

## Senate

### COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

Minutes of Meeting - March 5, 1973

The nineteenth meeting of the Committee on Federal, State and Local Governments was held on the 5th day of March, 1973 at 3:15 P.M.

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

Also Present were:

Pete Lemberes, City of Sparks  
Jim Vernon, City of Sparks  
Carl Steiner, City of Sparks  
Hal Provence, State Land Office  
Elmo DeRicco, Department of Conservation  
John Hawkins, Carson City School District  
Daisy Talvitie, League of Women Voters  
Eric Cronkite, State Parks Administrator  
Charles Watson, National Public Lands Task Force  
Joe Braswell, Citizen  
Joe Parr, Lyon County  
Marian Johnson, Democratic Central Committee  
Senator Archie Pozzi  
Mary Kozlowski, Nevada Open Spaces Council  
Art Palmer, Legislative Counsel Bureau  
Clint Wooster, Legislative Counsel Bureau  
Senator Warren Monroe  
Assemblyman Alan Glover  
Dr. Alan Johns, Reno  
Richard Morgan, Nevada State Education Association  
Assemblyman Jean Ford  
Assemblyman Roger Bremner  
Richard Miller, Washoe Valley  
Assemblyman Cranford Crawford

SB-172 Transfers land from State of Nevada to  
City of Sparks.

Mr. Elmo Dericco and Mr. Hal Provence of the Department of Conservation testified on this bill. They submitted several maps and papers with reference to this land, which are attached hereto as Exhibit "A". Senator Drakulich spoke first for the City of Sparks, explaining that the land now appears to be run down and is not being used by the state. He distributed pictures to the committee and asked that this piece of property be turned over to the City of Sparks so that they can use it as a public parking lot.

Mr. Provence stated that there had been two appraisals made on this land -- one for \$96,000 and one for \$280,000. There have been several parties interested in purchasing the property, but no official bids have been made. Councilman Vernon of the City of Sparks spoke on this matter, noting that the land is in a depressed area and emphasizing that under no circumstances would the City of Sparks be selling this land to a developer. Following discussion it was agreed that the city would accept a 99-year lease on this property from the state, noting that it may be used for public parking only.

AB-190 Transfers real property from State of Nevada  
to United States.

AB-191 Transfers real property from division of  
forestry to United States.

Mr. DeRicco and Mr. Provence testified on these two bills, stating that these would merely permit the state to revert this land back to the United States. AB-190 refers to land used for an old fire station, and AB-191 refers to the Honor Camp northwest of Reno.

SB -62 Provides for reapportionment of Carson City and  
rural county senatorial districts.

SB-332 Provides for reapportionment of Carson City and  
rural county legislative districts.

Chairman Gibson explained that these two bills purport to carry out the edict of the courts when they computed the major legislative reapportionment that came out of the last session of the legislature. Mr. Palmer noted that it is obvious from the

Virginia case that there has been a "relaxation" in some areas with regard to reapportionment. There is now allowed a larger range of disparity, as well as a distinction made between congressional districts and state legislative districting. Mr. Palmer then stated that the courts had accepted the legislative reapportionment for Clark and Washoe. When looking at Churchill, Lyon, Storey, Carson City and Douglas counties there were two districts that did not have enough population -- they were over-represented. Maps submitted by Mr. Palmer to the committee are attached herewith as Exhibit "B".

Mr. Wooster of the Legislative Counsel Bureau also spoke on SB-62 and SB-332, stating that the court felt certain disparities were unusually large and if the legislature does not correct these, the court would have to reconsider their cases. The opinion on these made it clear that (1) they are not requiring the same mathematical equality in state legislative reapportionment that they require in congressional cases; (2) they have indicated that a consideration by the legislature of preserving local governmental boundaries is a legitimate consideration in state legislative reapportionment; and if, in that consideration of local governmental boundaries the disparities created are in excess of congressional districts, the court will use that as a legitimate basis for creating these disparities; and (3) in the Virginia case they went to a 16.4% disparity they did not feel was unconstitutionally large.

Further testimony was heard from Senator Dodge, Senator Pozzi, Mr. Braswell, and Mr. Parr of the Lyon County Commissioners (opposed to both bills), Senator Monroe and Dr. Alan Johns of Reno. Following discussion, Chairman Gibson stated that the committee would take this under further advisement and study.

SB-60 Exempts certain school districts from provisions of Local Government Reapportionment Law.

Mr. Hawkins testified that the Carson City School Trustees had attempted to comply with the legislative intent to redistrict on the basis of residing in a district and being elected by voters in that district. They ran into a number of problems -- in attempting to redistrict they found they could not run across precinct lines. They thought they were obligated to attempt to have equal population in the various districts, so they used the precincts, which is not based on the census enumeration. The districts established did not have common interests, regional interests were not evident. The trustees feel they should be elected at large and they would like to re-establish the districts as they were in the past.

Mr. Morgan of the Nevada State Education Association stated that he had been asked by the smaller counties to speak in opposition to this bill.

AJR-9 Memorializes the Congress of the United States to enact legislation enabling Nevada Park system to acquire jurisdiction over Red Rock Recreation Lands.

Assemblyman Bremner, Chairman of the Environment and Public Resources Committee in the Assembly, testified in support of AJR-9. This, in effect, memorializes Congress to sell 77,000 acres in Southern Nevada to the state for the purpose of creating a state park. The concept was approved by the 1971 Nevada Legislature and the 1973-75 budget recommends funding, development and operation of facilities in that area.

Further testimony on AJR-9 was heard as follows: Assemblyman Jean Ford spoke in support of the passage of this resolution, emphasizing that the people in Southern Nevada have urged that this area be preserved and developed as a state park. Attached herewith as Exhibit "C" is a Summary of Past Governmental Action Relating to Red Rock Canyon submitted by Assemblyman Ford. Mary Kozlowski, representing the Nevada Open Spaces Council, also spoke in support of AJR-9. Mr. Cronkite of the State Park Department stated that the Governor's budget has recommended sizeable funds for the state's involvement in Red Rock Canyon. The state will make every effort to do their best in this area if this should come to pass. Daisy Talvitie, representing the League of Women Voters and Richard Miller of Washoe Valley both spoke in support of AJR-9. Mr. Watson, representing the National Public Lands Task Force, showed exhibits to the committee of the land involved in Red Rock Canyon.

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

- AB-16 Senator Swobe moved "Do Pass," seconded by Senator Drakulich. Motion carried.
- AB-17 Senator Swobe moved "Do Pass," seconded by Senator Hecht. Motion carried.
- AB-18 Wait for further information from the Board of Regents.

SB-172 Senator Drakulich is to prepare an amendment to this bill showing a 99-year lease for the specific purpose of public parking.

AB-190 Senator Swobe moved "Do Pass," seconded by Senator Walker. Motion carried, with Senator Foley casting a dissenting vote.

AB-191 Senator Swobe moved "Do Pass," seconded by Senator Drakulich. Motion carried, with Senator Foley casting a dissenting vote.

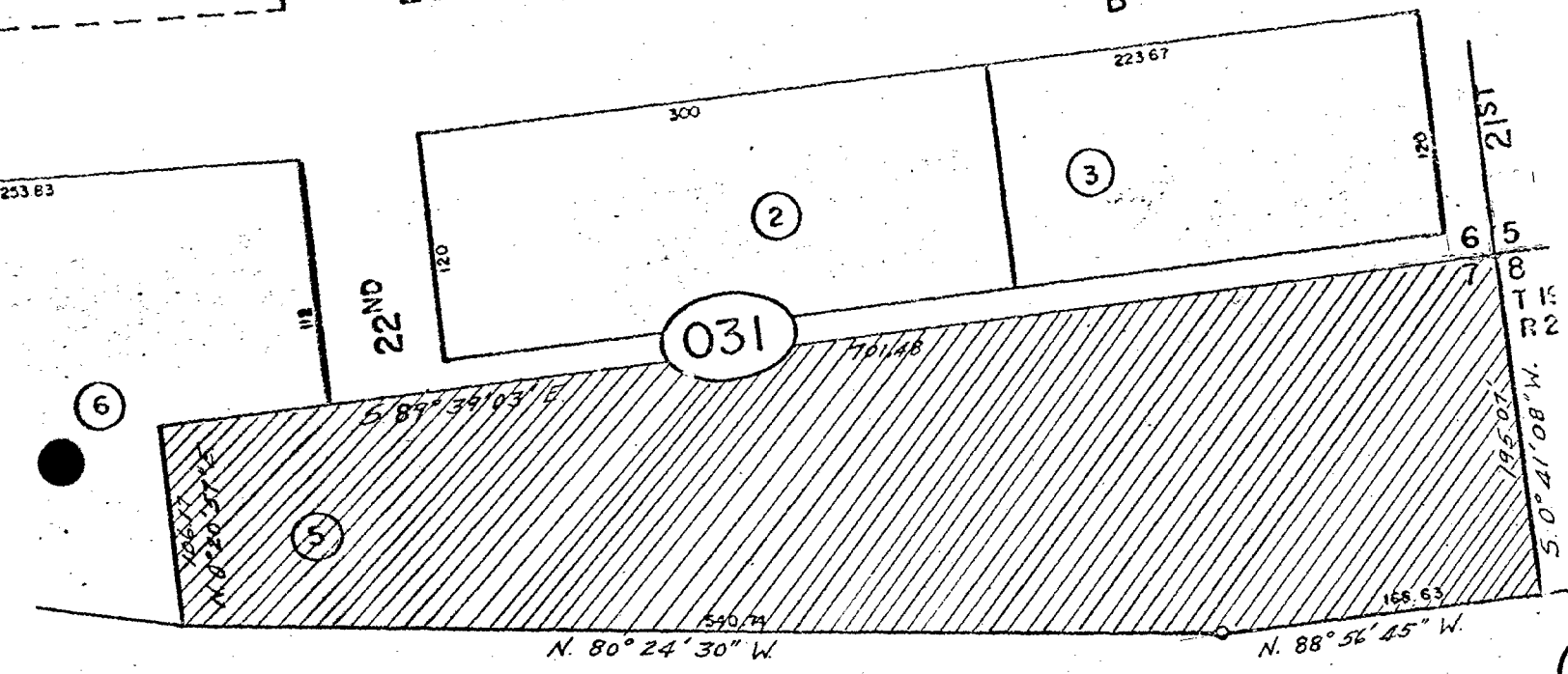
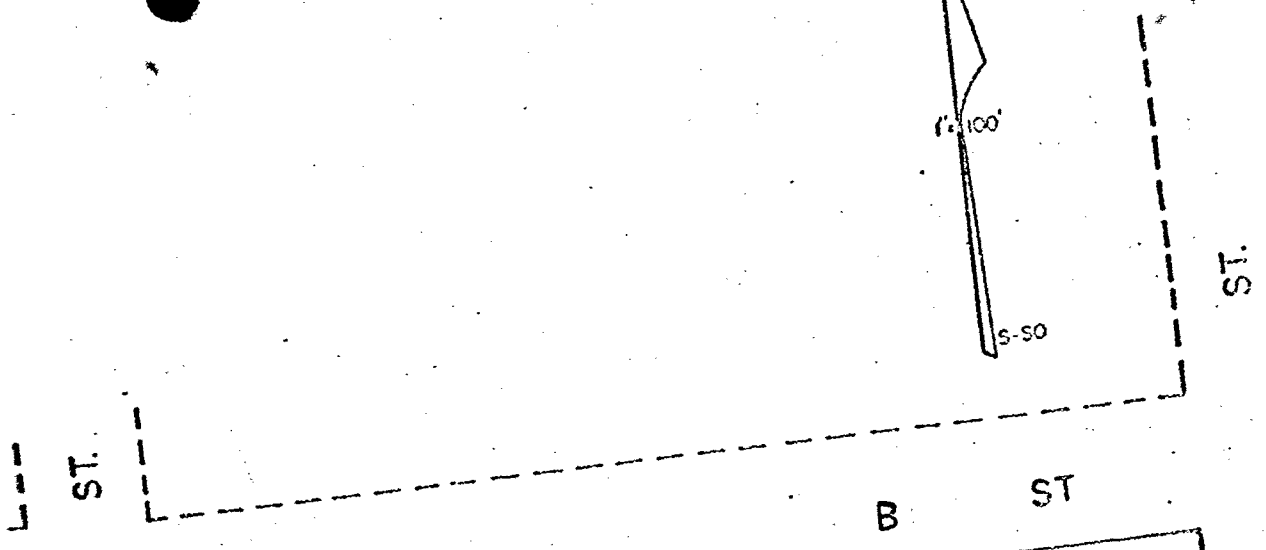
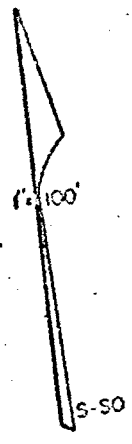
AJR-9 Senator Swobe moved "Do Pass," seconded by Senator Walker. Motion carried.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Mary Jean Fondi,  
Committee Secretary

