

SENATE COMMITTEE
ON
ENVIRONMENT AND PUBLIC RESOURCES
MINUTES OF MEETING
MARCH 26, 1975

The meeting of the Senate Committee on Environment and Public Resources was called to order on March 26, 1975 at 5:35 p.m.

Senator Thomas Wilson was in the Chair.

PRESENT: Chairman Thomas Wilson
Senator Richard Bryan
Senator Carl Dodge
Senator Mary Gojack
Senator Joe Neal
Senator Richard Blakemore
Senator Gary Sheerin

OTHERS PRESENT: Assemblyman Lawrence Jacobsen
John Gianotti, Harrah's Club
Milton Manoukian

DISCUSSION AND ACTION WAS THEN TAKEN ON THE FOLLOWING MEASURES:

SB 254: Makes various substantive and technical changes
in the Tahoe Regional Planning Compact.

CHAIRMAN WILSON requested that there be a Committee discussion on SB 254 and voting upon any amendments which any Committee member might deem necessary.

SENATOR BRYAN moved that an amendment be made to the TRPA Compact Agreement which would expand the membership from five to seven, and that these two additional members be public elected officials. He added that the most logical persons would be the Lt. Governor and the Secretary of State.

Senator Dodge seconded the motion.

Committee discussion was thus:

SENATOR SHEERIN felt that this might allow them to go back and make all new laws pertaining to the TRPA. They would be subjecting all the work that they have done to be redone. By adding two more members we would be adding more confusion and all issues would just erupt. This would not give it a better balance, rather the balance would go the other way. He referred to the original agreement that created the makeup of this committee; that the TRPA was not to supplant local government. The local government was to maintain

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its control and by adding more board memberships you will be divesting the local government of that control. If you add this amendment, then the local governments should not be responsible for paying the \$150,000 a year which they are contributing.

SENATOR BLAKEMORE stated that he liked the idea of the elected officials being on the Board, but he also liked the idea of one of the members being selected by the rest of the Board. If you do it in this manner that would be eliminated, so he leaned toward the elected officials being on the Board with the selection of the seventh member being made by the remainder of the Board. He felt that the major point is that we had problems with absenteeism brought out by direct testimony and wouldn't the addition of two more members even increase this problem.

SENATOR DODGE stated that he felt this would be an excellent slot for the Lt. Governor, plus he felt that the Secretary of State could and would make an excellent member of the Board. He felt that the Secretary of State had sufficient staff within his office that he could devote time to the Board without any difficulty. He also felt there was some rationale in the selection of the seventh member on the basis that the three public members, so to speak, and the three basin members would agree on the seventh member, presumably he would be an objective member and Senator Dodge had no objection to this. He did feel that the two state elected officials on the Board could be very good.

SENATOR SHEERIN then asked the Committee: "Where was the need shown for the expansion of the Board?"

SENATOR BRYAN stated that we have been talking about the regional character of the basin rather than just the concerting interest of three Nevada Counties. "I think that the testimony has shown that they have done a good job. I have a concern on whether they can continue to do the job under the economic pressures which we have today." He felt to give the Board the broadest representative base, it was necessary to expand the Board.

SENATOR WILSON stated that all testimony indicated they were unhappy with the job which was being done on the California side. "There are only a couple of ways you can reach; one is voting balance. If this is the problem, then the question of balance on the California side is a legitimate one. It has to be reached through the compact. I am extremely unhappy with the job California has done. They have shown a total lack of sensitivity to the consequence of their own action or inaction on the California side of the line. I'm not impressed with that type of selective conscience as far as the basin is concerned. I think if we are honestly going to address this problem then we have to address it from both sides of the basin. I think it is in our own interest that we give California the opportunity to balance this delegation, and stop creating problems which are having serious consequences." 472

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on the Nevada side of the line.

SENATOR BLAKEMORE then asked if we placed the Lt. Governor and the Secretary of State on the Board, would California be required to do the same thing.

SENATOR WILSON said no. They have already indicated to us that the language in this bill which relates to the organization on their side will be left the same. That is what they want. They will expand their vote as it is drawn in the bill.

SENATOR BLAKEMORE then asked if they would pick elected officials?

SENATOR DODGE stated that on page three, they will pick one member who is a resident of the ten most southern counties of California, the other representing all the other counties in the state. But this is California's problem, not ours.

SENATOR BLAKEMORE then asked if these additional members; the Lt. Governor and the Secretary of State make our side of the Board impressive enough to get the balance we want?

SENATOR DODGE: "Well, it won't do anything as far as balancing whatever California may do. The only balance we are talking about is a balance within our own delegation.

SENATOR GOJACK stated that the basic reason we have all of this here before us is to try to make the compact work better.

SENATOR SHEERIN said that he would like to amend the motion in view of the fact that if we are going to amend the bill to include two public elected officials then it should apply to California as well as to Nevada. His motion was that SB 254 also be amended to include that California have two non-designated state elected officials added to their delegation also.

SENATOR WILSON again stated that he didn't think we can tell California what they must do. This is a matter of self determination. But, there not being any other discussion, was there a second to the amendment.

Senator Blakemore seconded Senator Sheerin's motion. Senators Sheerin, Blakemore and Neal voted aye.
Senator Gojack, Dodge, Bryan and Wilson voted nay.
Motion did not carry.

