

Senate

COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

Minutes of Meeting -- April 17, 1973

The forty-sixth meeting of the Committee on Federal, State and Local Governments was held on the 17th day of April, 1973 at 6:30 P.M.

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

Also present were:

Assemblyman Mary Gojack
Debbie Sheltar, Homeowners Association
Chancellor Neil Humphrey
Dr. James Richardson, University of Nevada
Press

AB-450 Prohibits issuing building permit unless
restrictions on property are observed.

Assemblyman Mary Gojack testified in support of the bill. Stated that there was a real need for the bill which perhaps comes under consumer fraud. People who buy homes are often lead to believe that the deed restrictions are enforceable and iron clad. The only recourse presently is to go to court. Stated that people simply cannot afford to go to court for everything, and felt that there were three alternatives:

1. Try to work with AB-450.
2. Put this into a study.
3. A bill that prohibits building restrictions in subdivisions.

Debbie Sheltar, Washoe County Property Owners, testified in support of the bill. Stated that the county commissioners are behind the bill 100 per cent. Willing to add an amendment to the effect that the city or county will not be liable for any actions taken or not taken by the committee.

The Chairman asked if the courts had upheld deed restrictions. Mrs. Sheltar stated that they had in all of the cases she knew of.

Senator Dodge asked what the court's action usually was in these cases. Senator Swobe stated that the court usually makes the people remove the restricted home or whatever. Said part of problem was that the committee varied from good to bad each year. Debbis Sheltar further stated that the deed restrictions were being violated constantly and that some type of protection is needed for the home owner.

Senator Dodge stated that as he understood it, that there is absolute authority given to the construction committee to deny a building permit. (Page 2 of bill) Wanted to know what protection was given the subdivider. Mrs. Sheltar indicated that it is the home owner that needs the rights and protection. Senator Dodge added that the bill is not validly structured. The Chairman stated that the committee would look into the bill further before making any decision.

At this point the public left the hearing and Senator Dodge went over the proposed Public Employee Negotiations Act with the committee and explained the changes. There was some discussion as to the difference between a department head and a department chairman. Senator Swobe stated that the department head is selected by the Deans or the President of the University and placed in charge of a department -- a department chairman is elected by the members of faculty in that department. Dr. Richardson of the University of Nevada was called in to testify as to the difference between department heads and department chairmen and the roles they play in the system. Stated that department chairmen make their evaluations on a consensus basis and that the chairman is a representative of the faculty.

The Chairman asked Chancellor Neil Humphrey to give his opinion on the place of the department chairmen. Chancellor Humphrey concurred with Dr. Richardson. Indicated that department chairmen receive release time from teaching in order to carry out their duties. Senator Foley felt that the extra time that the department chairmen received was more a matter of convenience than authority.

At this point the public was called back in and the Chairman informed them that he had assigned Senator Dodge to try to pull together the tentative decisions and point out and review the committee action. He asked that the people present should also review the same proposal over night and the committee would meet again tomorrow to make final recommendations. (The Chairman passed out the draft to the people present.)

Senator Dodge stated that the committee had tried to devise an act which would incorporate everything into one act. Senator Dodge then reviewed the changes in the draft.

The Chairman directed the people present to take the paper home and study it overnight. Indicated that there would be a meeting at 4:00 P.M. the next day.

SB-407 Extends limits of city of Las Vegas and provides for metropolitan police department to include surrounding area.

Senator Walker moved to "Amend and Do Pass."
Seconded by Senator Foley.
Motion carried.

SB-624 Requires certain counties to create airport authorities.

Senator Walker moved to "Hold Indefinitely."
Seconded by Senator Dodge.
Motion carried.

SB-631 Authorizes Clark County to improve and equip county hospital facilities, and to issue revenue bonds and other securities payable from net pledged revenues derived from county excise taxes.

Senator Drakulich moved to "Hold Indefinitely."
Seconded by Senator Foley.
Motion carried.

AB-842 Creates additional single-member senatorial districts.

Senator Dodge moved to "Hold Indefinitely."
Seconded by Senator Drakulich.
Motion carried, with Senator Hecht abstaining.

AB-846 Increases salary of Pershing County district attorney and prohibits him from engaging in private practice of law.

Senator Dodge moved to "Hold Indefinitely."
Seconded by Senator Hecht.
Motion carried.

AB-838 Gives Washoe County an option to lease specific state property located in Washoe County for additional term of 99 years after year 2050.

Senator Foley moved to "Hold Indefinitely."
Seconded by Senator Dodge.
Motion carried.

AB-890 Provides additional regulatory services for small water companies.

Senator Drakulich moved "Do Pass."
Seconded by Senator Walker.
Motion carried.

AB-958 Incorporates City of Sun Valley in Washoe County; provides for election to determine effectiveness of charter and selection of mayor and councilmen.

Senator Foley moved to "Hold Indefinitely."
Seconded by Senator Walker.
Motion carried.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Mary Jean Fondi,
Committee Secretary by
Anita Wilson, Acting
Secretary