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MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON NATURAL RESOURCES

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
February 16, 1981

The Senate Committee on Natural Resources was called to order by Chairman Norman Glaser at 1:30 P. M., Monday, February 16, 1981, in Room 323 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

- Senator Norman D. Glaser, Chairman
- Senator Wilbur Faiss, Vice Chairman
- Senator James H. Bilbray
- Senator Lawrence E. Jacobsen
- Senator Joe Neal

COMMITTEE MEMBER ABSENT:

- Senator Floyd R. Lamb

GUEST LEGISLATOR:

- Senator Thomas R. C. Wilson

STAFF MEMBERS PRESENT:

- Robert E. Erickson, Senior Research Analyst
- Carolyn L. Freeland, Committee Secretary

SENATE BILL NO. 177--REMOVES DUPLICATIVE STATUTORY PROVISION CONCERNING IDENTIFICATION NUMBERING FOR MOTORBOATS.

Mr. Frank Daykin, Legislative Counsel, briefly explained this bill. It is proposed to remove duplicate language from NRS 488.075 which is identical to language in NRS 488.105. There was no other testimony offered on this bill.

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SENATE BILL NO. 175--PROVIDES FOR STATE TO ACQUIRE CAPITAL
IMPROVEMENTS MADE FOR "MX" MISSILE PROJECT.

Chairman Glaser briefly explained the bill and said the intent is obvious. Mr. Jac Shaw, Director of State Lands, said his department is in favor of this bill. He said the bill does present the state with a tremendous potential, and he feels it is important to act now to protect future interests of Nevada. However, he does not feel the bill gets into enough detail in certain areas; he does think these details could be worked out.

Mr. Russ McDonald, attorney for the Truckee Meadows Water Association, spoke briefly in favor of the bill.

There was short discussion regarding any roads which might accrue to the state as a result of this bill, and the maintenance thereof. There were also questions raised as to the time the state might take title to these improvements.

Senator Faiss asked why the Nevada Test Site was not included in this bill. Mr. McDonald replied that ancillary points were not considered initially, and said that perhaps amendments to the bill could be drafted, if they would apply.

Mr. Steve Bradhurst, director of the state MX office, offered a few comments regarding the bill. He said maintenance and operation of acquisitions resulting from this legislation should be kept in mind, in addition to the impact upon local facilities.

Senator Wilson then testified. He stated this bill is addressed solely to improvements necessary for the construction of the MX system, and its purpose is a simple one. He said the MX system would be the largest construction project in the history of mankind. He feels that now is the strategic time to enter into an agreement with the United States Air Force for the acquisition of the capital improvements which would result from the building of the MX system. Senator Wilson said that if the improvements are not acquired by the state, one can expect them to be spun off to various federal agencies, and that vital control of such plants would be lost to Nevada. The bill is designed to empower the Department of Natural Resources to negotiate by its Land Division to take title to improvements which are necessary to construction but not necessary to operation of the final facility. He feels the timing for negotiation is right now--a year from now it might not be. Senator Wilson said this bill is in no way a commitment on the part of Nevada saying it wants the MX. Mr. G. P. Etchevery, Nevada League of Cities, said he concurs with this bill. However, he expressed some concerns of local governments with the MX improvements and the burdens which they might impose upon local entities.

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Mr. Bob Warren, representing the Nevada Mining Association, says the Association offers its support for this bill as it offers a positive impact for the mining industry.

Mr. Wayne Hage of the Nevada Cattlemen's Association said his group supports Senate Bill No. 175. However, he questioned why no mention had been made of the land which the Air Force proposes to use for the capital improvements, the land which the Air Force proposes to take in fee, such as the actual missile sites themselves. He said the Association questions the need of the bill, as it doesn't force the Air Force to negotiate, and suggested perhaps there might be considered a Senate joint resolution to involve our Congressional delegation in addressing legislation for this matter on a national level. Such legislation would ensure the Air Force would indeed then enter into negotiations with the State of Nevada.

It was noted by Senator Bilbray that Senator Wilson had mentioned the Air Force had indicated that if a bill such as this one was passed, it would negotiate with the state.

There being no further testimony, the hearing on Senate Bill No. 175 was concluded.

