

Senate

COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

Minutes of Meeting - March 28, 1973

The thirty-second meeting of the Committee on Federal, State and Local Governments was held on the 28th day of March, 1973 at 3:45 P.M.

Committee members present: Chairman James Gibson
Stan Drakulich
Carl Dodge
Chic Hecht
John Foley
Coe Swobe

Also present were:

Les Kofed, Director of Gaming
John Gianoti
Jerry Franklin, City of Henderson
Phil Hannifin, Gaming Commission
Jack Jeffers
Senator Echols
Dan Gray, North Las Vegas Councilman
Herb Stout, Las Vegas Chamber of Commerce
Dave Jamison, Las Vegas Convention Service
Clem Brenier, Plaza Hotel
Robbins Cahill
Assemblyman Hal Smith
Bob Warren, Nevada Municipal Association
Sam Dibitanto, Reno Councilman
Bruce Robb, Union Pacific Railroad
Carl Sonderblum, Southern Pacific
Glade Hall, Public Service Commission
Keith Hendrikson, Fire Fighters
Angus MacEachern, City of Las Vegas
John Meder, County Commissioners
Virgil H. Wedge, Reno
Wells O'Brien, McCulloch Corporation
Joe Midmore, Builders Association
Pam Wilcox, Washoe Homeowners Association
Press

SB-176 Adds new members to certain county fair and recreation boards.

Senator Echols testified on SB-176, stating that the present make-up of the board is 5 elected officials and 4 appointed

by the Chamber of Commerce. Two of the elected officials are from Las Vegas, two from Clark County and the one alternates between Henderson, North Las Vegas and Boulder City. The past year Boulder City has had two representatives on the Fair and Recreation Board and the cities of Henderson and North Las Vegas have had no representation. There are some amendments being prepared and some presentation that the entire board be appointed. Senator Echols urged the committee to correct the inequity in the fair and recreation board.

Mr. Dan Gray, North Las Vegas Councilman testified in agreement with Senator Echols, stating that he felt they should have at least one seat on the Convention Authority. They would not object to either an elected official or a representative from the Chamber.

The next witness to testify before the committee was Mr. Stout, President of the Las Vegas Chamber of Commerce, who spoke in opposition to SB-176. He said that the chamber had a legislative committee who had thoroughly studied this bill and were opposed to it. Mr. Stout then introduced Mr. Jim Cashman to present comments from the chamber legislative committee.

Mr. Cashman said that after listening to Senator Echols and Mr. Gray, that they are not in conflict as to the make-up of the board. They do advocate primarily an appointed board, appointed by the County Commission of Clark County encompassing representation from the resort hotel industry, the motel industry, the finance industry, general business and commerce, plus one member from North Las Vegas, and one member from the Henderson-Boulder City area. They are also concerned with the continuity of the board and recommend 4-year terms.

Mr. David Jamison added his comments to those of Mr. Cashman, explaining that the convention industry is very competitive and that continuity of board members and employees would be helpful. Mr. Clem Brenier also commented in this respect, adding that professional people should be appointed to run the Center.

Also with regard to SB-176 Mr. Robbins Cahill spoke in opposition, saying that it is disproportionate to put three members from the small cities and unincorporated areas on the board. He concurred with the proposed amendment on page 3, item 5, that the room tax and gaming tax currently being utilized to cover the cost of the convention authority operations, including advertising and promotion be maintained at its present percentage.

Following further discussion, Chairman Gibson stated that the committee would take the recommendations under consideration and do further work on this legislation.

SB-459 Permits greyhound racing in Henderson.

Chairman Gibson explained that this bill was introduced by the committee at the request of the City of Henderson that this legislation be considered. It was patterned after two previous bills that have been in the legislature.

Mr. Jack Jeffers, City Councilman of Henderson, spoke on SB-459. He submitted material to the committee members entitled "Multiple Rates and Projected Revenues to the State" in connection with this bill. He said that his primary concern in the City of Henderson is the economic development or lack of the same.