02



INTERSTATE 80

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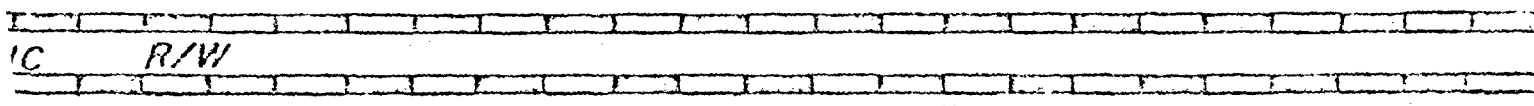


Exhibit "A"

SUBJECT PROPERTY

THIS MAP IS PREPARED FOR THE USE  
OF THE COUNTY ASSESSOR FOR  
ASSESSMENT AND ILLUSTRATIVE PURPOSES  
IT DOES NOT REPRESENT A SURVEY  
PREMISES TO THE ACCURACY OF  
THE INFORMATION HEREON

CHAPTER...394...

AN ACT authorizing the sale of certain real property; making an appropriation to defray the cost of selling the property; and providing other matters properly relating thereto.

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

SECTION 1. The state land register is hereby authorized and directed to sell for cash, at not less than the appraised value plus the costs of sale, the following described parcel of real property, including any improvements thereon, belonging to the State of Nevada, situated and lying in Washoe County, Nevada:

Beginning at the section corner common to Sections 5, 6, 7 and 8, T. 19 N., R. 20 E., M.D.B. & M.; thence S.  $0^{\circ}41'08''$  W., along the eastern boundary of the property owned by the State of Nevada a distance of 195.07 feet to a point in the northern right-of-way line for Nevada Interstate Route 80; thence N.  $88^{\circ}56'45''$  W., along such right-of-way line a distance of 166.63 feet to a point; thence N.  $80^{\circ}24'30''$  W., continuing along such right-of-way line a distance of 540.74 feet to an intersection with the western boundary of the property owned by the State of Nevada; thence N.  $0^{\circ}20'57''$  E., along such western boundary a distance of 106.17 feet to the northwest corner of such property; thence S.  $89^{\circ}39'03''$  E., along the northern boundary of such property a distance of 701.48 feet to the point of beginning, containing 2.577 acres, more or less.

SEC. 2. Before offering such property for sale, the state land register shall have the property appraised by not less than two independent appraisers.

SEC. 3. After receipt of the reports of the two appraisers, the state land register shall cause a notice of intention to sell the described property to be published once a week for 3 consecutive weeks in a newspaper of general circulation published in Washoe County, Nevada.

SEC. 4. The sale of such property shall be made to the highest responsible bidder at public auction at not less than the average of the two appraisals plus the costs of the sale. The state land register shall deposit the net proceeds received from the sale of such property in the general fund in the state treasury.

SEC. 5. The state land register is authorized to execute all necessary documents to effectuate the sale of the described property, which documents shall be approved by the attorney general before they become effective.

SEC. 6. There is hereby appropriated from the general fund in the state treasury to the state land office the sum of \$2,000 to be expended by the state land register to defray the costs of the sale of the property described in section 1 of this act, any remainder of which sum shall be returned to the general fund after the sale of such property in accordance with sections 1 to 5, inclusive, of this act.

SEC. 7. This act shall become effective upon passage and approval.

Exhibit "A"

# NEVADA *Title* GUARANTY COMPANY

TITLE INSURANCE

ESCROW SERVICE

Member  
AMERICAN LAND TITLE ASSOCIATION  
Associate Member  
CALIFORNIA LAND  
TITLE ASSOCIATION

HOME OFFICE: 90 COURT STREET • POST OFFICE BOX 1290 • 323-1811/702 • RENO, NEVADA 89501  
P. O. Box 756 .....882-1651/702.....Security National Bank Building....Carson City, Nevada 89701  
P. O. Box 272 .....588-2488/702.....Round Hill Village ..... Zephyr Cove, Nevada 89448  
BRANCH OFFICES: P. O. Box 548 .....482-6276/702.....Montgomery-Ward Building.....Tonopah, Nevada 89049  
P. O. Box 308 .....738-7101/702.....518 Idaho Street.....Elko, Nevada 89801  
P. O. Box 550 .....463-3331/702.....123 North Main Street.....Yerington, Nevada 89447  
P. O. Box 626 .....882-5900/702.....Village Shopping World.....Gardnerville, Nevada 89410

## PRELIMINARY REPORT

Division of State Lands  
Rm. 213, Nye Building  
Carson City, Nevada 89701

Date October 29, 1969

Your No.

Our No. 10894-CC  
(AP 32-031-05)

This Preliminary Report on Title is delivered and accepted upon the understanding that you have no personal knowledge or intimation of any defect, objection, lien, or encumbrance affecting said premises other than those shown on succeeding pages hereof, and your failure to disclose any such personal knowledge or intimation shall render this Preliminary Report on Title and any policy issued based hereon, null and void as to such defect, objection, lien, or encumbrance.

Nothing herein contained shall be construed as a guarantee against the consequences of the exercise and enforcement or attempted enforcement of governmental 'police power' over the property described herein.

This Preliminary Report on Title is preliminary to the issuance of policy or policies of title insurance and shall become null and void, unless the policy or policies are issued and the premium therefor paid, within ninety (90) days from the date hereof. The liability assumed in this Preliminary Report is limited to the premium paid.

If a premium is paid for this Preliminary Report and a Policy of Title Insurance is subsequently issued by this company within a period of six (6) months from date hereof, then the amount so paid will be a credit against the Policy of Title Insurance fee.

This report is issued as an accommodation, and is made without liability and without obligation to issue such policy.

NEVADA TITLE GUARANTY COMPANY

By *Alec Simpson*  
ALEC SIMPSON, Title Officer.....

Dated as of October 27, 1969 at 7:30 A.M.

Vestee: JOHN H. KINKEAD, JOSEPH BABCOCK and M. A. MURPHY, the Board of State Prison Commissioners, and to their successors in office, in trust for the use and benefit of the State of Nevada.

DESCRIPTION

(See attached)

*Exhibit "A"*



## DESCRIPTION

All that certain piece or parcel of land situate in the County of Washoe, State of Nevada, being all that portion of the Northeast quarter of the Northeast quarter of Section 7, Township 19 North, Range 20 East, M.D.B.&M., described as follows:

BEGINNING at the Northeast corner of Section 7, Township 19 North, Range 20 East, M.D.B.&M.; thence South  $0^{\circ}41'08''$  West along the Easterly line of said section, a distance of 195.07 feet to a point in the Northerly right of way line for Nevada Interstate Route 80; thence North  $88^{\circ}56'45''$  West along said right of way line a distance of 166.63 feet; thence North  $80^{\circ}24'30''$  West, continuing along said right of way line a distance of 540.74 feet to a point on the Easterly line of the land described in deed to John N. Pedersen, et ux, recorded May 10, 1955 as Document No. 243434, Washoe County, Nevada, records; thence North  $0^{\circ}20'57''$  East along said Easterly line a distance of 106.17 feet to the North line of said Section 7; thence South  $89^{\circ}39'03''$  East along said North line a distance of 701.48 feet to the point of beginning.

Exhibit "A"

SUBJECT TO

PART ONE:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose and which are not shown by the public record.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing issuance thereof; water rights, claims or title to water.

PART TWO:

1. Taxes for the fiscal year July 1, 1969 to July 1, 1970, now a lien, payable the first Monday in June, 1970.
2. Liens created by reason of said land being within the boundaries of the Carson-Truckee Water Conservancy District, payable with taxes.
3. Any claim of loss arising by virtue of the fact that said land may be within the boundaries of any present or future assessment district, including but not limiting said assessment districts to sewer assessment, street lighting, sidewalks, curbs and gutters, paving, water, or sewer districts, the existence of which are not of public record and do not impart constructive notice to the insurer.
4. The fact that ownership of said land does not include the right of access to Interstate Route 80 adjoining on the South, said right having been relinquished in deed to the State of Nevada, for its Department of Highways, recorded June 2, 1965 in Book 88 of Official Records, page 277, Washoe County, Nevada.
5. An easement for underground sewer system and incidental purposes, as described in deed to the cities of Reno and Sparks, recorded April 18, 1966 in Book 169 of Official Records, page 581, Washoe County, Nevada. (Affects the Easterly 15 feet, more or less, of said land.)
6. The requirement that any conveyance of said land be made pursuant to an Act to be enacted by the Legislature of the State of Nevada authorizing and directing such conveyance.

1. 182

Exhibit "A"

SENATE BILL NO. 172—SENATOR DRAKULICH

FEBRUARY 7, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Transfers land from State of Nevada to City of Sparks.  
Fiscal Note: No. (BDR S-1011)

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

AN ACT directing the state land register to convey certain state land to the City of Sparks; and providing other matters properly relating thereto.

1 WHEREAS, The State of Nevada is the owner of certain land, consisting  
2 of approximately 2.577 acres, situated between Interstate Highway 80  
3 and B Street, near Kietzke Lane, within the boundary of the City of  
4 Sparks; and

5 WHEREAS, On April 16, 1969, a sale of the land at its appraised value  
6 was authorized and directed by the legislature under chapter 394, Stat-  
7 utes of Nevada 1969, and subsequently the state has not been able to  
8 sell the land under the conditions specified in the statute; and

9 WHEREAS, The use of the land by the City of Sparks as a public park-  
10 ing facility would be the use most conducive to the welfare of the public,  
11 and the City of Sparks is willing to develop the land for this purpose;  
12 now, therefore,

13  
14 *The People of the State of Nevada, represented in Senate and Assembly,*  
15 *do enact as follows:*

16  
17 SECTION 1. Notwithstanding the provisions of NRS 232.158 or any  
18 other provision of law, the state land register, on behalf of the State of  
19 Nevada, shall convey to the City of Sparks, without consideration there-  
20 for, on condition that the City of Sparks pay to the state the actual  
21 amount of expenses incurred pursuant to section 6 of chapter 394 of  
22 Statutes of Nevada 1969, that certain land owned by the State of Nevada  
23 and situated in the county of Washoe, State of Nevada, described as  
24 follows:

25 Beginning at the section corner common to sections 5, 6, 7 and  
26 8, T. 19 N., R. 20 E., M.D.B. & M., thence South 0°41'08" West,  
27 along the eastern boundary of the property owned by the State of  
28 Nevada a distance of 195.07 feet to a point in the northern

Exhibit "A"

1 right-of-way line for Nevada Interstate Route 80; thence North  
2 88°56'45" West, along such right-of-way line a distance of 166.63  
3 feet to a point; thence North 80°24'30" West, continuing along such  
4 right-of-way line a distance of 540.74 feet to an intersection with  
5 the western boundary of the property owned by the State of Nevada;  
6 thence North 0°20'57" East, along such western boundary a dis-  
7 tance of 106.17 feet to the northwest corner of such property;  
8 thence South 89°39'02" East, along the northern boundary of such  
9 property a distance of 701.48 feet to the point of beginning, con-  
10 taining 2.577 acres, more or less.  
11 SEC. 2. This act shall become effective upon passage and approval.

