

Assembly

1207

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GOVERNMENT AFFAIRS COMMITTEE

MINUTES OF THE MEETING

APRIL 23, 1975

MEMBERS PRESENT: CHAIRMAN DINI  
VICE-CHAIRMAN MURPHY  
ASSEMBLYMAN CRADDOCK  
ASSEMBLYMAN HARMON  
ASSEMBLYMAN MAY  
ASSEMBLYMAN MOODY  
ASSEMBLYMAN SCHOFIELD  
ASSEMBLYMAN FORD

MEMBERS ABSENT: ASSEMBLYMAN YOUNG

ALSO PRESENT: Richard D. Moser, Nevada State Park System  
Michael Meizel, Department of General Services  
Geno Lencioni  
Joe Hamerich  
George Zappetlini, Division of Forestry  
Henry Etchementy, Carson City  
Paul Lumos, Carson City  
Bob Warren  
Thelma Calhoun  
H.L. Rosse  
Mr. Jack Mitchell  
A. Jack Dieringer  
Eric Cronkite

(The following bills were discussed: A.B. 637, A.B. 498, A.B. 608,  
A.B. 612, A.B. 613).

Mr. Dini called the meeting to order at 8:00 A.M.

The first bill to be discussed was A.B. 637, which authorizes issuance, sale of state securities to effect improvements, modernization of Marlette Lake water system; authorizes contract between state and Carson City to supply water to Carson City.

Assemblyman Jacobsen testified. He showed some photographs to the committee of the Marlette Lake Area. This system has a history from 1873. The purchase in 1963 was at a cost of \$1,650,000, and it was purchased through G.O. Bonds over 20 years. There are 5,377 acres of land.

In 1974 the sale of the Virginia City portion was financed. This

took a good deal of effort on the part of the Advisory Committee.

The present contracts include Virginia City. They are provided with 300,000 gallons of water a day. They are under contract at Lakeview to provide 50,000 gallons. The state has granted Carson City with as much water as the city may require. They have a number of small commitments on the line. The Laxaults may purchase 50,000 gallons per year. The Advisory Committee has attempted to provide for maximum and beneficial use. The present advisory committee consists of the following members.

Mr. Jacobsen, Mr. Dini, Mr. Cronkite, Mr. Sabitini, Mr. Mazelle, Mr. Deringer and Mr. Palmer. Each member will testify on his own behalf.

Senator Sheerin testified next. He informed the committee that the 1973 legislature considered two engineering firms to study the system. He then referred to a chart showing the Marlette lake area. He stated that there are three areas.

1. The Marlette Lake Drainage area.
2. The East Slope Drainage area. He indicated that this is a problem. There is no way to store the water.
3. The Hobart Reservoir. This produces about 2,000 acre feet per year.

Senator Sheerin stated that there are all kinds of variations in these areas. To get water into Carson, the Engineering report proposes three ways of doing it.

1. A flume line along the old bet.
2. Drill a tunnel through the mountain and put it in Hobart.
3. Put a pipeline over the hill into Hobart.

If gravity is used, the old Incline Tunnel would have to be opened up. The Virginia City Line was built in 1875 and is still in use.

This water system would be Carson City's primary source of water. Carson City wants to use well water and only use Marlette for peak time during the summer. They want to divert into Carson City and dilute it with ground water to do away with the need for a treatment plant. The ground water costs 5¢ per \$1,000 gallons.

The other water would cost 39¢ per 1,000 gallons. There are three proposals with regard to Hobart. Build a 5,000 acre foot dam.

Build a 10,000 acre foot dam or a 19,000 acre foot dam.

Carson is interested in 2,000 acre feet available from Marlette Lake. This gravity line and tunnel is the way that they would prefer to go.

The state would maintain ownership of everything. Carson City would be buying the water. This bill will cost \$4,325,000 to build this system. The bond would be general obligation bond, revenue bonds or both. The bond will not affect the 1% limit. It does give the State the ability to develop the natural resources and not affect the debt limit. The state will maintain ownership. The Department of Public Works is given the responsibility to review and engineer the program. After that is done the advisory committee will give its advice. The governor has to approve it. The Department of General Services has to approve it and will enter into a contract with Carson City. The Contract is on page 4, lines 1 through 32. It indicates some or all of the things that the contract will provide for. The Sale and delivery of a specified amount of water to Carson City. The bonds will run for a 50 year term. The payments of the users will be made as easy as possible. They are asking for approximately less than 2,000 acre feet. One advantage would be the state would be getting out of the water business. Carson would be getting into the water business. Carson would be responsible for getting the water to Virginia City and Lakeview. A price would be negotiated for the delivery of water.

