

Present: Chairman Gibson
Senator Close
Senator Don Ashworth
Senator Dodge
Senator Ford
Senator Kosinski
Senator McCorkle

Also Present: Representatives from Douglas
County, legal representatives for
various business entities at Lake
Tahoe
Senator Wilson, Senator Neal,
Senator Young, Assemblyman Dini
Research Department, Legal Counsel, LCB

Chairman Gibson called the select committee to order at 2:00 p.m. to allow the public an opportunity to express their views on the fourth reprint of AB-503.

AB-503 Changes structure and substantive requirements of Tahoe Regional Planning Agency.

Chairman went over the history on the Tahoe Regional Planning Agency over the period of five months and stated that there have been many, many meetings with California and with Nevada entities as well. Chairman called on Fred Weldon, Research Department, to go over the fourth reprint for the committee and audience.

Mr. Weldon stated that the major issues were as follows:

1. Transportation Planning
2. Moratorium
3. Venue Standing (litigation)
4. Others, Definition of Project
May 4, 1979 (date for gaming language)

Under the new Moratorium will be all highways, gaming buildings, except a right vested before the compact was signed. Mr. Weldon pointed out that it did not apply to parking buildings.

The committee discussed the loop road and it was the opinion of those present that something should be written in the bill for allowing the possibility to complete this road.

Chairman Gibson asked Mr. Weldon to indicate California's position on the amendments in the bill.

Mr. Weldon stated that these issues are critical to the bi-state arbitrators. The transportation issue has been the major issue since the voting procedure has not worked out.

Mr. Weldon continued that the amended version on Moratorium has not been transmitted to California so he was unable to comment on their position. The language, however, was not as strong as what was proposed by California for Nevada. There was also a disagreement regarding the venue language, although they are in agreement on intent.

Chairman Gibson asked Mr. Daykin, legal counsel, if the language as provided in the fourth reprint on venue would be binding if it is accepted by California and Mr. Daykin responded that it would be binding.

At this point Chairman Gibson allowed those present to testify on the fourth reprint of the bill.

Gordon Depoli, Attorney representing Park Cattle Company who owns the Park Tahoe casino. Mr. Depoli spoke to the committee on the problems they have had with T.R.P.A. and the number of times they have been sued. Mr. Depoli suggested deleting lines 16 through 20 on Page 16. Mr. Depoli also questioned the interpretation of an aggrieved person. At this point Mr. Depoli presented the committee with a suggested amendment for language on the loop road and reasons for this amendment. (See Attachment #1)

Steve McMorris, Douglas County District Attorney, concurred with comments made by Mr. Depoli and supported language including the loop road completion. Mr. McMorris stated that they are against any moratorium in the Tahoe Basin. Has seen moratoriums before and felt they accomplished little and created many problems.

Mr. McMorris stated that they would like to see the single families excluded from the compact. It will only create hardships and expense for the owners of a single dwelling.

Ron Nahas, Developer and Nevada resident living in the Tahoe basin area, testified in support of the Douglas County District Attorney's suggestions. Mr. Nahas also gave his support to the amendment proposed by Mr. Depoli in attachment #1.

Milton Manoukian, representing Harrah's, suggested that the committee delete the May 4th reference on Page 15. Mr. Manoukian stated that it could affect cases that are in litigation at the present time.

Carol Mast, Manager of the Douglas County General Improvement District, concurred with statements made in an earlier meeting by Senator Young. (See Attachment #2) Mrs. Mast feels that the fourth reprint is worse than living under the restrictions of the C.T.R.P.A. because it will now apply to both sides. Mrs. Mast wanted the third reprint reconsidered. Mrs. Mast also agreed that language should be placed in the bill regarding the loop road and its possible completion.

Gary Sheerin, testified to the committee on the loop road and concurred with earlier testimony regarding the necessity of having something in the bill allowing the opportunity for its completion. Mr. Sheerin stated that the 90 waiting period on line 32 of Page 6 is too long. Should be 25 days. Mr. Sheerin concluded by stating that he also felt that the single family dwelling should be exempted from the bill.

Chairman Gibson asked Senator Wilson about the proposed amendments and Senator Wilson responded that he had no objection to providing language for the completion of the loop road. He also did not object to deleting single family units from the compact.

The committee discussed the proposals made during the meeting and the following action was taken:

- (1) Those seeking court-ordered injunctions or restraining orders must post a bond against damages. (This was to preclude frivolous suits.

Motion to endorse the above mentioned amendment by
Senator Dodge, seconded by Senator Kosinski
Motion carried unanimously.

- (2) Venue language amended to delete "with respect to" on page 16, line 10.

Motion to endorse the above mentioned amendment by
Senator Don Ashworth, seconded by Senator Dodge
Motion carried unanimously.

- (3) Language regarding the 90 day period was discussed. Senator Close felt that 90 days was also too long and suggested a compromise of 45 days.

Senator Don Ashworth moved that the 90 day period be amended out and 30 days be put in its place.

The committee discussed the above mentioned amendments and it was the consensus of opinion from the committee to amend it to be 60 days. Senator Ford proposed the 60 day amendment and Senator McCorkle seconded the motion. Motion carried.

