

MINUTES

ASSEMBLY
GOVERNMENT AFFAIRS
March 9, 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 JOINT RESOLUTION 26

Mr. John Dolan, Deputy Fiscal Analyst, Legislative Counsel Bureau, told the committee that he was the staff person assigned to the Legislative Commission interim study on the state permanent school fund which produced Bulletin 77-15. He described the study to the committee and said that this bill is one of the recommendations of the study committee.

Mr. Jim Costa, Department of Education, presented a written statement attached as Exhibit 1 in support of AJR 26.

ASSEMBLY BILL 316

Mrs. Westall, sponsor of the bill, told the committee that the bill was no longer needed and suggested that the committee indefinitely postpone it.

SENATE BILL 155

Mr. Earl Oliver and John Crossley from the Audit Division of the Legislative Counsel Bureau told the committee that this is an Audit Division bill stemming from an audit of the Department of Human Resources. They told the committee that Mr. Trounday of the Department was in agreement with the bill. Whenever the Legislative Commission wants an audit of a Division they do it and then the Commission decides who is going to pay for it.

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SENATE BILL 156

Mr. Frank Daykin, Legislative Counsel, explained the bill to the committee by saying that this bill comes up each session and each session it passes and all that is done is to change the date. The purpose of the bill is to give legislative validation to bond issues of the State of local governments where there may have been some technical defect in the process of adopting the resolution for the bond issue, or executing necessary papers. It does not operate to validate anything where there is a real substantive question. This bill does not go into the NRS.

Assemblyman Robinson asked what would happen if this did not pass.

Mr. Daykin said that probably nothing because any bond that was substantially valid would survive anyway. This really only gives reassurance to persons dealing in those securities.

Assemblyman Mann asked if this was an appropriate measure for the Consent Calendar and he was told by Mr. Daykin that it was because there were no substantive changes taking place.

ASSEMBLY BILL 340

Robert Walker, Centro de Informacion Latino Americano, told the committee that there is a grave need for a Hispanic Affairs division because there will be far reaching problems in the near future, this is not to say that there are not already a great deal of problems now. The problem is that the present agencies are not able to cope with the culture, they are unable to deal with it in depth with the kinds of dilemmas that Hispanic people in our state face. He added that translators are needed in all areas such as legal aid and even department of motor vehicles. People who are bilingual can cure some of these ills. He read a mailgram from Pete Urdiales, Executive Director, Mexican American Commission, State of Nebraska, attached as Exhibit 2. There are 75,000 Hispanics in Nevada. These are legal immigrants, he is not talking about help for unpapered aliens, that is a whole other matter not being discussed today. There is a need to put many documents into Spanish because many Hispanics do not have a good grasp of the English language, not because they don't want to be Americans, they are Americans, but they need to have a deep understanding of the material before them, such as a Drivers Handbook or even their legal rights etc. This office would allow Hispanics to at least have a place to go to get information and talk to someone in their mother tongue. It is a foot in the door and a move to alleviate a grave problem.

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Tina Aguilera of Lovelock told the committee that she helps the Hispanic people of her community and in other rural areas because there is no one else they can turn to. She outlined some of the problems such as programs that are not being run well, housing, legal matters, employment, health problems, child care, elderly citizens that Hispanics in her community face because there is no one that speaks their language to give them advice or aid. Translators are needed above all else.

Josephine Gonzales told the committee that Hispanics are the largest minority group in Nevada and that there is a desperate need for more translators. She added that they don't want a token appointment to the office that would be created they need someone who will help serve the Latin people and give them the help that they so badly need.

Assemblyman May asked what the actual definition of Hispanic included. He was told that Hispanic covers all Spanish speaking people.

Mrs. Gonzales continued by answering Chairman Murphy's question of whether the problem could be solved by urging local government to hire bilingual people. She said that they have been requesting this for a long time, it doesn't help.

Assemblyman Mann commented on the cost of translating all state documents into Spanish. Mr. Walker replied that there is always a pricetage on everything, but that priorities should be set. The Driver's Handbook is one of the highest priorities to be translated in their opinion. He admitted that the process would be slow, but that they need a foot in the door.

