

Date: March 13, 1979

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Committee in Session at 8:42 am on Tuesday, March 13, 1979.

Senator Keith Ashworth in the Chair.

PRESENT: Chairman Keith Ashworth
Senator Clifton Young
Senator Wilbur Faiss
Senator Jim Kosinski

ABSENT: Vice-Chairman Joe Neal
Senator Rick Blakemore

GUESTS: Ms. Mimi Rodden, Administrator, Division of
Historic Preservation and Archeology
Mr. John Meder, Administrator, Division of State
Parks
Mr. William Middleton, Nevada Art Guild

Chairman Ashworth opened the meeting with the hearing on S.B. 298.

Ms. Mimi Rodden, Administrator, Division of Historic Preservation and Archeology, stated that S.B. 298 was a housekeeping measure which transfers the responsibilities of certain designations from the Division of State Parks to the Division of Historic Preservation and Archeology. She submitted Exhibit "A" to the committee in support of S.B. 298 from the Division of State Parks.

Senator Kosinski questioned the inter-relationship between Section 1 and Section 2. He questioned if this was the removal of the provisions giving authority to the Division of State Parks to declare historical areas. Ms. Rodden concurred.

As to Section 3, Mr. John Meder, Administrator, Division of State Parks, stated that it allows the Division of State Parks to manage and administer the historical and archeological sites on lands managed by the Division. He noted that the legislation was too broad without the additional language.

Senator Young questioned if Section 1 would refer only to public land and if private land is being excluded. She stated that it would exclude private land as other legislation addresses private land; she cited S.B. 147. As S.B. 147 has not as yet been enacted, she stated that provision is made through the National Register of Historic Places on a national level. If S.B. 147 is enacted, the same process would be established on a state level.

Senator Young questioned what would be accomplished by S.B. 298 that would not already be accomplished by S.B. 147. Mr. Meder stated that S.B. 298 applies to an area that was left in the enabling statutes for the Division of State Parks that should have been eliminated when the Division of Historic Preservation and Archeology was created. He could not address Section 1.

Vice-Chairman Neal arrived for the meeting (8:53 am).

Senator Young questioned why the verbage in S.B. 298 was not in conformity with S.B. 147; also, why is S.B. 298 needed if S.B. 147 passes. He stated that the change in authority is not the problem.

Chairman Ashworth suggested eliminating the language in Section 1 of S.B. 298 should S.B. 147 pass. Ms. Rodden stated she would consult the Legislative Counsel Bureau to assure that the purpose of the legislation would be accomplished. Chairman Ashworth stated that S.B. 298 should not be amended at this time in the event S.B. 147 does not pass.

Mr. William Middleton, Nevada Art Guild, spoke in support of S.B. 298. He stated that it is important to catalog areas of historic interest before they are destroyed and commended the committee for their interest.

There being no further testimony, Chairman Ashworth closed the hearing on S.B. 298.

Chairman Ashworth stated that he had received BDR 40-1179 from Senator Faiss to present as a committee introduction. The committee concurred with no objection.

As to A.B. 21, Senator Kosinski stated that Mr. Sam Mamet, Clark County, had submitted a list of possible overlapping statutes. Senator Kosinski said that the Legislative Counsel Bureau Research Division was exploring the matter (Exhibit "B").

S.B. 284 (Exhibit "C")

Senator Young moved to "Indefinitely Postpone" S.B. 284.

Seconded by Senator Neal.

Motion carried.

Yeas -- 4

Nays -- Senator Kosinski

Absent -- Senator Blakemore

S.B. 202

Senator Faiss stated that there are still problems that exist between the community colleges and the universities. Senator Kosinski stated that the community colleges need a strong single voice.

Senator Kosinski moved to "Do Pass" and Re-refer to the Senate Committee on Finance.

Seconded by Senator Faiss.

Motion failed.

Yeas -- 3
Nays -- Senators Young and Neal
Absent -- Senator Blakemore

S.B. 199 (Exhibit "D")

Senator Young moved to "Indefinitely Postpone" S.B. 199.

Seconded by Senator Faiss.

Yeas -- 5
Nays -- None
Absent -- Senator Blakemore

S.J.R. 12 (Exhibit "E")

Senator Faiss moved to "Do Pass" S.J.R. 12.

Seconded by Senator Young.

