

MINUTES

ASSEMBLY
GOVERNMENT AFFAIRS
March 3, 1977
7:30am

MEMBERS PRESENT: Chairman Murphy
Mr. May
Mr. Craddock
Mr. Jeffrey
Mr. Mann
Mr. Moody
Mr. Robinson
Mrs. Westall
Mr. Jacobsen

GUESTS PRESENT: See attached list

Chairman Murphy called the meeting to order at 7:30am.

ASSEMBLY BILL 330

Richard Bunker, representing the City of Las Vegas, told the committee that he was proposing three substantive changes and a few housekeeping amendments to the bill. The purpose of this bill, according to Bunker, is to conform the Las Vegas City charter and the wards that have been established there to the federal and state mandates that have come down in the latest case law. At the present time the city of Las Vegas and the wards are divided by the number of registered voters and the Supreme Courts of the United States and of Nevada have indicated that is not sufficient. He suggested that subsection 2 of section 1 be totally omitted and the following be added:

The boundaries of wards shall be established and changed by ordinance. The wards shall be reapportioned following the availability of population figures from each succeeding national census of the Bureau of Census and of the United State Department of Commerce. The boundaries may be changed at more frequent intervals to include annexed territory and to reapportion whenever the population in any ward exceeds the population in any other ward by more than five percent.

For his explanation of this amendment Mr. Bunker referred to a memo from Janson F. Stewart, attached as Exhibit 1.

His second substantive recommended change would occur on page 3 line 39 which would change a typographical error regarding the amount of \$6,000 instead of the correct figure of \$15,000, which the mayor is already receiving.

He told the committee that he felt that \$12,000 is a suitable salary for city commissioners and noted that the county commissioners receive \$18,000.

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Mr. Bob Warren, representing Nevada League of Cities, told the committee that the City of Sparks came before the last session of the legislature and made the same kind of changes to their charter.

ASSEMBLY BILL 331

Russ McDonald, County Manager of Washoe County, came before the committee to offer an explanation of the bill but said he did not ask for the bill to be drafted. He said that it would give the cities the option of destroying certain types of records after a certain amount of time. He said that there is no reason for records to be kept as long as they are on microfilm. The originals just take up space.

ASSEMBLY BILL 350

No one came forward to testify.

ASSEMBLY BILL 228

Mr. Frank Daykin came forward and explained to the committee that this bill removes a special provision from general law on salaries of county officers and deletes reference to unconstitutional law.

COMMITTEE ACTION

ASSEMBLY BILL 330 - Mr. Mann moved to amend and DO PASS, seconded by Mr. Craddock, passed unanimously with Mr. Moody absent. The amendments being those proposed by Mr. Bunker and on page 3 line 5 remove 25 year old requirement and add qualified elector.

ASSEMBLY BILL 331

Mr. Mann, seconded by Mr. Jacobsen, moved to DO PASS and place on Consent Calendar. Passed unanimously with Mr. Moody absent.

ASSEMBLY BILL 228 - Mr. Mann motioned for a DO PASS, seconded by Mr. Jeffrey, passed unanimously.

The committee then turned to discussion of the sections of A.B. 278 which refer to the Mining Advisory Board which was proposed to be abolished.

ASSEMBLY BILL 278

Mr. Bruce Arkell told the committee that S.B. 153 is creating a Mineral Resources Advisory Board. He explained the compromise amendments agreed to by the Mining Board people. The amendments are attached as Exhibit 2.

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Mr. M. Douglas Miller and Mr. Paul Gemmill suggested the amendments which are noted in pencil on Exhibit 2.

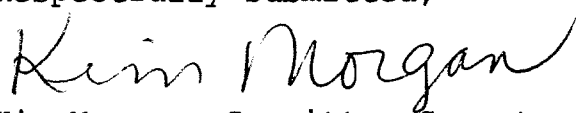
Assemblyman May suggested that the committee consider recommending that the members of the newly created Mineral Resources Advisory Board be paid like other board members are.

Mr. Arkell told Mr. May that A.B. 278 did not attempt to look into why some board had salaries and some did not.

Mr. Bob Alkire told the committee that Kennecott Copper Corp. supported the compromise amendments.

There being no further business to come before the committee, the meeting was adjourned at 8:40am.

Respectfully submitted,



Kim Morgan, Committee Secretary

INTER-OFFICE MEMORANDUM

March 2, 1977

TO:
 Richard Bunker
 Assistant City Manager

FROM:
 Janson F. Stewart
 Deputy City Attorney

SUBJECT:
 Assembly Bill 330
 Charter Changes

COPIES TO:

It is my suggestion that Subsection 2 of Section 1 of Assembly Bill 330 be amended to read as follows:

The boundaries of wards shall be established and changed by ordinance. The wards shall be reapportioned following the availability of population figures from each succeeding national census of the Bureau of Census of the United States Department of Commerce. The boundaries may be changed at more frequent intervals to include annexed territory and to reapportion whenever the population in any ward exceeds the population in any other ward by more than five percent (5%).