SENATOR WILSON then called for the vote on Senator Bryan's motion.

Senator's Gojack, Wilson, Dodge and Bryan all voted aye.
Senator's Sheerin, Blakemore and Neal all voted nay.

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SENATOR DODGE: Made a motion that the amendatory language that has to do with California qualifications for membership be adopted.

Senator Gojack seconded the motion
Senators Gojack, Dodge, Wilson and Neal
voted nay.
Motion carried.

SENATOR WILSON then stated that we had heard some testimony relative to the top of page 3. Language that specifies the representatives from the Board of Supervisors or the County Commissioners. This language limited a member of the Board to being a resident within the region. Leave California alone and change ours as per the Senator Bryan's motion so that it will concur.

SENATOR BLAKEMORE then asked Chairman Wilson if there had been conversations with California concerning SB 254?

SENATOR WILSON stated that California has indicated their acceptability of this bill with the amendatory language. Yes.

SENATOR BLAKEMORE asked further if California concurred with that portion of the language of which you are speaking?

SENATOR WILSON "As to how our commissioners are going to be selected? It hasn't been discussed with them; it is none of their concern."

SENATOR BLAKEMORE: "Until a few minutes ago, it is the first that I have heard within this Committee that California had discussions with Nevada regarding SB 254." He wanted this on the record.

SENATOR DODGE then moved that on the top of page 3, we amend by saying that each member shall be a member of the Board of County Commissioners or the Supervisors shall be a resident of the County or Supervisor district respectively....The thing they were objecting to was that they had to be a member of a district. Now in the case of Washoe County, they might want to appoint a Commissioner that lives in Reno and not in the basin.

SENATOR WILSON then stated that the amendment would be on page 3, lines 4,5, and 6 and omitting lines 7 and 8. The same language would be retained except he would be the resident of a County or Carson City, and shall be a member of the Board of County Commissioners or the Board of Supervisors.

Senator Bryan seconded the motion
All voted aye except Senators Blakemore
and Neal who wished to show "not voting."
Motion carried.

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SENATOR SHEERIN then moved that we change the language in Article III to read Carson City instead of Ormsby County.

Senator Bryan seconded the motion
 All voted aye except Senators Blakemore
 and Neal who registered "not voting."

On Page 6, Article IV, Lines 14-16; Senator Sheerin moved to adopt these changes. (in italics)

Senator Gojack seconded the motion
 All voted aye except Senators Blakemore
 and Neal who registered "not voting."

On page 7, Article V, line 45 ; and lines 37 and 41 on page 8 Senator Bryan moved to adopt changes (in italics)

Senator Gojack seconded motion
 All voted aye except Senators Blakemore
 and Neal who registered "not voting."

Same changes in Article VI, lines 21 and 22 on Page 10.
 Senator Bryan moved to adopt changes (in italics)

Senator Gojack seconded motion
 All voted aye except Senators Blakemore
 and Neal who registered "not voting."

SENATOR BRYAN, referring to the executive budget, can the state legally make a contribution to the agency? I question whether there is a law because you then get involved in the question of whether or not TRPA is a state agency in the liability aspects in litigation.

SENATOR DODGE asked Chairman Wilson if it wouldn't be a good idea to check on this with the Governor, as monies were appropriated in the Governor's Budget for TRPA.

SENATOR BRYAN said that he wasn't concerned about the money in the budget, but rather does that change the legal relationships? He thought that this had been one of the major arguments--- whether TRPA was a State Agency.

SENATOR DODGE agreed with his concern, but wondered if it was not a good idea to check with the Governor to find out if he had any confidence in putting it in the budget.

SENATOR WILSON said that he would do so.

SENATOR SHEERIN stated that he didn't believe we should give them any more money unless they were given more duties. If we can give them more work to help the people with their problems at the Lake then I would consider giving them more money. But, not until then.

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SENATOR BRYAN then moved that we amend SB 254 with SB 326 and SB 327 treated as proposed amendments and refer to Committee.

Senator Gojack seconded the motion
All voted aye except Senators Blakemore
and Neal who registered "not voting."

The consensus of the Committee was that more testimony from Counsel was needed on SB 326 and SB 327 before any vote could be taken on them.

SJR 13: Memorializes Congress to consent to amendments of Tahoe Regional Planning Compact.

SENATOR DODGE remarked that it seemed to him that what we ought to do is a matter of timing. We should wait and see if the Nevada Legislature enacts the Resolution on the Compact.

He also suggested that if in fact we change the membership to the TRPA, they should reexamine the Nevada TRPA. If we get this type of Nevada representation, it's possible that we would not need the Nevada TRPA. Also, if California adopts our changes, then Nevada TRPA can be done away with. If they do not adopt, then it should be retained.

SENATOR WILSON stated that we should wait and see where we are going on this and then review the Nevada TRPA.

SENATOR WILSON remarked that we do need some more testimony on the legal implication of SB 326 and SB 327, and since we should try to get this out of the way as soon as possible, he would call another night meeting as soon as it was possible.

There was some discussion as to when the next evening meeting could be held. Senator Wilson said that he would check with Senator Close as to his plans and then notify the Committee.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Molly M. Torvik, Secretary

APPROVED:


Senator Thomas R. C. Wilson, Chairman