Mr. Murphy asked how much of the land was owned privately and how much was owned by the state. Mr. Jacobsen stated that they did not have it in their presentation.

Mr. Dini asked if the Hobart plans will be abandoned.

Senator Sheerin stated no. Hobart has an existing reservoir. They would not be expanding Hobart under this plan. The Hobart area would not be built. Marlette is used as a fishery.

Senator Sheerin stated that they must get into a new water source or they would not be growing any more.

Mr. Lumis of Carson City testified next. He stated that he has been trying to obtain additional water through Southwest Gas. It has now become even more of a problem. They are a designated basin. There is a limit on the amount of water that they can get. They will reach their limit by 1977 or 1978. There are two additional sources. Marlette Lake and the Carson Valley. One without the other will not work. They will have to develop both sources. Carson has acquired property in Douglas and has filed for water rights. There are legal entanglements. The water will not be available for five or ten years. Carson will be out of water for additional growth by 1977 or 1978. They wish A.B. 637 passed. This system can be used on a peaking basis. Treatment would not be necessary which would reduce the cost substantially.

Mr. Lumis then passed out a cost summary to the committee. He stated that there has been concern about the effect on Marlette. The absolute affect would not be known definitely. Taking the last 44 years of record and applying them, 26 out of 44 years the effect would be zero. 8 years there would be a reduction in the level of less than 2,000 feet. For the remaining 4 years there would be a maximum of 5-1/2 feet. The draw down of the reservoir would be minimum.

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Mr. Dini asked where it was stated that they will guarantee the state enough water for expansion.

Mr. Lomis stated that within the contract there is a guarantee that all state facilities would receive water. It appears on page 4, line 24, in paragraph H. Mr. Dini asked if that included the future. Mr. Lomis stated yes. Mr. May asked what the source for Marlette Lake itself. Mr. Lomis indicated that it was the snowpack and the annual rainfall.

Mr. May asked when the contract for Virginia city would expire. Mr. Lomis stated that it is a perpetual contract. Lakeview has a renewable contract every five years. Mr. May questioned the annual yield. Mr. Lomis stated that it was 2,900 acre feet.

Mr. May asked how many gallons. Mr. Sheerin replied 3,737,500,000,000. Mr. Lomis indicated that from the yield we would draw 1738 per year. The yield should always be available.

Mr. Murphy referred to page 2, lines 5 to 7 and indicated that there was no provision as to a check or balance on the amount of water sent out. He asked what would prevent the general abuse of the use of water.

Mr. Sheerin replied that only that many acre feet will be available for present development. We hope that it will be a slow rate of development.

Mrs. Ford stated that no one has talked about master planning.

Senator Sheerin stated that they feel that the residents of Eagle Valley and the surrounding area are residents of Carson City and that there would be enough water for everyone.

Mr. Dini indicated that the State owned Marlette and the surrounding area. Additional water is available to Carson City only.

Mr. Lomis stated that they would be selling water to Carson City.

Mr. Dini stated that there is no provision for additional water for Virginia City or Lakeview in this bill. Mr. Lomis stated that there is adequate water there now.

Mr. Dini indicated that he thought that there was provision in this bill that if additional water was developed that they could contract for additional water.

Mr. Lomis stated yes, they could contract.

Mr. Murphy asked if Carson would negotiate with Lakeview and that the State would not be involved at all.

Mr. Lomis stated yes.

Mr. Murphy asked what the reasoning for that was.

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Mr. Lomis replied that it was the intention that the State get out of the water business as much as possible.

Mr. Weise indicated that Carson needs water. He has looked at the study. He does not see any jeopardy to Marlette. He indicated that there was a contradiction made. Carson City stated that water would be made available to everyone in the geographical area of Carson City County. There is additional water if people want to develop. Lakview is in Carson.

Mr. Lomis stated that it was additional water for Storey County.