SENATE BILL NO. 163--PROVIDES FOR URBAN SUBDISTRICTS WITHIN WATER CONSERVANCY DISTRICTS.

Mr. Louis Gardella, representing the Truckee River Water Users Association, referred the committee to Mr. Richard MacDougall, Washoe-Storey Conservation District, who presented slides dealing with problems of water disposal and dispersal in the Truckee Meadows, specifically problems where agriculture land usage is fading out and urban use is coming in. Mr. Gardella also submitted written reports (Exhibit C and Exhibit D) setting forth the aims and goals of the Association (Exhibit C) and observations on water rights (Exhibit D).

Mr. Claude Dukes, Water Master, then spoke. He gave a brief history of irrigation development in the Truckee Meadows. Initially, irrigation served a large area of agricultural development. After World War II, there was rapid urban development in the area and the ditches which had previously traversed open fields were engulfed by the cities of Reno and Sparks. The ditches became drain ditches as well as irrigation ditches. However, they were maintained, financially as well as physically, by the farmers of the agricultural community. The burden became so great that in at least one instance, the ditch has been taken over by a municipality, primarily to serve as a storm drain, but also to serve the small remaining agricultural interests.

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Mr. Dukes went on to say that this method is not possible in all of the ditches in the area; some ditches travel through two cities (Reno and Sparks); some ditches go from the county into the cities and back out into the county again. As a result, the local government entities, at the present time, find themselves in a difficult position to take over the ditches. Therefore, it was felt by the members of the Truckee Meadows Water Users committee the only solution would be some type of organization on some government level that could take over the operation and maintenance of those ditches, having a tax base to support it. Mr. Dukes pointed out there are a number of communities throughout the State of Nevada facing a similar situation, or close to it. It was felt that legislation should be encouraged to establish a mechanism whereby that level of government could be created to handle the problem--the operation of the ditches described above.

Chairman Glaser then said that as he understands the bill, 25 people or more may organize one of these subdistricts which in turn will take over the operation of a canal or ditch, or a number of them.

Mr. Russ McDonald then explained the bill in detail. He said he and Mr. Daykin worked very closely on the development of the language in the bill. He referred specifically to page 1, line 7 in Senate Bill No. 163. He said the present law authorizes the creation of subconservancy districts and described the criteria for such creation. In the final analysis, there would be resort to a judicial process to handle inherent problems. Mr. McDonald envisions, if the bill passes and a resulting petition qualifies, it would result in a hearing that would undoubtedly have to go to a Water Master.

There was discussion regarding the creation of urban subdistricts. Chairman Glaser wished to know about eligibility to vote on a particular issue. Mr. McDonald answered that all people within the geographical subdivision as defined by court order would vote, but he qualified his answer by saying it was not a definitive one. Mr. McDonald said this bill would designate responsibility for flooding and concomitant problems at a nominal cost. Senator Neal wished to know if this bill is for the sole purpose of control of flooding and Mr. McDonald replied, "Yes," as stated in the bill. Senator Neal was concerned about creation of districts, and cooperation among them to work out common problems. Mr. McDonald explained that there are innumerable water districts and there are four or five, at minimum, statutory agencies dealing with water, but none which answer the particular problem in the Truckee Meadows, nor are able to answer the problem.

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Senator Bilbray asked if there would be a constitutional problem in having two different standards of setting up the sub-districts. Mr. McDonald replied that he did not see such a problem as everyone is treated equally. He feels that this group of people is a special class and therefore could be justified constitutionally.

Senator Neal asked why public utility ditches are being exempted in the bill. Mr. McDonald replied that the Sierra Pacific Power Company ditches are being maintained. Mr. Gardella added that in the ditches which the power company are utilizing, there is little or no irrigation, and they are an entirely different type of a ditch.

Mr. James Hawke, Administrator of the Nevada Division of Water Planning, then testified. He pointed out the need for this kind of legislation. He does support the bill as it provides a stable management organization for controlling and maintaining and operating the designated ditches. The proposed financial structure has the capability to deal with the maintenance and improvements needing to be made. The accountability and responsibility is provided for in this measure. He feels the bill will provide for the development of some long-term consistency in the operation and management rationale that would be used to guide the maintenance of the ditches. Mr. Hawke added the type of structure being proposed is appropriate as opposed to placing the responsibility in any other government form. He feels this proposal is something needed immediately in the Truckee Meadows area.