- (4) Language providing an option for consideration of the loop road be amended into the bill, page 14, at the end of line 33 was proposed by Senator Dodge, seconded by Senator Don Ashworth.

- (5) Assemblyman Dini provided the committee with some amending language. Senator Don Ashworth moved to adopt language provided as Attachment #3, seconded by Senator Close. Motion carried

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Senate Committee on.....Government Affairs - Select Committee.....

Date:.....May 28, 1979.....

Page:.....Four.....

The committee discussed the possibility of changing the May 4, 1979 date and Mr. Daykin stated that the deletion of the date on page 15, line 6 would not adversely affect the bill.

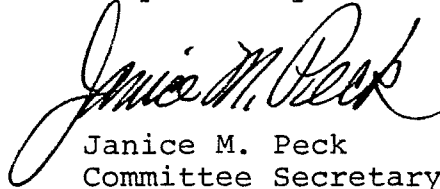
Mr. Manoukian stated that he would prefer to leave it in at this point.

Ken Kjar, Douglas County, asked that the language on the loop road be permissive. The committee agreed and Mr. Daykin stated that he would provide permissive language when working up the amendments.

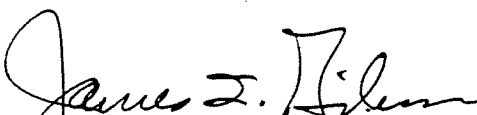
The committee did not have time for any further testimony or consideration of amendments as the Senate was scheduled to go back into session at 4:30.

The meeting was adjourned at 4:25 p.m.

Respectfully submitted,


Janice M. Peck
Committee Secretary

Approved:


Chairman
Senator James I. Gibson

PROPOSED AMENDMENT TO ASSEMBLY BILL 503 (4th REPRINT) PERTAINING TO:

LOOP ROAD

PROPOSED AMENDMENT:

Add at p. 14, l. 33 of 4th Reprint after "automobiles", the sentence:

"This paragraph does not apply to the Loop Road which the State of California shall undertake to complete in the City of South Lake Tahoe and El Dorado County within one (1) year after the effective date of these provisions."

REASON:

The Loop Road has already been completed in the State of Nevada and has had a definable beneficial effect on the reduction of traffic congestion in the casino corridor at Stateline, Nevada. Numerous studies and evaluations that have been conducted under the auspices of both the State of Nevada and the State of California have concluded that the completion of the Loop Road in the State of California would have an immediate beneficial effect on the reduction of traffic congestion at the south end of Lake Tahoe.

EXHIBIT 1

1322 # 1

ASSEMBLY ACTION		SENATE ACTION		Senate	AMENDMENT BLANK
Adopted	<input type="checkbox"/>	Adopted	<input type="checkbox"/>	AMENDMENTS to <u>Assembly</u>	
Lost	<input type="checkbox"/>	Lost	<input type="checkbox"/>	<u>Joint</u>	
Date:		Date:		Bill No. <u>503</u>	Resolution No. _____
Initial:		Initial:		BDR <u>22-1950</u>	
Concurred in	<input type="checkbox"/>	Concurred in	<input type="checkbox"/>	Proposed by <u>Senator Young</u>	
Not concurred in	<input type="checkbox"/>	Not concurred in	<input type="checkbox"/>		
Date:		Date:			
Initial:		Initial:			

Amendment N^o 1428

Replaces Amendment No. 1417.
Conflicts with Amendment No. 1429.

Amend section 1, page 14, by deleting lines 38 through 41 and inserting:

"(3) Except as otherwise provided in this paragraph, no new subdivision may be approved unless a substantially complete tentative map has been filed with the appropriate local jurisdiction before the effective date of the amendments to this compact. The subdivision of land owned by a general improvement district may be approved if subdivision of the land is necessary to avoid insolvency of the district.

"(4) Except as otherwise provided in this paragraph, no apartment building or condominium may be erected unless a".

Amend section 1, page 14, line 44, by inserting after period "A condominium may be erected on land owned by a general improvement district if erection of the condominium is necessary to avoid insolvency of the district.".

Amend section 4, page 22, by deleting lines 17 through 20 and inserting:

"(c) Except as otherwise provided in this paragraph, no new subdivision may be approved unless a substantially complete tentative map has been filed with the appropriate local jurisdiction before the effective date of the prohibition imposed by this section. The subdivision of land owned by a general improvement district may be approved if subdivision of the land is necessary to avoid insolvency of the district.

"(d) Except as otherwise provided in this paragraph, no apartment building or condominium may be erected unless a".

Amend section 4, page 22, line 23, by inserting after period "A condominium may be erected on land owned by a general improvement district if erection of the condominium is necessary to avoid insolvency of the district.".

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AMENDMENTS TO FOURTH REPRINT - ARB 503

Amend section (a), page 13, line 30,
by deleting "not"

Amend section (a), page 13, line 31,
by inserting between "therefore"
and "be" the word "not"

Amend section (f), page 20, line 6,
by deleting "not"

Amend section (f), page 20, line ~~6~~ 7,
by inserting between "therefore"
and "be" the word "not"

Amend section (f), page 20, line 11,
by deleting "not"