

SENATE
GOVERNMENT AFFAIRS COMMITTEE

Minutes of Meeting - April 20, 1977

Present: Chairman Gibson
Senator Foote
Senator Faiss
Senator Gojack
Senator Hilbrecht
Senator Raggio
Senator Schofield

Also Present: See Attached Guest Register

Chairman Gibson opened the thirty-eighth meeting of the Government Affairs Committee at 2:10 p.m. with all members present.

SB-511

Provides for adding representative of Legislative Counsel Bureau to Data Processing Commission. (BDR 19-970)

Chairman Gibson read a letter that he received from the Supreme Court on this bill. (See Attachment #1) Mr. Daykin was also on hand to explain noting that Art Palmer was the designated representative. The committee agreed with the suggested amendment in Attachment #1 providing for (h).

Motion to "Amend and Do Pass" by Senator Raggio, seconded by Senator Schofield. Motion carried unanimously.

AB-485

Authorizes cities of Reno and Sparks and Washoe County to issue general obligation bonds to purchase land for park purposes.

Nancy Gomes, Assemblywoman from Washoe County, testified in favor of the bill giving the committee the benefits that she felt all would receive. She further noted that this was timely and it was felt that this type of land would not be available for park purposes for some time.

Russ McDonald, Washoe County, had a map for the committee to view showing the access of the land. Mr. McDonald thought the committee should know that there are some defects in the bill that need to be corrected if the committee wanted to process the bill. He concluded by stating that Washoe County and Reno were in favor of the bill but has not heard from Sparks yet.

Senator Foote stated that she also has not heard how Sparks stands on this bill.

Mr. McDonald specified on the defects mentioned earlier in his testimony. Noted first on page 1, the definition of Park excludes the use forever for golf purposes. Feels that there is no definite plan for the entities involved to execute an agreement noting what there percentage interest will be in the land.

Mr. McDonald also stated that an appraisal must be done. He had an appraisal that was done two weeks ago and the six million dollar price was considered fair. There has been a second appraisal by the city of Reno but those results were not available. Also there needs to be a public hearing held to determine whether or not there is financial desirability before they go to the general obligation bond commission to get permission.

Mr. McDonald informed the committee that the Highway Department recently acquired necessary parcels adjacent for the McCarrin extension. With regards to taking title the bill proposes that if the bonds are sold, purchase is made, title will be taken in Tennessee in common. This means that it is an undivided, unidentifiable part of the 442 acres that belongs to the two cities and the county in the percentage that they previously agreed upon.

Since the land has not been Master Planned, there are some take out provisions. There was a portion, Mr. McDonald pointed out on the map, that could conceivably be declared for non-park purposes and sold. That will be dependent upon the master plan.

The committee discussed the map and the problems that Mr. McDonald eluded to in his testimony. It was felt that the bill should be amended to include the recommendations from the Highway Department.

Senator Foote noted that with both cities and the county paying for the land the cities would be paying twice. Mr. McDonald stated that this way so but is quite common, if we only have the county involved it would have more difficulties.

Mrs. Gomes stated that she and Russ McDonald would work on amending the bill and bring the language back to the committee as soon as possible.

SB-396

Authorizes paid leaves of absence for public officers and employees who engage in certain athletic competition. (BDR 23-930)

Jerry Wager, Coach for Wrestling and member of the police force, testified to the committee on the merits of this bill. (See Attachment #2) He concluded by stating there are several outstanding athletes in the State of Nevada and this bill would help them prepare for the Olympics without too much financial burden.

Leon Martin, member of metro police in Clark County, coach for boxing, testified in favor of the bill also. He noted several examples of where our State has much potential for the Olympics. He concurred with Mr. Wager's testimony.

Senator Raggio felt that the purpose of the bill was good and could see a need to help our athletes but feels that it might open the door to many others who feel that they should also receive paid leaves of absence for their particular interest.

Mr. Wager felt that the help they give keeps some children off the streets and lowers the cost of court room and juvenile costs. It should be worth the extra expense to allow for this cost.

Mr. Martin felt that it could become a problem but the legislature should consider each request and give proper consideration to those who would be eligible for national competition, no matter what the field.

Mr. Barton Jacka, Assistant Sheriff of the Las Vegas Metropolitan Police, testified against the bill. He felt that although the purpose was good these men were hired as police officers and that should be their first concern.

Bob Warren, Nevada League of Cities, agreed that there should be some attempt to help those who achieve national recognition in sports. He noted a reimbursement clause in the bill but felt that it only applied to school districts. If we are to upgrade our Olympic competition then this type of legislation should receive serious consideration.

Russ McDonald, Washoe County, stated that in Section 1, line 3 the bill might only apply to state employees. Should the bill be considered by the committee this should be amended to state, "political subdivisions". This would include the counties and all other agencies.

