1973

The meeting was called to order at 12:00 Noon on Friday, March 23, 1973.

Senator James Gibson was in the Chair.

PRESENT:           Senator James Gibson                       Senator Coe Swobe  
                  Senator Chic Hecht                     Senator Carl Dodge  
                  Senator John Foley                     Senator Stanley Drakulich

ABSENT:           Senator Lee Walker

ALSO PRESENT WERE:

Louis Bergevin	Agriculture - Douglas County
Dick McDougal	Pershing County
Smokey Quilici	Pershing County
Pete Fundis	Pershing County
Bob Griffin	Lyon County
Bob Warren	Nevada Municipal Association
Thomas B. Winters	Democratic Club of Carson City
Dan Poli	Lyon County
Lew Paley	Nevada State A.F. L.
Rowland Oakes	Associated General Contractors
Robert Hedry	NIC
John Madole	Associated General Contractors
Norman Shortloff	Nevada Farm Bureau
John Reiser	NIC
Earl Nygien	Honey Industry
Jim Smith	Legislative Intern

ACTION WAS THEN TAKEN ON THE FOLLOWING BILLS:

Continuation of hearing on the following reapportionment bills:

SB 62: Provides for reapportionment of Carson City and rural county senatorial districts. (Dodge)

SB 332: Provides for reapportionment of Carson City and rural county legislative districts. (Pozzi)

AB 718: Provides for reapportionment of Carson City and rural county legislative districts. (Dini)

Senator Dodge commented that since this is a continuation of a previous discussion, while he had not prepared any amendments, he had redrawn his districts in light of the Supreme Court decision. "In the original bill they had Austin Township in the Western Nevada District and they had Gabbs and Round Mountain Townships in Nye County." What he has done is reduce the area of the Western Nevada District to Pershing, Churchill, Lyon and Schurz Township in Mineral County. That was the only place where it broke the county line. He said that in checking with Art Palmer, that this discrepancy was well within the range indicated in the Virginia case. He then distributed these changed maps.

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Senator Dodge also stated that he tried not to invade county lines any more than he had to in SB 62.

Senator Gibson then made the following statement:

"We've had considerable discussion on whether or not the Legislature should do anything on reapportionment this session. And, there's some considerable feeling the matter ought to be left to the courts. I would like to state that I feel the special court was extremely fair to the legislature and to the state in their consideration of our reapportionment action at the last session. As a part of their decision, they suggested and recommended that the legislature, at this session, review these areas that we have are rather small county senatorial districts and the Assembly districts in and around Carson City for the purpose of reducing the disparities which they acknowledged were quite large and indicated were out of balance with what they considered proper.

"I feel that in light of the fairness of the court and especially their fairness in allowing us to take care of the situation ourselves, that we would be remiss if we did not attempt to take care of the matter ourselves this session. I feel that we might possibly create some lack of credibility with the Judges who treated us so fairly. We could have impact on future positions which might take in judicial matters which could come before them which in import might go farther than this enforcement matter we have in the State.

"So, with that in mind, I would like to lend as good an effort as we can to see if we can't make the adjustments as reasonable and with as much agreement as possible. At least indicate to the court that we have made as strong an effort as possible to try to carry out the opportunity that they courteously gave to us. And for that reason, we have continued to consider this matter before the committees and I hope that we can be conscientious about it and make an honest effort to resolve the discrepancies.

"Now, there are quite a few people here today that would like to comment on one or the other plans and I think what we will do will to try and comment on any one or all of them rather than try to contain our discussions to just one proposal because they are all interrelated. And in this way we will proceed."

Mr. Art Palmer was asked to sit at the testimony table so that he would be available for comment.

Mr. Griffin from Lyon County Board of Commissioners Chairman. He read a resolution and then distributed copies of same. (See Attachment 4.)

He then commented on the reasons why Lyon County supported a senatorial district encompassing Churchill, Lyon and Mineral Counties. (1) One of the largest mining operations ever undertaken in the State of Nevada is proposed on the county line dividing Lyon and Mineral County. They expect an expenditure of \$500 million to \$750 million before any ore will be taken out. With that lying between Mineral and Lyon Counties, he felt

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that the mining industry would be best represented if they were in one senatorial district. (2) The air pollution problem could be controlled much better along the mining industry if the large operations are in one senatorial district. (3) The water which serves Lyon and Mineral and Churchill Counties are from the same rivers - the Walker and the Carson Rivers. (4) The Council of Governments encompasses five counties now in the Western part of the State, and Mineral County would like to become part of this Council of Governments. This would give another tie as Lyon and Churchill Counties are both in it now. (5) Both Mineral and Churchill Counties have military bases.