Discussion: Senator Young questioned if the community colleges currently have a Board of Trustees. Chairman Ashworth stated that they do not. Senator Kosinski stated that he could not support the bill and expressed concern when the bill goes to the floor. He believed that discussion on the floor may be detrimental to the community college system should it not pass through the Senate. He expressed concern as to the possible competition that may result between the community colleges and the universities as to financial and articulation problems.

Motion carried.

Yeas -- 4
Nays -- Senator Kosinski
Absent -- Senator Blakemore

S.J.R. 13 (Exhibit "F")

Senator Faiss moved to "Do Pass" S.J.R. 13.

Seconded by Senator Young.

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Motion carried.

Yeas -- 4

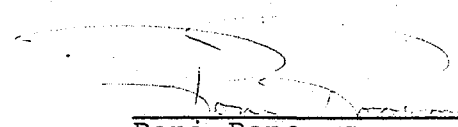
Nays -- Senator Kosinski

Absent -- Senator Blakemore

As to S.B. 202, Senator Kosinski suggested holding the bill until there is an outcome on S.J.R. 12 and S.J.R. 13. The committee concurred.

There being no further business, Chairman Ashworth adjourned the meeting at 9:21 am.

Respectfully submitted,



Roni Ronemus
Committee Secretary

Approved:

Chairman
Senator Keith Ashworth



ROBERT LIST
Governor

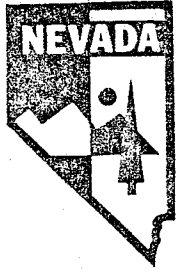


EXHIBIT "A"

In Reply Refer to:

**DIVISION
OF
STATE
PARKS**

March 6, 1979

JOHN L. MEDER
Administrator

SUITE 210
1923 N. CARSON ST.
CAPITOL COMPLEX
CARSON CITY,
NEVADA 89710
(702) 885-4384

Senator Keith Ashworth
Chairman
Senate Human Resources Committee
Legislative Building
Capitol Complex
Carson City, Nevada 89710

Mailing Address:
Capitol Complex
Carson City
Nevada 89710

Dear Senator Ashworth:

The Division of State Parks supports the passage of Senate Bill 298. This bill was designed to clarify the role of the Division of Historic Preservation and Archeology's responsibility in designating historic landmarks, buildings, sites and archeological areas. It also removes this responsibility from the Division of State Parks. Since the Division of Historic Preservation was created in 1977, State Parks no longer needs that authority.

If you have any questions or desire additional information, please call.

Sincerely,

John L. Meder
Administrator

cc: Roland Westergard
Mimi Rodden
Jean Ross

Administration: (702) 885-4384
Operation and Maintenance: (702) 885-4387
Planning and Development: (702) 885-4370

a division of the Department of Conservation and Natural Resources
Roland D. Westergard, Director

O-313

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MEMORANDUM

OFFICE OF THE COUNTY MANAGER

~~RICHARD W. BUNNEY~~
~~COUNTY MANAGER~~

BRUCE W. SPAULDING
Assistant County Manager

TO: SENATE HUMAN RESOURCES AND FACILITIES COMMITTEE

FROM: SAMUEL D. MAMET, MANAGEMENT ANALYST

SUBJECT: A.B. 21

DATE: MARCH 7, 1979

EXHIBIT "B"

MAR 08 1979

We would like to report to the committee on the impact that A.B. 21 would have on present NRS sections. We have researched existing arson investigation enactments and the result of that research is that the following sections of NRS would be affected or need to be harmonized with the proposed legislation:

169.125(10); 169.125(14); 475.130; 475.160; 475.170; 477.030(1)(D);
477.030(2).

We are of the opinion that the cited sections exhaust the present enactments regarding arson investigations. However, legislative counsel may be able to provide further citations.

If we can be of any further assistance in this matter, please contact us.