Motion to "Indefinitely Postpone" by Senator Foote, seconded by Senator Faiss. Motion carried with two no votes cast by Senators Gojack and Hilbrecht.

SCR-35

Encourages political subdivision to enter cooperative agreements which foster community education. (BDR 1754)

Jerry Neilson, Department of Education, testified to the committee on the merits of the bill. He read his testimony to the committee.
(See Attachment #3)

Senator Schofield felt that if copies were sent out to school districts during the school board meetings would it help to make a more cooperative effort. Mr. Neilson felt that it would.

Shirley Wedow, State Board of Education, felt that it would be a tool to bring the matter to everyone's attention and indicate that the legislature was behind this concept.

Motion of "Do Pass" by Senator Raggio, seconded by Senator Faiss. Motion carried with two no votes cast by Senators Foote and Gojack.

SB-513

Clarifies certain planning and zoning terms. (BDR 22-1550)

Pam Wilcox, Lemmen Valley, stated that this bill was to place the word zoning into the statutes - Section 3 adds the zoning regulations.

There was discussion from the committee about the various interpretations of zoning districts and zoning. It was felt that if this description was acceptable to the various planners then it would not be confusing in the statutes.

Bob Broadbent, County Commissioners, stated that they didn't understand the bill and wanted time to check with their planners to see if the terms "zoning districts" and "zoning" were acceptable and understood as referred to in the bill.

AB-168

Revises composition of State Environmental Commission. (BDR 40-686)

Jack Kenny, Southern Nevada Home Builders Association, testified in favor of the bill. He felt that there should be representation from the home builders association on matters that directly affect them.

Barry Becker, representing the Nevada State Home Builders Association, testified in favor of the bill and concurred with Mr. Kenny's statement. Mr. Becker gave some history behind the drafting of this bill and their need to have a voice on the commission.

Senator Foote stated that there was another bill out that might help them get some input on matters that would affect the home builders association.

Senator Gojack stated that this would create quite a drastic change in the composition of the Environmental Commission. Suggested that one of the members might be from the Sierra Club or a similar type organization.

Mr. Kenny stated that the bill originally spelled out who would represent but the Assembly did not justify that in the bill and therefore deleted that reference.

Senator Glazer testified against this bill in the Assembly and felt that as past Chairman of the Environmental Commission there was no need for this type of legislation. The Senator felt that there was a good balance in the composition. If the committee chooses to specify a seat for one specific industry this session then they would have many more requests next session from other parts of business.

Bob Alkire, Kennecott Copper, testified against this bill. Felt that there should not be representation from specific groups.

Hank Tester, member of the State Environmental Commission, also testified against the bill. Felt that on any item they have considered they did their best to get as much input from the public and those concerned as possible. The home builders are welcome to come to any of the hearings that would affect them and give as much information as they feel necessary.

It was felt by the committee that there might be a position for a representative from "Industry" but they did not want to further specify.

Senator Gojack motion to "Indefinitely Postpone" seconded by Senator Foote. Motion did not carry.

Senator Hilbrecht motion to "Amend and Do Pass", seconded by Senator Faiss. Motion carried with two no votes cast by Senators Foote and Gojack. Amendment will be to have one representative from the Industry.

AB-4

Increases number of taxing districts in Carson City. (BDR S-624)

Chairman informed the people in the audience that this bill has been re-considered by the Government Affairs committee at an earlier meeting but it was not a hearing. It was a meeting to give the city of Carson a chance to give further testimony to support the bill.

Mayor Jacobson, Carson City, passed out written testimony and read this to the committee. (See Attachments #4 & 5) The Mayor thanked the committee for re-considering this bill. Also attached (#5A) is report done by those who oppose this bill. (See Attachment #5A)..... Mayor Jacobson concluded his statements by noting an amendment suggestion. Page 5, line 34 starting with the words "the boundaries of any taxing district may be modified if the board deems necessary." We feel that the board could do this without going through the ordinance procedure so we request that this language be deleted.

AB-658

Directs administrator of Division of State Lands to convey certain state property to Truckee Meadows Fire Protection District. (BDR S-1892)

Jack Kissenger, Fire Chief with the Truckee Meadows Protection District, came to testify on this bill and give pertinent history behind the inception of the bill. Stated that the property will be utilized as a fire station for the protection of Washoe Valley and Pleasant Valley. The land amounts to approximately four acres.

Norman Hall, Director of the Department of Conservation and Natural Resources, stated that they acquired the land for about \$2.50 per acre. The bill is only to give legislative permission to transfer this land to Washoe County. The trade was thought to be a fair one.

Motion of "Do Pass" by Senator Hilbrecht, seconded by Senator Faiss. Motion carried unanimously.

AB-673

Authorizes mergers and amendment of boundaries of unincorporated towns. (BDR 21-1620)

Chairman informed the committee that there are presently no provisions in the statutes that would allow a merger between small communities.

