

MINUTES OF THE  
MEETING OF THE SENATE COMMITTEE  
ON NATURAL RESOURCES

SIXTY-FIRST SESSION  
NEVADA STATE LEGISLATURE  
May 11, 1981

The Senate Committee on Natural Resources was called to order by Chairman Norman Glaser at 2:00 P. M., Monday, May 11, 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 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 LEGISLATORS PRESENT:

Senator Thomas R. C. Wilson  
Senator Virgil M. Getto  
Assemblyman Dean Rhoads

STAFF MEMBERS PRESENT:

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

INTRODUCTORY REMARKS

Chairman Glaser made introductory remarks, noting it would be necessary for him to be absent for a few moments in order to testify at another committee hearing; he added Senator Neal was absent for the same reason temporarily but it was valid for three members of the committee to hear testimony. The Chair turned the gavel over to Senator Wilbur Faiss, Vice Chairman.

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SENATE JOINT RESOLUTION NO. 37--SUPPORTS STUDY OF DEVELOPMENT  
OF INTERNATIONAL TRADE CENTER IN NEVADA.

Mr. Robert R. Hager, trustee for Nevada International Trade Exchange, opened testimony on this resolution. He noted the language referring to the title of the organization is incorrect; it should read "(Nevada) International Trade Exchange," not "(Nevada) Industrial Trade Exchange." He explained the purpose of the group, which is interested in establishing an international trade site in Nevada. He said the Exchange would use only private funds and it is not looking at state funds. Mr. Hager said they were looking at an international trade district, not an international trade zone. He said it would be an international mode facility. His group wants to conduct a study to ascertain if there would be an interest in this matter, and desires to have the support of the state in doing so.

Mr. Hager continued it would be a non-profit corporation. Senator Bilbray had several questions regarding this activity. He asked if there are not other groups trying to accomplish the same end, who set up this group, and where the profits would go. Mr. Hager replied his group would differ from others in that it would use a different approach, identified the originators of the exchange, and said the profits would go back into the organization.

Chairman Glaser assumed the Chair.

Senator Bilbray noted this organization would only be the conduit for the study, and if the exchange were set up, it would not be the one to run the trade zone. Mr. Hager said there had already been contact with multinational interests and large corporations and they would be the ones to make the investment in the district. Senator Bilbray then noted the exchange is looking at public lands for this project and Mr. Hager concurred, saying there was an economic advantage to provide incentive for development of the trade district.

Chairman Glaser noted the only commitment the Nevada Legislature has is one of support for additional research and planning. In two years, after such activity, the group might again return with a plan for acquisition of public lands or for some other commitment from the Legislature, providing the study showed a positive balance. Chairman Glaser asked Mr. Hager why copies of the resolve would be sent to the other Western state legislatures, and asked the purpose in doing so. Mr. Hager answered

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this is intended to be a Western-regional trade district, which would promote and enhance all trade activities in the Western United States.

Senator Faiss asked if this is directed primarily at the Asian countries, and Mr. Hager replied the Pacific Basin is of primary interest to his group, and that further testimony would be presented along these lines. He added the group is especially interested in export enhancement, rather than as an import-dominant district.

Dr. E. R. Barmettler, Assistant to the Dean of the College of Agriculture, University of Nevada-Reno, and a trustee of the Nevada International Trade Exchange, said it is time consideration is given to the tools which will be needed to enhance the economy of this state and the western region in the future. He feels this Exchange is the proper mechanism to commence such action.

Chairman Glaser summarized the matter: the Exchange likes Nevada, and the Fernley area, specifically, for several reasons. It is centrally located, it possesses natural resources and a favorable climate, and there is excellent transportation access. With all these factors, the Exchange will develop a plan to attract capital and motivate it.

Mr. Jerry Jeremy, United States Department of Commerce District Director, International Trade Administration for the State of Nevada, then spoke. He feels this concept is an opportunity for the state which will have far-reaching impact. He said all the Exchange asks is support in its planning phase.

Senator Faiss noted, as he had previously asked, this project would require an immense amount of money and he wished to know how they intended to raise the money. Mr. Jeremy replied the primary funds would come from companies and European money. Senator Faiss asked Mr. Jeremy if he felt, then, there would be a great deal of foreign money. Mr. Jeremy replied if the money is out there and available and there is an opportunity to obtain it, it would be done.

Senator Jacobsen said in the last interim period, there was a committee under the Council of State Governments on international trade. Assemblyman Horn was one of the members, in addition to a senator. Senator Jacobsen feels they should be asked to testify before the committee on this matter as they met with representatives of 13 Western states. Other committee members agreed. The Chair rescheduled the bill for May 13, 1981, in order that Assemblyman Horn and/or Senator Echols might testify.

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Dr. Barmettler commented he wrote the resolution at the Jackson Hole, Wyoming, meeting and is therefore quite familiar with that situation.

There being no further testimony of Senate Joint Resolution No. 37, the hearing was concluded on this matter.

ASSEMBLY CONCURRENT RESOLUTION NO. 31--SUPPORTS DEVELOPMENT OF RECREATIONAL FACILITIES BASED ON WATER.

Assemblyman Dean Rhoads, primary sponsor of this resolution, traced the history of this resolution. He said for several years county and city officials in Northeastern Nevada had been studying the Humboldt River for some possible water storage for recreational purposes and also conservation of water. The Corps of Engineers, through an appropriation from Congress, has been conducting a study of the matter for some time, and a request for continued study was made to Washington earlier this year by Elko officials. It was suggested that this resolution be broadened to include not only the Hilton Dam but also the Rock Creek Project and any other areas in the state which would provide benefits for water storage and recreational uses.

Senator Bilbray commented that the original purpose of Lahontan Reservoir was for irrigation purposes but now it appears the recreationists have more or less taken it over. He wanted to know if a similar problem would be created in the Humboldt River and other rivers.

