

MEMBERS PRESENT: Chairman Dini
 Vice Chairman Schofield
 Mr. Craddock
 Mr. DuBois
 Mr. Jeffrey
 Mr. May
 Mr. Mello
 Mr. Nicholas
 Mr. Polish
 Mr. Prengaman
 Mr. Redelsperger

MEMBERS ABSENT: None

GUESTS: Mr. Lew Dodgion, Environmental Protection
 Mr. Peter G. Morros, DCNR
 Mr. Stephen C. Balkenbush, Attorney General
 Mr. George Campbell, Attorney General
 Ms. Irene Porter, So. Nevada HBA
 Mr. Dwight Millard, CCBA
 Mr. Bryce Wilson,
 Ms. Peggy Twedt, League of Women Voters
 Mr. Gene Milligan, Nev. Assoc. of Realtors
 Mr. G. P. Etcheverry, Nev. League of Cities
 Mr. Joe Cathcart, City of North Las Vegas

Chairman Dini called the meeting to order at 8:05 A.M. He said there were two BDR's for committee introduction. One is BDR-1-103* which permits increasing police judges salaries during their term, and came from Las Vegas. Mr. Mello moved for introduction to refer to committee. Mr. Craddock seconded. Motion carried. The second BDR is 20.1221*² increasing the reimbursement for miles for county officers and employees. Mr. Mello moved for introduction to refer to committee. Seconded by Mr. Jeffrey. Motion carried.

Mr. Dini stated that there were some bills he wanted the committee to consider for cleanup purposes. AB-37, which exempts certain public officers from limitations on employer's payment of employees' contributions to retirement fund, appears to have a lot of problems. Mr. Mello moved to indefinitely postpone AB-37. Mr. DuBois seconded. Motion carried.

On AB-103, since a similar bill has already passed the Senate, I would accept a motion to indefinitely postpone this bill. Mr. Mello so moved. Mr. Polish seconded. Motion carried.

*AB 310

**AB 311

740

AB-17 deals with providing procedure to protest inclusion of additional property by general improvement district. Mr. Dini stated that this bill needs a lot of work. Mr. May moved to INDEFINITELY POSTPONE the bill. Mr. Schofield seconded. Motion carried, with Mr. Prengaman voting NO and Mr. Mello NOT VOTING.

AB-29, which provides for review by state agencies of water quantity and sewage disposal in planned unit developments, was discussed. Mr. Dini indicated that the amended bill would take care of the tentative map review, but we are running into a lot of flack about the second part of the bill on Page 2, Lines 12-14, which say: 'A county recorder shall not file for record any final plan unless it includes a final map containing the same certificates or approval as are required under NRS 278.377'. He asked for anyone who had not previously testified to come forward.

Mr. Peter G. Morros, Assistant Director of the Department of Conservation and Natural Resources, along with Mr. Lew Dodgion, the Administrator for the Department of Environmental Protection, testified. Mr. Morros stated that AB-29 is legislation that was requested by the DCNR to clarify any confusion or ambiguity between Chapters 278 and 278A concerning subdivisions and planned unit developments. The Division of Environmental Protection and the Division of Water Resources have historically interpreted PUDs to fall under the definition of subdivisions until a recent court decision here in Carson City which precluded the application of the provision under NRS-278 regarding water quantity and sewage capacity to PUDs as provided under NRS-278A. These divisions are seriously concerned about the public interest and potential effect on existing and approved developments that would result from additional commitments on water quantity and waste water treatment facilities that are fully allocated. There is also the inequity that occurs in having subdivisions and condominium developments subject to the review process that PUDs are not.

Mr. Dini stated that the problem, then, is that they are circumventing the requirements for sewage and water by not having to file a final map. How does the city council justify the authorization of the PUDs?

Mr. Dodgion said that that question should be posed to the city council. You have a subdivision that was denied on the basis of lack of some resource water or sewage capacity and the title of the plat could simply be changed from subdivision to PUD and filed and recorded. The same thing that was reviewed as a subdivision can be reviewed as a PUD with just a name change.

Mr. Morros said that very simply, the state just cannot do a proper job as far as controlling allocation of both sewage capacity and water quantity with a partial review process. It has to be all or nothing. The language on Lines 12-14 on Page 2 would simply make PUDs consistent with other developments in the review process, as provided under Chapter 278.

Mr. Dini said that apartments are exempt now, too, aren't they?