Bob Broadbent, County Commissioners, testified that this request came from Logandale and Overton who wish to merge for the betterment of both communities. Other counties in favor of the bill are Lincoln, Lyon, Lander and Clark County. Mr. Broadbent stated that this bill met no objection in the Assembly.

Motion of "Do Pass" by Senator Schofield, seconded by Senator Faiss. Motion carried unanimously.

AB-439

Conforms County and City Economic Development Revenue Bond Laws; authorizes furnishing of energy or gas and deletes certain provisions relating to feasibility of projects. (BDR 20-1446)

Russ McDonald, Washoe County, stated that this was a two way approach to the economic revenue bond laws. Adds language to include energy and gas. One of the purposes was to bring up the quality of the bonds. Noted on page 3, line 36 there is a new designation of subsection 4 which proposes that it be added both in the county and city law. The amendments to the bill have been approved by the bond counsel.

Bob Broadbent, County Commissioners, testified that this bill was reviewed by their legal counsel, Hal Smith, and it was felt that it still did not meet the problems that Clark County had. This was not elaborated on at this time as Mr. Smith could not be present.

Mr. McDonald read a letter he had from Dawson (Legal counsel) regarding the bill and it was felt that the intent was to parralell both the county and city with regards to economic development revenue bond laws.

Motion of "Do Pass" by Senator Hilbrecht, seconded by Senator Raggio. Motion carried unanimously.

AB-247

Provides uniform administrative and judicial remedies for certain unlawful discriminatory practices. (BDR 18-138)

Assemblyman Robert Price, testified to the committee as he is a member of the Judiciary Committee that heard the bill earlier in the session. Mr. Price felt that the bill in its original form gave substantial regulatory power to the State but it was objected to by business. Mr. Price felt that the first re-print was acceptable to all parties. This bill also takes out the punitive damages and the regulations comply with the federal regulations.

Mr. Price stated that the Attorney General's office was contacted and Mr. Dyer stated that they did not like the idea of having to furnish a copy of the agencies rules and regulations but it was felt that the law was formed in such a way that this must be accomplished.

Senator Raggio suggested that there be some specific notice of the filing, there is no formal indication that the complaint was not valid. The person should also be notified.

Chairman Gibson asked Mr. Price to get a copy of the federal standards of E.E.O.C. for the committee to review before taking action. Mr. Price agreed and stated that he would get them as soon as possible.

SB-501

Requires certain cities to participate in metropolitan police department. (BDR 22-1517)

Chairman stated that for the committee's information the other entities have the power to negotiate with the metro police if it is their desire now.

Motion to "Indefinitely Postpone" by Senator Faiss, seconded by Senator Foote. Motion carried unanimously.

It appears that page 7 of this meeting is missing; there may also have been an error in pagination.

found by Jeff Kintop, 6-5-87

SB-485

Requires master plans to include areas suited for development.
(BDR 22-1548)

Senator Gojack stated that she had not prepared amendments for the committee but felt that they could be worked out during the meeting and agreed upon before going to the drafter.

Senator Gojack asked Mr. Warren if he had checked with his people and received a consensus of opinion on the bill. Mr. Warren indicated that he called six cities and only two were opposed to the bill.

The amendment suggestions were as follows: Change "shall" to "may" on lines 3 and 4 of Section 1. Also on line 5, place a period after "development" deleting the remaining language through line 7. Also delete the new language on page 3 beginning on line 9 ending on line 12. They further decided that the language should also state that the "Master Plan may have a statement of policy".

Motion to "Amend and Do Pass" by Senator Foote. seconded by Senator Faiss. Motion carried unanimously.

Chairman asked Senator Gojack to get the amendments prepared.

AB-450

Creates State Ethics Commission, establishes code of ethical standards for public officers and employees and requires financial disclosure by candidates for and holders of elective public officers. (BDR 23-1057)

Assemblywoman Sue Wagner, Washoe County, testified for Assemblyman Dini on this bill. She noted that this was a copy of AB-610 from the last session that has since been declared unconstitutional. It was the intent of the bill to take out or change the unconstitutional parts in AB-610 and go with the remainder of that bill. The filing will be with the Ethics Commission instead of the Secretary of State's office. She concluded by stating that the appropriation of \$5,000. was insufficient.

Pat Gothberg stated that Mr. Klasic from the Attorney General's office had great expertise in this area but had to leave. She requested the committee to get with him in revising the bill.

Senator Hilbrecht noted that in Meeting No. 27 on March 28th Mrs. Gothberg submitted with her testimony some suggestions on how the other states handled this in their legislation. The Senator felt that it was quite good and we should possibly use this to change the parts of the bill that the committee had trouble with. (See Attachment #7) This was entitled "Conflicts of Interest" which could be a great help. Chairman Gibson suggested having the amendments ready for consideration in the Friday, April 22nd, meeting. Senators Hilbrecht, Gojack and Raggio were requested to work on the amendments.