Mr. Jeffers then read the following resolution:

"Resolution No. 365. A resolution urging the Nevada Legislature to recommend and enact appropriate legislation permitting the City of Henderson, Nevada, subject to the control of the Nevada Racing Commission and the Nevada Gaming Commission to license and regulate Greyhound racing within its city limits. WHEREAS, residents of the City of Henderson have expressed considerable interest in the development of a facility for Greyhound racing within the city and WHEREAS, there is insufficient commercial development and a high unemployment level within the City of Henderson, both of which could be alleviated through the business activity that would result from the development of a Greyhound racing facility; and WHEREAS, the City of Henderson's ad valorem tax base is presently one of the lowest in the State of Nevada that could be increased by the commercial developments which would accompany Greyhound racing and WHEREAS, Las Vegas Downs Incorporated has purchased land and expended considerable effort and funds toward the development of a racing facility which would be suitable for Greyhound racing and WHEREAS, Greyhound racing would serve the recreational needs of a significant number of residents and tourists and WHEREAS, members of the City Council of the City of Henderson have since 1969 expressed their support for legislation permitting Greyhound racing, NOW, THEREFORE, be it resolved that the City Council of the City of Henderson, Nevada, respectfully urges the legislature of the State of Nevada to recommend and enact the appropriate legislation which would permit the City of Henderson, subject to the control of the Nevada Racing Commission and the Nevada Gaming Commission, to license and regulate Greyhound racing within its city limits. Adopted this 20th day of February, 1973, by the following roll call vote. (the vote was unanimous.) "

Mr. Jeffers also said that he had a letter from the Henderson Chamber of Commerce supporting the resolution and the idea of the Greyhound racing facility in Henderson. He pointed out that this legislation is limited to the City of Henderson. Mr. Jerry Franklin, City Councilman of Henderson, also added his comments in support of this bill.

The committee next heard testimony from Mr. Hannifin, State Gaming Commission, who stated that the Gaming Commission did not want to be a part of this bill, and object to it if this is the case. They would ask to be excluded with respect to the paramutual method of wagering, just as they are with the horse racing, and that if this measure were to be adopted in its present form, they would have to go before the money committees in order to have the manpower to supervise the paramutual portion of the dog track. The Racing Commission now takes care of this in respect to the horse racing.

Testimony was also heard by the committee from Jr. John Gionnotti or Harrah's Club, who felt that this legislation would not mean any meaningful revenue to the state; Mr. Les Kofed, Director of Gaming Industry Association of Northern Nevada, who stated that there was no enthusiasm among the members of his association for passage of this bill; Mr. Hal Smith, Assemblyman, who spoke in support of this, and pointed out that the actual dog racing itself is incidental at this point in time, but Henderson would benefit from the increased employment, development of a pure racetrack, utilization of agricultural products and development of thoroughbred horses. All of these things have to be considered. Mr. Hershell Trumbo, President of Las Vegas Downs, stated that he represented 450 Nevada stockholders, who have been working to put this facility together and that it is essential that Greyhound racing be combined with the horse racing to make it a successful operation.

SB-299 Clarifies ability of cities to condemn railroad property and regulate railroad movement.

Senator Swobe pointed out that this had been requested first by the Nevada Municipal Association. It does affect the City of Reno and their concern to eliminate the grade crossings in downtown Reno. The wording in the bill "any public use," is too broad to accomplish the goals of the City of Reno.

Mr. Warren, representing the Nevada Municipal Association, testified that the Association considered this one of their primary pieces of legislation, and after hearing the problems of the City of Reno felt it should have major support. Elko and Winnemucca are also involved to some extent. He read a statement from a letter from the City of Winnemucca to the effect that

even though the city is presently receiving excellent cooperation from the Southern Pacific Railroad Company, they should still have a city ordinance that would enable them to control the movement of railway engines, cars and other facilities. The cities need clarification of control of the many problems they face in this connection and the position they need to move ahead.

Mr. Sam Dibitonto, councilman from the City of Reno, spoke in support of the passage of SB-299, pointing out that the city presently has no control and that they should be given the power and authority they need in this regard.