SDM/mg

S. B. 284

SENATE BILL NO. 284—COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

MARCH 1, 1979

Referred to Committee on Human Resources and Facilities

SUMMARY—Shortens terms of regents of University of Nevada.
(BDR 34-940)FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.AN ACT relating to the University of Nevada; shortening the terms of members
of the board of regents; 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 396.040 is hereby amended to read as follows:
2 396.040 1. [After January 1, 1973, the] *The* board of regents
3 [shall consist] *consists* of nine members to be elected by the registered
4 voters within the following districts:
5 (a) Washoe County [shall be known as] *is* district No. 1, with two
6 members. [of the board of regents residing therein.]
7 (b) Clark County [shall be known as] *is* district No. 2, with five
8 members. [of the board of regents residing therein.]
9 (c) The remainder of the state [shall be known as] *is* district No. 3,
10 with two members. [of the board of regents residing therein, as provided
11 in NRS 396.041.]
12 2. The members of the board of regents [shall] *must* be elected as
13 follows:
14 (a) At the general election in [1972:] *1980*:
15 (1) From district No. 1, one member [of the board of regents
16 shall] *must* be elected for a term of [6] 2 years.
17 (2) From district No. 2, [two members of the board of regents
18 shall be elected for terms of 6 years, and one member of the board of
19 regents shall] *one member must* be elected for a term of 4 years.
20 (3) From district No. 3, [no member shall] *one member must* be
21 elected [.] *for a term of 4 years.*
22 (b) [At the general election in 1974:
23 (1) From district No. 1, one member of the board of regents shall
24 be elected for a term of 6 years.

— 2 —

1 (2) From district No. 2, one member of the board of regents shall
2 be elected for a term of 6 years and one member of the board of regents
3 shall be elected for a term of 2 years.

4 (3) From district No. 3, one member of the board of regents shall
5 be elected for a term of 6 years and one member of the board of regents
6 shall be elected for a term of 2 years.

7 (c) At the general election in 1976:

8 (1) From district No. 1, no members of the board of regents shall
9 be elected.

10 (2) From district No. 2, two members of the board of regents shall
11 be elected for terms of 6 years.

12 (3) From district No. 3, one member of the board of regents shall
13 be elected for a term of 6 years.

14 (d) At the general election in 1978 and thereafter, all terms shall be
15 for 6 years. *The terms of all members of the board of regents elected*
16 *at the general election in 1982 and thereafter are 4 years.*

17 3. **[The members]** *Each term of a member of the board of regents*
18 *[as the board is constituted on May 4, 1971 shall continue to hold office*
19 *for the terms for which they were elected.] begins on the 1st Monday*
20 *of the January next after the appropriate general election.*

21 SEC. 2. This act shall become effective on January 1, 1980, for the
22 purpose of electing members of the board of regents at the general
23 election in 1980. For all other purposes, this act shall become effective
24 on the 1st Monday of January 1981.

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S. B. 199**SENATE BILL NO. 199—SENATORS GLASER, ECHOLS, KEITH
ASHWORTH, FAISS, JACOBSEN AND NEAL**

FEBRUARY 9, 1979

Referred to Committee on Human Resources and Facilities

SUMMARY—Removes community colleges from University of Nevada
System. (BDR 34-244)FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: Yes.EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to education; providing for a community college board; providing for its membership, powers and duties; removing community colleges from the University of Nevada System; providing a penalty; 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. Title 34 of NRS is hereby amended by adding thereto
2 a new chapter to consist of the provisions set forth as sections 2 to 44,
3 inclusive, of this act.
- 4 SEC. 2. As used in this chapter, "board" means the state com-
5 munity college board.
- 6 SEC. 3. The state community college board is hereby created.
- 7 SEC. 4. 1. The board is composed of nine members. One member
8 shall be elected by the registered voters within each of the following dis-
9 tricts, and shall be a resident of the district from which he is elected:
- 10 (a) District No. 1, consists of assembly districts Nos. 23, 24, 25,
11 27 and 28.
- 12 (b) District No. 2, consists of assembly districts Nos. 26, 29, 30,
13 31 and 32.
- 14 (c) District No. 3, consists of assembly districts Nos. 7, 18 and 19;
15 enumeration districts Nos. 242, 243B, 243D, 244, 247B, 248, 291,
16 292, 293 and 294 in assembly district No. 17 and enumeration districts
17 Nos. 241, 249, 279, 280, 281, 282, 283, 284A, 284B, 285, 286, 288,
18 289, 297, 299, 300, 301A, 301B and 302 in assembly district No. 20.
- 19 (d) District No. 4, consists of assembly districts Nos. 1, 2, 3, 4 and
20 enumeration districts Nos. 85, 87, 108 and 147 in assembly district No. 8.
- 21 (e) District No. 5, consists of assembly districts Nos. 5, 10, 13, 15
22 and enumeration districts Nos. 126, 127, 128, 129, 165A and 166 in
23 assembly district No. 8.