Assemblyman Rhoads says the feeling for dam construction is not unanimous, but both sides, representing recreationists and downstream water users, agree the study should be completed to determine the merit of the project. Chairman Glaser explained that the majority of these projects are designed with what is called a "minimum pool." This pool prevents drawing water down below a level where fish could be maintained and the water could still be used for recreational purposes. This plan meets the concerns of the agriculturalists and the recreationists.

Senator Jacobsen expressed concern the state is asking the federal government to make designations for it while at the same time the prevailing philosophy is to get away from this type of action. Assemblyman Rhoads conceded there is concern that if the federal government should fund a project, it would control it, and much of the opposition to it would diminish if the federal government were not allowed control in any of these proposals. There was no further testimony on this resolution and the Chair declared the hearing on Assembly Concurrent Resolution No. 31 concluded.

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The committee then proceeded into work session to consider bills already heard in previous meetings.

SENATE BILL NO. 637

It had been requested by committee members that Mr. William Newman, water state engineer, testify on this bill. Mr. Newman testified he has no objections to this bill as it stands. He noted it refers to recommendations only from a board of county commissioners and is therefore not binding upon the state engineer. He has authority to hold hearings and receive input from any counties involved. He added the law also provides for protest. If a protest was filed, he would hold a formal hearing.

The Chair called for the wishes of the committee in this regard.

Senator Bilbray moved do Pass Senate Bill No. 637 (Exhibit C).

Senator Jacobsen seconded the motion.

The motion carried unanimously. (Senator Lamb was absent for the vote).

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Chairman Glaser handed the gavel to Vice Chairman Faiss, who assumed the Chair.

Senator Bilbray moved Do Pass Assembly Concurrent Resolution No. 31 (Exhibit D).

Senator Neal seconded the motion.

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

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A. J. R. NO. 7

There was a short discussion on this resolution. Mr. Shane Murphy, Carson River Conservation, briefly reviewed his testimony previously presented. He asked for the consideration of the committee in not passing this resolution, and also again extended an invitation to the committee to raft-ride the upper reaches of the Carson River as his guest; he operates the Sandpiper River Trips. Action on this legislation was deferred for the time being.

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Senator Neal moved Do Pass  
Assembly Bill No. 222 (Exhibit E).

Senator Bilbray seconded the motion.

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

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Senator Neal moved Do Pass  
Assembly Bill No. 219.

Senator Bilbray seconded the motion.

The Chair called for discussion.

Senator Jacobsen expressed concern regarding the 84-hour  
visitation requirement. There ensued a discussion on the  
number of hours which should be required for visitation.

Chairman Glaser assumed the Chair. He was advised of the  
matter under consideration. He asked the committee if it would  
concur in going to 96 hours in order to settle the matter.

Senator Faiss moved Amend and Do Pass  
Assembly Bill No. 219 (Exhibit F).

Senator Bilbray seconded the motion.

The motion carried. Senator Jacobsen  
voted "No." (Senator Lamb was absent for  
the vote).

SENATE BILL NO. 347

Chairman Glaser announced Mr. Fred Welden, Senior Research  
Analyst, was present to give more information on Assembly  
Amendment No. 640 (Exhibit G). Committee concurrence or  
or non-concurrence was requested.

Mr. Welden explained the amendment and said the California  
legislative committee involved had requested it. It was for  
the equity of 24 lot owners in El Dorado County, and is not a  
controversial item in California. Assemblyman Dini and

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and Senator Wilson were apprised of this move and they acquiesced in the amendment.

Senator Neal stated it appears the amendment goes beyond what had previously been considered, and he feels it is a controversial matter. Mr. Welden agreed the amendment does contain provisions not previously examined. It does give the people who had sewer allocations under the existing moratorium the opportunity to obtain building permits. Mr. Welden further commented the only lack of support for the amendment is from the League To Save Lake Tahoe.

Senator Wilson testified he has no difficulty with the amendment. Senator Neal asked if it deals with only 24 units, and Senator Wilson said that had been his question. Senator Neal wanted to know about permits which would be allocated in Douglas County and Mr. Welden explained there is no sewer permit allocation system in Nevada so this amendment would not be applicable to Douglas County. Senator Neal wanted to know what the essential change was which had brought about this amendment. Senator Wilson could not definitely answer the question but surmised it came about due to permit counts during the last days of the negotiations on the Tahoe Compact, noting this had happened in regard to Douglas County; that situation was rectified, however, before signing of the Compact. He said it should be confirmed they are talking about 24 units only.

The Chair directed Mr. Welden to recheck to ascertain if, indeed, the correct number of units to be allocated building permits as set forth in the amendment is 24 units.

Senator Neal said he would move to concur providing verification is provided indicating there would not be more than 24 units involved.

Senator Jacobsen wished to know the League to Save Lake Tahoe's opposition to the amendment. Mr. Welden answered he had been advised it was simply because the League did not want to see 24 units constructed in the area.

The committee concurred with Amendment No. 640 (Exhibit G) to Senate Bill No. 347 (Exhibit H); see Exhibit I for concurrence document.

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SENATE BILL NO. 504

Chairman Glaser called the attention of the committee to Amendment No. 876 (Exhibit J). Senator Getto explained the amendment and said it is now what had been agreed upon. Senator Bilbray asked why a legislator is included on the board, and Senator Getto replied a state representative should be included as the state fair is held on state land. Chairman Glaser felt there was now adequate agricultural representation provided.

Senator Faiss moved Amend and Do Pass  
Senate Bill No. 504 (Exhibit K).

Senator Bilbray seconded the motion.

The motion carried unanimously. (Senator Lamb was absent for the vote).

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Senator Bilbray moved Indefinite Postponement  
of Assembly Joint Resolution No. 7 (Exhibit L).

Senator Faiss seconded the motion.

The motion carried. Senator Jacobsen voted "No."  
(Senator Lamb was absent for the vote).