Exhibit "A"

DIVISION OF STATE LANDS  
Office Memorandum

To: Mr. Elmo J. DeRicco, Director  
Dept. of Conservation and Natural Resources  
From: Harold F. Provence, Deputy State Land Register  
February 12, 1973  
Subject: Per your request - Chronological index of correspondence & events  
S.B. 172 (2.577 Acre Parcel).

July 16, 1879

Water right - Recorded Secretary of State - pages 16 & 17  
Deed from James P. Winfrey - Sullivan Ditch right

August 1, 1879

Grant, Bargain and Sale Deed - Central Pacific R.R. to State of Nevada.  
Filed Aug. 29, 1879 - Recorded Vol. 1 of Deeds, pages 18 & 19 & 20 & 21, in  
Secretary of State's office. Recorded Aug. 30, 1879, pages 239, 240, 241 &  
242 in Vol. 8 of Deeds in Washoe Co.

May 3, 1884

Deed Oliver H. Perry to State.  
Perry Ditch Water right, Recorded Secretary of State - Vol. 1, pages 14 & 15

April 27, 1955

Deed - State Hospital to John Pederson - 1.663 acres. Recorded in Secretary  
of State's office - Vol. 8, pages 247 & 248.

January 7, 1965

Letter - State Planning Board to Mr. DeRicco enclosing Record of Survey  
and information about property.

January 21, 1965

Letter - State Planning Board to Mr. DeRicco - Description of parcel.

June 2, 1965

Right of Way Grant to State Highway Dept. -  
Deed recorded Book 88, page 277, Official Records.

August 4, 1967

Letter - State Planning Board to Mr. Raley. Reference made to August 3  
inquiry by Mr. Raley, suggestion Mr. Raley contact Supt. of Hospital.

July 16, 1968

Letter to Superintendent State Hospital  
Reference to inquiry by Mr. Raley and informing him of moritorium  
from Mr. DeRicco.

July 12, 1968

Letter to Mr. DeRicco from State Hospital - re: Mr. Raley desiring  
to purchase land.

Exhibit "A"

February 12, 1973

April 16, 1969 - A.B. 279 - Chapter 394

Authorizing sale, appraisal, publication, auction. Register to execute documents. \$2,000. appropriated for expenses.

July 14, 1969

Letter to Hale asking to make appraisal

July 14, 1969

Letter to Adams asking to make appraisal

July 17, 1969

Letter from Hale requesting maps of property

July 22, 1969

Maps sent to Hale

July 23, 1969

Letter from Adams offering to make appraisal for fee of \$500.00

August 11, 1969

Letter from Hale offering to make appraisal for fee of \$550.00

August 13, 1969

Letter authorizing Hale to proceed with appraisal

August 13, 1969

Letter to Adams authorizing appraisal to be amde for fee of \$500.00

August 15, 1969

Appraisal Contract, Lon M. Adams, appraiser

August 15, 1969

Appraisal Contract, Preston Q. Hale, appraiser

AUGUST 30, 1969

APPRAISAL REPORT FROM ADAMS - VALUE OF PROPERTY \$196,000.00

September 3, 1969

Statement for appraisal from Lon Adams

September 23, 1969

Statement for appraisal from Preston Hale to State Land Office

SEPTEMBER 23, 1969

COVER LETTER AND APPRAISAL REPORT FROM PRESTON HALE, - \$280,000.  
or \$2.50 per sq. ft.

October 29, 1969

Preliminary Title Report - Nevada Title Guarantee Co.

Exhibit "A"

To: Mr. Elmo J. DeR... Co, Director  
Page 3

February 12, 1973

November 7, 1969

Cover letter to Nevada State Journal for publishing Sale Notice,  
Certified Letter #312132 from Register

November 7, 1969

Cover letter to Reno Evening Gazette for publishing Sale Notice  
Certified Letter #312131 from Register

December 8, 1969

Notice of Sale to Rabbi Philip H. Weinberg, P. O. Box 48301, Los Angeles,  
Calif. 90048

December 8, 1969

Letter to Mr. Thomas Raley, 1575 - 29th St., Sacramento, Calif. 95801  
Reference made to letter from Raley - dated July 12, 1968 and to Nevada  
State Hospital.

December 10, 1969

Publishing bill from Reno Newspapers - \$61.20

December 10, 1969

Proof of Publication - Reno Evening Gazette and Nevada State Journal

December 18, 1969

Copy of Notice of Public Auction, as distributed by the State Land Office

September 17, 1970

Note Mr. Jerry Crossley, Chevron Service, made phone inquiry re: property

January 5, 1971

Letter to Mr. Peppers from Mr. Paul appraisal update costs, etc.

February 5, 1971

Inquiry from Mrs. Owen Cusick, 1345 Palisade Drive, Reno, Nev.  
re: property

March 15, 1971

Inquiry from Mr. Gene R. Brown, Realtor, re: property

April 15, 1971

Letter to Patrick Higgins, Real Estate, 1880 Prater Way, Sparks 89431,  
answer to phone request for information

June 3, 1971

Memo of expenses from Deputy State Land Register to Mr. Paul

June 4, 1971

Letter to Raley re: minimum sales price of \$238,000., our costs to  
date of \$1,172.42. Deposit of \$5,000. to proceed with new sale.

Exhibit "A"

1- 187

To: Mr. Elmo J. DeRiccio, Director  
Page 4

February 12, 1973

October 22, 1971

Letter Mr. Paul to Mr. Peppers, notify update of appraisals cost ask for

January 9, 1973

Phone inquiry by W. H. Marke, 455 W. 5th St., Reno, Nev. Maps and Legislation mailed to Mr. Marke.

Inquiry about Broker's Commission if sale consummated

Memo to file - Re: Marke with client wishing to purchase or lease with option for service station, restaurant & motel development

February 7, 1973 - S. B. 172

cc: Mr. Hall  
Mr. Paul

Exhibit "A"

jr 188



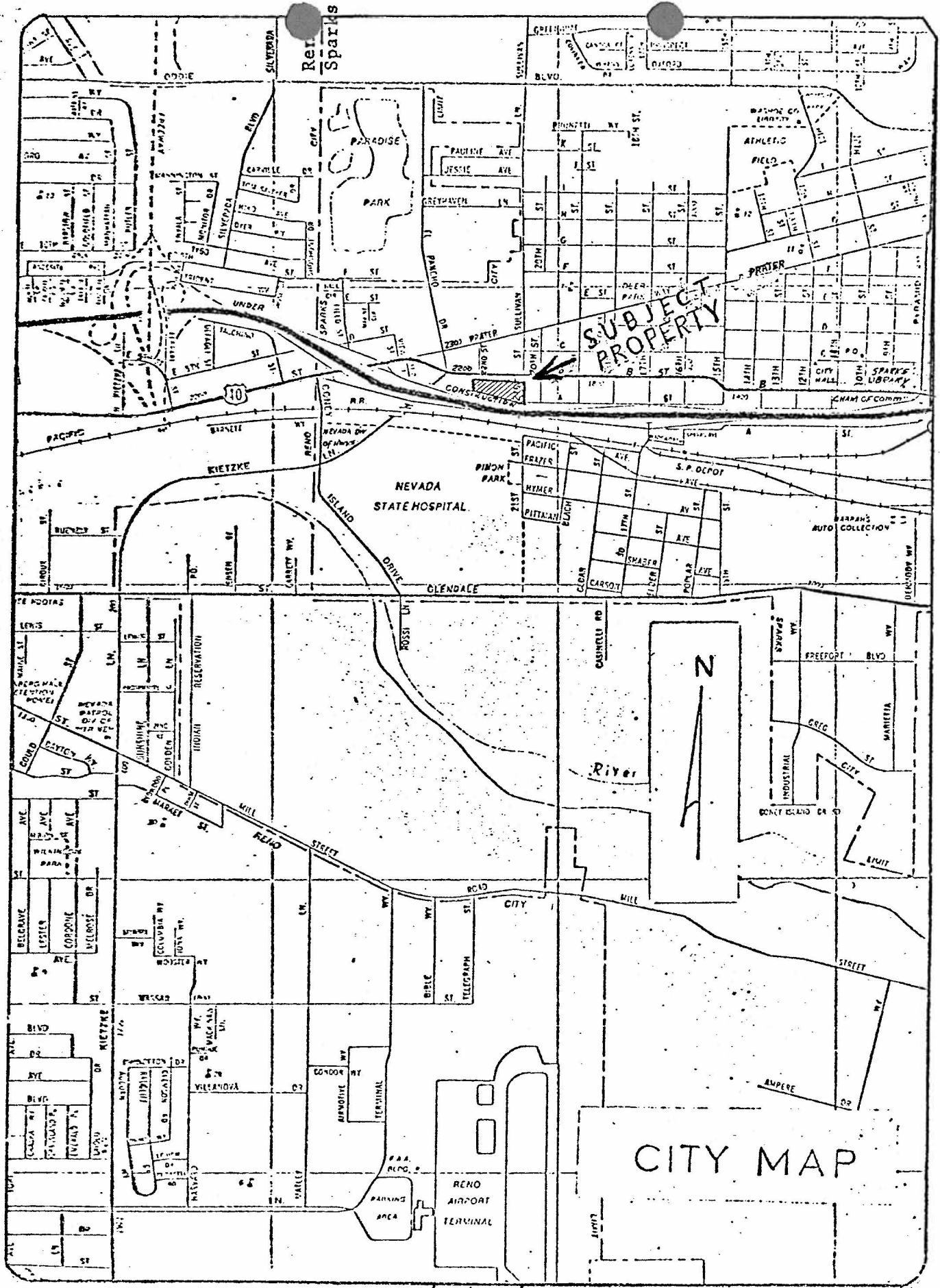


Exhibit "A"

KEY MAP

1-189

TO John McGroarty

FROM Michael L. Melner

SUBJECT License Agreement with City of Sparks

Memo

DATE 3-21-72

Enclosed is an executed copy of the License Agreement between the City of Sparks and the State Board of Prison Commissioners.

City of



MAR 20 1972

Office of  
CITY CLERK

CITY HALL  
431 Prater Way  
SPARKS, NEVADA  
89431

Office of the Attorney General

March 16, 1972

State of Nevada  
Office of the Attorney General  
Legislative Building, Room 341  
Carson City, Nevada 89701

Attention: Michael L. Melner  
Deputy Attorney General

Dear Sir:

Enclosed please find two copies of fully executed License Agreement between the Board of State Prison Commissioners and the City of Sparks, for your files. This License Agreement was approved by the Sparks City Council at its regular meeting of March 13, 1972.

I have retained the original which is on file in this office.