Mr. Weise stated that he represents the district that abuts Carson to the North. The ranchers would probably benefit by development of either system. He stated that when we talk about Marlette all of the projections are at the time when we reach maximum population. He stated that those are the extremes. They have taken a conservative attitude. Washoe Valley in 10 years will be a residential type of area. He is concerned about whether or not there will be water available. The State is paying the bill and Carson is paying back the State. Carson has to have a commitment for planning. It is a state resource. He is concerned about Washoe Valley.

Mr. Lomis stated that the Water that Carson would be paying for is necessary, and beyond that it is a state resource.

Mr. Sheerin stated that there would be plenty of water left for future development.

Mr. Dini stated that this was an area problem. It also serves Silver City and Lyon County.

Senator Sherrin stated that the pipeline was built in 1875. If a larger amount of water were put through the pipeline you would cause problems.

Mr. Etchemendy stated that if the committee would refer back to page 2, line 36, there is a total cost of \$4,325,000. That is the amount it will take to make water available to the people. They would have nothing to sell to anyone outside of Carson. If other counties need more water, they would have to make the same agreement with the State.

Mr. Murphy referred to the pipeline. He asked if one of the plans is adopted if the pipeline were to be used and if so, should it not be replaced.

Mr. Lomis stated that the delivery to Carson would not utilize that pipeline. Mr. Murphy asked how well Carson was set for water now.

Mr. Lomis stated that they are able to keep up with their current needs. Mr. Murphy asked if that was with well water.

Mr. Lomis replied yes it was and that there was some surface water.

Mr. Murphy asked what happens after 1978.

Mr. Lomis replied that if it was not completed it would be necessary to impose a moritorium.

Mr. Murphy asked how much expected growth there would be.

Mr. Lomis replied in 1970 there were 15,500 people, and that by 1980 there are expected to be 31,000 people and in 1990 there should be 44,000 people.

Mr. Weise asked if the pipeline itself was capable of handling any more water than the amount for carson. He stated that the other counties would probably have to put in a complete pipeline.

Mr. Lomis stated that that was probably so.

Mr. Weise asked if Carson would be willing to sell water outside of the basin.

Mr. Sheerin stated that only the board of supervisors can make that decision.

Mr. Weise stated that Carson City abso lutely needs this water. He stated that his district may also need some water too.

Mr. Mike Melese testified next. He stated that the Department of General Services has jursidiction since the state bought the system. The part of the system that has been referred to includes two reservoirs at the base of Ash Canyon. In this bill the state will supply water to Virginia City and Lakeview. They would be out of the water business. There is some concern with the present contract. If there was a larger storage capacity at Hobart they could pump any run off.

Mr. George Sabitini testified next. He stated that this concerns state-owned land. This bill provides for an environment impact statement. The bill does not assign the responsibility of the report. They recommend that it be given to the Marlette Lake Advisory Committee.

The Marlette purchase has 5,400 acres. All together there are 30,000 acres. It is a very available complex. Their concentration has been on fire protection. He recommends that \$25,000 be allocated for planning survey. Before we can plan management, the boundaries should be known. Mr. Dini asked who owns the private land. Mr. Sabatini stated that it was private owners. Mr. Weise, the Laxaults, The Shultz' and the Bliss Lumber Company. They are concerned with care and management. It is long overdue. He has the expertiese to do it. He does need additional input.

Mr. Dini asked if he was suggesting that we spell this out in the bill. Mr. Sabitini replied yes.



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Mrs. Ford replied that she does not see any provision for a timetable with regard to the impact statement.

Mr. Sabitini replied that that was a good point. Mrs. Ford further stated that there is no one here to review it. Mr. Sabitini replied that that was why they suggested the supervision of the Marlette Advisory Committee.

Mrs. Ford stated that she felt that it should be spelled out.

Mr. Sabitini replied that without the environment study the project cannot proceed. We can do nothing without the environment study.

Mr. Jack Deere of the Fish and Game Department testified next. He stated that they recommend that Hobart be developed over Marlette. He stated that this is the only state-owned and operated body of water where cutthroat trout are found. They are a vital part of the fisheries plan.

He stated that Hobart can be used as development for rainbow trout.

Mr. Murphy asked if Marlette was easy to get to from June to September.