There being no further business, the meeting was adjourned  
at 3:20 P. M.

Respectfully submitted by:

  
Carolyn L. Freeland, Secretary

APPROVED:

  
Senator Norman Glaser, Chairman

DATE: May 13, 1981



SENATE AGENDA

EXHIBIT A

COMMITTEE MEETINGS

Committee on Natural Resources , Room 323 .

Day Monday , Date May 11, 1981 , Time 1:30 P. M.

S.J.R.37--Supports study of development of international trade center in Nevada.

A. C. R. No. 31--Supports development of recreational facilities based on water.

WORK SESSION

S. B. 637--Requires approval of certain boards of county commissioners of applications for water to be used in counties other than the county in which appropriated or used. Heard May 8.

S. B. 347--Tahoe Compact Bill: concurrence in Assembly Amendment No. 640 to be considered.

S. B. 504--Creates state fair board. Senator Getto to present amendment.

A. J. R. 7-- Opposes designation of rivers in Nevada pursuant to Wild and Scenic Rivers Act. Previous consideration.

A. B. 222--Makes various changes in wildlife laws relating to administration and management. Hearing on Friday, May 8.

A. B. 219--Makes various changes in wildlife laws relating to administration and management. Hearing on Friday, May 8.

ATTENDANCE ROSTER FORM

COMMITTEE MEETINGS

SENATE COMMITTEE ON NATURAL RESOURCES

DATE May 11, 1981

EXHIBIT B

PLEASE PRINT NAME	PLEASE PRINT ORGANIZATION & ADDRESS	PLEASE PRINT TELEPHONE
<i>E. Brummett</i>	<i>N.I.T.E. - Reno Nevada</i>	<i>784-6611</i>
<i>Kenneth ...</i>	<i>U.S. ... and Trade ...</i>	<i>784-5203</i>
<i>Fred ...</i>	<i>NITE Reno Nevada</i>	<i>331-0833</i>
<i>John ...</i>	<i>NITE - Reno NV</i>	<i>328-2042</i>
<i>Bob ...</i>	<i>NITE - Reno</i>	<i>786-4510</i>
<i>Mr. ...</i>	<i>NITE - Reno</i>	<i>331-0833</i>
<i>John ...</i>	<i>NITE Reno</i>	<i>356-0371</i>
<i>[Crossed out]</i>	<i>NITE SPACE - Reno</i>	<i>677-0100</i>
<i>[Crossed out]</i>	<i>NITE - SPACE</i>	<i>326-7049</i>
<i>[Crossed out]</i>	<i>NITE</i>	<i>[Crossed out]</i>
<i>[Crossed out]</i>	<i>[Crossed out]</i>	<i>[Crossed out]</i>
<i>Mr. Newman</i>	<i>State ...</i>	
<i>Don Nichols</i>	<i>Westcoast Hardfacing, Inc. Import Export</i>	<i>825-2198</i>

**S. B. 637**

**SENATE BILL NO. 637—SENATOR JACOBSEN**

**MAY 5, 1981**

Referred to Committee on Natural Resources

**SUMMARY**—Requires approval of certain boards of county commissioners of applications for water to be used in counties other than the county in which appropriated or used. (BDR 48-1715)

**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 appropriation of public waters; requiring the state engineer to notify certain boards of county commissioners upon receipt of a request for a permit to use water in a county other than that in which it is appropriated or currently diverted or used; 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 533 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 1. *Except as provided in subsection 2, if water for which a permit is*  
4 *requested is to be used in a county other than that county in which it is*  
5 *to be appropriated, or is to be diverted from or used in a different county*  
6 *than that in which it is currently being diverted or used, then the state*  
7 *engineer shall give notice of the receipt of the request for the permit to:*  
8 (a) *The board of county commissioners of the county in which the*  
9 *water for which the permit is requested will be appropriated or is cur-*  
10 *rently being diverted or used; and*  
11 (b) *The board of county commissioners of the county in which the*  
12 *water will be diverted or used.*  
13 2. *The provisions of subsection 1 do not apply if:*  
14 (a) *The water is to be appropriated and used; or*  
15 (b) *Both the current and requested place of diversion or use of the*  
16 *water are,*  
17 *within a single, contiguous parcel of real property.*  
18 3. *A person who requests a permit to which the provisions of subsec-*  
19 *tion 1 apply shall submit to each appropriate board of county commis-*  
20 *sioners a copy of his application and any information relevant to his*  
21 *request.*  
22 4. *Each board of county commissioners which is notified of a request*

1 for a permit pursuant to this section shall consider the request at the  
2 next regular or special meeting of the board held not earlier than 3 weeks  
3 after the notice is received. The board shall provide public notice of the  
4 meeting for 3 consecutive weeks in a newspaper of general circulation in  
5 its county. The notice must state the time, place and purpose of the meet-  
6 ing. At the conclusion of the meeting the board may recommend a  
7 course of action to the state engineer, but the recommendation is not  
8 binding on the state engineer.

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

20

**A. C. R. 31**

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**ASSEMBLY CONCURRENT RESOLUTION NO. 31—  
ASSEMBLYMEN RHOADS AND MARVEL**

APRIL 24, 1981

Referred to Committee on Economic Development and  
Natural Resources

**SUMMARY—Supports development of recreational facilities based  
on water. (BDR 1853)**

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

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**ASSEMBLY CONCURRENT RESOLUTION—Supporting the development  
of recreational facilities based on water.**