Very truly yours,

Chloris Goodwin  
City Clerk and  
Clerk of the City Council

CG/ch

cc: Public Works Director w/copy license agreement  
File

LICENSE

1  
2           THIS AGREEMENT, made and entered into this 29th day of  
3 February, 1972, by and between the City of Sparks, a municipal corporation,  
4 by and through its mayor and city council, hereinafter referred to as City,  
5 and The Board of State Prison Commissioners comprised of the Governor,  
6 the Secretary of State and the Attorney General, hereinafter referred to as  
7 State,

WITNESSETH:

8  
9           WHEREAS, Article 5, Section 21 of the Nevada Constitution establishes  
10 a Board of State Prison Commissioners, and

11           WHEREAS, NRS 209.040 grants the Nevada Board of State Prison  
12 Commissioners full control over state prison property, and

13           WHEREAS, the State is the owner of certain lands within the City of  
14 Sparks more particularly described as follows:

15           Beginning at the section corner common to Sections  
16 5, 6, 7 and 8, T. 19 N., R. 20 E., M.D.B. & M., thence  
17 South 0°41'08" West, along the eastern boundary of  
18 the property owned by the State of Nevada a distance of  
19 195.07 feet to a point in the northern right-of-way line  
20 for Nevada Interstate Route 80; thence North 88°56'45"  
21 West, along such right-of-way line a distance of 166.63  
22 feet to a point; thence North 80°24'30" West, continuing  
23 along such right-of-way line a distance of 540.74 feet to  
24 an intersection with the western boundary of the property  
25 owned by the State of Nevada; thence North 0°20'57" East,  
26 along such western boundary a distance of 106.17 feet to  
27 the northwest corner of such property; thence South 89°39'  
02" East, along the northern boundary of such property a  
distance of 701.48 feet to the point of beginning, containing  
2.577 acres, more or less,

hereinafter referred to as The Property, and

          WHEREAS, The City, by Resolution No. 856 of its city council  
enacted in open session on the 14th day of February, 1972, a copy of which  
is attached as Exhibit "A", and incorporated by reference, is desirous of

1 using the property for the purposes of providing public parking, and

2 WHEREAS, by virtue of Chapter 394, 1969 Statutes of Nevada, the  
3 State has been authorized to sell The Property, but has been unable to do so  
4 under the terms of the said Chapter 394, 1969 Statutes of Nevada, and

5 WHEREAS, by the terms of Nevada Revised Statutes 232.158, the  
6 State is prevented from leasing The Property to the City, and

7 WHEREAS, the City was advised by letter opinion of the Attorney  
8 General dated February 14, 1972, a copy of which is attached as Exhibit  
9 "B", and incorporated by reference, that a non-transferable License  
10 Agreement revocable at will, may be executed, and

11 WHEREAS, the best interests of the public would be served by making  
12 use of The Property in the manner intended by the City,

13 NOW, THEREFORE, IT IS AGREED by the City and the State as  
14 follows:

15 1. The State hereby agrees to allow the City to use The Property as  
16 facility to provide public parking.

17 2. Nothing contained herein shall be construed to prevent the City  
18 from charging any person for the use of The Property for parking.

19 3. The State shall be at no expense in any paving, painting or the  
20 construction of any maintenance buildings on The Property. The City shall  
21 not cause or allow any lien or liens to be placed against The Property.

22 4. The City agrees to hold the State harmless from any liability  
23 arising from injury to persons or property from any cause on the property  
24 and to defend all actions arising from such injury to persons or property  
25 from any cause from the commencement of the date of the execution of this  
26 agreement to such time as the termination of the use of The City of The  
27 Property.

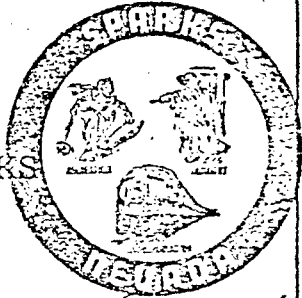
1 5. It is expressly understood and agreed by the City and the State  
2 that the City is not to pay to the State any consideration for the use of The  
3 Property.

4 6. This agreement may be terminated at any time within the sole  
5 discretion of the State with no requirement of notice. The use created on  
6 behalf of the City of Sparks or the residents of the City of Sparks is  
7 revocable at the will of the State.

8 IN WITNESS WHEREOF, the parties have set their hands the dates  
9 below written.

10 DATED: MARCH 13, 1972

CITY OF SPARKS



11 ATTEST:

12 *Charles Gardner*  
13 City Clerk

By *James A. Lillard*  
Mayor

14 DATED: \_\_\_\_\_

STATE OF NEVADA, BOARD OF  
STATE PRISON COMMISSIONERS

16 APPROVED

17 \_\_\_\_\_

By *Mike O'Callaghan*  
Governor

By *John Roberts*  
Secretary of State

By *Robert L. ...*  
Attorney General

22 APPROVED AS TO FORM ONLY

23 This 09 day of March, 1972

24 By *[Signature]*

WHEREAS, the State of Nevada is the owner of certain land situate in the City of Sparks described as:

Beginning at the section corner common to Sections 5, 6, 7 and 8, T.19 N., R.20 E., M.D.B. & M.; thence South 0°41'08" West, along the eastern boundary of the property owned by the State of Nevada a distance of 195.07 feet to a point in the northern right-of-way line for Nevada Interstate Route 80; thence North 88°56'45" West, along such right-of-way line a distance of 166.63 feet to a point; thence North 80°24'30" West, continuing along such right-of-way line a distance of 540.74 feet to an intersection with the western boundary of the property owned by the State of Nevada; thence North 0°20'57" East, along such western boundary a distance of 106.17 feet to the northwest corner of such property; thence South 89°39'03" East, along the northern boundary of such property a distance of 701.48 feet to the point of beginning, containing 2.577 acres, more or less,

and

WHEREAS, it would be beneficial to the citizens of the City of Sparks to make use of the above described land as a public parking facility, and

WHEREAS, the City of Sparks is willing to develop the above described land as such.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sparks that this resolution be sent to the State of Nevada as a recommendation and a request of the State of Nevada to allow the use of the above described land by the City of Sparks as a Public Parking facility.

PASSED AND ADOPTED this 14th day of February, 1972, by the following vote of the City Council:

AYES: Sbragia, Schultz, Vernon, Foote

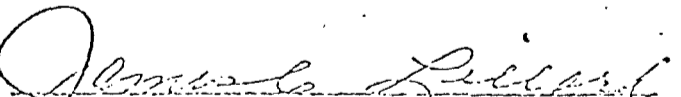
NAYS: None

ABSENT: Lemberes

APPROVED this 14th day of February, 1972, by:

ATTEST:

  
City Clerk Chloris Goodwin

  
Mayor James C. Lillard





STATE OF NEVADA  
OFFICE OF THE ATTORNEY GENERAL

SUPREME COURT BUILDING  
CARSON CITY 89701

ROBERT LIST  
ATTORNEY GENERAL

February 14, 1972

The Honorable Paul W. Freitag  
City Attorney of Sparks  
431 Prater Way  
Sparks, Nevada 89431

Dear Mr. Freitag:

You have asked this office for an opinion as to whether the State of Nevada may enter into a license agreement with the City of Sparks for the use of 2.7 acres of land situated between Interstate 80 and B Street near Kiehlie Lane in Sparks.

The 1969 Session of the Nevada Legislature authorized a sale of the property under certain conditions. The State has been unable to sell the property and comply with those conditions. The State is further precluded from leasing the property under the moratorium found in NRS 232.153.

As long as no lease or sale agreement is entered into between the State of Nevada and the City of Sparks regarding the property, we can find nothing contained in the Nevada Revised Statutes which would preclude a revocable license to use the property. A license in real property is nothing more than a conferred privilege to do acts on land without possessing interest in land. A license is distinguishable from a lease, in that a lease conveys an interest in land and transfers possession. National Memorial Park v. Commissioner, 146 F.2d 1008. A license is nothing more than authority to perform certain acts on real property. See 25 Am. Jur. 2d, Basements and Licenses, §123, at seq.

It is the understanding of this office that the City of Sparks is to use the property for a parking facility. This is a lawful use, and as long as a non-transferable agreement, revocable at will, is entered into between the City of Sparks and the State of Nevada, it is our opinion that a license may be entered.



The Honorable Paul W. Freitag  
February 14, 1972  
Page Two

We would note that any improvements made to the property under a license would be made at the sole risk of the City of Sparks.

Sincerely,

ROBERT LIST  
Attorney General

By  
Michael L. Meiner  
Deputy Attorney General

MLM:lp

March 10, 1964

TO WHOM IT MAY CONCERN:

This is to certify that as of November 5, 1963, Pioneer Title Insurance Company of Nevada finds that according to the records in the office of the County Recorder, Washoe County, Nevada, property described as Lot 3 of the NE $\frac{1}{4}$  of Section 3, Township 19 North, Range 20 East, together with other lands, stood in the name of the State of Nevada in the manner set out therein and by virtue of the deed recorded in Book 8, Page 239, Deed Records, a copy of which is attached hereto.

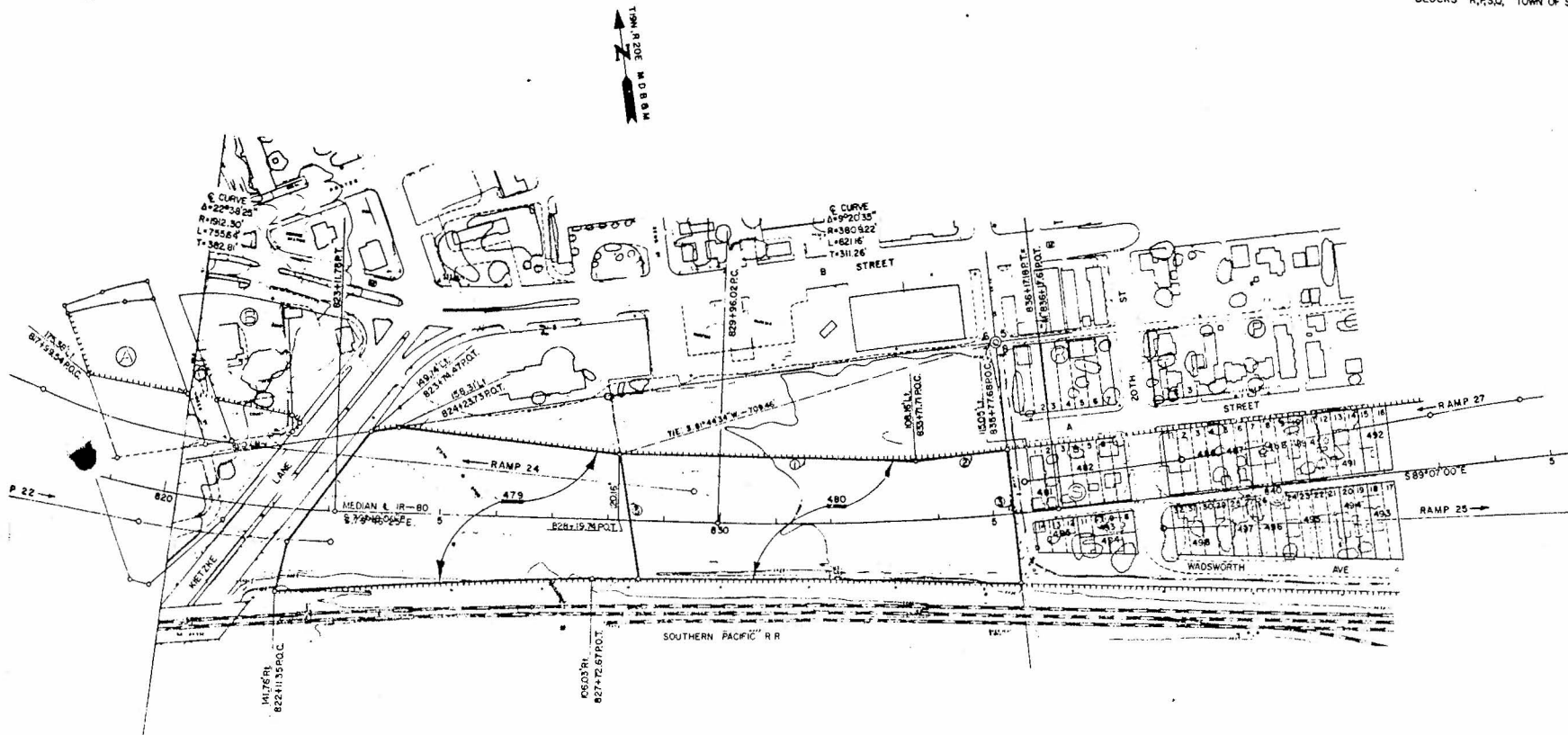
PIONEER TITLE INSURANCE  
COMPANY OF NEVADA

*Walter Miller*  
Walter Miller  
Senior Title Officer

STATE OF NEVADA DEPT OF HIGHWAYS		PROPERTY SCHEDULE						REMARKS	
PARCEL No.	GRANTOR	TOTAL AREA	R/W AREA	REM AREA	ACQ. DATE	BK	PG	DATE	
479	THOMAS P RALEY	5 206.43	355.41	165.04	3/30/64	193	574	7/22/66	F.O.C.
480	NEVADA STATE HOSPITAL	2706.07	1582.77	1123.85	5/8/27	88	277	6/2/65	