AJR-37

Proposes constitutional amendment to conform constitutional state boundary to actual boundary. (BDR C-1243)

Senator Hilbrecht stated the Attorney General's office stated they would prefer that the committee postpone this bill as they had some serious problems with it.

Motion to "Indefinitely Postpone" by Senator Hilbrecht, seconded by Senator Foote. Motion carried unanimously.

AB-563

Changes number of members of Nevada State Council on the arts and provides for their compensation. (BDR 18-1162)

Senator Hilbrecht suggested amending the bill to include nine members instead of 7, as recommended by the Governor. Suggested also amending Page 2, regarding the Per Diem - Member shall receive \$40. each day of a meeting to conduct the council's business. The per diem shall only apply for regular attendance of the council meetings.

Jim Deere, State Arts Council, noted that they were apprehensive about the abolishment of the board and wanted to have at least 1/3rd of the members reassigned to the new council in order to keep the board well informed and running smoothly.

It was suggested that the bill be amended to have three of the nine members reassigned to the new council. Mr. Deere also stated that the language regarding the Chairman as being the Executive Officer should be deleted. The Chairman is sufficient.

Motion to "Amend and Do Pass" by Senator Hilbrecht, seconded by Senator Faiss. Motion carried with one no vote cast by Senator Foote.

SB-333

Sets out additional requirements for public meetings. (BDR 19-858)

Senator Gojack went over the proposed amendments as discussed in the meeting on April 11 (Meeting #32) and April 16 (Meeting #35) for the committee: Page 1, line 5, delete "convening" and insert "gathering". Section 2, page 1, delete lines 9 and 10, insert, "Public Body means any administrative, advisory or executive body of the State or a political subdivision of the State, any legislative body of a political subdivision of the State. (This removes the State Legislature). In Section 3, page 1, line 20, delete "year" and insert, "year if such schedule is established". Amend Section 3, page 2, line 1 - delete "each" and insert "except in emergency" (this makes it three working days). Amend Section 3, page 2, line 11, A request for a notice lapses six months after it is made. The public body shall conform the requester of this fact by enclosure with or a notation upon the first notice sent. Emergency is defined by stating "An Emergency as used in this section means an unforeseen circumstance which would require immediate action and includes what is not limited to disasters, caused by fire, flood or earthquake, other natural causes or any "threatened" impairment of the health or safety of the public. (Also due to Chairman Gibson's suggestion the word "threatened" was added into the new language.) Amend Section 4, page 2, line 17 and 18, delete, "at the request of any member". On page 2, section 6, insert after line 43, "The Board of Regents of the University of Nevada shall establish with the student governments within the University of Nevada

system, requirements equivalent to those of this chapter and shall provide for their enforcement." (This language is contained in the California law)

Senator Raggio questioned the placement of the above amended language and it was considered by the committee to be in an awkward position. Senator Gojack will check on this.

Senator Gojack continued, Amend Section 8, page 3, line 5, delete closed brackets, "and body" delete the italicized colon and open bracket, deleting lines 13 through 15. The new language reads, "To consider the character, alleged misconduct, professional competence, or physical or mental health of the person." Amend Section 8, page 3, line 16, delete "deployment" and insert "consider the deployment". Delete Lines 17 and 18 and insert "consult with its legal advisor concerning pending or contemplated litigation." Delete lines 21 and 22 and insert "Which specifies the nature of the business to be considered and the exemption under Subsection 1, pursuant to which the meeting is to be closed. "No binding action may be taken at any closed meeting."

The committee felt that there would be some problems with the last sentence as suggested by the new amendments. It was the consensus of the committee to delete the last sentence regarding no binding action.

Motion to Amend and Do Pass by Senator Raggio, seconded by Senator Hilbrecht. Motion carried unanimously. Chairman asked Senator Gojack to get the above agreed upon amendments.

ACR-41

Urges offices of state and its political subdivisions to provide bilingual services where need exists. (BDR 1463)

The committee discussed this bill and Senator Hilbrecht felt that the costs would not justify the need for this legislation.

Senator Raggio felt that there was a real need for this and since the language specified only where such need exists it would not be too prohibitive in costs.

Chairman stated that he preferred to hold action on this bill until one of the sponsors could be present to give testimony.

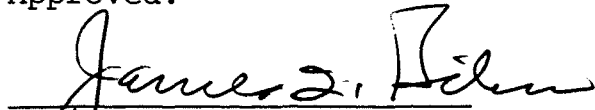
AB-209

Provides for administrative hearing before certain actions may be taken against state classified employees. (BDR 23-37)


The committee discussed the amendments to this bill but felt that due to the late hour it would be better to hold action and further deliberations until Friday, April 22nd.

With no further business the meeting was adjourned at 7:20 p.m.

