

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

MEMBERS ABSENT: Vice Chairman Schofield (excused because of
a death in his family)

GUESTS: Esther Nicholson, LWV

Chairman Dini called the meeting to order at 10:30 A.M. AB-101 regarding the open meeting law was discussed. We had a sub-committee composed of Mr. Jeffrey and Mr. Prengaman to put together the various proposals.

Mr. Prengaman stated that a number of amendments were suggested and a copy of the subcommittee's report and amendment wording is attached as EXHIBIT A, and is made a part of these minutes.

Mr. Dini reviewed the amendments with the committee and Mr. Mello then moved an AMEND AND DO PASS. Mr. Redelsperger seconded. A copy of the roll call vote is attached. Motion carried.

On AB-8 - regarding irrigation ditches - Mr. May reported for his subcommittee. We talked with the Dean of Agriculture, UNR, the Lyon County Irrigation District, interested people, Mr. Bergevin, the original sponsor of this bill, and they all felt, subject to the bill drafter's cleaning up, we came up with an amendment, a copy of which is attached hereto as EXHIBIT B and made a part of these minutes. Mr. May added that it should also include cities and counties. Mr. May moved to AMEND AND DO PASS, seconded by Mr. Mello. With no opposition, the motion carried.

On AB-2: - Airport Authority - Mr. Dini suggested that he would like to see the part of the bill increasing representation for Sparks processed while the rest of the bill can be discussed. The reason being that since no one is opposed to AB-2 in its present makeup of adding one more member from Sparks, and it would give us an opportunity to test the wind and see where we are. Mr. Nicholas made a motion to DO PASS.

Mr. Mello said he would like to back for a moment. Does this specify where the chairman shall come from.

Mr. Dini answered 'no'.

Mr. Mello indicated that some of the testifiers had indicated they were not opposed to the chairman coming from Reno.

Mr. Dini stated that that is a sly way of negating Reno's ability to have four guys on the board and take one of their votes away. That's the wrong way to do it.

Mr. Mello stated that what you are saying is that it would be all right to take one of Sparks' votes away.

Mr. Dini said: No, I am not in favor of anything like that. I don't even like the chairman of the board not being entitled to vote.

Mr. Mello: Well, I didn't say whether he would be able to vote. If he can't, we were going to leave that in the bill.

Mr. Dini: Well, do you think that ought to be changed?

Mr. Mello: It's fine with me. I have no problem with that. If you take that out of there, I have no problem where the chairman should come from. Leaving that in there, there is little reason to give Sparks another vote if one of those comes from Sparks.

Mr. Nicholas: Mr. Mello, as we look at Page 2, Lines 14 and 15, will the simple deletion of those lines achieve that particular ...

Mr. Mello: I think that everyone can see what I am saying. There's no point in giving Sparks another vote on here if that individual is elected, or one of them, chairman. It does nothing.

Mr. Nicholas indicated he would withdraw his DO PASS MOTION, in the event that there might be someone else who might want to make the motion.

Mr. Mello: Maybe the author might like to say something.

Mrs. Westall: I don't see what the fuss is. Everybody knows that a chairman has a degree of latitude and authority that sort of makes up for not having a vote. Maybe the chairman would be from Sparks, maybe he would be from Reno, maybe from the county. But it seems to me that it equals out.

Mr. Mello: I disagree. I would really hate to see the chairman of this committee, or the chairman of any committee here, still has a certain degree of power and being able to set the agenda and all of that and not have a vote. I don't understand the...

Mrs. Westall: The Sparks Mayor doesn't have a vote, Don.

Mr. Mello: We're not talking about city government.

Mrs. Westall: But it works well.

Mr. Mello: The Sparks mayor is Mayor, not council, so we are talking about something completely different. We are talking about airport authority and those people who serve on there should have a vote. I do have opposition to it. If we add one from Sparks and that individual is elected chairman, he will not have a vote.

Mrs. Westall: What makes you think he will be.

Mr. Mello: What makes you think he won't be.

Mr. Craddock: There doesn't seem to have been one case on record where the people have had problems with split votes on the Washoe Airport Authority today. I don't have a problem with or without. I really couldn't care less.

Mr. Dini suggested that we delete Lines 14 and 15 on Page 2.

Mr. Mello: Mr. Chairman, As I read the bill, it gives Sparks another voice on the board. If you take that voice away from that person, or any other person on there, you certainly are not doing any justice, as far as I'm concerned to even have an airport authority. Those people should have a vote.