Senator Neal asked where the ditch water runs to. Mr. Hawke said the water would go to the irrigators if needed, and ultimately back to the Truckee River. He emphasized the bill would provide for control of storm water, erosion and overall water management.

Senator Neal asked the intent of the proposed urban subdistrict in regard to the ditches, to keep them clean and maintained. Mr. Gardella answered that they are looking at some flood control dams over and above those extant, and would certainly go along with other methods which would help solve the problems now faced. It is the intent to meet the problems but without the proper management of water, proper land use planning cannot take place.

Senator Glaser summarized testimony by saying a number of old ditches, holdovers from the time the land was used primarily for agriculture, are still in place, picking up debris and flood waters and funneling it through residential areas. The desire is to organize a district to properly finance a system to alleviate the problem of the old ditches and to properly maintain active ditches.

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Mr. Gardella concluded by saying there is a problem; if there is another solution, his group certainly would accept it and work cooperatively within that framework.

SENATE JOINT RESOLUTION NO. 16--REQUESTS UNITED STATES AIR FORCE TO CONSIDER FIRE PROBLEMS INCIDENT TO MX MISSILE PROJECT AND PROVIDE MONEY FOR FIRE PROTECTION.

Senator Jacobsen referred to the Interim Study on fire service. He said that as the Interim Committee moved around the state, it was aware of the concern of the rural communities which now provide all of their fire services and first aid services on a volunteer basis. In the areas where MX is now contemplated, the services that are presently provided would be adversely affected by an influx of people, and the rural communities especially would be hard hit to provide those measures for health and safety. In order to compensate for this situation, the Air Force should be aware of the volunteer effort and if they are moving into an area, they provide money and equipment to cover the needs. Senator Jacobsen said there had been discussions with the Air Force people, who were asked if they would respond to emergencies in the neighboring communities and they indicated they would.

Mr. Fred Weldon, Senior Research Analyst for the Legislative Counsel Bureau, briefly described the three elements in the resolution. Senator Bilbray asked what areas this measure would cover--just the rural areas? Mr. Weldon replied the Air Force would be outlining the communities affected by the MX system and to what degree, and those effects should be mitigated, which would include the intent of this resolution. Senator Billbray said he can envision the Air Force assisting in the beginning but he can't envision them maintaining and continuing to fund any fire program in the future. He feels that the state may be guilty of overkill by hitting the Air Force with one resolution after another.

Senator Jacobsen replied that at a meeting of fire district people, there was acknowledgement that the MX might bring with it situations they are not capable of handling. He says that what this bill is trying to do is make certain the initial expense is not the obligation of the state. Mr. Weldon added that it has been shown that any taxable income coming into a community due to a project such as the MX does not cover the expenses involved.

Senator Wilbur Faiss, Vice Chairman of the Senate Committee on Natural Resources, assured the Chair, as the Chairman, Senator Glaser, had to testify at another committee meeting.

Senator Faiss called for further testimony.

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Mr. Tom Huddleston, State Fire Marshall, distributed copies of a report of the MX Sub-committee on Fire Protection to the members of the committee. A copy is on file in the committee secretary's office. He stated that in his estimation, in most instances, in just normal subdivisions, it requires about ten years to amortize the cost of fire protection. He feels the Air Force should provide money for fire protection as stated in Senate Joint Resolution No. 16. He went on to describe the adverse effect of increased need for services on insurance to communities and the financial impact to local entities. He said mitigation from the Air Force is necessary. He fully supports the resolution.

Mr. Donald Amodei, Nevada Division of Forestry, Assistant State Forester for Fire Management, described the four kinds of fire districts that can be formed in the state by statute. One is the Clark-McNeary District, a county fire protection district receiving federal aid through the United States Department of Agriculture; two other types are under NRS 474 which are formed by the county commission, either by resolution or by election of the people within the affected district; the fourth is under NRS 318, the general improvement district. Mr. Amodei said the Air Force has the responsibility to provide fire protection in conjunction with the development of the MX system, and mitigation is necessary.