FED. ROAD DIST. NO.	STATE	PROJECT NO.	COUNTY	CONTROL SYSTEM	STATE ROUTE	SHEET NO.	TOTAL SHEETS
7	NEVADA	1-080-11418	WASHOE	3-083		24	53

SUBDIVISIONS  
BLOCKS ABB EIKELBERGER SUBDIVISION  
BLOCKS R,R,S,Q, TOWN OF SPARKS



S.W. COR. 479		480	
N27°47'37" E	93.27	S 89°55'2" E	227.33
N47°02'23" E	247.46	S 89°24'30" E	469.74
S 85°39'03" E	50.00	S 88°56'45" E	166.63
S 74°01'11" E	34.84	S 0°41'06" W	243.9
S 0°20'57" W	27.33	N 8°10'40" W	766.82
N 6°59'42" W	81.03		
S 42°39'57" W	152.420	L 569.72	

CONTROL OF ACCESS LINE |||||  
LOCATION AT WHICH LIMITED ACCESS PERMITTED BY THE STATE |||| ||||

1-109

NOTE: FOR CONSTRUCTION FEATURES SEE SHEETS 48 & 49.

STATE OF NEVADA  
DEPT OF HIGHWAYS R/W DIVISION  
PROPERTY MAP  
CONTROL SECTION 31-083  
1-080-10518  
COUNTY WASHOE (R-80)  
SCALE 1" = 200' DATE JULY 1964  
APPROVED: *[Signature]*  
CHECKED BY: *[Signature]*

Desc OK  
gial

A. B. 240

---

ASSEMBLY BILL NO. 240—MR. TORVINEN

FEBRUARY 8, 1973

Referred to Committee on Government Affairs

SUMMARY—Authorizes conveyance by state highway engineer of certain land in Washoe County to City of Reno. Fiscal Note: No. (BDR S-581)

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

AN ACT authorizing and directing the state highway engineer to convey by quitclaim deed certain real property situated in Washoe County, Nevada, to the City of Reno.

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

1 SECTION 1. The state highway engineer is hereby authorized and  
2 directed to convey, by quitclaim deed, to the City of Reno all of the right,  
3 title and interest of the State of Nevada in and to that certain parcel of  
4 land situated in the County of Washoe, State of Nevada, and more par-  
5 ticularly described as follows:  
6 Beginning at the northwest corner of section 7, T. 19 N., R. 20 E.,  
7 M.D.B. & M., thence S 0°36'02" W 695.39 feet along the west line of  
8 said section 7 to a point on the southerly line of the Southern Pacific  
9 Railroad right-of-way being the true point of beginning, thence N 80°  
10 00'32" E 316.02 feet along said southerly railroad right-of-way line to a  
11 point on the westerly right-of-way line of the North-South freeway U.S.  
12 395, thence S 29°11'16" E 605.67 feet along said U.S. 395 right-of-way  
13 line to a point on the northerly right-of-way line of Kietzke Lane, thence  
14 southwesterly along said northerly right-of-way line of Kietzke Lane along  
15 a tangent curve to the left with a central angle of 15°06'27" having a  
16 radius of 1250 feet with a length of curve of 329.59 feet to a point on a  
17 line on the northerly bank of the Truckee River, thence S 86°06'02"  
18 W 343.62 feet on said line along the northerly bank of the Truckee River  
19 to a point on the west line of said section 7, thence N 0°36'02" E 683.35  
20 feet along said west line of section 7 to the true point of beginning, such  
21 parcel containing 7.476 acres more or less.

®  
slope easement

*Dose checked*

**A. B. 190**

**ASSEMBLY BILL NO. 190—MR. GLOVER**

**FEBRUARY 1, 1973**

Referred to Committee on Government Affairs

SUMMARY—Transfers real property from State of Nevada to United States. Fiscal Note: No. (BDR S-335)



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

AN ACT authorizing and directing the state land register to convey certain state land to the United States; and providing other matters properly relating thereto.

1       WHEREAS, On March 10, 1959, the United States of America conveyed  
2 to the State of Nevada, by Patent No. 1193451, certain land for recrea-  
3 tional and public purposes only; and  
4       WHEREAS, The patent provided, among other things, that if the land is  
5 devoted to a use other than that for which it is conveyed, the title shall  
6 revert to the United States; and  
7       WHEREAS, Contemplated state highway location prevents any con-  
8 tinued usage of the land compatible with the patent restrictions; now,  
9 therefore,  
10  
11 *The People of the State of Nevada, represented in Senate and Assembly,*  
12 *do enact as follows:*  
13  
14       SECTION 1. Notwithstanding the provisions of NRS 232.158 or any  
15 other provision of law, the state land register, on behalf of the State of  
16 Nevada, shall convey to the United States of America, without considera-  
17 tion therefor, that certain property owned by the State of Nevada and  
18 situated in the county of Washoe, State of Nevada, described as follows:  
19       T. 18 N., R. 19 E., M.D.B. & M.  
20       Section 25, W½ SW¼ SW¼ SW¼; ✓  
21       Section 26, S½ SE¼ SE¼ SE¼; ✓  
22       Section 36, N½ NW¼ NW¼ NW¼; ✓  
23       containing 15 acres.  
24       SEC. 2. This act shall become effective upon passage and approval.

*DF-1*

DF-6  
~~DF-4-1~~

A. B. 191

---

ASSEMBLY BILL NO. 191—MR. GLOVER

FEBRUARY 1, 1973

Referred to Committee on Government Affairs

SUMMARY—Transfers real property from division of forestry to United States. Fiscal Note: No. (BDR S-334)



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

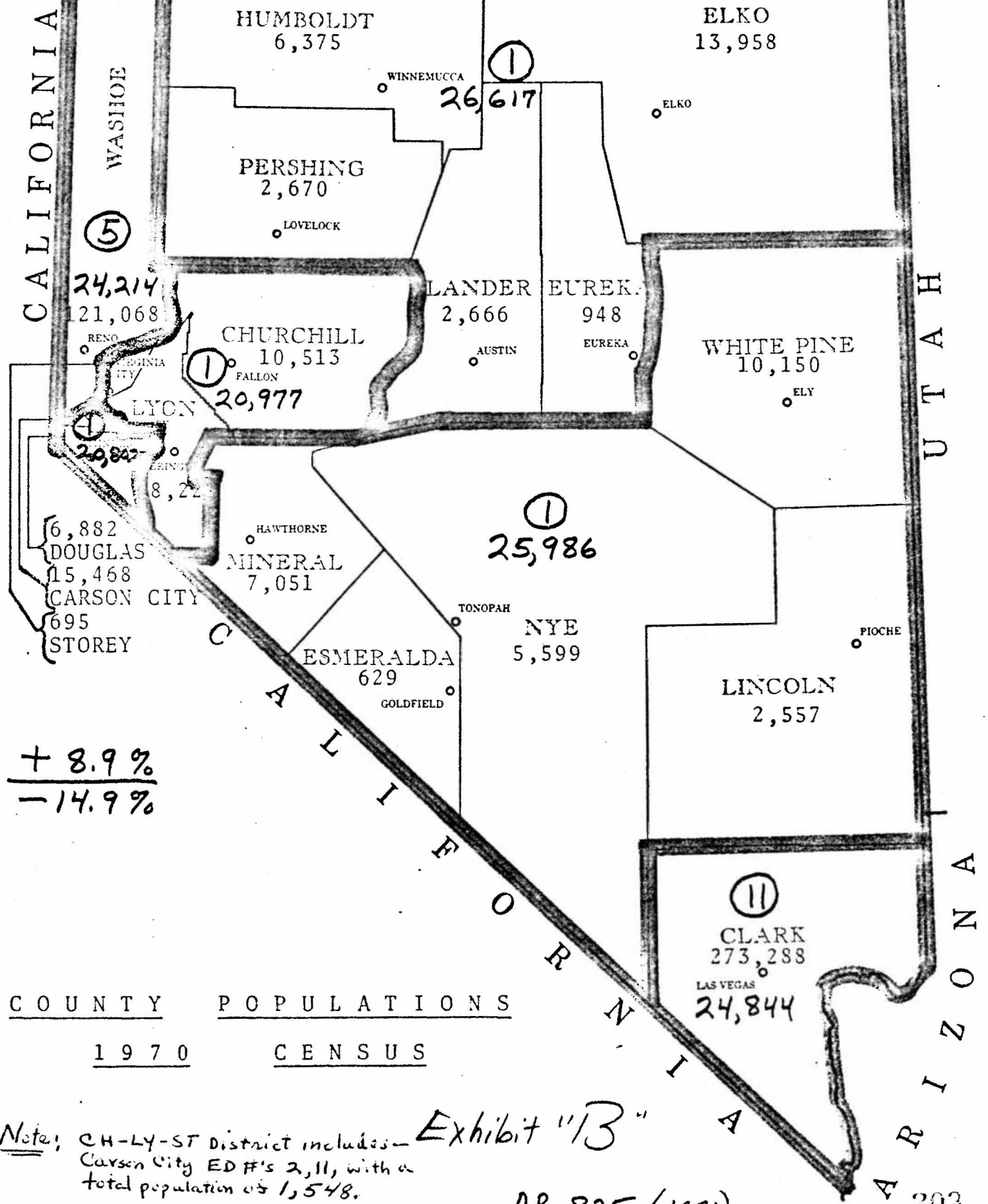
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AN ACT authorizing and directing the state land register to convey certain land of the division of forestry to the United States; and providing other matters properly relating thereto.