A representative of the Southern Pacific Railroad, and Western Pacific Railroad, Mr. Carl Sonderblum, spoke in opposition to this bill, stating that he could see no need for it. He pointed out that the Public Service Commission presently has jurisdiction over the crossings and that this authority is properly vested in the Commission. He further stated that to place condemnation in the hands of the several cities through which the railroad operates merely compounds the problems.

Mr. Bruce Robb, of the Union Pacific Railroad, spoke on this bill. He suggested that the City of Reno could prepare an amendment to their Charter which is provided in NRS 268.010, either through the legislature or through a vote of its own people, and have the power they want in that manner.

Mr. Glade Hall, Nevada Public Service Commission, said that whenever anyone or anybody is authorized to impose any kind of a burden on public utilities or a common carrier, that burden is going to be reflected in increased costs, and some entity is going to have to pass those costs along to the users of that public utility or common carrier service. The Public Service Commission is in the business of passing these costs along where it is reasonable and quite often we get the blame for them. They feel that this bill, as it is presented here, would impose increased costs upon railroads and these increased costs would be reflected in increased freight rates. The City of Reno has growing industry and warehousing and freight rate increases could have a significant impact upon that. He further agreed with Mr. Sonderblum's statement that this is an area where you are dealing with interstate commerce and there are constitutional provisions which we have to be continually mindful of. You cannot impose undue burden on interstate commerce.

SB-261 Requires cities and counties to establish disability pension plan or provide disability insurance for firefighters and certain peace officers.

Mr. Keith Henriksen, representing the Peace Officers and Firefighters, testified that they feel bill is of top priority. It has become important because of the failure of the disability bills in the retirement provisions of the law. He emphasized that they feel the provisions provided under NIC are not sufficient for the high number of injuries they have in their occupation each year, and a great financial hardship has been placed on many members of their organization. The language in this bill would provide that the cities and counties would help a disabled fireman after the first 60 days and pay the difference between what NIC pays and 65 per cent of his salary. It would cost approximately \$12,000 a year for the City of Reno to insure this program.

Mr. Warren, Nevada Municipal Association, spoke in behalf of the cities. He had contacted North Las Vegas, Boulder City Henderson, Sparks and Reno and they all indicated that if such a program were enacted it should apply to all city employees, and not be limited to only police and fire personnel. It was their feeling that disabling injuries were not substantially larger than injuries to other personnel. There also should be some kind of language added to the bill which would describe "total" disability for guideline purposes.

Mr. Angus MacEachern, City of Las Vegas, testified that they feel they should work towards disability insurance for the employees of the City, but it should be on an all-city-wide basis and include all of the employees. They also believe it could best be handled through the Nevada Industrial Commission. Mr. Meder, Nevada Association of County Commissioners, concurred in the general feeling that this bill should include all employees and not just a particular segment.

SB-124 Redefines subdivision in planning and zoning law.

The committee heard testimony from Mr. Virgil H. Wedge, Attorney, on SB-124. He thought the present language in the bill represents a very serious situation and presents some real problems in this field. He submitted material to the committee which were proposals included in the law of the State of Colorado at the present time. Mr. Wedge and the committee then went over the proposed amendments to SB-124.

The committee also heard brief comments from Mr. Wells O'Brien. Mr. Midmore testified that the Nevada Association of Realtors

and the Builders Association of Northern Nevada both support the proposed amendments submitted by Mr. Wedge. Pam Wilcox, Washoe County Property Owners Association, also asked to go on record in favor of this legislation.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Mary Jean Fondi,
Committee Secretary

S. B. 176

SENATE BILL NO. 176—SENATORS ECHOLS, WALKER,
GIBSON, FOLEY, NEAL AND HERR

FEBRUARY 7, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Adds new members to certain county fair and recreation boards.
Fiscal Note: No. (BDR 20-721)