Mr. Etchevery, from the Nevada League of Cities, spoke in support of the resolution, saying its intent is commendable and that it is a very important resolution.

Chairman Faiss called for any further testimony. There being none, he declared the hearing on Senate Joint Resolution No. 16 concluded.

Senator Neal moved "Do Pass" on Senate Joint Resolution No. 16. (Exhibit E)

Senator Jacobsen seconded the motion.

The motion carried unanimously. (Senator Glaser and Senator Lamb were absent for the vote).

Senator Neal moved "Do Pass" on Senate Bill No. 177. (Exhibit F)

Senator Bilbray seconded the motion.

The motion carried unanimously. (Senator Glaser and Senator Lamb were absent for the vote).

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Senator Neal moved "Do Pass" on
Senate Bill No. 175. (Exhibit G)

Senator Jacobsen seconded the motion.

The motion carried unanimously. (Senator Glaser
and Senator Lamb were absent for the vote).

Senator Neal moved "Do Pass" on
Senate Bill No. 163. (Exhibit H)

Senator Jacobsen seconded the motion.

The motion carried unanimously. (Senator Glaser
and Senator Lamb were absent for the vote).

The Chair announced that there were two Bill Drafter's
Resolutions to be considered for committee introduction:

* BDR 49-519--Provides for temporary water permits for construction
purposes, grants additional powers to political subdivisions and
municipal corporations.

† BDR 26-83--Provides for payments to local governments in lieu
of taxes if state obtains title to or management of public lands.

Senator Neal moved for committee introduction of
BDR 49-519 and BDR 26-83.

Senator Bilbray seconded the motion.


The motion carried unanimously. (Senator Glaser
and Senator Lamb were absent for the vote).

There being no further business, the meeting adjourned at
3:30 P. M.

Respectfully submitted by:


Carolyn L. Freeland, Secretary

APPROVED BY:


Senator Norman D. Glaser, Chairman

DATE: Feb. 23, 1981

* (BDR 48-519)(S.B. 241) 8.

† S.B. 238

SENATE AGENDA

COMMITTEE MEETINGS

EXHIBIT A

Committee on Natural Resources, Room 323.
Day Monday, Date February 16, 1981, Time 1:30 P. M.

S. B. 163--Provides for urban subdistricts within water conservancy districts.

S. B. 175--Provides for state to acquire capital improvements made for "MX" missile project.

S. B. 177--Removes duplicative statutory provision concerning identification numbering for motorboats.

S. J. R. 16--Requests United States Air Force to consider fire problems incident to MX missile project and provide money for fire protection.

B.D.R.'s TO BE CONSIDERED FOR COMMITTEE INTRODUCTION:

BDR 49-519: Provides for temporary water permits for construction purposes, grants additional powers to political subdivisions and municipal corporations.

BDR 26-83: Provides for payments to local governments in lieu of taxes if state obtains title to or management of public lands.

ATTENDANCE ROSTER FORM

COMMITTEE MEETINGS

SENATE COMMITTEE ON NATURAL RESOURCES

DATE: February 16, 1981

EXHIBIT B

PLEASE PRINT NAME	PLEASE PRINT ORGANIZATION & ADDRESS	PLEASE PRINT TELEPHONE
Louie A Gardella	Truckee Meadows Water Users 135 Boxer Dr. Reno 89512	322 0092
Claude E Hunter	" " "	323 5754
Richard R MacDougal	Washoe-Storey Conservation District 1281 TERMINAL WAY Suite 204, RENO, 89502	322-9934
Frank Darrin	LEES COUNCH LCB	
Paul Shaw	State Lands	885-4363
Joe Beckett	State Park Dept	
Sam E. Wilson	New League of Women	882-2121
Bob Warden	New Morning Assoc	883-0416
Wm. Hye	New Pattman Assoc	482-3372
Claude Tucker	Water Master	784-5741
Theresa Crockett	Attorn - Truckee Meadows Water Users	329-1823
Ed Howke	New Div. of water Association	885-4877
Tom Huddleston	State Fire Marshal	885-4290
John Weldon	LCB Ranch	885-4306

January 27, 1981

TO: Members of the 1981 Nevada State Legislature

SUBJECT: A Brief Outline of the Aims and Goals of the Proposal to Create an Urban Subconservancy District

The 1974 Blue Ribbon Water Report recommended that an investigation be made on the possibility of creating an agency which had legal authority to address water, drainage, flood and related problems in the Truckee River system. No such effort was made by local authorities and so in 1978 members of the Blue Ribbon Committee, together with others interested in water problems, organized the Truckee Meadows Water Users Association.