Mr. Deere replied yes. Marlette is restricted to horses or foot traffic only.

Mr. Eric Cronkite testified next. He stated that their concern is the back country use. He stated that use has not been encouraged. The area does have potential. He stated that the water levels would remain stable and that it would remain available for pumping. The multiple use concept can be carried out by utilizing Hobart. As a result of the fisheries, there are direct benefits throughout the state.

Mr. Jacobsen testified next. He stated that the review work over the last 8 years has never varied in its recommendations. Hobart improvements are to be considered first priority. There are two items to be negotiated. The cost of the water to the state and the fixture charges. Carson would charge about \$2.00 a fixture.

Mr. Dini then indicated that the committee would meet tomorrow evening at 7:00 P.M. to further discuss this bill.

Mr. Wittenberg then discussed A.B. 498. This bill changes the composition of the airport authority. It was amended. Originally it called for five people. The new one would create a situation similar to the present Washoe County Trustees. There are four members representing three local governments, 2 council members. Five people are elected at large in the county. You would also have the input of four members from local government. It would be very similar to the hospital meetings. They have proposed to put the entire question, as amended on the ballot for the citizens of Washoe in the November general election. The question would be:

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Should Washoe County create an airport authority?

It would be on the November, 1976 ballot. The city will have ample opportunity to convince the citizens of Washoe County. There will be ample time for and against the bill. If the voters determine yes, the bill would become law. In November of 1978 the five members would file and run for office.

Mr. May moved for an amend and do pass which was seconded by Mr. Murphy. All of the committee members were in favor of the motion and it carried unanimously. Mr. Ford voted no.

The next bill on the agenda was A.B. 608. Assemblyman Dreyer testified. This bill questions whether we want to do away with the police commissioner in Clark County. Mr. Dreyer recommended on page 2, starting with line 6, Section 4. Deleting Section 4, page 3 through lines 38. Line 39 would be left in.

Mr. Barton Jacka testified next. The study committee was developed as a result of the 1971 session. The police commission would deal with labor negotiations and budgetary factors. The original request was not as it finally came out. It was modified to include six members instead of 5. During the first year (1973/1974) they had problems with the financial aspects. It was a basic distrust. There is a need for a change - for several reasons.

1. It would eliminate the third local government.

2. By placing it in the board of county commissioners it would have continued growth. This would be the only law enforcement agency that would be county wide and have countywide jurisdiction. The transmittal back to the county would eliminate constant hassle. It would permit them to improve the service to the entire city of Las Vegas and Clark County.

Mr. Murphy asked if Mr. Jacka would provide the committee secretary with the amendments and Mr. Jacka stated that he would.

Mr. Adams stated that the city was totally opposed to the bill.

He stated that the City of Las Vegas feels that they do not have protection. They are not pleased with the operation. The city feels that they have taken a beating money wise and protection wise. The protection has risen in cost from \$7,000,000 to \$11,000,000.

The next bill to be heard was A.B. 612. Mr. Boddy, City Manager of Las Vegas testified. They oppose this bill. He stated that the Urban Action Committee was precisely opposite to Mr. Dreyer. He stated that they would be able to accept it if they were allowed permissive language.

Mr. Dreyer stated that this bill was to implement the consolidation of the Clark County Fire Department and the City of Las Vegas Fire Department. It would be put under the City of Las Vegas. It would have an effective date of January 1976, or 1977.



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Mr. Dini stated that in the interest of harmony that not too much action be taken on these two bills. He stated that it may be an effort in futility if we develop the amendments and have them overridden.

Mr. Dreyer stated that the bills should originally have been in the first package that came out. He stated that if everything falls through, we will need these two bills. Mr. Dreyer suggested that these bills be passed by the committee and then sent to the Senate and that the senate hold them. He stated that they would be there just in case.

Mrs. Ford stated that she agreed with Mr. Dreyer on A.B. 608.

The next bill to be discussed was A.B. 612. Mr. Conigliero testified. He stated that he had some amendments on this bill. He stated that the amendments spoke for themselves.

Mr. George Hawes testified next. He stated that the valley needs combined protection. He stated that putting these two departments together can turn out to be a monster.

Mr. Adams testified next. He stated that he is against this bill. The idea of consolidation goes back a good many years.