Assemblyman Peggy Westall asked why the Hispanics couldn't learn to speak English. She was told that the school system needed to be more aware of Hispanic needs in order to be successful in teaching them English.

Mrs. Gonzales pointed out that the Supreme Court has ruled that people can't be penalized and that their rights can't be violated just because they don't speak English.

Assemblyman May commented that it appeared that the bill was asking a small staff to do an awful lot with a small budget. Is all this possible? He was told that something is better than nothing. A skeleton crew can at least start helping people.

Carlos Romo, Foreign Language professor at UNR, told the committee that we are living in a time where all people need to group together and help each other. He added that there are federal programs set up to provide funds to offices like this one, all Nevada needs is an office to receive those funds.

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Mr. Merlon Anderson, Commission on Post Secondary Institutional Authorization told the committee that he was bilingual and that he was often called on to translate and perform general language consultant duties, usually with no reimbursement. He added that being able to speak two languages does not necessarily mean that a person can translate and interpret well. Schools have not met the needs of the Hispanics. This bill might not be the answer to the problems cited but something must be done to help these people.

Ms. Martha Felix and Jose Rodriguez told the committee that they help translate and interpret in the Carson City state offices only because they want to help these people. They are not reimbursed, but there is constant demand for their time and services.

ASSEMBLY JOINT RESOLUTION 25

Mr. Dennis Ghileri of the Sierra Club presented a slide show with comments by Dan Leeth, a copy of the commentary is attached as Exhibit 3.

Mr. Bernie Shanks, Renewable Natural Resources professor at UNR, told the committee that the Wilderness Act is the most misunderstood federal act, that even most of the people who are enforcing it don't understand it and are not administering it correctly usually because these people were working for BLM long before the Act became effective and have not studied it as any new person who is going to college and studying Renewable Natural Resources would have to do now to get his diploma. He stressed that the Wilderness Act does encourage multiple use designation. The strongest opponents to the W.A. are miners who say it encourages a single land use policy. But mining locks up land much more than any other type of activity could. He added that a detailed mineral survey is mandated by law before land is considered to be designated as a Wilderness area. No one wants a majority of land in Nevada set aside as a Wilderness Area. Another misconception with the Wilderness Act is that the areas have to be 5,000 acres or more to be considered. This is not true, the land section only has to be manageable and can be any size. He continued by saying that under the Wilderness Act patenting of new mining permits is ceased but prospecting can continue and access to private land is still allowed. This is another misconception about the Act, sometimes even encouraged by the BLM employees who are supposed to administer the Act. He continued by saying that the only regulation regarding the access is that after the mining is done that the road must be attempted to be covered up which is actually not difficult at all.

Mrs. Westall pointed out that 99% of Nevada mines are not patented.

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Mr. Roy Hogan representing Friends of Nevada Wilderness also told the committee of his support and expressed his fear that Nevada's land will go the way of California's beautiful landscape because of uncontrolled growth and lack of planning.

Joe Kelly, a real estate person from Reno, voiced his support.

Charles Watson voiced his support and said that the 400 members of the Nevada Outdoors Association also supported the resolution.

Rose Strickland told the committee that as there are more and more urban dwellers we will need more and more wilderness areas because people who live in the city need to be assured that when they feel like getting away into nature, it will still be there. She added that a designated wilderness area lets people see what the pioneers saw.

Daisy Talvete, League of Women Voters, voiced her support.

Lee Grant Snyder told the committee that use of these kinds of public lands has tripled and that since humans are inherently selfish we need to protection from ourselves.

Bob Guinn, speaking as an individual not as a lobbyist, told the committee of his opposition to the resolution because it would place the land beyond the reach of the ordinary citizen with the restriction prohibiting motorized vehicles.

Bob Alkire, Kennecot, told the committee that he did not interpret the Wilderness Act to mean multiple use areas. He also said that backpackers don't help the state's economy as much as travel trailer owners.