- 1    **WHEREAS, Additional facilities are needed within the state of Nevada**  
2 **to increase the opportunity to engage in water-related recreational activi-**  
3 **ties; and**  
4    **WHEREAS, The climate of Nevada permits the enjoyment of water-**  
5 **related activities and sports throughout most of the year by residents and**  
6 **visitors from other states and nations alike; and**  
7    **WHEREAS, Further development of Nevada's waterways for recrea-**  
8 **tional purposes can also benefit the state's basic agricultural enterprises;**  
9 **and**  
10   **WHEREAS, The growth of mining enterprises and the prospective effects**  
11 **of the "MX" missile system further indicate the need to develop addi-**  
12 **tional recreational facilities based on water; now, therefore, be it**  
13    ***Resolved by the Assembly of the State of Nevada, the Senate concur-***  
14 ***ring, That the Nevada legislature hereby encourages the development of***  
15 ***water resources within the state for recreational uses, supports the Hum-***  
16 ***boldt River Flood Control Project and the Rock Creek Project, and urges***  
17 ***the development of other similar projects; and be it further***  
18    ***Resolved, That the division of state parks and the division of water***  
19 ***planning of the state department of conservation and natural resources,***  
20 ***and all other related state agencies, include these projects and the devel-***  
21 ***opment of other facilities for water-related recreational activities in their***  
22 ***long-range planning.***

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

**A. B. 222**

**ASSEMBLY BILL NO. 222—COMMITTEE ON ECONOMIC  
DEVELOPMENT AND NATURAL RESOURCES**

FEBRUARY 24, 1981

Referred to Committee on Economic Development  
and Natural Resources

SUMMARY—Makes various changes in wildlife laws relating to  
administration and management. (BDR 45-944)

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 wildlife; making various changes in the law regulating the  
administration and management of wildlife; providing a penalty; and pro-  
viding 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 501 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 3 of this act.  
3 SEC. 2. 1. *In addition to the penalties provided for the violation of*  
4 *any of the provisions of this Title, every person who unlawfully kills*  
5 *or possesses the following wildlife is liable for a civil penalty in the*  
6 *amount stated:*  
7 (a) *Bighorn sheep and mountain goat, \$1,000.*  
8 (b) *Elk and mountain lion, \$500.*  
9 (c) *Deer, pronghorn antelope, bobcat, swan and eagle, \$200.*  
10 2. *Every court, before whom a defendant is convicted of unlawfully*  
11 *killing or possessing any of the wildlife listed in subsection 1, shall*  
12 *order the defendant to pay the civil penalty in the amount stated in*  
13 *subsection 1 for each animal or bird unlawfully killed or possessed. The*  
14 *court shall fix the manner and time of payment.*  
15 3. *The department may attempt to collect all penalties and install-*  
16 *ments that are in default in any manner provided by law for the enforce-*  
17 *ment of a judgment.*  
18 4. *Each court that receives money under the provisions of this*  
19 *section shall forthwith remit the money to the department which shall*  
20 *deposit the money with the state treasurer for credit to the wildlife*  
21 *account in the state general fund.*  
22 SEC. 3. 1. *The commission may offer a reward for one or more*

1 classes of wildlife, not to exceed \$500, for information leading to the  
2 arrest and conviction of any person who unlawfully kills or possesses  
3 wildlife of the class specified. The reward must be paid for each person  
4 so arrested and convicted upon his conviction. The reward must be  
5 distributed equally among the persons who supplied the information  
6 which led to the arrest and conviction.

7 2. The commission may adopt such regulations as are necessary  
8 to carry out the provisions of this section.

9 SEC. 4. NRS 501.387 is hereby amended to read as follows:

10 501.387 1. Except as provided in NRS 501.388, upon a conviction  
11 of a violation of any provision of this Title in addition to the penalty  
12 provided for such violation, the court may require the surrender of all  
13 licenses issued under the provisions of this Title and held by the con-  
14 victed person.

15 2. Upon the second such conviction within 5 years, the court:

16 (a) Shall require the surrender of all such licenses so held; and

17 (b) May recommend to the commission that no license be issued to  
18 [such] the person for any period not to exceed 2 years [from] after the  
19 date of [such] the conviction. Upon receipt of any recommendation  
20 from the court as provided in paragraph (b), the commission may refuse  
21 to issue any license to the convicted person during the period recom-  
22 mended by the court.

23 3. The commission, on its own initiative, may refuse to issue any  
24 license to a person, twice convicted within 5 years, for any period not to  
25 exceed 2 years after the date of the conviction.

26 4. In addition to the penalty provided for the violation of any of the  
27 provisions of this Title, the court may cause to be confiscated all wildlife  
28 taken or possessed by the violator. All confiscated wildlife [shall] must  
29 be disposed of as directed by the court.

30 SEC. 5. NRS 501.388 is hereby amended to read as follows:

31 501.388 1. The commission [shall] may revoke [all licenses] any  
32 license of any person who is convicted of a violation of [subsection 1 of  
33 NRS 503.050 with respect to the waste of any wild turkey, or of a viola-  
34 tion of subsection 2 of NRS 503.050 with respect to any antelope, bear,  
35 deer, goat, moose, peccary, sheep or wapiti,] NRS 503.050, in addition  
36 to the penalty imposed, and [shall] may refuse to issue any new license  
37 to the convicted person for [a period of] any period not to exceed 5  
38 years [following such] after the date of the conviction.

39 2. The court in which the conviction is had shall require the imme-  
40 diate surrender of all such licenses and shall forward them to the com-  
41 mission.

42 SEC. 6. NRS 502.120 is hereby amended to read as follows:

43 502.120 1. Every person required to have a license as provided in  
44 this chapter who, while hunting, trapping or fishing, refuses to exhibit  
45 [such] the license or any wildlife which he may have in his possession,  
46 upon the demand of any officer authorized to enforce the fish and game  
47 laws of this state, is guilty of a misdemeanor.

48 2. Every person required to have a license as provided in this chap-  
49 ter who, while hunting, trapping or fishing, fails to have [such] the  
50 license in his possession is guilty of a misdemeanor. No person charged

1 with violating this subsection may be convicted if he produces in court  
2 [or the office of the arresting officer] a license [theretofore] previously  
3 issued to him and valid at the time of his arrest.

