

Assembly

4- 1432

GOVERNMENT AFFAIRS COMMITTEE

MINUTES OF THE MEETING

May 7, 1975

MEMBERS PRESENT:

CHAIRMAN DINI  
VICE-CHAIRMAN MURPHY  
ASSEMBLYMAN HARMON  
ASSEMBLYMAN CRADDOCK  
ASSEMBLYMAN MAY  
ASSEMBLYMAN MOODY  
ASSEMBLYMAN FORD  
ASSEMBLYMAN YOUNG  
ASSEMBLYMAN SCHOFIELD

ALSO PRESENT:

Mr. U. Schreiner  
Mr. Estes McDaniel  
Mr. Harold Provence  
Mr. C. Lingenfelter  
Mr. R. Westergard

(The following bills were discussed at this meeting: S.B. 557, S.B. 6, A.B. 750, S.B. 530, S.B. 528, A.B. 197, S.B. 394, S.B. 363, S.B. 254, S.B. 186, S.B. 565).

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

Mr. Roland Westergard testified with regard to S.B. 557, which eliminates requirement of recording water right certificates. Mr. Westergard stated that they had contacted the 17 recorders to obtain their views. Of the 17 counties, 12 indicated that there was limited or very limited public use. Five counties had considerable public use. All 17 concurred in eliminating all requirement. As long as they are kept in the state engineer's office, they would have no objection to eliminating of recording service.

Mr. Young asked if this was only for domestic use. Mr. Westergard replied any water right.

Mr. Young asked what would happen to those that are recorded now.

Mr. Westergard stated that he thought that they would be maintained on the records in the recorder's office.

Mr. Corky Lingenfelter testified on S.B. 6, which provides that local governments may by ordinance make solid waste disposal fees a lien against property served. This bill is another situation where the

government will be involved in a number of areas collecting private money. If this bill passes they would have a lien on the property on an unpaid garbage bill. This bill came from a couple of small counties. He feels that it is unnecessary and that it is not that big a problem. Government is collecting private monies. In the title companies, some of the records are not kept that well. If it is made a lien, it affects the property.

Mr. Dini stated that this was because of solid waste management. Small counties are having a problem.

Mr. Lingenfelter stated that it is a problem, because it has to be checked instantly.

Mr. Young stated that it would be a second mortgage.

Mr. Young moved for a do pass on A.B. 750, which was seconded by Mr. Craddock. The motion carried unanimously. Mr. Schofield was not present at the time of the vote.

The next bill to be discussed was S.B. 530, which enables town boards of boards of county commissioners to provide for rural television reception.

Mr. Hardy of the Public Service Commission testified.

Mr. Moody moved for a do pass, which was seconded by Mr. Harmon. The motion carried unanimously. Mr. Schofield was not present at the time of the vote.

Mr. Jim Lien of the Tax Commission testified next on S.B. 282, which repeals the provision requiring an annual report by county auditor. Mr. Lien stated that this bill recognizes the fact that the report of the county auditor is becoming a thing of the past. At the present time only 6 of the 17 counties actually publish what is called a true county auditor's report. A couple of these are merely covers that the county auditor puts on the CPA report. This report is required in September. It cannot reflect adjustments by independent auditors reviewing the books. We have two conflicting documents. They are asking that the statute be deleted from the statutes. The counties that still publish separate auditors reports are Elko, Esmeralda, Eureka, Lincoln, Nye and White Pine.

Mr. Craddock asked if this was a duplication. Mr. Lien stated yes.

Mr. May moved for a do pass which was seconded by Mr. Craddock. The motion carried, unanimously.

The next bill to be discussed was S.B. 528, which directs state land register to convey certain real property to the City of Reno.

Mr. Robbins testified. He referred to two maps which he showed to the committee. The parcels are made up of state hospital lands left over.

Mr. Dini asked if it was on the Truckee River. He then asked if this had anything to do with A.B. 394.

Mr. Robbins stated that that is in Sparks.

Mr. Latimore testified next. He stated that they urged passage of the bill. The property is being used by the general public. He stated that it was a narrow strip.

Mr. May referred to the words "for park purposes" in the bill.

Mr. Latimore stated that the line runs through the middle of Sparks and Reno.

Mr. Murphy asked if this was part of the \$2,000,000 bond issue.

Mr. Latimore replied that that was more in the central part of the city. There is no restriction on where it would be utilized.