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

AN ACT to amend NRS 244.7802, relating to the county fair and recreation board in any county having a population of 200,000 or more, by adding new members to the board; 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 244.7802 is hereby amended to read as follows:
2 244.7802 1. The county fair and recreation board shall consist of
3 ~~nine~~ eleven members selected as follows:
4 (a) Two members by the board of county commissioners from their
5 own number.
6 (b) Two members by the governing body of the largest incorporated
7 city in the county.
8 (c) *One member by the governing body of the second largest incorpo-*
9 *rated city in the county.*
10 ~~[(c)]~~ (d) One member by the governing body of one of the other
11 incorporated cities in the county.
12 (e) *One member by the board of county commissioners, who is a resi-*
13 *dent of the unincorporated area in the county and not a member of the*
14 *board of county commissioners.*
15 ~~[(d)]~~ (f) Four members to be appointed by the members selected
16 pursuant to paragraphs (a) ~~[(b) and (c)]~~ to (e), inclusive. Such
17 members shall be selected from a list of three nominees for each position
18 submitted by the chamber of commerce of the largest incorporated city
19 in the county. Such lists shall be composed of nominees respectively who
20 are actively engaged in:
21 (1) The resort hotel industry.
22 (2) The motel industry.
23 (3) The finance industry.
24 (4) General business or commerce.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 459

SENATE BILL NO. 459—COMMITTEE ON FEDERAL,
STATE AND LOCAL GOVERNMENTS

MARCH 14, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Permits greyhound racing in Henderson.
Fiscal Note: No. (BDR 41-1600)



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

AN ACT relating to racing; amending the charter of the city of Henderson; per-
mitting certain types of racing to be conducted under the control of the
Nevada gaming commission and the Nevada racing commission; 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, being chapter 266,
2 Statutes of Nevada 1971, at page 402, is hereby amended by adding
3 thereto a new section to be designated section 2.330, which shall follow
4 section 2.320, and shall read as follows:
5 *Section 2.330 Powers of city council: Dog racing; licensing and*
6 *regulation.*
7 1. *The city council may, until July 1, 1978, license and regulate grey-*
8 *hound racing within the city.*
9 2. *Each member of the firm, partnership, association or corporation*
10 *receiving such license shall be approved by the city council before such*
11 *license is issued. Not more than one such license shall be issued and it*
12 *shall not be transferable.*
13 3. *Such racing is subject to the control of the Nevada racing commis-*
14 *sion. Pari-mutuel wagering may be permitted at the track where such rac-*
15 *ing occurs, subject to the control of the Nevada gaming commission.*
16 SEC. 2. NRS 202.450 is hereby amended to read as follows:
17 202.450 1. A public nuisance is a crime against the order and econ-
18 omy of the state.
19 2. Every place:
20 (a) Wherein any gambling, bookmaking or pool selling is conducted
21 without a license as provided by law, or wherein any swindling game
22 or device, or bucket shop, or any agency therefor shall be conducted,
23 or any article, apparatus or device useful therefor shall be kept; or

S. B. 299

SENATE BILL NO. 299—COMMITTEE ON FEDERAL, STATE
AND LOCAL GOVERNMENTS

FEBRUARY 21, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Clarifies ability of cities to condemn railroad property and regulate railroad movement. Fiscal Note: No. (BDR 21-693)

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

AN ACT relating to the relationship between cities and railroads; clarifying the ability of cities to condemn railroad property for public purposes; clarifying the ability of cities to regulate the movement of railroads within city boundaries; 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 and 3 of this act.
3 SEC. 2. *An incorporated city may condemn property owned by a rail-*
4 *road for any public use, including but not limited to track crossings for*
5 *public streets and public utilities, in the manner prescribed by chapter 37*
6 *of NRS.*
7 SEC. 3. *An incorporated city by ordinance may regulate and control*
8 *all aspects of the movement of railroad engines, cars and other facilities*
9 *within the corporate limits of such city. The subjects of such regulation*
10 *and control shall include but not be limited to speed, duration of stops*
11 *and standing of such engines, cars and other facilities.*

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Original bill is on file at
the Research Library.