Steve Ashworth, Nevada Open Land Operation Council, told the committee that he felt that a wilderness area would eliminate mining and grazing. Backpackers don't really help economic interests and that handicapped people can't pack into areas that vehicles could bring them to.

Annette Mankins voiced her opposition to the resolution.

Orvis Reil voiced his opposition.

John Meder from the Department of Parks passed out a pamphlet to the committee showing the State Parks and upon a question from Assemblyman Jacobsen told the committee that 2-3,000 more acres will become State Parks after this session.

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COMMITTEE ACTION

After lengthy discussion the committee took the following action:

ASSEMBLY JOINT RESOLUTION 26 - Mr. Mann made a motion for a DO PASS recommendation, seconded by Mr. May, the motion passed unanimously. Mr. Jeffrey and Mr. Robinson were out of the room at the time of the vote.

ASSEMBLY BILL 316- Mr. May moved to INDEFINITELY POSTPONE, seconded by Mr. Craddock, passed unanimously, Mr. Robinson was absent.

SENATE BILL 155- Mr. Mann moved a DO PASS, seconded by Mr. Jacobsen, AND PLACE ON CONSENT CALENDAR, passed unanimously, Mr. Robinson was absent.

SENATE BILL 156- Mr. May moved for a DO PASS AND PLACE ON CONSENT CALENDAR, seconded by Mr. Mann, passed unanimously, Mr. Robinson was absent.

ASSEMBLY BILL 340- Mr. Mann moved fo INDEFINITELY POSTPONE the measure, seconded by Mrs. Westall, passed 7-1-1, Murphy voting no, Mr. Robinson absent.

The committee agreed to introduce a resolution to study the problem regarding Hispanic people in Nevada.

ASSEMBLY JOINT RESOLUTION 25- Mr. Jacobsen moved to INDEFINITELY POSTPONE the measure, seconded by Mrs. Westall, passed 8 to 1 with Mr. Murphy voting no.

ASSEMBLY BILL 360- Mr. Mann moved a DO PASS recommendation, seconded by Mr. Moody, passed unanimously.

ASSEMBLY BILL 330- Mr. Craddock moved that the committee reconsider and rescind their action, seconded by Mr. Mann, passed unanimously.

ASSEMBLY BILL 263- Mr. Mann moved to recommend AMEND AND DO PASS, correcting a bill drafter misprint, seconded by Mr. Craddock, passed unanimously.

There being no further business, the meeting was adjourned at 11:00am.

Respectfully submitted,



Kim Morgan, Committee Secretary

GOVERNMENT AFFAIRS COMMITTEE

GUEST REGISTER

DATE: _____

NAME, ADDRESS & PHONE NO.	REPRESENTING	TESTIFYING ON BILL NO.
Oil Forces	SELF-EMPLOYED	
DAVE MCNEILL 1995 DRIFTWOOD DR SPARKS	Latinis	
Mary Ann McNeill Joseph S. Rodriguez 885-5430	Latinis	
Martha Foley 882-0844 Joni M. Foley 782-0844	Latinis	
Kenneth Brown 885-4425	Latinis	
Josephine Gonzalez 786-3128 (office)	Latinis	
Bob McKee	KennerstKopper	AJR 25
Robert F Guinn-	self-	AJR 25
John Crossley	LCB - audit	SB 155
Earl Oliver	LCB - audit	SB 155
ORVIS E. Reil	NRPA / AARP - Nevada Joint State Legislative Committee	
Rory Hogen	Friends of Nevada Wilderness	AJR 25 518

GOVERNMENT AFFAIRS COMMITTEE

GUEST REGISTER

DATE: _____

NAME, ADDRESS & PHONE NO.	REPRESENTING	TESTIFYING ON BILL NO.
<i>Lee Young Snyder</i>	<i>Friends of Nevada Wilderness</i>	<i>AJR 25</i>
<i>Ma del Carmen Ojeda</i>	<i>LATINS</i>	
<i>Esperanza Martinez</i>	<i>LATINS</i>	
<i>Patricia Leyva</i>	<i>LATINS</i>	
<i>Julian R. Carlos</i>	<i>LATINS</i>	
<i>Gro Buer</i>		
<i>Joe Kelly</i>	<i>Myself -</i>	

STATEMENT
FROM
THE DEPARTMENT OF EDUCATION
TO THE

ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS
Wednesday, March 9, 1977
7:30 A. M., Room 214

A. J. R. 26 -- Proposes constitutional amendment to repeal certain pledges to State Permanent School Fund and to limit permissible investments of that fund.