Thomas B. Winters of the Democratic Club of Carson City testified that he had been instructed by the Democratic Central Committee that the Democratic Club has taken a position in favor of the proposed Senate treatment for Carson City in all three bills before the committee - AB 718, SB 332 and SB 62. At the present time Carson City is divided into the Western Nevada District and the Capital City District and this makes it difficult for the Democratic organization, as they have members in both districts. Putting them in with two adjoining counties, Carson City, Douglas and Storey Counties, without breaking any lines, seems to them to be a much better arrangement.

Dick McDougal who is involved in agriculture in Pershing County testified that he was in favor of SB 62. He felt that the inclusion of Pershing County with Churchill County is a logical way to follow the reorganization plan, because of their mutual problems - agriculture, both at the base of a river. This community of interest also lies in Lyon County. Mining and agriculture are certainly the basic industries of Pershing County.

Smokey Quilicy and Pete Fundis of Lovelock both reiterated what Mr. McDougal had said. Pete Fundis added that as Forman of the Pershing County Grand Jury he had been instructed to testify that the general opinion of the Grand Jury that Pershing County would be better represented by more like district than they are now. They don't feel they have anything in common with Elko. Some interests with Humboldt but that their real common interests are with Churchill and Lyon Counties.

Mr. Louis Bergevin of Gardnerville who represented the Nevada State Cattlemen's Association. The Nevada State Cattlemen's Association is in favor of SB 62 for the senatorial districts. The feeling of the association is that Churchill, Pershing and Lyon Counties represent a very intensive agricultural community, they are on the ends of the rivers. They did not feel that Lander and Eureka should be split off into central Nevada communities with Nye and Mineral. They felt that SB 62 did meet the problems of the various counties better than the other proposals.

Mr. Norman Shirtloff of the Nevada State Farm Bureau. His testimony agreed with the last three in that they are interested in holding the Pershing, Churchill, Lyon County together as an agricultural area as much as possible. In the land use planning throughout the State, they found that Lander-Eureka very definitely should be included in the Elko area and not broken away because of their principal use and their shopping areas, their tie in the cattle grazing industry.

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Senator Dodge then read a letter into the record. The letter was sent to him from Tom Gallagher, President of the Churchill County Farm Bureau which reiterated what Mr. Shirtloff had previously testified to. (See Attachment #5)

Senator Foley then made a statement in answer to Senator Gibson's previous statement.

"I would assume that the judges, as in most cases, are busy in other matters, and would expect the litigation to lie dormant unless somebody brings it to their attention. I'm wondering if there is a possibility, I agree with your principal of good faith with the courts, but I'm wondering, if before the legislature embarks upon this, that wouldn't it be a good idea if all of the counsel on the present case to meet and either go over personally or designate one of the members of the counsel to contact the chief judge of the case. I think this would be strictly in accordance with legal ethics to contact the judge by the law counsel and express to the court the feeling of your people, as chairman of the committee that has worked on this for a long, long time. Of your feeling that you want to show good faith to this court as you felt they showed good faith to you, and see what they say. I think a judge might well appreciate that. Maybe, we could accomplish this thing and know just what they are after. Now, to resurrect this case, someone is going to have to take some action. I think this might be a way of preserving the good faith of the court."

Clint Wooster and the committee then discussed the necessity of this type of action.

Senator Gibson said that they would discuss this later and then asked Mr. Palmer if he had anything to add to the testimony.

Mr. Palmer distributed many of the maps that he had and explained how this (meaning SB 62) is in alliance with the Assembly districts.

Senator Gibson then remarked that they would have to do some discussion in committee on the reapportionment bills. He thanked everyone who had testified and then continued on with the "NIC bills" - SB 3, SB 4, and SB 5.

Mr. Reiser testified on SB 3, 4 & 5. He gave a brief history on the bills and what their purposes were.