Mr. Morros stated that they are. Apartment houses have never been a significant factor as far as water allocation and sewage capacity. Historically, they have never been big consumers. Recently, some new problems have developed with apartment houses. A lot of them are being constructed to condominium specifications and being built without a requirement of a review by the state agencies and then once that occurs, they come back and resubmit them as condominium developments. We are keeping a close eye on that particular problem and there may be in the future a need for a request for additional legislation to provide for water quantity and sewage capacity review on apartment complexes, too.

Mr. Morros stated that this only applies to in excess of parcels of five or more, is the definition of subdivisions.

Mr. May asked what the bill would do that is not being done now regarding PUDs.

Mr. Morros said that basically all the court ruled was that there was no specific provision under the PUD law for the review process that is applicable under Chapter 278 to subdivisions and Chapter 117 on condominiums.

Mr. Craddock asked in how many instances in local subdivisions have there been cases for attempts to override state recommendations.

Mr. Morros stated that there has been only one.

Mr. Dini indicated that the problem seems to be concentrated on the development in Carson City and problems with Carson River and Lake Lahontan. They are all interrelated.

Mr. Bryce Wilson, Nevada Association of Counties, testified that the group supports the bill. We find that in the county planning business in the outlying counties, the support and the analysis given to this by the state agencies is very necessary. A copy of Resolution 80-9 in support is attached hereto as EXHIBIT A and is made a part of these minutes.

Ms. Peggy Twedt, representing the League of Women Voters, indicated their support of the bill. Her testimony is attached hereto as EXHIBIT B, and becomes a part of these minutes.

Mr. Dwight Millard, Carson City Builders Association and also representing the Reno Builders Association, spoke against AB-29. We would like to delete on Page 2, Lines 12-14. We feel that PUDs can be directly administered by the local entity. If this review and certification process is put on the state, it will make a financial impact on the Division of Water Resources to furthermore review more maps per year. They have asked for additional funds to assist them in the present backlog they now have. The bill does not address the problems that are really associated. If I was to build a five unit PUD, I would have to have state signatures and certifications. My competitive builder could build next door and build 500 apartments with no state approval of any sort. Where does the water quantity and quality come into his project. Mobile homes are also exempt. It really puts another step in the problems of the home builders dilemma right now, as we see the decline in the economy and the high cost, to put another review step where we think the local entity can take care of it.

Mr. Dini asked if the local governments have done such a good job, why do we have problems with the Carson River and Lake Lahontan. In Carson City, we know there is really not a lot of water available and the sewer capacity is about at maximum, so the city can only get in trouble in not being able to meet the the Clean Water Act. The Reagan administration, it looks like, is going to cut back on on funds to the local governments in the sewer and water area. What to we do if you build another 500 units of PUDs in Carson City in the next eighteen months with no additional sewage capacity.

Mr. Millard stated that Carson City has made an extreme effort in the last two or three years to solve the problem. One of the things that concerns me is that a lot of the state agencies have not recognized a growth management control plan that Carson City has put into effect. It may shock you, gentlemen, but last year, under the growth management plan, there were 100 homes built in Carson City, that's all. The plan is very worthwhile and it has tended to put Carson City in probably one of the outstanding communities in Nevada as far as having some sort of growth plan. The growth is coordinated to our facilities. If 500 PUDs came into Carson City today, they would not be allowed to be built. By the same token, however, under this bill, it would not stop 500 apartment houses or commercial venture or industrial venture or 500-mobile home park from going in. But it would control a PUD. The concept really does not solve the problem.

Mr. Gene Milligan, Nevada Association of Realtors, indicated that he would subscribe to the comments made by the Builders Association and I want to endorse the statement that all this seems to focus on Carson City, that Carson City is highly controlled through the Growth Management Committee. A planned unit development is different from apartment house developments. You have common areas in a PUD, you have a higher density rate, that is the idea of a PUD. Mr. Milligan then illustrated on the blackboard the makeup of a PUD, with cul de sacs and common areas, like a swimming pool and recreation area. The tenant owns his own building and the land under it. It is a form of ownership, unlike the tenants who live in apartment complexes on a month to month. This concluded the testimony on AB-29.