The Department of Education and the State Board of Education are unaware of the purpose of A. J. R. 26.

Assembly Joint Resolution 26 seeks to amend the Constitution of the State of Nevada so that estates which escheat to the state and fines collected for violation of the state's penal code will no longer be deposited in the State Permanent School Fund. Such an amendment will essentially freeze the Fund at its present level since these two sources are the major revenue producers for the Fund. In Fiscal 1975 revenue to the Fund was \$629,160 of which \$621,147 was from escheats and fines. Fiscal 1976 revenues were \$667,230 of which escheats and fines were \$605,744. The latter year had Federal land sales extraordinary to the former, ~~probably due to leasing of some of the remaining school fund lands for mineral exploration.~~

The Permanent School Fund was to ensure a base of funding for establishing and maintaining public schools. Through the sale of dedicated Federal lands, escheats and fines, the Fund has grown to \$10,989,430 in the Fiscal Year ending June 30, 1976. Interest earned on investments of \$7,549,000 amounted to \$549,635 in Fiscal 1976. To date in Fiscal 1977, these earnings are \$380,635. All earnings are deposited in the State Distributive School Fund, and these have been running about 1 percent of the amount needed to guarantee basic support to the schools. Without the benefit of annual additions of escheats and fines the amount available for investment will not increase and therefore the earned interest, rates remaining stable, should continue at its present level.

The limit on permissible investments does not appear to be threatening since none of the current investments are made in this area. Furthermore, deletion of this phrase will clearly make governmental bonds the only permissible investments.



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4024712792 MGM TDBN LINCOLN NE 206 03-08 1059A EST

Exhibit 2

HON. ASSEMBLYMAN PATRICK MURPHY, CHAIRMAN
GOVERNMENT AFFAIRS COMMITTEE
LEGISLATIVE BLDG RM 214
CARSON CITY NV 89701

AS DIRECTOR OF THE MEXICAN AMERICAN COMMISSION FOR THE STATE OF NEBRASKA, I WOULD LIKE TO URGE YOU TO VOTE FOR AB340 WHICH WOULD ESTABLISH THE OFFICE OF HISPANIC AFFAIRS FOR THE STATE OF NEVADA.

ESTABLISHMENT OF THE OFFICE OF HISPANIC AFFAIRS WOULD BEGIN A GREAT ERA FOR THE STATE OF NEVADA, AN ERA IN WHICH ALL ITS HISPANIC CITIZENS WOULD BE INSURED TOTAL PARTICIPATION; AN ERA IN WHICH THEY WOULD BE INSURED A VOICE IN TODAY'S GOVERNMENT.

ESTABLISHMENT OF THE OFFICE OF HISPANIC AFFAIRS FOR NEVADA WOULD HAVE GREAT IMPACT, NOT ONLY IN NEVADA BUT ACROSS THE NATION, IN OTHER STATES WITH LARGE HISPANIC POPULATIONS. THE EXAMPLE SET BY THE GREAT STATE OF NEVADA WOULD ENCOURAGE, AND PERHAPS FOSTER THE ESTABLISHMENT OF SUCH COMMISSIONS OR OFFICES IN STATES WHOSE HISPANIC POPULATIONS DESPERATELY NEEDS THEM.

YOU ARE TO BE COMMENDED AND CONGRATULATED ON THE INTRODUCTION AND POSSIBLE PASSAGE OF AB340. YOU CAN MAKE ITS NOBLE AND NECESSARY PURPOSE A REALITY FOR HISPANICS IN NEVADA AND ACROSS THE NATION BY VOTING TO ESTABLISH THE OFFICE OF HISPANIC AFFAIRS.