- 1       WHEREAS, On October 25, 1962, the United States of America con-  
2       veyed to the division of forestry of the state department of conservation  
3       and natural resources, by Patent No. 1229338, certain land for fire pro-  
4       tection and training facilities site purposes only; and  
5       WHEREAS, The patent provided, among other things, that if the pat-  
6       entee attempts to transfer the title to another or devote the land to a use  
7       other than that for which the land was conveyed, without the consent of  
8       the Secretary of the Interior, the title shall revert to the United States; and  
9       WHEREAS, The division of forestry of the state department of conser-  
10      vation and natural resources does not intend to use the land for fire pro-  
11      tection and training site purposes; now, therefore,  
12  
13      *The People of the State of Nevada, represented in Senate and Assembly,*  
14      *do enact as follows:*  
15  
16      SECTION 1. Notwithstanding the provisions of NRS 232.158 or any  
17      other provision of law, the state land register, on behalf of the division of  
18      forestry of the state department of conservation and natural resources,  
19      shall convey to the United States of America, without consideration  
20      therefor, that certain property owned by the division of forestry and situ-  
21      ated in the county of Washoe, State of Nevada, described as follows:  
22      T. 20 N., R. 19 E., M.D.B. & M.  
23      The S½ of the NE¼ of the NE¼;  
24      The NW¼ of the NE¼ of the NE¼; and  
25      The N½ of the NE¼ of the NE¼ of the NE¼; of section  
26      21, containing 35 acres.  
27      SEC. 2. This act shall become effective upon passage and approval.

(20) SENATE - (4) RURAL COUNTY DISTRICTS - (AVERAGE DIST.) 24,437

O R E G O N | I D A H O



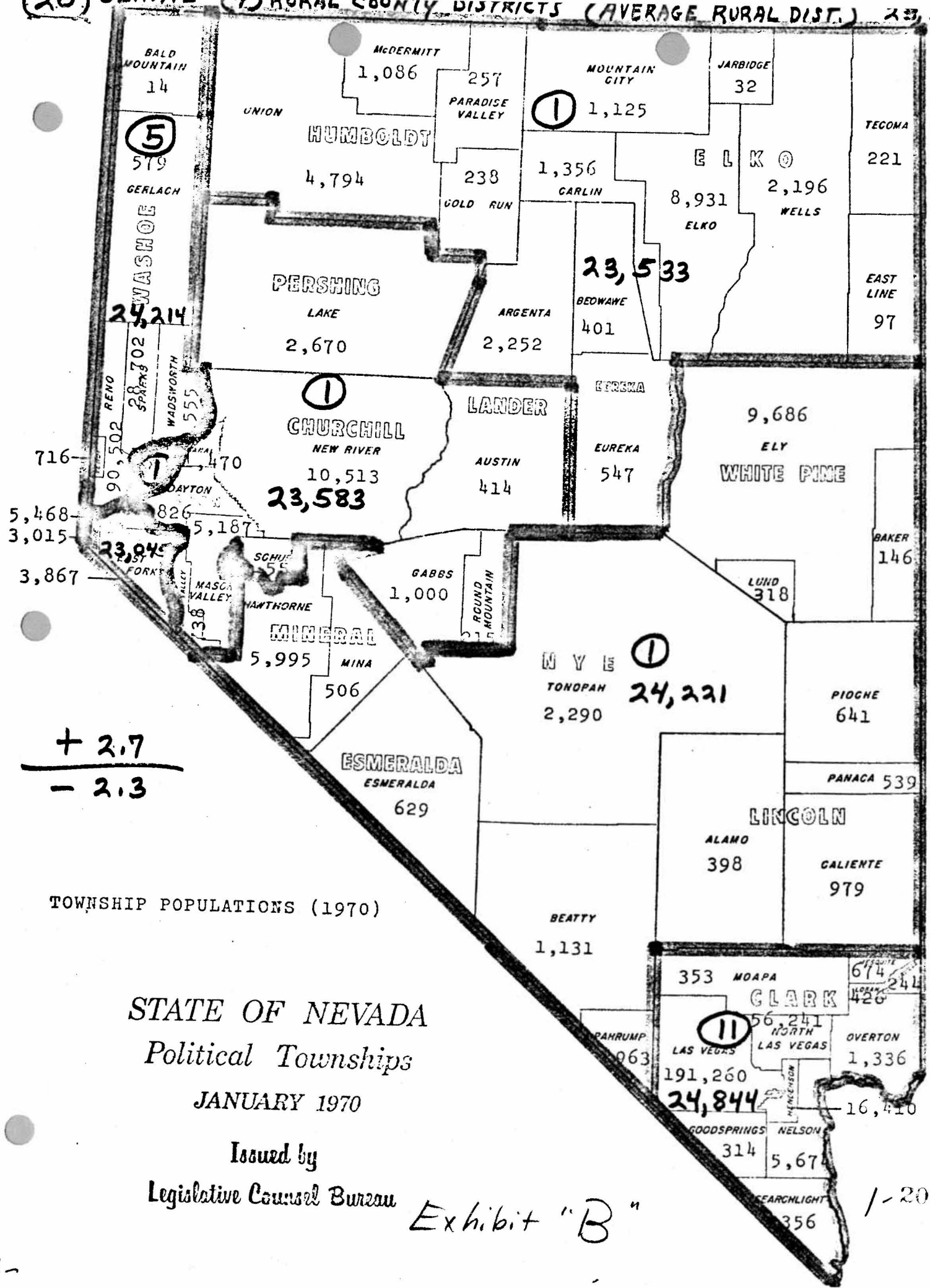
+ 8.9%  
- 14.9%

COUNTY POPULATIONS  
1970 CENSUS

Note: CH-LY-ST district includes - Carson City ED #'s 2, 11, with a total population of 1,548.

Exhibit "B"

A.B. 825 (1971)



+ 2.7  
- 2.3

TOWNSHIP POPULATIONS (1970)

STATE OF NEVADA  
Political Townships  
JANUARY 1970

Issued by  
Legislative Council Bureau

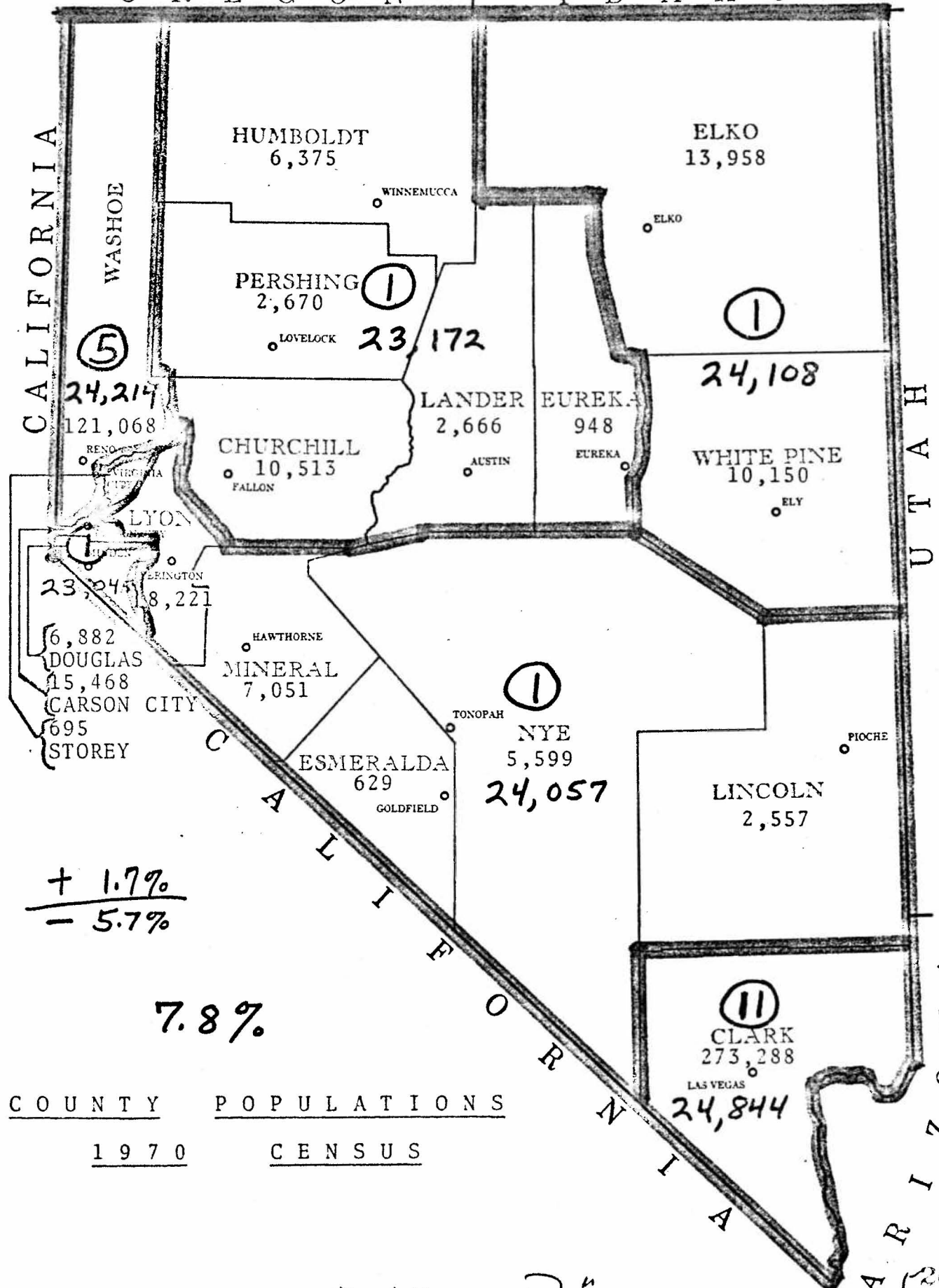
Exhibit "B"



AVERAGE DISTRICT 24,737

(20) SENATE - RURAL COUNTY SINGLE DISTRICTS

O R E G O N I D A H O



+ 1.7%  
- 5.7%

7.8%

COUNTY POPULATIONS  
1970 CENSUS

Exhibit "B"

*for Nevada, see Green Book*  
A BRIEF SUMMARY OF PAST GOVERNMENTAL ACTION RELATING TO RED ROCK CANYON

- 1960-63 - Nevada State Park System Administrator William Hart and Advisory Commission recognize the scenic, recreational, and scientific values of the Red Rock Canyon area and generate consideration of acquiring area as a State Park. Problems preventing action at that time included:
1. Land acquisition under the Recreation & Public Purposes Act (at \$2.50/acre) is limited to an annual quota of 6400 acres. The System was committed to acquiring annually almost its entire quota for the Valley of Fire State Park over the succeeding several years.
  2. Lack of interest on the part of the 1963 Legislature to provide funds for acquisition of key private inholdings in the area.
- 1964 - Congress passed the Classification and Multiple Use Bill, allowing BLM to retain, develop, and manage public lands for recreation purposes.
- BLM receives permission to place 10,000 acres in Red Rock Canyon on protective withdrawal status.
  - BLM calls meeting in Las Vegas of all known interested organizations and agencies to discuss future plans for protection and development of Red Rock; sub-committee is appointed by group to conduct further study.
  - League of Women Voters of Las Vegas Valley, at request of BLM, conducts survey of public regarding a possible park at Red Rock, analyzes 3500 completed questionnaires, concluding that there is great public interest in area for picnicing, hiking, nature study, rockhounding, etc.
- 1965 - Sub-committee releases 117-page proposal for Red Rock Canyon-Spring Mountain Recreation Complex plus a 33-page report on the findings of the League survey. Full committee, in meeting conducted by BLM State Director Russell Penny, approved 30 recommendations for future development and management which would be administered by the BLM.
- Completion of Nevada State Outdoor Recreation Master Plan designating Red Rock Canyon area as high priority for protection and development for recreation purposes.
  - An ad hoc committee of Clark County citizens presents detailed proposal for Red Rock interpretive center to meeting of State Park Commission; Commission requests State Parks Dept. to conduct a feasibility study on proposal; great concern shown for protection of archeological values.
- 1966 - State Park Commission, after hearing Eric Cronkhite's feasibility report, concurred with basic recommendations on Red Rock and unanimously passed a motion which included:
- "...Enter into an agreement with the BLM to cooperatively operate a park and recreation complex...assume the responsibility for interpretive services...request appropriations in the next biennium to:
- a. create such a park and recreation complex with BLM cooperation;
  - b. design a building and operate an interpretive center;
  - c. prepare a master plan for the area..."