The next bill to be heard is AB-38, which provides for jurisdiction of public service commission over small water companies. He indicated that in the last session, we lowered the jurisdiction of the Public Service Commission to smaller water companies who gross \$5,000 or more. Previously, it was \$10,500. Mr. Heber Hardy is here and perhaps he can tell us how that's working. A problem has arisen and during our subcommittee meetings throughout the state, Lines 27-29 has created the problems. This reads: Every cooperative association or nonprofit corporation or association and every other supplier of water or sewerage is subject to the unlimited jurisdiction, control and regulation of the commission. One example is the Silver Springs Water Company. Mr. Peak is here to discuss this and see if we can get a handle on the companies that are cooperative association types.

Mr. Heber Hardy, Commissioner with the Public Service Commission, stated that in addition to lowering the jurisdictional amount from \$11,000 to \$5,000 last time, which brought more water companies under our jurisdiction, this committee and the Legislature also passed another bill which authorized the PSC to use simplified rules and procedures in addressing the problems of rate relief for small water companies and those two bills in combination have gone a long way to improving the situation as far as dealing with small water companies. We've come up with some innovative things. Not all customers or rate payers are happy with some of the things we have done, but, nevertheless, we felt we had to address the problem of keeping small water companies economically alive so they could improve their service. So, there are some things we have done and I believe we have had no problem with that. The particular problem you relate regarding some of the cooperative association, to my knowledge, this is the only system in Silver Springs that any problem has come to our attention in relationship to the dealings of the cooperative associations. There may be problems, but they have not come to our attention to the point where we had to really deal with them.

I am wondering if there is a possibility of addressing that particular problem by using some language in 704.681 related to the jurisdiction of boards of county commissioners "they regulate by ordinance any person furnishing water supply or sewer services except those persons regulated by the commission the services furnished to its residents by a political subdivision and services furnished to its members by a non-profit association in which the rights and interests of all of its members are equal. I would emphasize in which the rights and interests of all of its members are equal. I think if we put that language back into 704.65, so that it would read: 'every cooperative association or non-profit corporation or association and every other supplier of services described in this chapter, supplying those services for the use of its own members only in which the rights and interests of all its members are equal, is hereby declared to be a factor of the public interest.' I think you would get a situation where every person having an equal vote can control their own destiny as to whether or not they build a new storage tank or whether their rates should be increased and, if so, how much, because it is their problem to supply their own services. I would recommend consideration be given to that kind of amendment to address the problem, rather than subparagraph 2, Lines 27 through 30 requiring every cooperative association and non-profit corporation and every other supplier of water or sewage be subject to the unlimited jurisdiction of the Commission. I think that would create some real havoc. I think that literally stated, that would include regulating every municipal water company in the state, and I don't think you want that, or regulating every general improvement district, etc. The problem that has raised itself very directly is that maybe each member of a cooperative association has equal rights and interest in that company in the operation of the that water company so that they may control their own destiny.

Mr. Dini stated that the problem with that is if you get a large subdivision and the divider has control of the total number of votes in the company then the individual people don't have a right. One person can control the whole destiny of the water company.

Mr. Hardy said that maybe the language that I suggested doesn't do it right. My intention was that each person have one vote. Not one person have one vote for every lot he owns.

Mr. Dini stated that that is what the law says today and there is where the problem is.

Date:..... March 10, 1981

Page:..... 7

We could change the law in 704 to make it very specific. If they are to be exempt from regulation, each person has one vote and one vote only, regardless of how many lots he may own, as far as the water company is concerned.

Mr. Dini asked if the PSC had had any problem since the drop to the \$5,000 gross figure.

Mr. Hardy answered that they have not and they had been able to keep on top of it. The only other thing that might be considered possibly at the next session would be the problem with the developers. Possibly in the exceptions in 703.033 that excluded from the exceptions be any subdivision or development which in its plans plans to serve 25 or more customers, so that you get them from day one, if their plan includes 25 or more customers.

Mr. Joe Cathcart testified that the City of North Las Vegas opposes the bill in its present form. It is ambiguous in several areas. On Page 1, Line 2, it does not include and it lists all the things in Section 1 and Section 2 and you go down to Section 2, it talks about the sale of natural gas; actually, I think this whole section faces that issue. It says other than the sale to the public. I believe that means covering the national gas portion of it. On Page 2, Line 9, it talks about 'or political subdivisions'. The meaning here actually almost takes away our own water utility. Mr. Dini said 'does not include those people'. Mr. Cathcart indicated that when you go a little further in Chapter 675, Line 18 'except as provided in Subsection 2, every cooperative association or non-profit corporation or association and every other supplier of services described. He continued to read from Chapter 675 where ambiguity exists.