SB 3 is to redefine the qualifications of the Investment Council. It also provides that more than one Investment Council may be employed at the discretion of the Commission. They are looking for coordination between the Retirement Board and NIC, if possible.

SB 5 Senator Dodge explained that this bill was introduced to give a good flexibility on short-term investment. He went on to explain the purposes and intentions of the bill in detail.

SB 4 Mr. Reiser explained that SB 4 is the provisions to relate NIC to the Administrative Procedures Act. The courts will not be burdened hearing cases prior to the commission's rendering their final decision.

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Roland Oakes and Clint Wooster gave some additional testimony on these bills on their purposes.

Senator Swobe moved "Do Pass on SB 3, 4, and 5"  
Seconded by Senator Drakulich  
Motion Carried.

SB 515\* - This bill was drafted upon request of Mr. Howard Barrett and Clint Wooster testified as to the purpose which concerns state securities by amending the State Securities Law.

Senator Foley moved "Do Pass"  
Seconded by Senator Swobe  
Motion Carried.

SB 514\*- Clint Wooster testified as to the purpose of this bill, which Requires written notice of levy of assessment against property or organization or consolidation of general improvement district.

Senator Dodge moved "Do Pass."  
Seconded by Senator Swobe  
Motion Carried.

SB 294\* Clint Wooster testified as to the purpose of this bill, which Increases required contents of school district audit report.

Senator Swobe moved "Do Pass."  
Seconded by Senator Dodge  
Motion Carried.

SB 208\* Clint Wooster testified as to the purpose of this bill, which Amends procedure for creating underground electric and communication service districts.

Senator Swobe moved "Do Pass."  
Seconded by Senator Dodge  
Motion Carried.

SB 346\* Chairman Gibson and Clint Wooster testified as to the purpose of this bill, which Empowers cities to use chapter 704A of NRS to construct or convert to, or authorize construction or conversion to underground electric and communication facilities.

Senator Drakulich moved "Do Pass"  
Senator Swobe seconded the motion  
Motion Carried.

SB 518\* Clint Wooster testified as to the purpose of this bill, which Concerns public securities and other public obligations by amending chapters 349 and 350 of NRS.

Senator Dodge moved "Do Pass"  
seconded by Senator Swobe  
Motion Carried.

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SB 519\*- Clint Wooster testified as to the purpose of this bill, which Authorizes conveyance of certain land by State Land Register to City of Reno.

Senator Dodge moved "Do Pass."  
Seconded by Senator Swobe.  
Motion Carried.

AB 18\* - Explanation was given of this bill, which requires that members of the Board of Regents of the U of N system be residents of the subdistrict from which they are elected. (Single member.)

Senator Dodge moved "Do Pass."  
Seconded by Senator Swobe.  
Motion Carried.

SB 391\* Explanation was given of this bill, which realigns election districts for Board of Regents of University of Nevada - elected at large.

Senator Drakulich moved "Do Kill"  
Seconded by Senator Foley  
Motion Carried.

SB 484\* After brief discussion by the committee on this bill which amends current charter of city of Reno to increase maximum salary of police judge, the following action was taken:

Senator Dodge moved "Do Pass."  
Seconded by Senator Foley and Swobe  
Motion Carried.

SB 378\* Senator Dodge gave a brief description of this bill which increases compensation of directors of irrigation districts. He recommended that it be amended to \$35.00 compensation.

Senator Swobe moved "Do Pass with amendment."  
Seconded by Senator Dodge  
Motion Carried.

AB 570\* After a brief discussion by the committee on this bill which creates the county assessor's office in Esmeralda County, the following action was taken:

Senator Foley moved "Do Pass."  
Seconded by Senator Swobe.  
Motion Carried.

AB 624\* After a brief discussion by the committee on this bill which provides for election of county treasurer in Nye County, the following action was taken:

Senator Swobe moved "Do Pass."  
Seconded by Senator Drakulich  
Motion Carried.

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Chairman Gibson then asked the committee for their permission on two proposed bills.

1. Requested by Otto Ravenholt for a resolution allowing short-term funding on the hospital in Clark County.
2. Requested by Wm. Swackhamer to raise the number of voters in a precinct.

Permission was granted on both bills.

The meeting was then adjourned at 2:30 p.m.

Respectfully submitted:

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Molly Torvik, Acting Secretary

APPROVED BY:

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Senator James Gibson, Chairman.