Original bill is 33 pages long.
Contact the Research Library for
a copy of the complete bill.

S. J. R. 12

SENATE JOINT RESOLUTION NO. 12—SENATORS GLASER, ECHOLS, FAISS, KEITH ASHWORTH, SLOAN, BLAKE-MORE, JACOBSEN, DON ASHWORTH, NEAL, GIBSON, FORD AND HERNSTADT

FEBRUARY 9, 1979

Referred to Committee on Human Resources and Facilities

SUMMARY—Proposes constitutional amendment providing for appointment of University of Nevada regents and community college trustees. (BDR C-243)

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

SENATE JOINT RESOLUTION—Proposing an amendment to section 7 of article 11 of the constitution of the State of Nevada, relating to education, by requiring the legislature to provide for the appointment and confirmation of the regents of the University of Nevada and allowing the legislature to provide for the appointment and confirmation of trustees of a system of community colleges.

1 *Resolved by the Senate and Assembly of the State of Nevada, jointly,*
2 That section 7 of article 11 of the constitution of the State of Nevada be
3 amended to read as follows:
4 [Sec.] Sec. 7. The [Governor, Secretary of State, and Superin-
5 tendent of Public Instruction, shall for the first Four Years and until their
6 successors are elected and qualified constitute a Board of Regents to con-
7 trol and manage the affairs of the University and the funds of the same
8 under such regulations as may be provided by law. But the Legislature
9 shall at its regular session next preceding the expiration of the term of
10 Office of said Board of Regents provide for the election of a new Board
11 of Regents and define their duties.] *legislature shall provide for the*
12 *appointment and confirmation of a board of seven regents for the Uni-*
13 *versity of Nevada. The legislature may provide for the appointment and*
14 *confirmation of a board of five trustees to control a system of community*
15 *colleges and may prescribe the duties of the trustees.*

S. J. R. 13

SENATE JOINT RESOLUTION NO. 13—SENATORS GLASER,
ECHOLS, FAISS, KEITH ASHWORTH, HERNSTADT, NEAL
AND JACOBSEN

FEBRUARY 9, 1979

Referred to Committee on Human Resources and Facilities

SUMMARY—Proposes constitutional amendments to create community college system under independent board. (BDR C-252)

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

SENATE JOINT RESOLUTION—Proposing amendments to article 11 of the constitution of the State of Nevada, relating to education, creating the community college system under an independent board and requiring reciprocity between the University of Nevada and the community college system.

- 1 *Resolved by the Senate and Assembly of the State of Nevada, jointly,*
2 That article 11 of the constitution of the State of Nevada be amended
3 by adding thereto a new section and by amending sections 5, 6 and 9
4 of article 11, to read respectively as follows:
5 *Sec. 11. The legislature shall provide for the establishment of a sys-*
6 *tem of community colleges under the control of a board of trustees*
7 *electd for that purpose, whose duties and election the legislature shall*
8 *prescribe. The board of regents of the University of Nevada and the*
9 *Board of trustees of the community colleges shall each give full credit*
10 *to persons who have completed academic work in an institution con-*
11 *trolled by the other.*
12 [Sec:] Sec. 5. The Legislature [shall have power to establish]
13 may establish Normal schools, and such different grades of schools, from
14 the primary department to the University, as in their discretion they
15 may deem necessary, and all Professors in [said] the University [, or]
16 and community colleges and all Teachers in [said] the Schools of what-
17 ever grade [.] shall be required to take and subscribe to the oath as
18 prescribed in [Article Fifteenth] *article 15* of this Constitution. No
19 Professor or Teacher who fails to comply with the provisions of any law
20 framed in accordance with the provisions of this Section, [shall be] *is*
21 entitled to receive any portion of the public monies set apart for school
22 purposes.
23 [Section] Sec. 6. In addition to other means provided for the sup-
24 port and maintenance of [said] the university, *community colleges* and

1 common schools, the legislature shall provide for their support and main-
2 tenance by direct legislative appropriation from the general fund, upon
3 the presentation of budgets in the manner required by law.
4 **[Sec:]** Sec. 9. **[No sectarian]** *Sectarian* instruction shall *not* be
5 imparted or tolerated in any school, *college* or University that may be
6 established under this Constitution.

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