Action taken by the committee:


A.B. 608. Mr. May moved for a do pass which was seconded by Mr. Harmon. (As stated by Mr. Dreyer). The motion carried unanimously. Mr. Dini and Mr. Young were not present at the time of the vote. Mr. Jacka will get the amendments in order and will present them to the committee.

A.B. 612. Mrs. Ford moved for a "hold" on this bill which was seconded by Mr. Schofield. Mr. May moved for indefinite postponement on this bill. Mrs. Ford stated that she does not object to it. Mr. Craddock stated that he does not agree with indefinite postponement. He stated that there was no real point in indefinitely postponing it. The chair stated that it would like to hold this bill rather than indefinitely postponing it. Mr. May voiced strong objection. Mr. May then conceded to holding this bill.

The next bill the committee discussed was A.B. 613. Mr. Adams testified. He stated that this bill eliminates half streets. The assessment districts are set up on vacant property. If the street is there we should be allowed to assess it. see attachment

There being no further business to come before the meeting, the meeting adjourned.

Respectfully submitted,

  
BARBARA GOMEZ,  
Committee Secretary

ASSEMBLY

AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS  
WEDNESDAY

Date April 23, 1975 Time 8:00 A.M. Room 214

1148

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Bills or Resolutions to be considered	Subject	Counsel requested*
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A.B. 613	Removes requirement that certain percent of tracts contain buildings or structures before governing body on its own motion may initiate and assess tracts of property for street projects.	
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NOTIFY: Cities and Counties

A.B. 608	Designates boards of county commissioners as metropolitan police commissioners.	
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NOTIFY: Assemblyman Dreyer

A.B. 612	Provides for consolidation of fire protection and fire prevention services in certain counties.	
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NOTIFY: Assemblyman Dreyer

A.B. 637	Authorizes issuance, sale of state securities to effect improvements, modernization of Marlette Lake water system; authorizes contract between state and Carson City to supply water to Carson City.	
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NOTIFY: Mr. Jacobsen Marlette Lake Advisory Committee and City of Carson City, Department of Administration.

GOVERNMENT AFFAIRS COMMITTEE  
GUEST REGISTER

DATE: APRIL 23, 1975

NAME PLEASE PRINT.	BILL #	REPRESENTING	TESTIFYING
RICHARD D. MOSER	637	NEV. STATE PARK SYSTEM	
Michael Meizerl	637	Dept. General Services	
Geno Mancioni x	637	B + G.	
Joe Hemerich	637	B + G	
George Zoppettini x	637	Div. of Forestry	yes
Henry Etcheberry x	637	Carson City	yes
W.S. Boddy JR	612	NLV city	YES
Paul Sumner x	637	CARSON city	YES
Bob WARREN	?	NEV LEAGUE OF CITIES	?
Thelma Calhoun		Community Services	
H.L. Rosse	637	Environmental Health	
JACK MITCHELL	-	CITY OF NORTH LAS VEGAS	?
J.N. Littlefield	637	State Public Works Bd	?
JACK Diesinger x	637	FISH & GAME	YES
Erin Condit x			

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Suggested Amendment to A. B. 612

April 23, 1975

Submitted By: Julius Conigliaro  
Nevada Joint Fire and Police

Page 2                      Insert between lines 19 and 20

Paragraph 4                Upon merger, the most liberal employee benefits which have been negotiated by the respective employees organizations of the Fire Department agencies of the participating political subdivisions shall be the benefits applicable to the employees of the new consolidated department.

Paragraph 5                Sick leave, longevity and vacation time accrued to such employees in the service of their respective Fire Department agencies shall be credited to them as employees of the department. All rights and accruals of such employees as members of the Public Employees Retirement Act shall remain in force and shall be automatically transferred from the respective Fire Department agencies to the new consolidated department.