After numerous meetings, the goal of creating a subconservancy district under the Carson-Truckee Water Conservancy District was selected. The help of Russell McDonald was solicited and an attempt was made to get legislation passed during the 1979 legislative session. However, the effort was too late to receive consideration during the 1979 legislative session. The Truckee Meadows Water Users Association members devoted the time between 1979 and 1981 in furnishing information to Russell McDonald so that he was able to draw a bill which, if passed by the legislature, provides for creation of urban sub-districts within the Water Conservancy Districts Act.

Should this subconservancy district be formed, it could act as a focal organization for some thirty or forty governmental agency, groups, and individuals who have an interest in the waters of the Truckee River. It is the hope of the Truckee Meadows Waters Users Association that improvements on ditches, drains, flood control structures and other facilities for the management of water in the Truckee River system can be achieved.

The bill drawn by Russell McDonald has the support of the Washoe-Storey Conservation District, most of the county and state agencies involved in water management and many of the local citizens.

The Truckee Meadows Water Users Association asks that the 1981 legislative session favorably consider passage of the proposed bill.

Sincerely,



Louie A. Gardella
President

I have compiled, summarized and made some observations on the water rights awarded by the United States District Court Final Decree in 1944. Due to lack of time and resources, these figures and observations may not be exact but they are accurate enough for your Committee to consider seriously.

First: There are about 149,000 acre feet of decreed water rights both for irrigation and domestic uses in the Truckee Meadows.

Second: The lawsuit filed by the United States Government v. Orr Ditch, et al of the Truckee Meadows was started in 1913 and the final Decree issued in 1944. The Truckee River Agreement was incorporated in the Final Decree. This complicated Agreement sets forth certain water management criteria between the parties of the Agreement and has succeeded in its purpose of water management.

Third: The Washoe County Water Conservation District was organized in the 1930s and was successful in the construction of the Boca Dam, securing storage water. It has helped in flood control. The Conservation District paid costs of the Boca Dam construction by assessing lands benefitted by water uses. The District has been well managed and has, or can, pay off the entire indebtedness. However, its responsibilities now are largely complete and it does not have the power to cope with changes that have occurred in water and land usage.

Fourth: In 1913 when the United States v. Orr Ditch case was filed with the federal court, there were 35 ditches drawing water from the Truckee River for irrigation purposes. At present, there are 8 drawing water; namely, Highland, Orr Ditch System, and North Truckee on the north side of the Truckee and the Steamboat, Last Chance, Lake Cochran and Pioneer on the south side. All are furnishing water to a greatly reduced acreage. Two or three of the ditches are on the verge of being abandoned. It has been almost impossible for the water users on the remaining ditch to maintain these other ditches due to reduced acreage and encroachment on their rights of way by urban development and public abuse.

Fifth: Drainage for waste and flood waters have been either abandoned or encroached upon to the extent that many are no longer effective and they cause flooding and damage during storms.

Sixth: There has been no coordinated plan developed to counteract the above shortcomings.

Seventh: It is the opinion of the Truckee Meadows Water Users Association that the passage of SB 163 will create an agency that can cope with the problems set forth above.

Respectfully submitted,

Louis Gardella, President
Truckee Meadows Water Users Association

S. J. R. 16

SENATE JOINT RESOLUTION NO. 16—SENATOR JACOBSEN

FEBRUARY 2, 1981

Referred to Committee on Natural Resources

SUMMARY—Requests United States Air Force to consider fire problems incident to MX missile project and provide money for fire protection. (BDR 171)

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.