4 SEC. 7. NRS 502.130 is hereby amended to read as follows:

5 502.130 1. In addition to the regular hunting licenses and trapping  
6 licenses provided for in this chapter, additional licenses, to be known as  
7 tags, [shall be] are required to hunt any deer, elk, antelope, mountain  
8 sheep or bear.

9 2. Whenever it is determined by the commission that it is necessary  
10 for correct management [, tags] :

11 (a) Tags also may be required to hunt, trap or fish for any other species  
12 of wildlife. The tags may be used in any area in the state during the reg-  
13 ular season and may not be limited in number or to any area, unless a  
14 special season has been designated in a management area, in which case  
15 the commission may limit the number of tags to be used in that manage-  
16 ment area.

17 (b) Permits and seals may be required to hunt, trap, fish or to possess  
18 any species of wildlife.

19 3. The commission shall set the fee for all permits and seals issued  
20 pursuant to paragraph (b) of subsection 2.

21 SEC. 8. NRS 503.360 is hereby amended to read as follows:

22 503.360 1. It is unlawful for any person at any time to [take, catch  
23 or carry away] fish from any state hatchery, or from any waters set  
24 aside or used for the purpose of rearing or growing fish for transplanting  
25 by the state. [any such fish so being reared or grown.]

26 2. Nothing in this section [shall be so construed as to prohibit]  
27 prohibits employees of the department from handling, at any time, all  
28 such fish, as may be required in the propagation, care and distribution  
29 of [such] the fish.

30 SEC. 9. NRS 505.010 is hereby amended to read as follows:

31 505.010 1. [Any person or persons, firm, company or corporation  
32 engaging in, carrying on, or conducting wholly or in part the business of  
33 buying or selling, trading or dealing, within the State of Nevada, in the  
34 skins or pelts of any wild animal shall be deemed a fur dealer within  
35 the meaning of this chapter.] It is unlawful for any person to engage  
36 in, carry on or conduct wholly or in part the business of buying, selling,  
37 trading or dealing, within this state, in the skins or pelts of any wild  
38 animal without first obtaining a fur dealer's license pursuant to NRS  
39 502.240.

40 2. If [such] the dealer resides in, or if his [or its] principal place  
41 of business is within [, the State of Nevada, he or it shall be deemed]  
42 this state, he is a resident fur dealer.

43 3. All other fur dealers [shall be deemed] are nonresident fur  
44 dealers.

45 4. The department may require any person to submit such records  
46 and reports as are reasonably necessary to carry out the provisions of  
47 this section.

48 SEC. 10. NRS 502.180, 503.600 and 505.030 are hereby repealed.



(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

**A. B. 219**

ASSEMBLY BILL NO. 219—COMMITTEE ON ECONOMIC  
DEVELOPMENT AND NATURAL RESOURCES

FEBRUARY 24, 1981

Referred to Committee on Economic Development  
and Natural Resources

SUMMARY—Makes various changes in wildlife laws relating to  
administration and management. (BDR 45-194)

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 wildlife; making various changes in the law regulating the  
administration and management of wildlife; and providing other matters prop-  
erly relating thereto.

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

- 1 SECTION 1. Chapter 501 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 1. *The wildlife imprest account in the amount of \$15,000 is hereby*  
4 *created for the use of the department, subject to the following conditions:*  
5 (a) *The money must be deposited in a bank qualified to receive depos-*  
6 *its of public money, except that \$500 must be kept in the custody of an*  
7 *employee designated by the director for immediate use for purposes set*  
8 *forth in this section.*  
9 (b) *The account must be replenished periodically from the wildlife*  
10 *account in the state general fund upon approval of expenditures as*  
11 *required by law and submission of vouchers or other documents to indi-*  
12 *cate payment as may be prescribed.*  
13 2. *The wildlife imprest account may be used to pay for postage,*  
14 *C.O.D. packages, travel or other minor expenses which are proper as*  
15 *claims for payment from the wildlife account in the state general fund.*  
16 3. *The wildlife imprest account may be used to provide money to*  
17 *employees of the department for travel expenses and subsistence allow-*  
18 *ances arising out of their official duties or employment. All advances*  
19 *constitute a lien in favor of the department upon the accrued wages of*  
20 *the requesting employee in an amount equal to the money advanced, but*  
21 *the director may advance more than the amount of the accrued wages*

1 of the employee. Upon the return of the employee, he is entitled to  
2 receive money for any authorized expenses and subsistence in excess of  
3 the amount advanced.

4 SEC. 2. NRS 501.177 is hereby amended to read as follows:

5 501.177 1. The commission shall hold [regular meetings monthly]  
6 at least nine meetings each year at the headquarters of the department  
7 or at such other locations as the commission may designate.

8 2. Special meetings of the commission may be held at such times and  
9 places as the commission deems proper.

10 3. Four members of the commission constitute a quorum for the  
11 transaction of any business which may come before the commission.

12 SEC. 3. NRS 501.351 is hereby amended to read as follows:

13 501.351 1. The director [, with the prior approval of the commis-  
14 sion,] may enter into cooperative or reciprocal agreements with the  
15 Federal Government or any agency thereof, adjoining states or any  
16 agency thereof, any other agency of this state, any county or other polit-  
17 ical subdivision of this state, to the extent permitted by the provisions of  
18 chapter 277 of NRS, any public or private corporation, or any person,  
19 in accordance with and for the purpose of carrying out the policy of the  
20 commission.

21 2. Such agreements do not relieve any party thereto of any liability,  
22 independent of such agreements, existing under any provision of law.

23 SEC. 4. NRS 502.140 is hereby amended to read as follows:

24 502.140 1. Tags [shall] may be used as a method of enforcing a  
25 limit of the number of any species which may be taken by any one person  
26 in any one season or year, and may be issued in such a manner that only  
27 a certain number may be used in any one management area, or that one  
28 tag may be used in several management areas, as designated by the  
29 commission.