Also at this meeting the Commission states assurance will be needed from BLM that all public domain land within the complex or other mutually satisfactory boundary will be retained permanently in public ownership and managed for recreation.

    - Archeo-Nevada Society organized by local residents interested in preserving archaeological values in So. Nevada, particularly Red Rock Canyon.

Exhibit "C"

1-206

- 1966 (cont'd)- BLM proposes classification of land in the Red Rock Complex to be retained for public use, mainly recreation; overwhelming support with virtually no opposition given at public hearing at Las Vegas City Hall.
- Bureau of Outdoor Recreation Specialists, after being called in as consultants, conduct study of the entire Spring Mountain Planning Unit and recommend that Red Rock Canyon be designated by federal legislation to be a National Recreation Area.
  - BLM announces it will receive \$158,000 for recreation site development in 66-67, including the Willow Spring site which is completed in summer of 1966. Four additional sites were planned to be completed in fiscal '68, but funds were not forthcoming.
- 1967
- BLM State Director indicates desire to proceed with State Parks on cooperative agreement on joint management.
  - Nevada Legislature approves \$132,000 for Red Rock development of Pine Creek or interpretive center and site.
  - State Parks staff and BLM meet to discuss contracting for master plan; BLM stalls, saying they don't have go-ahead from Washington. Cronkrite sends letter to Udall, stating we need decision since State has money to spend and should proceed; also BLM is going ahead with plans to build new roads, picnic sites, etc. even without master plan. Udall replies, suggestion we proceed to work together on master plan.
  - BOR recommendation for Red Rock National Recreation Area is turned down in Washington.
  - August - Master planning team is set up; Nevada to pay for aerial mapping costs, provide state park planner for part of planning team, BLM to provide rest of team. Agreement that State-BLM roles in future management will be discussed after plan is completed and accepted.
  - October - Red Rock Canyon Recreation Lands dedicated at ceremony with Senator Alan Bible as main speaker; many references made to State-BLM cooperative plans for development.
  - December - rough draft of master plan reviewed by Park Commission and Red Rock Resource Committee of local citizens appointed to advise Commission; final approval of plan signed by BLM State Director and State Parks Administrator though citizen groups and individuals still object to several aspects of plan, particularly the road development.
- 1968
- BLM presents Master Plan to Bureau Director in Washington, listing several management alternatives but recommending #1 as BLM doing it alone. This is approved and Washington indicates it will become #1 BLM recreation project in U.S.; BLM meets with Park Commission to say they do not want to divide up land tenure with State, will accept our help in other ways, such as our purchasing private inholdings; they proceed with road development, plans for interpretive center.
  - Park Commission decides it is impractical to purchase Pine Creek and operate as State Park within the larger BLM boundaries. Their being no logical way to use appropriated \$120,000 for Red Rock, permission was granted by Interim Finance Committee to transfer funds for use in Valley of Fire State Park.

Exhibit "C"

1-207

from Legislature

- 1969 - January - State Park System requests no monies for Red Rock, continuing a "wait-see" attitude toward BLM's desire to handle the area alone. BLM finds difficulty in getting desired funds appropriated by Congress.
- June - discussion activated regarding possible cooperative agreement for joint management between BLM and State Parks; board Agreement adopted and signed by both parties.
- 1970 - November - voters approve a \$5 million bond issue for new State Parklands. Park Commission considers private inholdings at Red Rock Canyon as high priorities. Negotiations resumed with owner of 80-acre parcel at Pine Creek; BLM attempts to work out exchange with owner for other public lands.
- 1971 - BLM obtains funds to build Segment "A" of Scenic Loop Road proposed in Master Plan.
- Nevada Legislature approves acquisition of area designated in Cooperative Agreement to be managed by State; \$1 million for capital improvements recommended by Governor's budget but money committees cut to \$750,000 for use throughout entire Park System. Authority for some of this money to be spent in Red Rock Canyon was turned down during budget-making process.
- 1972 - BLM land exchange with owner of Pine Creek falls through; State makes cash offer based on BLM official appraisal; owner refuses; State Park System files condemnation papers with County Clerk, makes arrangement for additional appraisal to be used in court proceedings.
- BLM has authorization for building Loop "B" of Scenic Road and one picnic area. Opposition from local conservation groups and private citizens becomes vocal and calls for preparation of Environmental Impact Statement before project can begin. Washington BLM office agrees that EIS should be prepared; granting of bids on project is halted. Environmental Impact Study team holds public hearing to explain study process and gather information. Draft statement estimated to be available for public review in fall of 1972.
  - State Park System budget request for 1973-75 includes capital improvement monies for developments in Red Rock Canyon. Final recommendations of Governor not yet known.
  - Representatives of BLM and State Park System begin developing specific cooperative agreements in areas of park administration, protection, interpretation, etc.
  - BLM Environmental Impact Statement on proposed Master Plan now expected to be available in Spring 1973. In January 1973 BLM plans to use authorized monies to pave Segment "A" of Scenic Loop Road.
  - State Park Advisory Commission reactivates Clark Co. Red Rock Advisory Committee composed of local interested citizens to assist in re-evaluation of Master Plan, work for implementation of development goals,
  - Field studies under a National Park Service grant recommend inclusion of Red Rock Canyon in the "Registry of National Natural Landmarks" because of unique biological and geological features.
  - Open Spaces Council recommends to Sen. Bible that Red Rock Recreation Lands be transferred to National Park Service management. Major concern is for protection of resource; management by single agency is felt to be superior to cooperative arrangements. *Bible responds that he feels this more appropriate.*

1-208

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SENATE BILL NO. 172—SENATOR DRAKULICH

FEBRUARY 7, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Transfers land from State of Nevada to City of Sparks.  
Fiscal Note: No. (BDR S-1011)



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

---

AN ACT directing the state land register to convey certain state land to the City of Sparks; and providing other matters properly relating thereto.

1 WHEREAS, The State of Nevada is the owner of certain land, consisting  
2 of approximately 2.577 acres, situated between Interstate Highway 80  
3 and B Street, near Kietzke Lane, within the boundary of the City of  
4 Sparks; and

5 WHEREAS, On April 16, 1969, a sale of the land at its appraised value  
6 was authorized and directed by the legislature under chapter 394, Stat-  
7 utes of Nevada 1969, and subsequently the state has not been able to  
8 sell the land under the conditions specified in the statute; and

9 WHEREAS, The use of the land by the City of Sparks as a public park-  
10 ing facility would be the use most conducive to the welfare of the public,  
11 and the City of Sparks is willing to develop the land for this purpose;  
12 now, therefore,

13  
14 *The People of the State of Nevada, represented in Senate and Assembly,*  
15 *do enact as follows:*

16  
17 SECTION 1. Notwithstanding the provisions of NRS 232.158 or any  
18 other provision of law, the state land register, on behalf of the State of  
19 Nevada, shall convey to the City of Sparks, without consideration there-  
20 for, on condition that the City of Sparks pay to the state the actual  
21 amount of expenses incurred pursuant to section 6 of chapter 394 of  
22 Statutes of Nevada 1969, that certain land owned by the State of Nevada  
23 and situated in the county of Washoe, State of Nevada, described as  
24 follows:

25 Beginning at the section corner common to sections 5, 6, 7 and  
26 8, T. 19 N., R. 20 E., M.D.B. & M., thence South 0°41'08" West,  
27 along the eastern boundary of the property owned by the State of  
28 Nevada a distance of 195.07 feet to a point in the northern

ASSEMBLY BILL NO. 190—MR. GLOVER

FEBRUARY 1, 1973

Referred to Committee on Government Affairs

SUMMARY—Transfers real property from State of Nevada to United States. Fiscal Note: No. (BDR S-335)

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

AN ACT authorizing and directing the state land register to convey certain state land to the United States; and providing other matters properly relating thereto.

1 WHEREAS, On March 10, 1959, the United States of America conveyed  
2 to the State of Nevada, by Patent No. 1193451, certain land for recrea-  
3 tional and public purposes only; and

4 WHEREAS, The patent provided, among other things, that if the land is  
5 devoted to a use other than that for which it is conveyed, the title shall  
6 revert to the United States; and

7 WHEREAS, Contemplated state highway location prevents any con-  
8 tinued usage of the land compatible with the patent restrictions; now,  
9 therefore,

10  
11 *The People of the State of Nevada, represented in Senate and Assembly,*  
12 *do enact as follows:*  
13

14 SECTION 1. Notwithstanding the provisions of NRS 232.158 or any  
15 other provision of law, the state land register, on behalf of the State of  
16 Nevada, shall convey to the United States of America, without considera-  
17 tion therefor, that certain property owned by the State of Nevada and  
18 situated in the county of Washoe, State of Nevada, described as follows:

19 T. 18 N., R. 19 E., M.D.B. & M.  
20 Section 25, W $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ ;  
21 Section 26, S $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ ;  
22 Section 36, N $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ ;  
23 containing 15 acres.

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

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ASSEMBLY BILL NO. 191—MR. GLOVER

FEBRUARY 1, 1973

Referred to Committee on Government Affairs

SUMMARY—Transfers real property from division of forestry to United States. Fiscal Note: No. (BDR S-334)

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

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AN ACT authorizing and directing the state land register to convey certain land of the division of forestry to the United States; and providing other matters properly relating thereto.

1 WHEREAS, On October 25, 1962, the United States of America conveyed to the division of forestry of the state department of conservation  
2 and natural resources, by Patent No. 1229338, certain land for fire protection and training facilities site purposes only; and

3  
4  
5 WHEREAS, The patent provided, among other things, that if the patentee attempts to transfer the title to another or devote the land to a use  
6 other than that for which the land was conveyed, without the consent of  
7 the Secretary of the Interior, the title shall revert to the United States; and

8  
9 WHEREAS, The division of forestry of the state department of conservation and natural resources does not intend to use the land for fire protection and training site purposes; now, therefore,

10  
11  
12  
13 *The People of the State of Nevada, represented in Senate and Assembly,*  
14 *do enact as follows:*

15  
16 SECTION 1. Notwithstanding the provisions of NRS 232.158 or any  
17 other provision of law, the state land register, on behalf of the division of  
18 forestry of the state department of conservation and natural resources,  
19 shall convey to the United States of America, without consideration  
20 therefor, that certain property owned by the division of forestry and situated in the county of Washoe, State of Nevada, described as follows:

21 T. 20 N., R. 19 E., M.D.B. & M.  
22 The S $\frac{1}{2}$  of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$ ;  
23 The NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$ ; and  
24 The N $\frac{1}{2}$  of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$ ; of section  
25 21, containing 35 acres.

26  
27 SEC. 2. This act shall become effective upon passage and approval.