Mr. George Peek, spoke for the Nevada Association of Realtors in opposition to the bill, AB-38. He manages two water companies one in Lemon Valley, Valley Water Company, a public utility, and the other is a cooperative water company, in Silver Springs. This one is a non-profit, tax-free company. The PSC regulation is cumbersome on Valley Water Company and the one in Silver Springs. You are always running after the fact. You do not have enough resources to overcome the lag caused in determining rates. It takes up to six months to make rates and a small water company can't stand it. The cost of a rate hearing for our little water company runs up to 5% to 6% - \$15,000 to \$20,000. You can't go in there without being guarded. You have to hire an attorney, you have to have a rate analyst and you have to put it down on paper. You have a real problem in the financial aspects of a utility. Without co-signatures, neither one of the water companies I operate can get a loan. There is no

financing available. There is no rating. At the present time, my father and I have obligated ourselves personally for over \$250,000 in improvements at Silver Springs. We went to the people of Silver Springs, Mr. Dini was aware that there was poor water service out there - undersized lines, low water pressures, and had been receiving complaints about that for a number of years. We went to the people and asked them what they would like to do. We advised them of some possible government assistance. We hired an engineer in Reno to look into it. The people at the annual hearing said they did not want federal assistance because it would cost you a lot more and you have the strings attached. We went ahead in a management capacity and borrowed the money ourselves and improved the water system and increased the \$16.00 rate to \$26.00. We feel that this figure is not an unreasonable amount, for flat rate water. Last year, that's the gripe that came to Mr. Dini, and this year, based on the gripes and just trying to get along, we didn't raise the rate. We have had our annual meeting already. I'm going to have to pay the bill to the bank, one way or another. In PSC rate philosophy, there are very few provisions for debt retirement.

Mr. Peek stated that in regard to a comment made as to voting powers, we have a set of by-laws which have set each lot is a membership. I have one-third of the membership. I can be overruled. At our last year's annual meeting, most of the people understood. I think we have some rabblers out there who came along and said their piece. We hope to further improve the system by putting in fire hydrants and water meters. This takes bucks, gentlemen, and there is no way to get them, except through rates. I don't think the rates are unreasonable.

Mr. Dini stated that maybe you would want the cover of the PSC, following the new procedures which they adopted at the last session of the legislature, a simplified procedure for rate increases. A good example is the Mason Water Company service to the City of Mason and the golf course in Yerington. They did a fast job and it didn't cost the company anything.

Mr. Hardy stated the the storage tank at Silver Springs is oversized. It is not built just for the customers it is presently serving. It is built for future development. Our procedure is that we require a utility to pro rate the investment in facilities that are built beyond what is necessary to serve them, so that whoever the developer is takes the risk on whether or not he sells additional homes in order to get a sufficient number of customers to justify the entire facility. We have a tremendous amount of flack from existing customers who are being asked to pay for oversized facilities which are not necessary just to serve them. We do have simplified procedures in that we require our audit staff to give more direct

Date: March 10, 1981

Page: 10

and complete assistance to the company, the bookkeeper, whoever it is that is doing the accounting. They go in and take a look at the situation and in case after case now, we have stipulations that our staff do everything they can to see that that water company receives sufficient rate relief to carry on their service and also to make capital improvements to improve their service, if necessary. They are there to assist the water company and not require them to go out and get expensive accountants and attorneys. The Valley Water Company, Mr. Hardy, added is one of those which doesn't quite qualify. It is one which is outside the limits; it doesn't qualify as a small water company. But even there, we have adopted simplified procedures to some degree in allowing the energy cost to be recovered almost immediately. Under the procedures, we have written into the rule provisions whereby we can impose a surcharge for the purpose of capital improvements, because some people don't trust the revenue going into funds of some of the owners of small water companies without some accountability. Where we have indicated: yes, you must improve your system, we are going to include a surcharge on the bill, but it will be a trust account to only be used for the purpose of replacing equipment.

Mr. DuBois asked Mr. Peek to elaborate on his statement that every small utility in the state is in trouble.

Mr. Peek answered that I think you will find, maybe 'every' is a little too broad. But those regulated by the PSC, I think you will find are not making a reasonable return. By the time they get through with the lag.