30 2. The commission shall designate the number of tags for any species  
31 which may be obtained by any one person, and it [shall be] is unlawful  
32 for any person to obtain tags for his use in excess of this number, or to  
33 use or possess tags issued to any other person, or to transfer or give tags  
34 issued to him to any other person.

35 SEC. 5. NRS 502.190 is hereby amended to read as follows:

36 502.190 1. Tags for hunting [deer] wildlife in regular season by  
37 nonresident or alien hunters may be limited to a certain number in any  
38 management area, which management area may include all of any  
39 county, any portion of any county, or any continuous area in adjacent  
40 counties.

41 2. Whenever a limit is placed upon the number of tags available to  
42 nonresident or alien hunters in any management area the commission  
43 shall determine the manner in which [such licenses shall be] the tags are  
44 issued, whether by lot or by sale to first applicants, the manner of appli-  
45 cation, the manner of [delivery] delivering the tags and other necessary  
46 matters.

47 3. Whenever applications, money or tags and licenses are entrusted  
48 to the mails the commission [shall not be] is not responsible for loss or  
49 delay in the mails.

50 SEC. 6. NRS 503.120 is hereby amended to read as follows:

1 503.120 1. Open seasons as provided under this Title for [big]  
2 game animals may designate the sex and age class or any obvious phys-  
3 ical characteristic for the animals which may be taken.

4 2. With regard to [deer, a designation of "bucks only" means any  
5 deer with at least one branched antler, and a designation of "antlerless  
6 deer" means any deer with less than one branched antler. In the above  
7 designation, eye guards shall not be considered branches of the antler.]  
8 game animals, the commission may adopt regulations defining "bucks  
9 only" and "antlerless" animals.

10 SEC. 7. NRS 503.570 is hereby amended to read as follows:

11 503.570 1. Every person taking or causing to be taken wild animals  
12 by means of traps, snares or any other devices which do not, or are not  
13 designed to, cause immediate death to such animals, shall, when any such  
14 traps, snares or devices are placed or set for the purpose of taking ani-  
15 mals, visit or cause to be visited at least once each [week] 84 hours each  
16 such trap, snare or other device during all of the time [any such] the  
17 trap, snare or device is placed, set or used in the taking of wild animals,  
18 and remove therefrom any animals caught therein.

19 2. *The provisions in subsection 1 do not apply to employees of the*  
20 *state department of agriculture or the United States Fish and Wildlife*  
21 *Service when acting in their official capacities.*

22 SEC. 8. NRS 503.583 is hereby amended to read as follows:

23 503.583 1. Any person who practices falconry or trains birds of  
24 prey shall obtain a license for such purpose from the department upon  
25 payment of a license fee as provided in NRS 502.240.

26 2. [License applications shall be accompanied by affidavits from  
27 two licensed or recognized falconers certifying as to the competency of  
28 the applicant properly to care for birds of prey and to engage in falconry.

29 3.] The licensee, under permit, may obtain from the wild only two  
30 birds per year. All such birds of prey [shall] *must* be banded in accord-  
31 ance with commission regulation.

32 [4.] 3. Birds of prey [shall] *may* not be taken, captured or dis-  
33 turbed during the months in which they breed.

34 [5.] 4. This section does not prohibit the capture or killing of a  
35 hawk or an owl by holders of scientific collecting permits, except that  
36 rare and endangered species [cannot] *must not* be killed by holders of  
37 scientific collecting permits or holders of licenses issued pursuant to this  
38 section.

39 SEC. 9. NRS 503.590 is hereby amended to read as follows:

40 503.590 1. [Except as provided in this section, it is unlawful for  
41 any person, firm, partnership or corporation to maintain any zoo, menag-  
42 erie or display of live wild animals, wild birds or reptiles, either native or  
43 exotic, or to exhibit as a zoo, menagerie or display any living wild ani-  
44 mals, wild birds or reptiles, whether for compensation or otherwise.

45 2. Any municipal corporation, political subdivision, agency, indi-  
46 vidual, firm, partnership, corporation or department of the State of  
47 Nevada may apply to the department for permission to maintain and oper-  
48 ate a zoo, menagerie or display of wild animals, wild birds or reptiles,  
49 setting forth such matters as may be required by the commission. Upon

1 approval of the application, the applicant may maintain and conduct such  
2 zoo, menagerie or display of wild animals, wild birds or reptiles.

3 3. Any individual] *Any natural person* may maintain a private col-  
4 lection of legally obtained live wild animals, wild birds and reptiles if  
5 such collection is not maintained for public display nor as a part of or  
6 adjunct to any commercial establishment.

7 [4. Any person, firm, partnership or corporation may apply to the  
8 department for a license to maintain a permanently located trained ani-  
9 mal act for public display if such act is under the supervision and control  
10 of a competent animal trainer. The department shall in its discretion deter-  
11 mine whether an animal collection qualifies for a license under this sub-  
12 section. The department may charge a fee for such license in accordance  
13 with NRS 502.240.

14 5. In any county, the board of county commissioners shall first  
15 approve the operation of any zoo or other collection of wild animals, by  
16 any municipal corporation, political subdivision, individual, firm, partner-  
17 ship or corporation for any purpose and may require a bond to show  
18 financial responsibility.

19 6. This section shall not apply to any regularly organized traveling  
20 circus, menagerie or trained act of wild animals not permanently located  
21 within the State of Nevada or to pet stores, licensed by any city or county  
22 to sell wildlife, which display the species offered for sale.

23 7. The board of county commissioners or the governing body of a  
24 city shall grant a permit pursuant to this subsection only if it first finds  
25 that the proposed zoo, menagerie or display will be primarily for an edu-  
26 cational purpose.

27 8. The department]

28 2. *The commission* may adopt reasonable [rules and] regulations  
29 relating to the handling, care and safeguarding of animals maintained in  
30 any zoo or other collection of wild animals.