BE ASSURED THAT THE MEXICAN AMERICAN COMMISSION WILL ASSIST IN ANY WAY POSSIBLE IN SETTING UP THE OFFICE OF HISPANIC AFFAIRS FOR NEVADA, IF SUCH A SYSTEM IS REQUESTED.

PETE URDIALES, EXECUTIVE DIRECTOR
MEXICAN AMERICAN COMMISSION STATE OF NEBRASKA
PO BOX 94965
LINCOLN NE 68509

1103 EST

MGMCOMP MGM

WILDERNESS NEVADA

(title slide)

2. "Like caterpillars crawling to Mexico." That's how one explorer described Nevada's pattern of mountain ranges separated by long flat desert valleys.

3. It is an arid land--Nevada's lack of water being both its economic curse and its environmental salvation. One can travel for miles and miles across the state without seeing any towns, farms or other signs of human habitation. We don't have to travel far to get away from it all.

4. Most of us Nevadans live in cities. The Reno, Sparks, Carson City and Las Vegas areas contain over 85% of our state's total population. We all have our own reasons for living where we do.

5. There are many advantages to city living. Higher paying jobs are usually available. We have neighborhood schools, nearby medical assistance, many shopping centers, libraries, theatres and local radio and television stations

6. Entertainment abounds in Nevada cities. Millions are attracted to Nevada from all over the country for the night life and excitement of our casinos.

7. Along with the positive aspects of Nevada city life come the costs: smog, noise, crowds and confusion.

8. It is difficult to find any degree of privacy or solitude.

We lose touch with nature and with our natural selves.

10. Neighborhood parks help. They are, after all, an attempt to keep a bit of nature in unnatural surroundings.

11. Through outdoor recreation many Nevadans do try to get away from their urban environment.

12. But, frequently, urban problems follow.

13. What we really need are places where people can go to get in touch with themselves and with nature.

14. We need places where the air is pure and fresh.

15. The water free flowing and clean.

16. Places we can share with nature's large creatures.

17. And, with nature's small creatures.

18. We need to save places where we may discover the beauty of nature's diverse plant world.

19. We need wilderness.

20. Wilderness is land that is untrammelled by humans, a place where people are visitors who do not remain. Wilderness is a place that exists today almost exactly as it has for all time--a place preserved in its natural wild condition.

21. We need wilderness to provide us with a change, a natural environment.

Things that we may be missing in our daily lives can be found in wilderness. For example, wilderness may provide a setting for enriched companionship.

23. Or, wilderness may provide us with a place to find solitude.

24. Wilderness may provide us with opportunity for personal challenge.

25. Or, perhaps a different setting for spiritual awareness.

26. Wilderness is nature. It is part of our heritage. Wilderness is necessary for the well being of our modern society.

27. Congress saw the need for wilderness. In 1964 the Wilderness Act was passed "to assure that an increasing population...does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition."

28. A system of wilderness areas was established--areas set aside for preservation in their natural state. The Forest Service, the Park Service, the Fish and Wildlife Service and, recently, the Bureau of Land Management have been ordered to study their lands for possible inclusion into the National Wilderness Preservation System.

29. Under wilderness classification, the area would be administered by the same agency as before. Most of the regulations would be the same. For example, if hunting was allowed before wilderness, it would be allowed after wilderness designation. There are, however, a few specific restrictions for wilderness units which lessen human impact on nature.

30. For example, permanent roads are not allowed in wilderness. Motor vehicles and motorized equipment, snowmobiles and other forms of mechanized transport are specifically prohibited.

31. Commercial timber cutting is prohibited in wilderness.

32. Permanent structures are not allowed in wilderness, except for historical buildings or structures needed for administrative purposes.

33. The Forest Service may continue to control fire, disease and insect problems.

34. Grazing is allowed to continue in wilderness. Certain facilities such as drift fences and watering troughs are allowed.

35. After 1983, new mineral claims will not be allowed to be staked in wilderness designated lands. Mineral exploration, however, may continue indefinitely.

36. These restrictions will, hopefully, conserve the quality of our wildlands so that we may continue to enjoy fishing, hunting and camping for generations to come.