S. B. 261

SENATE BILL NO. 261—SENATORS DRAKULICH, HERR,
WALKER, BLAKEMORE, RAGGIO, SWOBE, YOUNG,
CLOSE, BRYAN, ECHOLS, WILSON AND FOLEY

FEBRUARY 16, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Requires cities and counties to establish disability pension plan or provide disability insurance for firefighters and certain peace officers. Fiscal Note: No. (BDR 20-821)

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

AN ACT relating to local government; requiring the establishment by each county and city of a disability pension plan or provision of disability insurance for sheriffs, deputy sheriffs, police officers and firefighters totally disabled in the line of duty; 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 245 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:

3 1. *In each county, the board of county commissioners shall establish*
4 *a disability pension plan or provide disability insurance to protect its*
5 *sheriff, deputy sheriffs and firemen who may become totally disabled in*
6 *the line of duty.*

7 2. *Any disability pension plan or insurance so established or pro-*
8 *vided shall, in combination with the compensation paid under chapters*
9 *616 and 617 of NRS, enable a disabled sheriff, deputy sheriff or fireman*
10 *to receive payments equivalent to 65 percent of the salary he was receiv-*
11 *ing at the time of the incurrence of his disability.*

12 SEC. 2. Chapter 268 of NRS is hereby amended by adding thereto a
13 new section which shall read as follows:

14 1. *Every city shall establish a disability pension plan or provide dis-*
15 *ability insurance to protect its police officers and firemen who may be*
16 *totally disabled in the line of duty.*

17 2. *Any disability pension plan or insurance so established or pro-*
18 *vided shall, in combination with the compensation paid under chapters*
19 *616 and 617 of NRS, enable a disabled police officer or fireman to*
20 *receive payments equivalent to 65 percent of the salary he was receiving*
21 *at the time of the incurrence of his disability.*

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

S. B. 124

SENATE BILL NO. 124—SENATORS YOUNG, HECHT,
SWOBE, WILSON AND RAGGIO

JANUARY 30, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Redefines subdivision in planning and zoning law.
Fiscal Note: No. (BDR 22-319)

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

AN ACT relating to planning and zoning; redefining subdivision; making special
provision for certain small subdivisions; 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 117.120 is hereby amended to read as follows:
2 117.120 1. A condominium project consisting of five or more units
3 shall be deemed to be a subdivision of land within the meaning of NRS
4 278.320, but only NRS 278.330, 278.340, 278.350, 278.360, 278.370,
5 278.380, 278.390, subsection 1 of NRS 278.400; subsections 1, 2, 3, 4,
6 5, 7, 8, 9 and 10 of NRS 278.410 and NRS 278.420, 278.430, 278.-
7 450, 278.460, 278.470, 278.480 and 278.490 shall be applicable to such
8 condominium projects.
9 2. A condominium project consisting of four units or less shall be
10 deemed to be a subdivision within the meaning of NRS 278.500, but only
11 NRS 278.500, 278.510, [278.530,] 278.540, 278.550 and subsection 1
12 of NRS 278.560 shall be applicable to such condominium projects.
13 3. Tentative or final maps or [records of survey] *parcel maps*
14 required to be prepared and recorded by any of the statutory sections
15 listed in subsections 1 and 2 of this section shall conform with the require-
16 ments of NRS 117.020. The sections of NRS listed in subsections 1 and 2
17 of this section and all other sections of NRS which are deemed applicable
18 to condominiums or condominium projects shall be liberally construed to
19 avoid unreasonable and unduly technical application of such sections to
20 condominiums and condominium projects, and to encourage the establish-
21 ment of condominiums and condominium projects in Nevada.
22 SEC. 2. NRS 278.010 is hereby amended to read as follows:
23 278.010 1. For the purpose of NRS 278.010 to 278.630, inclusive:
24 (a) "Building code" means ordinances, plans, regulations, or rulings

Original bill is 6 pages long.
Contact the Research Library for
a copy of the complete bill.

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