Mr. May moved for a do pass which was seconded by Mr. Harmon. The motion carried unanimously. Mr. Schofield was not present at the time of the vote.

The committee next discussed S.B. 363. Mr. Braddock stated that this was an easy way to keep records.

Mrs. Ford moved for a do pass which was seconded by Mr. Murphy. The motion carried unanimously. Mr. Schofield not present at the vote.

The next bill discussed by the committee was A.B. 408. Mr. Murphy stated that he has an amendment that would limit this to Washoe County. He stated that this bill had already been amended and passed by the committee.

The committee next discussed A.B. 197. Mr. May moved for a motion to rescind indefinite postponement on this bill which was seconded by Mr. Young. The committee was unanimously in favor. Mr. Schofield was not present at the time of the vote. Mr. Young moved for a do pass, which was seconded by Mr. Harmon. The motion carried unanimously. Mr. Schofield was not present at the time of the vote.

The committee discussed S.B. 254. Mrs. Ford moved for a do pass, which was seconded by Mr. Murphy. The motion carried unanimously. Mr. Schofield was not present at the time of the vote.

The committee took a short recess.

The committee was called back to order by Chairman Dini. Mr. Craddock moved for an amend and do pass on A.B. 709 which was seconded by Mrs. Ford. The amendment would delete Section 1. On Page 1, line 23 the word "particular," would be deleted. The motion carried unanimously. Mr. Harmon and Mr. Schofield were not present at the time of the vote.

The committee next heard testimony on S.B. 186. Senator Dodge testified. He stated that four years ago the public trust law was set up. This was a promotional proposition by a group of people who were interested in the monorail in Southern Nevada. It was a questionable piece of legislation. He stated that he resisted it. It carried by one vote. The problem with the existing law is that on the first page it provides that funds can be used for almost any purpose. The effort was to try to develop private enterprise situations through the use of government bonds. He thinks this is improper. There have been four applications for various types of projects. One of them is a race track and the other is a planned community development. What was finally decided was that in fairness to those applications they grandfathered them into the City of Henderson Charter and repealed the basic Public trust act. That is the background of this so that it would protect any of the existing applications that have been made or are in process. It would prevent any other situations from utilizing this medium.

Mr. Dini asked if there was a time limit in the charter.

Senator Dodge stated no. That was a weakness. They would have preferred to see a cut-off.

Senator Dodge stated that this was an unusual precedent - to write this into a city charter. Beyond that, there is a lot to be said for putting a cut off so that there can be no more. He supports it.

Mr. Dini asked what the biggest weakness was.

Senator Dodge replied that philosophically, there was no real tie down. He thinks that one of the applications is a planned community development and that is a private enterprise asking to use bonds at a lower rate. He is concerned about this.

Mrs. Ford referred to bonds being sold at private sale.

Senator Dodge stated that that was in the original act and that there is nothing in the public trust law which specified the quality of the bond to be offered. It can be negotiated.

Mrs. Ford referred to page 5, line 21, section 3. Mr. Daykin stated that that was an incorrect internal reference and that it should be section 6 of this act. He stated that he has never liked public trust law and wants to get it off the books.

Mr. Ogelvie testified next. He stated that he had discussed some changes with Mr. Shriner, and that they were in agreement with

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The next bill to be discussed was S.B. 6. Senator Monroe testified. This bill give authority to county commissioners to place a lien against property owners for garbage collection charges. It gives the counties some authorities that the cities have. Under the present EPA regulations counties have been forced to go into land filled operations. The county needs to have some definite and specific way of collecting the money the same as the cities do.

The committee then discussed S.B. 186 again. Mrs. Ford stated that she has a good deal of admiration for Henderson. What she is concerned about is if we tighten it for Henderson. She stated that she wanted to know if the open meeting law would apply to the trust. She indicated that that was not written into the charter.

The next bill to be discussed was S.B. 565. Mr. Don Paff testified. A copy of his testimony is attached to the minutes of this meeting and made a part hereof.

Mrs. Ford referred to page 1. She stated that the administrator advises the legislative commission, but the commission has no approval power. The governor has the final say on the contracts.

Mr. Dini stated that there is a five year limitation.

Mr. Paff stated yes.

Mr. May moved for a do pass which was seconded by Mr. Young. The motion carried unanimously. Mr. Harmon and Mr. Moody were not present at the time of the vote.

The next bill to be discussed was S.B. 557. Mr. Craddock moved for a do pass which was seconded by Mr. Schofield. The motion carried unanimously. Mr. Moody and Mr. Harmon were not present at the time of the vote.