Approved:



Respectfully submitted,


Janice M. Peck
Committee Secretary

1427

SUPREME COURT OF NEVADA

CAMERON M. BATJER, CHIEF JUSTICE

CAPITOL COMPLEX

CARSON CITY, NEVADA 89710



April 19, 1977

The Honorable James I. Gibson
Nevada State Senate
Legislative Building
Capitol Complex
Carson City, Nevada 89710

Dear Senator Gibson:

Re: SB 511

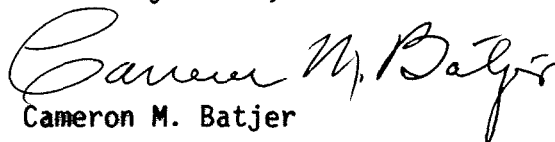
Senate Bill 511 affects the membership of the data processing commission. We anticipate that unification of the state courts into a court system may require use of computer technology. Accordingly, we request the committee to consider amending the bill by inserting a paragraph (h) between lines 16 and 17 which would read:

(h) If the state court system has services furnished by the computer facility, the state court administrator or his designated representative.

If the committee desires further information, Mr. Michael Brown, assistant judicial planner, will gladly furnish it. Mr. Brown can be reached at telephone number 885-5076.

Thank you for your consideration of this request.

Sincerely Yours,


Cameron M. Batjer

CMB:bn
Enclosure
cc: Members of Senate Government
Affairs Committee
Mr. Michael Brown

SENATE BILL NO. 511—COMMITTEE ON
GOVERNMENT AFFAIRS

APRIL 16, 1977

Referred to Committee on Government Affairs

SUMMARY—Provides for adding representative of legislative counsel
bureau to data processing commission. (BDR 19-970)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to the data processing commission; providing for the addition of
a representative of the legislative counsel bureau to the commission in certain
circumstances; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1 SECTION 1. NRS 242.190 is hereby amended to read as follows:
2 242.190 1. There is hereby created a data processing commission
3 whose members shall consist of:
4 (a) The state controller, who shall act as chairman;
5 (b) The director of the department of motor vehicles;
6 (c) The director of the department of administration;
7 (d) The state highway engineer; [and]
8 (e) If the employment security department has services furnished by
9 the computer facility, the executive director of the employment security
10 department; [and]
11 (f) If the Nevada industrial commission has services furnished by the
12 computer facility, the chairman of the Nevada industrial commission [.] ;
13 and
14 (g) *If the legislative counsel bureau has services furnished by the*
15 *computer facility, the director of the legislative counsel bureau or his*
16 *designated representative.*
17 2. The commission shall meet as often as necessary but at least once
18 every 3 months. Members of the commission shall serve without addi-
19 tional compensation, but are entitled to subsistence allowances and
20 travel expenses pursuant to the provisions of NRS 281.160 while engaged
21 in the performance of official duties.



Southern Nevada Association of the Amateur Athletic Union

XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX

1717 Kassabian
Las Vegas, Nevada 89104

April 4, 1977

Dear Thalia and Commissioners:

I am writing you as president of the Southern Nevada AAU, United States World Team Coach, Clark County Road Department employee and community minded Nevadan.

Through the efforts of State Senator Richard Bryan and myself, legislation has been introduced in the Nevada legislative session on behalf of amateur athletes, coaches, and officials employed by cities, counties and the state.

Senate Bill 396 would provide that any public officer or employee of any city, county or of the state who qualifies for individual or team competition in any national or international athletic event (recognized and administrated by the Amateur Athletic Union of the United States) shall be granted a paid leave of absence from his employment to take part in such competition. The paid leave of absence shall be limited to the period of time spent at an official training camp and in competition, (or a period of 90 days) *olympic* whichever is shorter. For the purpose of this section, "team" includes any officials, athlete or member of the coaching staff participating in any group sport.

The second part of the bill provides if any school district is required to hire a temporary employee to perform the duties of any employee who is granted a leave of absence pursuant to section 1 of this act, the school district shall be reimbursed for the salary paid to the temporary employee and any incidental costs from the reserve for statutory contingency fund upon approval of the State Board of Examiners.

The thrust of this bill is to provide ranking United States athletes of Nevada a chance to add from five to eight years to their competitive national and international efforts.

The system under which we live (our cultural background that requires true amateurism) is different from all other countries in the world. The Russians, for instance, grant financial and economic favors to their coaches, athletes and officials dependent

April 4, 1977

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on the success or failure of their international efforts. The Russian athlete, coach or official may find a change in his complete lifestyle if unsuccessful internationally.

Even our neighbors the Canadians fund their athletes, coaches and officials from the Provinces through international competition by way of Sport Canada, a cabinet level organization within the Canadian national government.

The new international Olympic Code provides for subsidization of athletes, coaches and officials in the manner described above as long as it does not exceed their normal on-the-job "salary". Passage of this bill would in no way pay the full expense of our Nevada representatives, but it would allow them to continue to upgrade their positions within the national and international structure of sports.