SENATE JOINT RESOLUTION—Requesting the United States Air Force to consider the need for fire protection and emergency medical care incident to the MX missile project and provide money for fire protection.

- 1 **WHEREAS**, The installation of the proposed MX missile project will
2 produce a tremendous increase in demand for public services in the State
3 of Nevada; and
4 **WHEREAS**, The communities which will grow rapidly as a result of the
5 installation will be unable to furnish adequate fire protection or emer-
6 gency medical care as a result of the project; now, therefore, be it
7 *Resolved by the Senate and Assembly of the State of Nevada, jointly,*
8 That the Nevada legislature hereby requests the United States Air Force
9 to consider in its studies and planning the need for fire protection and
10 emergency medical care which is attributable to the installation of the
11 MX missile project; and be it further
12 *Resolved*, That the Nevada legislature requests the United States Air
13 Force to provide for this increased need for services in affected communi-
14 ties before rapid growth begins to take place; and be it further
15 *Resolved*, That the United States Air Force provide money to these
16 communities for long-term maintenance of facilities and equipment for
17 fire protection; and be it further
18 *Resolved*, That a copy of this resolution be immediately transmitted by
19 the legislative counsel to the Secretary of the Air Force; and be it further
20 *Resolved*, That this resolution shall become effective upon passage and
21 approval.

S. B. 177

**SENATE BILL NO. 177—COMMITTEE ON
NATURAL RESOURCES**

FEBRUARY 3, 1981

Referred to Committee on Natural Resources

SUMMARY—Removes duplicative statutory provision concerning identification numbering for motorboats. (BDR 43-66)

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 watercraft; removing statutory language which duplicates the provisions of NRS 488.105 concerning the system of identification numbering for motorboats; 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 488.075 is hereby amended to read as follows:
2 488.075 1. The owner of each motorboat requiring numbering by
3 this state shall file an application for a number and for a certificate of
4 ownership with the department on forms approved by it accompanied
5 by:
6 (a) Proof of payment of Nevada sales or use tax as evidenced by
7 proof of sale by a Nevada dealer or by a certificate of use tax paid
8 issued by the department of taxation, or by proof of exemption from
9 [such] *those* taxes as provided in NRS 372.320.
10 (b) Proof of compliance with the requirements of chapter 361 of
11 NRS, evidenced by a [movable personal property tax receipt on such]
12 *receipt for personal property tax paid on the* motorboat or by an asses-
13 sor's certificate declaring no immediate tax collection on [such] *the*
14 motorboat under the provisions of NRS 361.505 was deemed necessary.
15 (c) Such evidence of ownership as the department may require.
16 The department shall not issue a number, a certificate of number or a
17 certificate of ownership until [such] *this* evidence is presented to it.
18 2. The department shall not issue or renew a certificate of number
19 if it has been notified by a county assessor before December 1 of any
20 year that the owner is delinquent in the payment of personal property
21 taxes as required by chapter 361 of NRS. The notice must be in such
22 form as the department may prescribe. Upon receipt of an application
23 from an owner who is delinquent in the payment of personal property
24 taxes, the department shall notify the owner that the taxes are delinquent.

1 **[; and]** *The department* may forward the certificate to the county
2 assessor for release on payment of the taxes **[.]** or may hold the certifi-
3 cate pending proof of payment of the taxes.

4 3. The application must be signed by the owner of the motorboat
5 and must be accompanied by a fee of \$5 for the certificate of number
6 and a fee of \$5 for the certificate of ownership. All fees received by the
7 department under the provisions of this chapter must be deposited in
8 the wildlife account in the state general fund and may be expended only
9 for the administration and enforcement of the provisions of this chapter.

10 Upon receipt of the application in approved form, the department shall:

11 (a) Enter the application upon the records of its office and issue to
12 the applicant a certificate of number stating the number awarded to
13 the motorboat, a certificate of ownership stating the same information
14 and the name and address of the registered owner and the legal owner.

15 (b) Immediately give to the county assessor of the county in which
16 the motorboat is situated a notice containing the name and address of
17 the owner and information identifying the motorboat.