MARLETTE LAKE WATER SYSTEM

AB637

3-1218

MARCH 28, 1975

PROJECT ELEMENT	COST ESTIMATE		
	ORIGINAL REPORT	MARCH 75 UPDATE	MARCH 76 ESTIMATE
<u>MARLETTE ALTERNATIVE 2000 AC. FT.</u>			
1. Gravity Pipeline from Marlette Lake to West Portal Incline Tunnel	800,000	1,260,000	1,411,200
2. Rehabilitate the Incline Tunnel in a three phase program	319,000	351,000	393,120
3. East Slope Pipeline, Including Marlette Lake water	565,000	850,000	952,000
4. Rehabilitate pipeline from Redhouse to tanks	180,000	267,120	299,174
5. New Siphon Tank	20,000	25,000	28,000
6. New pipeline from tanks to upper State reservoir, including rehabilitating existing facilities	320,000	371,000	415,520
	<u>2,204,000</u>	<u>3,124,120</u>	<u>3,499,014</u>
Engineering, Construction Review, Administration, Legal and Special Engineering Services 22%	2,688,900	3,811,500	4,268,800
<u>HOBART ALTERNATIVE 1500 AC. FT.</u>			
1. Cost Hobart Dam		3,041,000	3,405,920
2. Items 4, 5 & 6 from above		663,120	742,695
3. East Slope Pipeline	549,000	603,900	676,370
	<u>549,000</u>	<u>4,308,020</u>	<u>4,824,985</u>
Engineering, Construction Review, Administration, Legal and Special Engineering Services 22%		5,255,784	5,886,481

AB 658  
3-1219

AN ACT relating to metropolitan police departments; designating boards of county commissioners to serve, ex officio, as metropolitan police commissions; 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. NRS 280.010 is hereby amended to read as follows:

280.010 1. The legislature finds:

(a) That there is substantial duplication of functions, manpower and expenses between the city and county law enforcement agencies in this state.

(b) That merger of city and county law enforcement agencies would increase the efficiency of such agencies by increasing communication facilities, lowering purchasing costs and coordinating law enforcement efforts throughout metropolitan areas.

(c) That the best community interest can be served by delegating the ultimate police commission responsibilities to the board of county commissioners.

2. It is the purpose of this chapter to provide the means whereby the respective law enforcement agencies of the cities and counties in this state may merge into county-wide metropolitan police departments.

SEC. 2. NRS 280.070 is hereby amended to read as follows:

280.070 "Police commission" means a board of county commissioners serving, ex officio, as a metropolitan police commission.

Sec. 3 NRS 280.130 is hereby amended to read as follows:

280.130 [1. The county and each participating city is entitled to at least one representative on the metropolitan police commission.



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2. In those counties which have:

(a) Only one participating city, the police commission shall be composed of six members, three from the city and three from the county.

(b) More than one participating city, the police commission shall be increased in number by one for each additional participating city.

3. Each representative of a participating political subdivision shall be a member of its governing body.] The board of county commissioners shall serve, ex officio, as the metropolitan police commission.

SEC. 4. NRS 280.140 is hereby repealed.

SEC. 5. NRS 280.170 is hereby amended to read as follows:

1. The police commission shall elect one of their number as chairman on the commission. [When the commission is comprised of only six members, the chairman shall have no vote.]

2. The police commission shall employ a clerk and may employ other clerical personnel necessary to discharge of its duties. The clerk shall be secretary for the commission.

~~(Added to NRS by 1973, 917)~~

SEC. 6. NRS 280.190 is hereby amended to read as follows:

The police commission shall:

1. Cause to be prepared and approve an annual operating budget for the department.

2. Submit such budget to the governing bodies of the participating political subdivisions prior to February 1 for funding for the following fiscal year.

3. Cause to be prepared [the] a funding apportionment plan [provided for

in NRS 280.200] and submit such plan to the governing bodies of the participating political subdivisions and the Nevada Tax commission for approval. The Nevada tax commission has the final right of approval for such plan and shall act as an arbitrator if the local governing bodies cannot agree on the funding apportionment.

3- 1221

4. Cause a new funding apportionment plan to be prepared:

(a) Every 10 years upon ascertaining the results of the national decennial census taken by the Bureau of the Census of the United States Department of Commerce;

(b) If the law enforcement agencies of additional cities are merged into an existing department; and

(c) At intervals of not less than 4 years upon request by a majority vote of each of a majority of the governing bodies of the participating political subdivision. If only one city is participating in a department, the police commission shall prepare a new plan under the provisions of this paragraph only upon request by a majority vote of each of the governing bodies of the participating political subdivisions.

~~(Added to NRS by 1973, 917)~~

SEC. 7. NRS 280.200 is hereby repealed.

AB613

3-1222