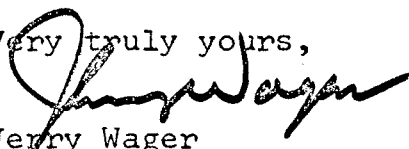
At the present time there are less than five people in Southern Nevada who are employed by city, county and state who would be effected by the passage of this legislation. They are Sgt. Leon Martin and Lt. Hal Miller of the Las Vegas Metropolitan Police Department, and Jerry Wager of the Clark County Road Department.

It is my long range desire to be able to provide jobs within the framework of our city, county and state government for established Nevada athletes, coaches and officials recognized by the Amateur Athletic Union of the United States so that they can continue to contribute their time, energy, knowledge and expertise to the success of our international "world" and Olympic efforts.

For your further information, both the states of Ohio and Illinois have instituted this program within their state governments prior to 1977, and a proposal almost exactly the same as ours is currently pending in the Minnesota legislature.

Senator Bryan has informed me that a policy statement indicating your support by way of signature would command a great deal of attention in regard to passage of SB396. He has requested that you inform your legislative lobbyists to be aware of SB396 and to assist us by lobbying for its passage.

Very truly yours,


Jerry Wager
President, Southern Nevada AAU
National Chairman YMCA Wrestling Committee
National AAU Wrestling Committee
US World Freestyle Team Coach
Las Vegas Boxing Hall of Fame
Nevada Constables Association
Nevada Peace Officers Association
Tournament Director 1977 Junior World
Freestyle and Greco-Roman Championships

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April 4, 1977

Page 3


The following, by their signatures hereto, wish to indicate their support of the passage of Senate Bill 396.


Thalia Dondere

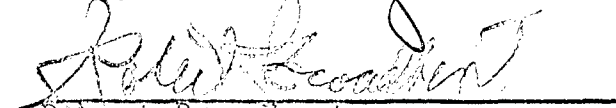

Jack Pettiti


David Canter


Sam Bowler


Dick Ronzone


Manny Cortez


Robert Broadbent

STATEMENT OF
THE DEPARTMENT OF EDUCATION
TO THE
SENATE COMMITTEE ON GOVERNMENT AFFAIRS

Senate Concurrent Resolution 35 - Encourages political subdivisions to enter cooperative agreements which foster Community Education.

Education is usually defined as the sum total of one's experiences. Therefore, it is not confined to scheduled academic programs offered in public school facilities. Education is a life-long process.

Community Education is defined as a cooperative process to get people in a community involved in identifying and using their resources to meet the academic, social, cultural, and recreational needs of all the residents.

Most political subdivisions (i.e. education, mental health, recreation, etc.) by the very nature of their being, offer specific and isolated services to their constituents. Most of these services rendered in isolation do not meet the total needs of the persons in a community. There is a need to begin to look at a community as people of all ages that have many educational needs. For this reason governmental agencies need to establish better cooperative ventures so each can play their particular role in an integrated and planned way.

Senate Concurrent Resolution 35 permits the legislature to call upon political subdivisions to enter into cooperative agreements which foster Community Education and thus allow for:

- 1) Better utilization of public buildings as multi-use facilities;
- 2) Coordination of the educational planning process whereby academic, cultural, recreational and social learning experiences are provided to children, youth, and adults in a more integrated manner; and
- 3) Reduction of agency duplication of educational services and efforts.

Senate Concurrent Resolution 35 will also strengthen NRS 277.045, which allows political subdivisions to enter into cooperative agreements for the performance of various governmental functions.

JON
4-20-77

14333



OFFICE OF THE MAYOR

CARSON CITY, NEVADA 89701

HAROLD J. JACOBSEN
MAYOR

April 20, 1977

STATEMENT TO SENATE GOVERNMENT AFFAIRS COMMITTEE - AB 4

Carson City is divided into two artificial districts for taxing purposes - a division that was realistic in 1968-1969 but just isn't realistic today. The population has more than doubled - mostly in the Ormsby District. Certainly our services do not reflect the two districts.

When the snow falls, the streets are cleared in all of Carson City. When the Sheriff's Office receives a call, we don't discriminate. The Sheriff's patrol is maintained throughout Carson City. When fire threatens, the Fire Department responds. There are three fire stations, two of them in the Ormsby District. If there is an accident, the Fire Department and the Sheriff's Department both respond - the City has guaranteed ambulance service.

Carson City underwrites the hospital, the sewer system, and our water company. City services such as the County Clerk, Auditor, and the District Attorney are used by everyone.

The Roads and Highway Department serves all of the city and county. Maintenance and snow plowing are done according to need on an impartial basis. In fact, in 1977-78, all of the new paving of roads will be done in the rural area.

The City park system, golf course, tennis courts, recreation programs, City library, community center, swimming pools, and like services are available to all.