The next bill to be discussed was S.B. 6. The committee decided to take this bill under advisement.

S.B. 186. Mr. Craddock stated that he would like to look at it. Mr. Dini stated that he would like to study this bill, at least until Friday. Mr. Dini and Mrs. Ford would speak with Mr. Daykin with regard to the amendments on this bill.

Mr. Murphy stated with regard to S.B. 419 he would like to rescind the action taken by the committee previously, which was indefinite postponement. Mr. Murphy moved for an amend and do pass to amend out section 1 which was the objectionable part of the bill. He stated that it was an in house thing.

The motion was seconded by Mrs. Ford. The motion carried unanimously and Mr. Moody and Mr. Harmon were not present at the vote.

Mr. Schofield then moved for the introduction of the BDR with regard to the cigarette tax. Mr. May seconded the motion. Mr. May suggested that this be taken to the Taxation Committee and withdrew his second of Mr. Schofield's motion. The motion died.

AB 793  
as BDR

The committee next discussed a motion dispensing with the rule of the committee that the posting of a hearing be five days prior to the date of the hearing. Mr. Young moved that the committee now be permitted to post the agenda for its hearings on day prior to the date of the hearing due to the fact that an emergency exists. Mrs. Ford seconded the motion. The following was the vote of the committee:

Yes votes: Mr. Schofield, Mr. Dini, Mr. Murphy, Mrs. Ford, Mr. Young, Mr. Eraddock.

No votes: Mr. May

Not present at time of vote: Mr. Moody and Mr. Harmon.

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

Respectfully submitted,

Barbara Gomez  
Committee Secretary

Assembly

GOVERNMENT AFFAIRS COMMITTEE

(ASSEMBLY)

May 7, 1975

4- 1429

The Government Affairs Committee of the Assembly voted today to temporarily suspend the rules of the committee with regard to its customary 5 day notice of hearing by the committee. The committee, because an emergency exists, will, as of the date above, give one day notice for hearings.

The motion was approved by the committee and the vote in favor of it was 6 to 1.

Respectfully submitted,



BARBARA GOMEZ,  
Committee Secretary

ASSEMBLY

AGENDA FOR COMMITTEE ON..... GOVERNMENT AFFAIRS.....  
 WEDNESDAY,  
 Date..... May 7, 1975..... Time 8:00 A.M. Room 214.....

1430

4-

Bills or Resolutions to be considered	Subject	Counsel requested*
S.B. 528	Directs state land register to convey certain real property to City of Reno.  NOTIFY: Senator Young	
S.B. 363	Simplifies conveyance to State of Nevada of interests in land held by towns, cities and counties.  NOTIFY:	
S.B. 557	Eliminates requirement of recording water right certificates.  NOTIFY:	
S.B. 186	Amends various provisions relating to trusts for the furtherance of public functions.  NOTIFY: Senator Dodge	
S.B. 565	Authorizes Division of Colorado River resources of state department of conservation and natural resources on behalf of State of Nevada to acquire certain federal lands in Eldorado Valley and to issue securities therefor.  NOTIFY:	
A.B. 750	Amends Las Vegas city charter by changing residence requirements for certain cith officers.  NOTIFY:	
S.B. 282	Repeals provision requiring an annual report by county auditor.  NOTIFY:	

THIS IS PAGE 1 of TWO PAGES

\*Please do not ask for counsel unless necessary.



ASSEMBLY

AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS  
WEDNESDAY,  
Date May 7, 1975 Time 8:00 A.M. Room 214

4- 1431

Bills or Resolutions to be considered	Subject	Counsel requested*
S.B. 530	Enables town boards or boards of county commissioners to provide for rural television reception.  NOTIFY: Senator Blakemore, Mr. Broadbent	
S.B. 6	Provides that local governments may be ordinance make solid waste disposal fees a lien against property served.  NOTIFY: Senator Monroe	

THIS IS PAGE TWO OF TWO PAGES

\*Please do not ask for counsel unless necessary.



4- 1441

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
DIVISION OF COLORADO RIVER RESOURCES

Testimony Regarding Senate Bill No. 565  
Assembly Government Affairs Committee

May 7, 1975

Mr. Chairman, and members of the Assembly Government Affairs Committee, I am Don Paff, Administrator of the Division of Colorado River Resources.

My testimony is in support of Senate Bill No. 565 as amended and I ask for your favorable consideration because I believe it is important for this State to be able to exercise its option in the purchase of 105,000 acres of the Eldorado Valley.