Mr. Craddock asked how many customers there were in Silver Springs. Mr. Peek answered: 310.

Mr. Schofield asked if he was against the bill.

Mr. Peak answered that the PSC is not the answer. They have hurt a number of small investor type of water company, financially. I am against the bill.

Mr. Peek indicated he would sit down with the staff of PSC and try to work out the Silver Springs problems.

Mr. May asked of the two-thirds outstanding stock how many people are represented. Mr. Peek answered there are 1600 lots so it would be 300 over 1600 (3/16).

The next person to testify was Ron Mayhaus, a real estate developer. I am opposed to unlimited jurisdiction as provided by this bill for the simple reason that I don't believe it attacks the problem.

Date: March 10, 1981

Page: 11

It will create a very unwieldy situation for small users. There are a lot of people supplying water that have ten to twelve customers. If you have a \$1,000 legal bill on ten customers is \$100 a year. Small water companies have rapidly changing costs. One repair bill could easily run \$1,000. You don't want a situation in which the water company owner has to go to the PSC and make sure he is going to get a rate increase before he fixes a pump. Small water companies cannot borrow money. Small water companies have little capital. There are many water companies currently subject to jurisdiction whose largest yearly expense are expenses that have to do with applications and processing and simply dealing with the PSC. There are two problems here. One is the question of disclosure. One of the problems is that people are paying too a rate. They should be told they are paying too low a rate up front. It should be handled under the Nevada subdivision laws. The other problem is inadequate water systems built to fall apart. Construction is poor. The PSC currently review the construction of systems whether or not those systems are subject to their jurisdiction. There are problems created by systems past. As in the case of Silver Springs, they are beginning to work themselves out. But I don't think that extending rate jurisdiction to all water purveyors is a solution or a proper approach to the problem.

Mr. Craddock stated that it might be interesting for us to do some research on remedies on disclosure. The remedy that he is talking about is there under Federal law.

This concluded the testimony on AB-38.

The next bill to be heard is AB-104

Mr. Bob Sullivan, Carson River Basin COG. He indicated that he, Bryce Wilson and Jack Warnecke led the committee through the bill about three weeks ago. I just want to remind you that contrary to some popular opinion, this is not just a Douglas County bill. We touched base with several Nevada counties prior to bringing it before you, and some of their representatives are here this morning to testify.

Mr. Dini said: Bob, let me ask you a question first. On Line 14, Page 1, where it says "subsequent parcel map with respect to a single parcel or contiguous tract of", how about if we bracket out 'single parcel'?

Mr. Sullivan deferred to the staffs of the planning departments.

Mr. Bryce Wilson, Nevada Association of Counties, pointed out that Douglas County furnishes an example of the latter stages of what is just beginning to happen elsewhere in the state. That is principally why we have Douglas County experts in the planning business here. They are close and can get here more or less on short notice.

They can explain and illustrate how the existing law works, what the existing law has resulted in, how AB-104 will help to correct this problem, and why correction is necessary. I would like to introduce Mr. Andy Burnham who is Director of Planning in Douglas County and Mr. John Rentz, of the planning staff.

Mr. Burnham stated that they would like to cast their support in favor of this provision. We have in Douglas County some considerable areas that are developed now primarily with the parcel map process. He then indicated on a posted map the area called Johnson Lane. It comprises some 4,000 acres and we expect that there will be 3,000 home sites there in the future. There are two subdivisions that have been done in recent times that have improvements. The balance of the subdivisions do not have any road improvements, other than individual wells. There is an absence of improvements in the Johnson Lane area. There are two main paved roads that serve the area. We also have an area called Jacks Valley with similar problems. We have maps that are even a fourth generation of parceling. The new language in the bill does speak to the subsequent parceling of a parcel and allows the counties to require subdivision improvements regardless of the ownership. This is important because the reparceling of a parcel is usually done by a subsequent owner. That is really where the impacts come to lay. Practically speaking, the county will not normally require the massive improvements that may be associated with a subdivision and that is because of the nature of the development. There is only so much you can require of only four parcels. Normally, this would include looking at drainage, especially in the Johnson Lane area. Underground utilities are looked at in lots that are very small. In the Johnson Lane area, you have one acre density, primarily, with individual wells or septic tanks, and might be able to require with a provision of this bill that where they adjoin water systems that they tie into those water systems so that we don't have the impact of, for example, 3,000 wells penetrating the aqua(fir). It is these kinds of things we would be looking for as a result of this bill. We would be looking for reasonable improvement but not more than would be required of a subdivision. In Section 2 you can require other types of improvements if you are within 660 feet of a proposed parcel. You can require consistent types of improvements.