The problem with the charter amendments as contained in Assembly Bill 330 is that it forces us to go back to the 1970 census. This is unacceptable. Population shifts in Las Vegas have been tremendous since 1970. To use that census would greatly devalue many citizens' votes. The old charter provision required a reapportionment when registered voters in one ward exceeded registered voters of another ward by five percent (5%).

Since there is now a variance of more than five percent (5%), the City is obligated to reapportion before the election of 1977. However, it is clear from many cases that registered voters is not a proper measure for determining reapportionment. Population, by case law and the Nevada Constitution, is the required method of reapportionment.

It is true that the Nevada Supreme Court indicated in Clark County v. City of Las Vegas, 550 P.2d 770, that a political body may not be required to reapportion except upon a receipt of a decennial census, but, that case also held that once reapportionment begins, you are not justified in using outdated population data. The court approved the use of population estimates in order to arrive more closely to a one man-one vote formula.

We are, therefore, suggesting the amendment to Assembly Bill 330, as given above. The amendment would allow us to reapportion our wards on the basis of present population estimates. We believe our population estimates would be much more accurate than the 1970 census. Proposed ward boundaries have already been es-

Richard Bunker
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established by our Department of Planning and Community Development based upon present population estimates. We would like to use these new ward districts but would be unable to do so under the language of Subsection 2 of Section 1 of the present Assembly Bill 330.

ja

513.010 [There is hereby created an advisory mining board for the state of Nevada consisting of seven members.] The mineral resources advisory board consisting of seven members appointed by the governor is hereby created.

513.020 [Members of the advisory mining board shall be bona fide residents of the state who are trained, experienced and qualified in the operation of the mining industry of the state and completely conversant with its problems.]

The governor shall appoint:

- a) one member who is the director of the Nevada bureau of mines and geology
- b) one member who is the state engineer
- c) three members of the ^{mineral resources advisory board} ~~advisory mining board~~ shall be bona fide residents of the state who are trained, experienced and qualified in the operation of the mining industry of the state and completely conversant with its problems
- d) one member trained in oil and gas operations
- e) one general public

513.030 [1. Within 30 days after March 24, 1943, the governor shall appoint the members of the advisory mining board for the terms of 2 years.

2. Thereafter, members shall be appointed by the governor for terms of 2 years.] - repeal - same as sections 3 and 375 of AB 278.

513.040 [Any vacancy shall be filled by appointment by the governor for the unexpired term.] - repeal - same as section 3 of AB 278.

513.050 [The members of the advisory mining board shall qualify by taking the oath of office.] - repeal

513.060 1. The members of the board shall serve without pay.

2. They shall be entitled to receive their traveling and living expenses at the same rate and in accordance with the provisions of NRS 281.160.

513.070 The members of the [advisory mining board] mineral resources advisory board shall meet immediately after their appointment and qualification and organize by selecting a chairman and a secretary from their number.

513.080 The [advisory mining board] mineral resources advisory board shall meet at the time and place designated by the chairman, after consultation with the chairman of the oil and gas commission [, but shall meet at least once in each six months of each calendar year,] subject to limitations of legislative appropriations.

513.090 [From any legislative appropriation made for the use of the board, the advisory mining board may pay for necessary secretarial services and necessary office expenses in connection therewith.] - repeal

513.100 The [advisory mining board] mineral resources advisory board shall, as its objects and purposes:

1. Study ways and means of furthering the mining industry of the state particularly in regards to small operations and in prospecting.

2. Study ways and means of further exploring and developing the oil and gas industry of the state.

3. [Report the results of such studies to the governor and to the United States Senators and Representative in Congress from this state in all instances where the board deems such action appropriate.] Advise the division of the department of conservation and natural resources that is responsible for the mineral resources of the state of Nevada.

4. Reports its recommendations for legislation deemed necessary through the department of conservation and natural resources to further the mining industry of the state.

5. Call upon the state bureau of mines and geology and the state analytical laboratory for their assistance and to cooperate with them in furthering the objects and purposes of this chapter.

6. The state engineer, director of Nevada bureau of mines and geology and one lay member shall be established as a standing subcommittee of the mineral resources advisory board and shall function as the oil and gas conservation commission.

delete sections 13 and 14

delete repealer on Mining Advisory Board

*add Mineral resources advisory board to section 375
in appointment on Oct 30 date*

GOVERNMENT AFFAIRS COMMITTEE

GUEST REGISTER

DATE: 3.3.77

NAME, ADDRESS & PHONE NO.	REPRESENTING	TESTIFYING ON BILL NO.
Bob Alker	Kennecott Copper	AB 278
George BENNETT	BD OF PHARMACY	
Gary OWEN	GOVERNOR	NONE
John Sparbel	State Planning Coordinator	None
Bruce Arke II	" " "	AB 278
M. Douglas Miller	Chem. Adv. Mining Bd.	AB 278
Paul Lemmill	Nevada Mining ^{Inc} Comm	AB 278