The inequities arise when we talk about paying the bill. We are strapped with an archaic artificial division of our city - the so-called Urban and Ormsby Districts. Those of us who live in the Urban District pay more than our share of the bill. Some of us who live in the Ormsby District just do not pay our share for services received.

On behalf of the citizens of all of Carson City, we the duly elected Board of Supervisors, are requesting that the State Legislature

CARSON CITY



April 18, 1977

TO: SENATE GOVERNMENT AFFAIRS COMMITTEE
FROM: HENRY ETCHEMENDY, CITY MANAGER
SUBJECT: AB 4

The Board of Supervisors of Carson City earnestly urges reconsideration of this most important bill. Without subjecting you to a rehash of all our testimony as to its import, we must reiterate that the purpose of the bill is to establish appropriate legal basis for the payment of ad valorem taxes in direct proportion to services received.

Specifically, in 1976-77 the assessed valuation of the Urban District of Carson City is \$57,261,882 and that of the Ormsby District is \$45,819,335, or 44 1/2% of the total valuation. However, being limited to two taxing districts we have no equitable means available to appropriately allocate the tax load required and as a result the Urban District, with 55 1/2% of the assessed valuation is required to raise \$1,369,840 of the \$1,918,542 for General Fund purposes. The Urban District contributes, therefor, 71.4% of the taxes required for the General Fund and the Ormsby District, with 44 1/2% of the valuation contributes but 28.6% of these taxes. In addition, 45 % of our people reside in the Ormsby District.

A seemingly logical counter to our position has been suggested - that services to the properties and persons in the Ormsby District be curtailed. This is not a practical alternative for many reasons. Carson City operates three fire stations, for instance, which are identifiable on the map supplied you earlier. They are located one in the center of the business district, one near the Airport in the northeast and one near Stewart at Snyder and Oak Streets. First response to the areas within which those stations are located is provided by personnel and equipment from that particular station. As a result all properties within Carson City are provided equal fire protection services.

The Sheriff of Carson City has informed us that his department expends equal effort in the two taxing districts. If you will but look at the residential, commercial and industrial development in the Ormsby District you can see that this effort could not be lessened. Our street maintenance effort in the Ormsby District is in fact more pronounced than within the Urban District, except for street sweeping. Because of inherited unimproved roads, primarily easements on BLM five acre tract developments, a program of street paving is concentrated mostly within that District. While materials and some labor costs are funded by Regional Streets and Highways gas taxes, the equipment, fuel

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and support services are provided from General Fund resources. The remaining unpaved roads require and receive much more maintenance to keep them in a passable condition.

The one service that could be reduced would be deletion of the dog leash law in those certain portions of the Ormsby District where it now applies. Practically speaking, the services outlined in the previous paragraphs cannot be diminished.

Carson City's need for adoption of AB 4 has become more urgent by the defeat of AB 480, a more equitable formula for State payment of in lieu of taxes, in the Senate Finance Committee. The Board of Supervisors has been making diligent and reasoned attempts to establish a financial program to obtain the resources required to fund the municipal services of Carson City and to distribute the obligations for services received equitably. AB 4 provides one of the solutions and its language contains adequate requirements for public notice and hearings for those persons directly affected prior to adoption or amendment of the ordinances which must follow. Any suggestions you may have with respect to public notice, specifications or any other aspect of the bill would be appreciated. Reconsideration of your earlier position on this legislation is respectfully requested.

HE/sr

The supervisors are trying to circumvent the State Annexation Law by a county charter. Is this legal? The State Annexation Law is a way the people can be heard and have some control over the City Supervisors, as to what they can do.

AB4 would take away the voice of the people and control of the city supervisors. It would give the City the right to do anything they want and the people would have no voice whatsoever. This would create "spot zoning" which would be unfair to everyone and a form of harrassment by the supervisors because they were defeated by the Annexation Law twice.

By taking away what voice the people have and giving the supervisors power to do anything they want to is unfair to the people. Not even the President of the United States has that power.

This is a special legislation affecting Carson City only, why not the whole state?

Why should Carson City be under a special law when all the other cities and towns in the State have to comply with the State Annexation Law? If this bill goes through, soon every city and town in the State will be having a special law.

The Supervisors say that there is not enough revenue coming into the town, we find this hard to believe.

Carson has new shopping malls in the North, East and South ends of town and has a lot of revenue coming in from these malls.

We used to have a 3% sales tax, but in July, 1976, it was raised to 3-1/2%, which is paid by all residents and all the thousands of tourists that come into town. The room tax brings revenue into the town. The new 1 cent tax on gasoline is bringing revenue into the town. On January 1, 1977, the water rates were raised again. With all these new malls and extra taxes bringing revenue into the town and the Supervisors still can't manage. To us this means poor city management and planning on their part.

The Rural District pay just as much as the Urban districts pay for services and has about 1/3 of the population.

When the City and County were merged as municipality, this was suppose to mean sharing of the Sheriff Office and the Fire Departments Services.