Mr. Craddock: Mr. Chairman, I don't think there's a good chance of a 4-4 tie.

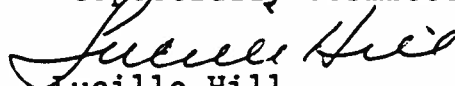
Mr. Dini: No, it's not that type of a board.

Mr. Dini indicated that Mr. DuBois moves to AMEND AND DO PASS.

Mr. Nicholas seconded. Motion carried. No opposition.

Mr. Dini said that will conclude today's meeting. It was adjourned at 10:55 A.M.

Respectfully submitted,



Lucille Hill
Assembly Attache

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ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE

GUEST LIST

Date 3/9/81

<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>
<i>ESTER M. GILSON</i>	<i>LWV</i>	<input checked="" type="checkbox"/>		<i>AB 101</i>

*Did not
testify*

ASSEMBLY

AGENDA FOR COMMITTEE ON.....GOVERNMENT AFFAIRS.....

Monday

Date.....March 9, 1981.....Time.....10:00 A.M.....Room.....214.....

Bills or Resolutions
to be considered

Subject

Counsel
requested*

AB 101

Requires public bodies to receive
public comment at meetings.

*Please do not ask for counsel unless necessary.

ASSEMBLY BILL 101

SUBCOMMITTEE REPORT

ASSEMBLYMAN JACK JEFFREY
ASSEMBLYMAN PAUL PRENGAMAN

SUGGESTED AMENDMENTS:

FROM BILL ISAEFF, ATTORNEY GENERAL'S OFFICE

INTENT: TO PROTECT JUDICIAL HEARINGS

Subsection 3.

This section does not apply when the public body is in open meeting conducting a hearing in a contested case.

INTENT: TO SET LIMITS ON TESTIMONY.

Subsection 4.

Nothing contained in this section shall prohibit the presiding officer from establishing reasonable limits on the number of persons to be heard or the time allowed for testimony or comments.

INTENT: TO PROTECT QUASI-JUDICIAL HEARINGS

Mr. Isaeff suggested exempting the Gaming Control Commission and the Parole Board from provisions of this section.

FROM BOB COX, LEGAL COUNSEL TO THE WASHOE COUNTY SCHOOL BOARD

INTENT: TO SET LIMITS ON TESTIMONY.

Subsection 3.

A public body shall adopt rules consistent with Roberts Rules of Order, Revised, for the conduct of all its meetings to insure orderly conduct. The public body may limit public input which is found to be accumulative, repetitive or disorderly.

FROM CHAIRMAN DINI (AMENDMENT GIVEN TO HIM)

Strike paragraph 2 of Section 1 and insert the following new language:

2. The public body shall provide in its agenda an opportunity for persons attending the meeting to be heard prior to action being taken on an agenda item.

FROM CHAIRMAN DINI (AMENDMENT GIVEN TO HIM)

AB 101 (REVISED)

Section 1. Chapter 241 of N.R.S. is hereby amended by adding thereto a new section which shall read as follows:

1. The presiding officer of a public body shall, at all open meetings, allow pertinent testimony or comment from members of the community on any matter listed on the agenda at its appropriate time, including any matter continued from a previous meeting.
2. The presiding officer shall determine the length of the testimony or comment and the sequence in which individuals may be heard.
3. Before a public body makes a decision on any matter over which it has supervision, control, jurisdiction, or advisory power which by law requires a public hearing, the presiding officer of the body shall request comments from any members of the general public who are attending the meeting.

SIXTY-FIRST NEVADA LEGISLATURE

ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE

LEGISLATION ACTION

DATE 3-9-81

SUBJECT AB-101

MOTION

Do Pass Amend Indefinitely Postpone Reconsider

Moved By Mr. Mello Seconded By Mr. Redelsperger

AMENDMENT See Exhibit A.

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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. DuBOIS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. JEFFREY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. MAY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. MELLO	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. NICHOLAS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. POLISH	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. PRENGAMAN	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. REDELSPERGER	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. SCHOFIELD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. DINI	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

TALLY

ORIGINAL MOTION: Passed _____ Defeat _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

The governing body may adopt, by ordinance, such requirements as they feel are necessary regarding existing right-of-way or easements for any existing irrigation ditch; easements of sufficient width for the maintenance or dredging of same, access for dredging or maintenance, rechaneling, providing, however, the point of ingress and egress for the same are not changed and providing that the normal flow of water is not disturbed, fencing underground carrying ability and such other items as may be deemed necessary.