Mr. Don Bayer, representing Washoe County and the Regional Planning Commission for Reno and Washoe County, stated that we don't have the authority under existing laws to ask for improvements that ultimately are requested by the people who move into these areas. Then we are faced, as a county, to support the improvements that are necessary to provide for the access, drainage, etc. for these areas that are eventually subdivided. You can four by four these parcels into a major subdivision without the benefit of providing the improvements

that normally would be required with these subdivisions. The law, as proposed now, would give the county the opportunity to ask for those improvements that are necessary and then the burden of providing these wouldn't be on the residents that don't even live in the areas that are affected. The law does say 'may', it doesn't say 'shall', so there is still the option at the local level to review these requirements.

Mr. Jeffrey asked how are you getting the backhoe systems into these areas now.

Mr. Bayer answered that the initial improvement that is called for is just simply street grading and drainage as necessary. It really does not amount to a great deal of improvements. The subsequent parceling would require normal kind of improvements so that the burden is not on the first person that makes this initial division. It is on subsequent developers if it's under his same ownership; if it changes hands, then you can't ask for those kinds of improvements.

Mr. Ross Culbertson, contract lobbyist representing the Nevada Home Builders Association, testified that there are approximately fifteen bills on AB-278 that seem to discourage home builders.

Mr. Gene Milligan, Nevada Association of Realtors, testified in opposition to the bill.

This concluded the testimony on AB-104.

Mr. Dini asked for a report on AB-94.

Mr. Nicholas indicated that there would be a meeting this afternoon to discuss the bill.

Mr. Dini said he would appoint a subcommittee on AB-38. He appointed Mr. Craddock and Mr. Redelsperger.

Mr. Dini asked for a motion on AB-104.

A motion was made and seconded to indefinitely postpone AB-104.

A roll call vote was taken by the secretary, a copy of which is attached hereto and made a part of these minutes. Motion carried.

Mr. Dini stated that we were discussing on AB-29 the possibility of an amendment on Lines 12 through 14 on Page 2 and make it so they have to make the certification within 30 days.

Mr. May moved an AMEND AND DO PASS. Seconded by Mr. Prengaman. The amendment would include a 30 day period in which an answer would be given. A roll call vote was taken and a copy of same is attached hereto and made a part of these minutes. Motion defeated.

Mr. Dini asked if there was any other business to take up today. There being none, the meeting was adjourned.

Respectfully submitted,

Lucille Hill
Lucille Hill
Assembly Attache

ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE

GUEST LIST

Date March 10, 1981

PLEASE PRINT

<u>PLEASE PRINT YOUR NAME</u>	<u>PLEASE PRINT REPRESENTING:</u>		<u>I WISH TO SPEAK</u>		<u>BILL NO.</u>
			<u>FOR</u>	<u>AGAINST</u>	
Low Dodgin	Environmental Protection	✓	X		AB 29
Peter G. Morvos	D C W R ASSIST. DIR.	✓	X		AB 29
Stephen C. Balkenbush	AH. Gen	✓	✓		AB 29
George Campbell	AH. Gen	✓	✓		AB 29
Gene Carter	S. Nev. HBA			✓	AB 29
DWIGHT MILLARD	CCBA			✓	AB 29
Brice Wilson	Co A's assoc		✓		
Peggy Tweedt	LWV w/ty		✓		
Gene MIMIGAN	Nev. ASSOC REALTOR			✓	

PLEASE PRINT

ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE

GUEST LIST

Date 3-10

<u>PLEASE PRINT YOUR NAME</u>	<u>PLEASE PRINT REPRESENTING:</u>	<u>I WISH TO SPEAK</u>		
		<u>FOR</u>	<u>AGAINST</u>	<u>BILL NO.</u>
G. L. Etcheberry	NEW LEAGUE OF CIVIL			AB 38 AB 31
Joe Cathcart	City of North Las Vegas		✓	AB 38

ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE

LEGISLATION ACTION

DATE 3-10-81

SUBJECT AB ~~27~~ 104

MOTION

Do Pass _____ Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By _____ Seconded By _____