31 SEC. 10. NRS 503.650 is hereby amended to read as follows:

32 503.650 Nothing in this Title [shall:

33 1. Be so construed as to prohibit] :

34 1. *Prohibits* any person, upon the written permit of the department,  
35 from taking, killing, [or] possessing or *banding* any species of wildlife, or  
36 collecting the nest or eggs thereof, for strictly scientific purposes, the num-  
37 ber and species of wildlife to be limited by the department.

38 2. [Prevent] *Prevents* shipping into any other county or state, under  
39 a written permit issued by the department, any wildlife for scientific pur-  
40 poses.

41 SEC. 11. NRS 504.300 is hereby amended to read as follows:

42 504.300 Any person who owns or controls the shooting rights or  
43 privileges on an enclosed tract of land [of not more than 5,000 acres]  
44 may establish a commercial or private shooting preserve for the propa-  
45 gation, culture and maintenance of upland game birds pursuant to the  
46 provisions of this chapter and commission regulations.

## Exhibit G

**THIS EXHIBIT IS MISSING FROM BOTH THE ORIGINAL  
MINUTES AND THE MICROFICHE.**

**(REPRINTED WITH ADOPTED AMENDMENTS)**

**FIRST REPRINT**

**S. B. 347**

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**SENATE BILL NO. 347—COMMITTEE ON  
NATURAL RESOURCES**

**MARCH 3, 1981**

**Referred to Committee on Natural Resources**

**SUMMARY—Corrects errors made in amendment of Tahoe Regional  
Planning Compact. (BDR 22-368)**

**FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.**

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

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**AN ACT relating to the Tahoe Regional Planning Compact; correcting errors made in the enactment of amendments to the Compact; and providing other matters properly relating thereto.**

1   **WHEREAS, The State of California enacted amendments to the Tahoe**  
2 **Regional Planning Compact in Senate Bill 82 of the 1979-1980 regular**  
3 **session of the California legislature; and**

4   **WHEREAS, the State of Nevada enacted the same amendments in**  
5 **Assembly Bill 1 of the 14th special session of the Nevada legislature; and**

6   **WHEREAS, Subdivision (g) of Article IV in both bills contains an incor-**  
7 **rect internal reference to a subdivision of Article VI; and**

8   **WHEREAS, In both bills the amendments to the compact contained**  
9 **errors in describing the number of residential units authorized in Douglas**  
10 **County, Nevada, in 1978 and in describing objects that cannot be taxed**  
11 **by the Tahoe transportation district; and**

12   **WHEREAS, The correct number of residential units authorized in**  
13 **Douglas County, Nevada, in 1978 is 529 rather than 339 which, by inad-**  
14 **vertence, is incorrectly stated in paragraph (3) of subdivision (c) of Article**  
15 **VI of the Compact; and**

16   **WHEREAS, The words "or gaming" in the phrase "on gaming or gam-**  
17 **ing tables and devices" which describes objects that cannot be taxed**  
18 **under paragraph (6) of subdivision (d) of Article IX of the Compact**  
19 **failed to appear in the printed versions of the California and Nevada bills**  
20 **because of typographical errors; and**

21   **WHEREAS, The State of Nevada desires to correct these errors; now,**  
22 **therefore,**

23  
24   ***The People of the State of Nevada, represented in Senate and Assembly,***  
25   ***do enact as follows:***

1 SECTION 1. NRS 277.200 is hereby amended to read as follows:  
2 277.200 The Tahoe Regional Planning Compact is as follows:

3  
4 TAHOE REGIONAL PLANNING COMPACT

5  
6 ARTICLE I. Findings and Declarations of Policy

7  
8 (a) It is found and declared that:

9 (1) The waters of Lake Tahoe and other resources of the region are  
10 threatened with deterioration or degeneration, which endangers the natu-  
11 ral beauty and economic productivity of the region.

12 (2) The public and private interests and investments in the region are  
13 substantial.

14 (3) The region exhibits unique environmental and ecological values  
15 which are irreplaceable.

16 (4) By virtue of the special conditions and circumstances of the region's  
17 natural ecology, developmental pattern, population distribution and  
18 human needs, the region is experiencing problems of resource use and  
19 deficiencies of environmental control.

20 (5) Increasing urbanization is threatening the ecological values of the  
21 region and threatening the public opportunities for use of the public  
22 lands.

23 (6) Maintenance of the social and economic health of the region  
24 depends on maintaining the significant scenic, recreational, educational,  
25 scientific, natural and public health values provided by the Lake Tahoe  
26 Basin.

27 (7) There is a public interest in protecting, preserving and enhancing  
28 these values for the residents of the region and for visitors to the region.

29 (8) Responsibilities for providing recreational and scientific opportu-  
30 nities, preserving scenic and natural areas, and safeguarding the public  
31 who live, work and play in or visit the region are divided among local  
32 governments, regional agencies, the States of California and Nevada, and  
33 the Federal Government.

34 (9) In recognition of the public investment and multistate and national  
35 significance of the recreational values, the Federal Government has an  
36 interest in the acquisition of recreational property and the management of  
37 resources in the region to preserve environmental and recreational values,  
38 and the Federal Government should assist the states in fulfilling their  
39 responsibilities.

40 (10) In order to preserve the scenic beauty and outdoor recreational  
41 opportunities of the region, there is a need to insure an equilibrium  
42 between the region's natural endowment and its manmade environment.

43 (b) In order to enhance the efficiency and governmental effectiveness of  
44 the region, it is imperative that there be established a Tahoe Regional  
45 Planning Agency with the powers conferred by this compact including the  
46 power to establish environmental threshold carrying capacities and to  
47 adopt and enforce a regional plan and implementing ordinances which  
48 will achieve and maintain such capacities while providing opportunities  
49 for orderly growth and development consistent with such capacities.