18 4. The owner shall paint on or attach to each side of the bow of
19 the motorboat the identification number in such manner as may be pre-
20 scribed by regulations of the department in order that the number may
21 be clearly visible. The number must be maintained in legible condition.
22 **[If any agency of the United States Government has in force an overall**
23 **system of identification numbering for motorboats within the United**
24 **State, the regulations of the department as to size, color and type of**
25 **number must be in conformity therewith.]**

26 5. The certificate of number must be pocket size and must be avail-
27 able at all times for inspection on the motorboat for which issued, when-
28 ever the motorboat is in operation.

29 6. The department shall provide by regulation for the issuance of
30 numbers to manufacturers and dealers which may be used interchange-
31 ably upon motorboats operated by the manufacturers and dealers in
32 connection with the demonstration, sale or exchange of **[such]** *those*
33 motorboats. The fee for each such number is \$5.

34 **SEC. 2.** This act shall become effective upon passage and approval.

S. B. 175

**SENATE BILL NO. 175—SENATORS WILSON,
GIBSON AND GLASER**

FEBRUARY 3, 1981

Referred to Committee on Natural Resources

SUMMARY—Provides for state to acquire capital improvements made for "MX" missile project. (BDR S-852)

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 "MX" missile project; directing the department of conservation and natural resources to acquire for the state title to capital improvements constructed for the project; and providing other matters properly relating thereto.

1 WHEREAS, The "MX" missile project is considered to be the single
2 largest and most expensive construction effort ever engaged in by man;
3 and

4 WHEREAS, It is incumbent upon the State of Nevada to preserve the
5 capital improvements of this tremendous effort for the benefit of the pop-
6 ulation of the regions affected by the construction; now, therefore,
7

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

10
11 SECTION 1. The department of conservation and natural resources
12 shall negotiate with the United States Air Force and other appropriate
13 agencies of the Federal Government to acquire, without charge, title to
14 all capital improvements, such as roads, powerlines, pipelines and wells,
15 made for the "MX" missile project. Any agreement entered into pursuant
16 to this act must provide that the division of state lands of the department
17 holds title to the improvements on behalf of the State of Nevada, and
18 that the United States Air Force is entitled to retain the right to use the
19 improvements as long as they are required for military purposes.

20 SEC. 2. This act shall become effective upon passage and approval.

S. B. 163

**SENATE BILL NO. 163—COMMITTEE ON
GOVERNMENT AFFAIRS**

FEBRUARY 2, 1981

Referred to Committee on Government Affairs

SUMMARY—Provides for urban subdistricts within water conservancy districts. (BDR 48-57)

**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 water conservancy districts; providing for the organization, powers and financing of urban subdistricts; 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.** Chapter 541 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 4, inclusive, of this act.
3 **SEC. 2.** 1. *In addition to the general provisions of NRS 541.150,*
4 *one or more urban subdistricts may be organized within or partly within*
5 *a district in the manner provided by this section. Each urban subdistrict*
6 *must lie wholly within one county.*
7 2. *Twenty-five or more persons each of whom owns land having an*
8 *assessed valuation of \$300 or more may sign and cause to be filed in*
9 *the district court a petition setting forth by description or accompanying*
10 *map the boundaries of the proposed subdistrict. Opposite each signature*
11 *must appear, by county assessor's designation if available, otherwise by*
12 *brief description, an identification of the land whose ownership qualifies*
13 *the signer.*
14 3. *Immediately after the filing of the petition, the court shall by*
15 *order fix a place and time, not less than 60 days nor more than 90 days*
16 *after the petition is filed, for hearing thereon, and thereupon the clerk of*
17 *the court shall cause notice by publication to be made of the pendency*
18 *of the petition and of the time and place of hearing thereon. The clerk*
19 *of the court shall also forthwith cause a copy of the notice to be mailed*
20 *by United States registered or certified mail to the board of county com-*
21 *missioners. No judge is disqualified to perform any duty imposed by this*

1 section by reason of ownership of property within the proposed sub-
2 district or by reason of ownership of any property that may be benefited,
3 taxed or assessed therein.

4 4. If it is established at the hearing by a preponderance of the evi-
5 dence that organization of the subdistrict will benefit the interests of its
6 residents and nonresident landowners, the court shall grant the petition
7 and appoint a board of not more than seven directors to manage the
8 subdistrict.