50

SENATE BILL NO. 62—SENATOR DODGE

JANUARY 23, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Provides for reapportionment of Carson City and rural county senatorial districts. Fiscal Note: No. (BDR 17-532)

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

AN ACT relating to the reapportionment of Carson City and rural county senatorial 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 218.075 is hereby amended to read as follows:  
2 218.075 1. The following senatorial districts are created in Carson  
3 City and the 14 rural counties of the state, and the following numbers of  
4 senators apportioned to each, separately:  
5 (a) Northern Nevada senatorial district shall consist of Elko, Eureka  
6 **[,]** and Humboldt **[,]** Lander and Pershing counties: One senator.  
7 *counties and Argenta township of Lander County as established by the*  
8 *board of county commissioners of Lander County on April 22, 1966:*  
9 *One senator.*  
10 (b) Central Nevada senatorial district shall consist of Esmeralda, Lin-  
11 coln **[,]** Mineral, Nye **[,]** and White Pine counties **[,]**; *Hawthorne and*  
12 *Mina townships of Mineral County as established by the board of county*  
13 *commissioners of Mineral County on October 22, 1945, and Beatty, Pah-*  
14 *rump and Tonopah townships of Nye County as established by the board*  
15 *of county commissioners of Nye County on May 5, 1964: One senator.*  
16 (c) Western Nevada senatorial district shall consist of Churchill, Lyon  
17 and **[Storey]** Pershing counties and **[Carson City enumeration districts**  
18 **Nos. 2 and 11:]** *Austin township of Lander County as established by the*  
19 *board of county commissioners of Lander County on April 22, 1966,*  
20 *Schurz township of Mineral County as established by the board of county*  
21 *commissioners of Mineral County on October 22, 1945, and Gabbs and*  
22 *Round Mountain townships of Nye County as established by the board of*  
23 *county commissioners of Nye County on May 5, 1964: One senator.*  
24 (d) Capital senatorial district shall consist of **[Douglas County and**  
25 **Carson City, less enumeration districts Nos. 2 and 11:]** *Carson City,*  
26 *Douglas and Storey counties: One senator.*



SENATE BILL NO. 332—SENATOR POZZI

MARCH 1, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Provides for reapportionment of Carson City and rural county legislative districts. Fiscal Note: No. (BDR 17-1309)

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

AN ACT relating to the reapportionment of Carson City and rural county legislative 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 218.075 is hereby amended to read as follows:  
2 218.075 1. The following senatorial districts are created in Carson  
3 City and the 14 rural counties of the state, and the following numbers of  
4 senators apportioned to each, separately:  
5 (a) Northern Nevada senatorial district shall consist of Elko, Eureka,  
6 Humboldt [.] and Lander [and Pershing] counties: One senator.  
7 (b) Central Nevada senatorial district shall consist of Esmeralda, Lin-  
8 coln, [Mineral,] Nye and White Pine counties [:] and Hawthorne and  
9 Mina townships of Mineral County as established by the board of county  
10 commissioners of Mineral County on October 22, 1945: One senator.  
11 (c) Western Nevada senatorial district shall consist of Churchill, Lyon  
12 and [Storey] Pershing counties and [Carson City enumeration districts  
13 Nos. 2 and 11:] Schurz township of Mineral County as established by the  
14 board of county commissioners of Mineral County on October 22, 1945,  
15 and Bald Mountain, Gerlach and Wadsworth townships of Washoe  
16 County as established by the board of county commissioners of Washoe  
17 County on December 27, 1965: One senator.  
18 (d) Capital senatorial district shall consist of Douglas [County] and  
19 Storey counties and Carson City: [., less enumeration districts Nos. 2 and  
20 11:] One senator.  
21 2. The following assembly districts are created in Carson City and the  
22 14 rural counties of the state:  
23 (a) Assembly district No. 33 shall consist of Elko County [.] less  
24 Carlin township: One assemblyman.  
25 (b) Assembly district No. 34 shall consist of Eureka, Humboldt [.]

SENATE BILL NO. 60—SENATOR POZZI

JANUARY 22, 1973

Referred to Committee on Federal, State and Local Governments

SUMMARY—Exempts certain school districts from provisions of Local Government Reapportionment Law. Fiscal Note: No. (BDR 19-519)

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

AN ACT to amend the Local Government Reapportionment Law; exempting certain school districts from its provisions.

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

- 1 SECTION 1. 237.035 is hereby amended to read as follows:  
2 237.035 1. Except as otherwise specifically provided by law, the  
3 governing board of any local government unit, whose members are chosen  
4 by popular vote is hereby directed, by the enactment of an ordinance or  
5 the adoption of a resolution or order, to divide the geographical area it  
6 serves into the number of election districts which is identical with the  
7 number of members serving on such board. Such division shall be accom-  
8 plished prior to January 1, 1972.  
9 2. Such districts shall be single-member districts and shall be formed  
10 with reference to assembly districts insofar as practicable. All such dis-  
11 tricts created pursuant to the provisions of this subsection shall be of as  
12 nearly equal population as is practicable. Municipal corporations whose  
13 charters provide for redistricting, or cities incorporated under general law,  
14 are hereby exempted from the requirements of this section.  
15 3. Nothing in this section shall be construed to direct or authorize  
16 any change in the number of members composing the governing body  
17 or board as such body or board is constituted on July 1, 1971.  
18 4. The members of such bodies or boards covered by the provisions  
19 of this section, as constituted on July 1, 1971, shall continue to hold  
20 office for the terms for which they were elected.  
21 5. *This section does not apply to any school district whose population*  
22 *is less than 100,000, as determined by the last preceding national census*  
23 *of the Bureau of the Census of the United States Department of Com-*  
24 *merce.*

A. J. R. 9

ASSEMBLY JOINT RESOLUTION NO. 9—MR. BREMNER, MRS. FORD, MESSRS. SMALLEY, SCHOFIELD, HAYES, ROBINSON, BANNER, BENNETT, DREYER, VERGIELS, CRAWFORD, LOWMAN, JACOBSEN, DEMERS, CAPURRO, ULLOM, MAY, HICKEY, McNEEL, SMITH, HAFEN, CRADDOCK, ASHWORTH, BROADBENT, GETTO, MRS. GOJACK, MESSRS. MELLO, GLOVER, HOWARD, HUFF, PRINCE, FRY, MRS. BROOKMAN, MESSRS. WITTENBERG, BICKERSTAFF, MISS FOOTE, MESSRS. BARENGO, TORVINEN AND DINI

FEBRUARY 1, 1973

Referred to Committee on Environment and Public Resources

SUMMARY—Memorializes the Congress of the United States to enact legislation enabling Nevada park system to acquire jurisdiction over Red Rock Recreation Lands. (BDR 869)

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

ASSEMBLY JOINT RESOLUTION—Memorializing the Congress of the United States to enact legislation which transfers Red Rock Recreation Lands to the Nevada park system.

- 1 WHEREAS, Red Rock Canyon, located in the Spring Mountain Range  
2 in Clark County, Nevada, is an area of outstanding scenic and recrea-  
3 tional opportunity, possessing scientific and educational, geological and  
4 ecological value; and  
5 WHEREAS, The Federal Government in 1967 recognized the natural  
6 values of Red Rock Canyon and by presidential executive order with-  
7 drew 77,000 acres from the public domain and designated these lands  
8 to be known as the Red Rock Recreation Lands; and  
9 WHEREAS, The Red Rock Recreation Lands are presently administered  
10 by the Bureau of Land Management and there is little indication that  
11 Congress or the Department of Interior intends to provide the Bureau  
12 of Land Management with adequate funds or necessary management for  
13 the protection and development of visitor facilities and recreational sites  
14 in the area; and  
15 WHEREAS, There exists a need for a major park and developed recre-  
16 ation area within easy access of a large and rapidly expanding urban  
17 area in Southern Nevada; and

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

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ASSEMBLY BILL NO. 16—MR. DREYER

JANUARY 16, 1973

Referred to Committee on Elections

SUMMARY—Requires members of the state board of education be residents of the subdistrict from which they are elected or appointed. Fiscal Note: No. (BDR 34-331)



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

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AN ACT relating to elections; requiring that members of the state board of education be residents of the subdistrict from which they are elected or appointed; 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 385.021 is hereby amended to read as follows:  
2 385.021 1. On July 1, 1971, the state board of education shall be  
3 composed of the seven members elected at the general election in 1970  
4 and the two members, representative of labor and agriculture, appointed  
5 by the elected members of the board pursuant to law. The terms of the  
6 appointive members shall expire on January 1, 1973. If a vacancy occurs  
7 in the office of an appointive member between July 1, 1971, and Jan-  
8 uary 1, 1973, the elected members shall fill the vacancy by the appoint-  
9 ment of a new member without regard to representation of labor or  
10 agriculture for the remainder of the unexpired term but not beyond Jan-  
11 uary 1, 1973.  
12 2. On and after the 1st Monday in January 1973, the state board  
13 of education shall consist of nine lay members to be elected by the  
14 registered voters within the following districts:  
15 (a) Washoe County shall be known as district No. 1. [ ], with two  
16 members of the board residing therein. ]  
17 (b) Clark County shall be known as district No. 2. [ ], with five mem-  
18 bers of the board residing therein. ]  
19 (c) The remainder of the state shall be known as district No. 3. [ ], with  
20 two members of the board residing therein. ]  
21 3. The board in existence on January 1, 1972, shall determine, by  
22 lot or otherwise, two members of such board whose terms will expire on  
23 January 1, 1973, making such determination in a manner best designed  
24 to effectuate the geographical districts established by NRS 385.022 and

Original bill is 3 pages long.  
Contact the Research Library for  
a copy of the complete bill.



A. B. 17

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ASSEMBLY BILL NO. 17—MR. DREYER

JANUARY 16, 1973

Referred to Committee on Elections

SUMMARY—Changes residency requirements for hospital trustees.  
Fiscal Note: No. (BDR 40-332)

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

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AN ACT to amend NRS 450.070, relating to elections; eliminating the requirement that no more than three members of boards of hospital trustees be residents of the community in which the hospital is located; requiring residency in the district from which the trustee is 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 450.070 is hereby amended to read as follows:  
2 450.070 1. The board of hospital trustees for the public hospital  
3 shall consist of five trustees, who shall:  
4 (a) Be residents of the county or counties concerned, [but not more  
5 than three shall be residents of the city or town in which the hospital is to  
6 be located. In Carson City, all trustees shall be residents of Carson City.]  
7 *except for trustees running for election in subdistricts provided in subsec-*  
8 *tion 2, who shall be residents of such subdistrict.*  
9 (b) Be elected from the hospital trustee districts as provided in [sub-  
10 section 2.] *subsections 2 and 3.*  
11 2. In any county whose population is 200,000 or more, as deter-  
12 mined by the last preceding national census of the Bureau of the Census  
13 of the United States Department of Commerce, hospital trustee districts  
14 are hereby created as follows:  
15 (a) Subdistrict A shall consist of assembly districts Nos. 7, 18 and 19;  
16 enumeration districts Nos. 242, 243B, 243D, 244, 247B, 248, 291, 292,  
17 293 and 294 in assembly district No. 17 and enumeration districts Nos.  
18 241, 249, 279, 280, 281, 282, 283, 284A, 284B, 285, 286, 288, 289,  
19 297, 299, 300, 301A, 301B and 302 in assembly district No. 20.  
20 (b) Subdistrict B shall consist of assembly districts Nos. 1, 2, 3, 4 and  
21 enumeration districts Nos. 85, 87, 108 and 147 in assembly district  
22 No. 8.  
23 (c) Subdistrict C shall consist of assembly districts Nos. 5, 10, 13, 15

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

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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.

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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 (a) Washoe County shall be known as district No. 1, with two mem-  
5 bers of the board of regents residing therein.  
6 (b) Clark County shall be known as district No. 2, with five members  
7 of the board of regents residing therein.  
8 (c) The remainder of the state shall be known as district No. 3, with  
9 two members of the board of regents residing therein, as provided in NRS  
10 396.041.  
11  
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, no 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.