37. At present we have only one wilderness area in the entire state of Nevada: the Jarbidge Wilderness located north of Elko. Of the other ten western states, nine have more wilderness areas than Nevada.

38. Our state contains millions of acres of potential wilderness lands. This map shows some of the areas identified as potential wilderness additions by the Friends of Nevada Wilderness.

With so much wilderness land available in Nevada, why is it that we have o
one designated wilderness area?

52. There is no doubt that Nevadan's appreciate and enjoy their wildlands, but they frequently do not understand that wilderness designation is a way of preserving those lands.

53. Wilderness is land in the bank. We place money in our savings accounts to keep it from being spent. Like savings in the bank, if a need ever develop for a more important use of wilderness, the land may always be withdrawn from the wilderness system.

54. Wilderness designation is not only good for the land, it is also good for the local and state economy. For example, more and more stores are specializing in light-weight wilderness camping and cross-country ski equipment. The demand for horseback guides and pack outfitters increases with wilderness designation. Tourists travel hundreds of miles to visit wilderness areas boosting the economies of nearby communities.

55. An argument frequently heard is that wilderness somehow "locks up the land."

56. Development locks up the land. People are not locked out of wilderness. Mineral extraction, road building and powerline construction irretreviably commit the land to single uses.

57. Potential wilderness areas remain because they are not being used by the resource extraction or development industries.

58. If they were being used, they simply would not qualify as wilderness!

59. Some opponents argue that only the rich can visit a wilderness area. They think that hiking and backpacking can only be enjoyed by the leisure class.

60. Hiking is not expensive. Backpacking equipment costs far less than does a trailbike or snowmobile.

61. A similar argument used by opponents is that only the strong and energetic can possibly hike or ride a horse into a wilderness area.

62. I hope that nobody told the woman on the right that she was too handicapped to hike into a wilderness. Any person, young or old, in any reasonable state of health can easily hike or ride a few miles into a wilderness area.

63. There are other ways to visit the wilderness. You are using Nevada's potential wilderness today as you look at these photographs. Millions of people, many of whom have never set foot in a wilderness area buy books, magazines, calendars and paintings of wilderness scenes. They, too, are using and enjoying the wilderness.

64. Ranchers sometimes object to wilderness because they fear governmental control of land. But, wilderness does not increase federal control. All wilderness land is already under federal management.

65. Ranchers also fear that if wilderness is established, grazing would be eliminated. However, the Wilderness Act specifically states that grazing would continue. Thousands of head of cattle and sheep are grazed each year of federal wilderness lands.

66. Many miners also fear wilderness classification of any Nevada lands.

67. But, even if every acre of potential wilderness was designated in Nevada, only a small percentage of the state would be affected. The majority of the federal lands would still be open to mining.

68. Areas already under mineral development would not be considered for wilderness.

69. We live in a state that proudly announces "recreation unlimited."

70. There are many different forms of recreation. This is one of them.

71. And this is another!

72. Fishing, hiking, backpacking, hunting, nature photography, cross-country skiing, swimming and climbing are some forms of recreation whose enjoyment can be enhanced by wilderness.

73. It is very important that we save wilderness for such recreational pursuits.

74. Wilderness is for people.

75. Anyone can enjoy wilderness--from hiking or from the pages of a book or magazine. One can even enjoy wilderness from the windows of a speeding car when one looks out at the distant, untouched mountains and deserts. People can enjoy wilderness just from the knowledge that it's there.

76. Open space is part of our Nevada heritage. We take pride in our wide open lands and our clear blue skies. Wilderness is a way of preserving that heritage.

77. Wilderness is a priceless resource. It cannot be created. We live in an arid state where scars to our land do not heal. The tracks the early settlers made over one hundred years ago are still visible.

78. Though one can drive for miles without seeing signs of human habitation, people are leaving their marks on our wildlands. If we do not save what is left of our wilderness, soon there will be no wilderness left to save.

79. The time to begin to save Nevada's wilderness is today. We would appreciate your support.

Thank you. Have a good day.