AMENDMENT

Moved By _____ Seconded By _____

AMENDMENT

Moved By _____ Seconded By _____

VOTE:	MOTION		<i>Abstain</i>	AMEND		AMEND	
	Yes	No		Yes	No	Yes	No
MR. CRADDOCK	X						
MR. DuBOIS	X	X					
MR. JEFFREY	X						
MR. MAY	X						
MR. MELLO	X						
MR. NICHOLAS			X				
MR. POLISH	X						
MR. PRENGAMAN		X					
MR. REDELSPERGER	X						
MR. SCHOFIELD	X						
MR. DINI		X					

TALLY

ORIGINAL MOTION: Passed Defeat _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

ATTACHED TO MINUTES DATED 3-10-81

ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE

LEGISLATION ACTION

DATE 3-10-81
SUBJECT AB 29

MOTION

Do Pass Amend Indefinitely Postpone _____ Reconsider _____

Moved By Mr. May Seconded By Mr. Prengaman

AMENDMENT

Moved By _____ Seconded By _____

AMENDMENT

Moved By _____ Seconded By _____

MOTION

AMEND

AMEND

VOTE:

	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
MR. CRADDOCK	<u>X</u>					
MR. DuBOIS		<u>X</u>				
MR. JEFFREY		<u>X</u>				
MR. MAY	<u>X</u>					
MR. MELLO						
MR. NICHOLAS		<u>X</u>				
MR. POLISH		<u>X</u>				
MR. PRENGAMAN	<u>X</u>					
MR. REDELSPERGER	<u>X</u>					
MR. SCHOFIELD		<u>X</u>				
MR. DINI	<u>X</u>					

TALLY

5

ORIGINAL MOTION: Passed _____ Defeat Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

ATTACHED TO MINUTES DATED



RESOLUTION 80-9

RE: REDIVISION OF PARCELS

WHEREAS, Nevada landowners holding large tracts of land may exercise their option to divide their lands for the purpose of generating assets; and

WHEREAS, to match the local governments' ability to provide services to higher population densities that accompany divisions of land and to protect neighboring land uses, the Legislature has enabled local governments to zone and regulate growth in their jurisdictions through a public process; and

WHEREAS, occasionally in the redivision of large tracts or parcels of land as authorized by the Nevada Revised Statutes, the intent of the redivision is not consistent with locally developed zoning densities and subdivision laws;

NOW, THEREFORE, BE IT RESOLVED that the Nevada Association of Counties requests the 1981 State Legislature to amend the Nevada Revised Statutes 278.462 so that the second division of any parcel, regardless of ownership, must fall under authorities granted in the subdivision section of Nevada Revised Statutes Chapter 278.

PASSED AND ADOPTED this 15th day of November, 1980.

Jack R. Petitti
JACK R. PETITTI, PRESIDENT

ATTEST:

Thalia M. Dondero
THALIA M. DONDERO, SECRETARY

PRESIDENT
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THALIA M. DONDERO
VALLEY BANK PLAZA
SUITE 1111
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

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League of Women Voters of Nevada



The League of Women Voters of Nevada supports AB 29. This bill clears up a semantic loopole now in the law. Even though a court ruled that Planned Unit Developments (PUDs) did not fall under the definition of a subdivision or a condominium, PUDs do add sizeable numbers of dwelling units. PUDs should come under state review in the areas of water quality and quantity and sewage capacity for the same reasons the state now reviews subdivisions and condominiums.

What are those reasons? Why should the state review any development - condominiums, subdivisions or planned unit developments? First, most local governments in Nevada do not have the expertise to deal with this type of review. Recently, in a Government Affairs committee in the Senate on SB 273, Douglas County's district attorney testified to this point.

Second, in locals that feel they do have the expertise to review growth in terms of water quantity and quality and sewage capacity, the question should be raised as to when this review occurs. If the review is done at the time building permits are issued, many individual lot owners may find themselves disappointed and unable to build on lots they have already purchased. It is this situation that originally brought about state review of subdivisions. The League supports long range planning of developments, especially in terms of the available natural resources. The League feels the review should be done at the time large developments are proposed.

Even if the locals did the review in the initial stages of large development projects, there is an advantage to having this review done at the state level. Locals are under terrific pressure to approve new developments. Removing the review process one step allows for a more neutral position in making judgements on water quality and quantity and sewage capacity. To this end the League supports AB 29 and gives its continued support for state review of subdivisions and condominiums.