9 SEC. 3. An urban subdistrict may:

10 1. Assume control over existing irrigation and drainage ditches
11 within its territory constructed by any public authority which is subject
12 to the control of this state.

13 2. Construct new irrigation or drainage ditches, or acquire such
14 ditches within its territory which are owned by:

15 (a) A mutual ditch company or water users' association; or

16 (b) Any other private owner except a public utility.

17 3. Operate any ditch so acquired or constructed to provide water
18 or drainage, as appropriate, to any part of its territory.

19 4. Change the method of delivery of water as may be appropriate to
20 the needs of its territory.

21 SEC. 4. 1. An urban subdistrict may issue bonds or other evidences
22 of indebtedness to finance any authorized acquisition or construction of
23 a ditch or acquisition of water rights. Any such issue must be approved
24 by the registered voters of the subdistrict at an election in the manner
25 prescribed by NRS 350.010 to 350.070, inclusive.

26 2. The board of directors shall annually fix a special assessment
27 against each parcel of land benefited by water or drainage supplied by
28 the subdistrict, equitably distributed among such parcels, sufficient to
29 defray its operating expenses, and the interest and principal due on any
30 indebtedness. These assessments may be protected in the same manner,
31 and are subject to the same exemptions, as other assessments made pur-
32 suant to this chapter.

33 3. If the proceeds of these assessments are not sufficient in any year
34 to meet these expenses, the board may levy and collect taxes ad valorem
35 upon all property within the district at a rate sufficient to supply the
36 deficiency but subject to the limitation applicable to subdistricts gener-
37 ally.

38 SEC. 5. NRS 541.150 is hereby amended to read as follows:

39 541.150 1. Subdistricts, other than urban subdistricts, may be orga-
40 nized upon the petition of the owners of real property within, or partly
41 within and partly without, the district, which petition [shall] must be in
42 substantially the same form and [shall] fulfill the same requirements
43 concerning the subdistricts as the petition outlined in NRS 541.050 is
44 required to fulfill concerning the organization of the main district. The
45 petition [shall] must also contain a statement of the minimum quantity
46 of water which the subdistrict proposes to acquire from the district for
47 perpetual use and the court shall, prior to the entry of its decree organiz-
48 ing a subdistrict, require that the petitioners attach to the petition written

1 evidence of the consent of the board of directors of the water cons-
2 ancy district to furnish to such subdistrict the perpetual use of water
3 the purpose therein specified.

4 2. Petitions for the organization of subdistricts [shall] must be
5 with the clerk of the court and [shall be] accompanied by a bond
6 provided for in NRS 541.060. The procedure for the organization
7 of subdistricts [shall be] is the same as for the organization of district

8 3. A subdistrict [shall be] is a separate entity within the district
9 [shall have] has authority to contract with the district for the furnis-
10 of water and for other purposes.

11 4. Within 30 days after entering the decree incorporating a
12 district, the court shall appoint a board of directors of the subdis-
13 trict consisting of not exceeding seven persons who are owners of real p-
14 erty in the subdistrict, and who may be directors of the district. The
15 provisions of NRS 541.100, except as to the number of directors, [sha-
16 applicable] apply to subdistricts. The board of directors of a subdis-
17 trict [shall have] has all of the powers, rights and privileges granted
18 district board under the provisions of this chapter, including specific
19 but not limited to, the right of the subdistrict board to levy and co-
20 taxes and assessments referred to in NRS 541.140, 541.160 and 541-
21 to carry out its separate purposes. Such taxes and assessments ma-
22 levied and collected by the subdistrict notwithstanding the fact that t-
23 and assessments are being levied and collected by the district in w-
24 such subdistrict may lie, to carry out the district purposes; but the
25 purpose for which a subdistrict may levy and collect taxes pursuan-
26 NRS 541.160 [shall be] is to pay the expense of its organization
27 administration, to pay the cost of construction, operating and main-
28 ing the works of the subdistrict, and for surveys and plans, and for
29 services to protect the rights of the subdistrict, and such taxes shall
30 exceed 10 cents on \$100 assessed valuation of the property within
31 subdistrict.