When we asked the Sheriff's Department and the Fire Department if this would mean an improvement in the services we were told there would be no improvement in services, we would be getting the same as we now are.

We all pay the school bond debt, this is paid city and county wide.

The Sewer & Water bonds are retired from the water & sewer Fees.

Auditorium Bonds are retired from the Room taxes.

The Rural Area paid for their own
Sewer
Water
Curbs
Gutters
Sidewalks
All Lawn Lights
Streets

The City has not paid for any of these improvements.

The Rural District pay a higher sewer rate than the Urban.
Carson City has the Highest sewer rate than any other county
in the State.

Rodriguez said the city supervisors will not give him permission
to hire more appraisers so the city can be assessed every
five years. If the city supervisors allowed Rodriguez to
hire more appraisers, they would more than pay for themselves
by the revenue that would be brought into the city by reappraising
everyone every 5 years. Reappraisal is suppose to be every
5 years according to State Law.

IT IS INTERESTING TO NOTE THAT PROPERTY FROM WASHINGTON STREET TO MAYFAIR MARKET
HAS NOT BEEN APPRAISED SINCE 1970. IT IS A FACT THAT PROPERTY IN THE SOUTHEAST
HAS BEEN APPRAISED 3 TIMES IN AS MANY YEARS!

Tax Rate for Debt Service - 77-78 \$0.198 on a Total Assessed Value of \$119,514,007 to retire bonds for -

Storm Drains

Jail

Hospital

Fire Stations

Sewer & Water bonds retired from Water & Sewer Funds (Fees).

Auditorium bonds retired from Room Taxes.

School Bond debt City-wide (County-wide).

School Operations fund taxes (County-wide).

Additional \$1.506 for:

| | |
|----------------|-------|
| General fund | 1.199 |
| Airport fund | .056 |
| Title 19 | .11 |
| Capital Equip. | .091 |

Total Assessed Value:

| | | |
|-------|--------------------|-------------------|
| Urban | 67,243,466 | <i>50,200,000</i> |
| Rural | 52,270,541 | <i>2,877,500</i> |
| Total | <u>119,514,007</u> | <i>53,077,500</i> |

Fire Chief Groth stated on 3-15-77 that thr Rural district is paying their share. The Federal Government has donated 3 pieces of equipment and the State bought one piece of equipment.

AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS

Date 4-20-77 Time 2 PM Room 243

| Bills or Resolutions to be considered | Subject | Counsel requested* |
|---------------------------------------|--|--------------------|
| SB-396 | Authorizes paid leaves of absence for public officers and employees who engage in certain athletic competition. (BDR 23-930) | |
| SB-511 | Provides for adding representative of Legislative Counsel Bureau to Data Processing Commission. (BDR 19-970) | |
| SCR-35 | Encourages political subdivision to enter cooperative agreements which foster community education. (BDR 1754) | |
| SB-513 | Clarifies certain planning and zoning terms. (BDR 22-1550) | |
| AB-168 | Revises composition of State Environmental Commission (BDR 40-686) | |
| AB-485 | Authorizes cities of Reno and Sparks and Washoe County to issue general obligation bonds to purchase land for park purposes. (BDR S-1795) | |
| AB-658 | Directs administrator of Division of State Lands to convey certain state property to Truckee Meadows Fire Protection District. (BDR S-1892) | |
| AB-673 | Authorizes mergers and amendment of boundaries of unincorporated towns. (BDR 21-1620) | |
| AB-247 | Provides uniform administrative and judicial remedies for certain unlawful discriminatory practices. (BDR 18-138) | |
| AB-439 | Conforms County and City Economic Development Revenue Bond Laws; authorizes furnishing of energy or gas and deletes certain provisions relating to feasibility of projects. (BDR 20-1446) | |
| AB-450 | Creates State Ethics Commission, establishes code of ethical standards for public officers and employees and requires financial disclosure by candidates for and holders of elective public offices. (BDR 23-1057) | |

COMMITTEE ACTION ON THE FOLLOWING

- AB-4 -Increases number of taxing districts in Carson City. (BDR S-624)
- AB-563 -Changes number of members of Nevada state council on the arts and provides for their compensation. (BDR 18-1162)
- AJR-37 -Proposes constitutional amendment to conform constitutional state boundary to actual boundary. (BDR C-1243)
- AB-209 -Provides for administrative hearing before certain actions may be taken against state classified employees. (BDR 23-37)
- AB-410 -Revises provisions relating to reporting of election campaign contributions and expenses. (BDR 24-1085)
- SB-485 -Requires master plans to include areas suited for development. (BDR 22-1548)
- SB-501 -Requires certain cities to participate in metropolitan police department. (BDR 22-1517)
- SB-351 -Creates state ethics commission and provides procedures and ethical rules to govern conduct of elective public officers other than judicial. (BDR