Option to acquire public lands in the Eldorado Valley comes about as a provision of Public Law 85-339 of the 85th Congress as approved March 6, 1958. The Nevada Legislature in 1957 foresaw the importance of this opportunity and approved legislation to authorize the Colorado River Commission, predecessor to the Division of Colorado River Resources, to acquire these lands on behalf of the State, using a mechanism of simultaneous sale and purchase of all or a portion of the lands. This law, as amended, is presently recorded as NRS 321.390 to 321.470, inclusive.

Although there has been much activity during the past 17 years with regard to the acquisition and development of these lands, no proposal, to date, for private or public purchase of a part or the entire area has been successful. The Commission and the Eldorado Valley Advisory Group have enunciated a "Policy for Development" and in March 1968 did submit, in accordance with Public Law 85-339, an Application for Transfer and Conveyance to the Secretary of the Interior.

To date, we have received no final approval from the Secretary, and the situation is in somewhat of a state of limbo pending the State's ability to exercise its option to purchase.

It is important to understand that when the Secretary makes final and formal approval of our application, the Division, acting on behalf of the State, would have one year to purchase the 105,000 acres for the total amount of \$1,233,100.

Senate Bill No. 565 is a final alternative or backup method to provide funds for purchase of the land, funds to enable a comprehensive land planning project, and to provide other necessary administrative funds, including interest capitalization for a 3-year period.

The General Obligation Bonds will be sold and used for these activities only as a last resort should other methods of acquisition fail before our time limitation is met.

Repayment to the bondholders will be made from revenues received from sales of land, or if the land should be retained as a State land bank past the maturity date of the bonds, repayment would then become an obligation of the State.

The low cost derived from the early appraisal of Public Law 85-339 lands places the cost to the State at less than \$12.00 per acre, and we believe that a substantial State revenue above the purchase price and other costs is highly probable.

We seek this legislation to protect the interests of the people of the State in the acquisition of lands which we believe to be a valuable natural resource asset.

Mr. Chairman, and Committee members, I again seek your support in the passage of Senate Bill No. 565 as amended.

Mr. Chairman, and members of the Committee, attached is a copy of the Colorado River Advisory Commission Resolution 75-2 supporting this legislation.

Attachment

75-2 RESOLUTION

## COLORADO RIVER ADVISORY COMMISSION

WHEREAS, Public Law 85-339 of the 85th Congress, known as the "Eldorado Valley Act" authorizes the Secretary of the Interior to transfer approximately 105,000 acres of Public Land to the State of Nevada; and

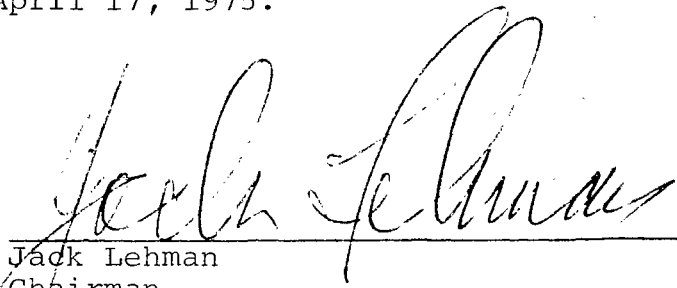
WHEREAS, the Legislature of the State of Nevada in 1957 by enactment of the Eldorado Valley Development Law, NRS 321.390 to 321.470, inclusive, authorized acquisition of these lands by the State through the Colorado River Commission and its successor, the Division of Colorado River Resources, upon the recommendation of the Eldorado Valley Advisory Group; and

WHEREAS, the Eldorado Valley Advisory Group at its regular meeting of April 9, 1975, in a motion duly passed, recommended that a bill be introduced and supported immediate passage of that bill in the 1975 Legislature for acquisition of P.L. 85-339 lands by the State through the Division of Colorado River Resources with funds obtained from the sale of State General Obligation Bonds;

NOW, THEREFORE, BE IT RESOLVED, that the Colorado River Advisory Commission concurs, endorses and supports Senate Bill No. 565 of the 1975 Legislature, and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Governor Mike O'Callaghan, to members of the Senate Finance Committee, and the Assembly Ways and Means Committee, and to Elmo DeRicco, Director, Department of Conservation and Natural Resources.

Unanimously adopted April 17, 1975.



Jack Lehman  
Chairman  
Colorado River Advisory Commission