1 (c) The Tahoe Regional Planning Agency shall interpret and administer  
2 its plans, ordinances, rules and regulations in accordance with the provi-  
3 sions of this compact.  
4

## 5 ARTICLE II. Definitions 6

7 As used in this compact:

8 (a) "Region," includes Lake Tahoe, the adjacent parts of Douglas and  
9 Washoe counties and Carson City, which for the purposes of this com-  
10 pact shall be deemed a county, lying within the Tahoe Basin in the State  
11 of Nevada, and the adjacent parts of the Counties of Placer and El  
12 Dorado lying within the Tahoe Basin in the State of California, and that  
13 additional and adjacent part of the County of Placer outside of the Tahoe  
14 Basin in the State of California which lies southward and eastward of a  
15 line starting at the intersection of the basin crestline and the north bound-  
16 ary of Section 1, thence west to the northwest corner of Section 3, thence  
17 south to the intersection of the basin crestline and the west boundary of  
18 Section 10; all sections referring to Township 15 North, Range 16 East,  
19 M.D.B. & M. The region defined and described herein shall be as precisely  
20 delineated on official maps of the agency.

21 (b) "Agency" means the Tahoe Regional Planning Agency.

22 (c) "Governing body" means the governing board of the Tahoe  
23 Regional Planning Agency.

24 (d) "Regional plan" means the long-term general plan for the devel-  
25 opment of the region.

26 (e) "Planning commission" means the advisory planning commission  
27 appointed pursuant to subdivision (h) of Article III.

28 (f) "Gaming" means to deal, operate, carry on, conduct, maintain or  
29 expose for play any banking or percentage game played with cards, dice  
30 or any mechanical device or machine for money, property, checks, credit  
31 or any representative of value, including, without limiting the generality  
32 of the foregoing, faro, monte, roulette, keno, bingo, fantan, twenty-one,  
33 blackjack, seven-and-a-half, big injun, klondike, craps, stud poker, draw  
34 poker or slot machine, but does not include social games played solely for  
35 drinks, or cigars or cigarettes served individually, games played in private  
36 homes or residences for prizes or games operated by charitable or educa-  
37 tional organizations, to the extent excluded by applicable state law.

38 (g) "Restricted gaming license" means a license to operate not more  
39 than 15 slot machines on which a quarterly fee is charged pursuant to  
40 NRS 463.373 and no other games.

41 (h) "Project" means an activity undertaken by any person, including  
42 any public agency, if the activity may substantially affect the land, water,  
43 air, space or any other natural resources of the region.

44 (i) "Environmental threshold carrying capacity" means an environ-  
45 mental standard necessary to maintain a significant scenic, recreational,  
46 educational, scientific or natural value of the region or to maintain public  
47 health and safety within the region. Such standards shall include but not  
48 be limited to standards for air quality, water quality, soil conservation,  
49 vegetation preservation and noise.



1 (j) "Feasible" means capable of being accomplished in a successful  
2 manner within a reasonable period of time, taking into account eco-  
3 nomic, environmental, social and technological factors.

4 (k) "Areas open to public use" means all of the areas within a structure  
5 housing gaming under a nonrestricted license except areas devoted to the  
6 private use of guests.

7 (l) "Areas devoted to private use of guests" means hotel rooms and  
8 hallways to serve hotel room areas, and any parking areas. A hallway  
9 serves hotel room areas if more than 50 percent of the areas on each side  
10 of the hallway are hotel rooms.

11 (m) "Nonrestricted license" means a gaming license which is not a  
12 restricted gaming license.

13  
14 **ARTICLE III. Organization**

15  
16 (a) There is created the Tahoe Regional Planning Agency as a separate  
17 legal entity.

18 The governing body of the agency shall be constituted as follows:

19 (1) California delegation:

20 (A) One member appointed by each of the County Boards of Super-  
21 visors of the Counties of El Dorado and Placer and one member  
22 appointed by the City Council of the City of South Lake Tahoe. Any such  
23 member may be a member of the county board of supervisors or city  
24 council, respectively, and shall reside in the territorial jurisdiction of the  
25 governmental body making the appointment.

26 (B) Two members appointed by the Governor of California, one  
27 member appointed by the Speaker of the Assembly of California and one  
28 member appointed by the Senate Rules Committee of the State of Califor-  
29 nia. The members appointed pursuant to this subparagraph shall not be  
30 residents of the region and shall represent the public at large within the  
31 State of California.

32 (2) Nevada delegation:

33 (A) One member appointed by each of the boards of county commis-  
34 sioners of Douglas and Washoe counties and one member appointed by  
35 the board of supervisors of Carson City. Any such member may be a  
36 member of the board of county commissioners or board of supervisors,  
37 respectively, and shall reside in the territorial jurisdiction of the govern-  
38 mental body making the appointment.

39 (B) One member appointed by the governor of Nevada, the secretary  
40 of state of Nevada or his designee, and the director of the state depart-  
41 ment of conservation and natural resources of Nevada or his designee.  
42 Except for the secretary of state and the director of the state department  
43 of conservation and natural resources, the members or designees  
44 appointed pursuant to this subparagraph shall not be residents of the  
45 region. All members appointed pursuant to this subparagraph shall repre-  
46 sent the public at large within the State of Nevada.

47 (C) One member appointed for a 1-year term by the six other mem-  
48 bers of the Nevada delegation. If at least four members of the Nevada  
49 delegation are unable to agree upon the selection of a seventh member  
50 within 60 days after the effective date of the amendments to this compact

1 or the occurrence of a vacancy on the governing body for that state the  
2 governor of the State of Nevada shall make such an appointment. The  
3 member appointed pursuant to this subparagraph may, but is not  
4 required to, be a resident of the region within the State of Nevada.

5 (3) If any appointing authority under paragraph (1)(A), (1)(B), (2)(A)  
6 or (2)(B) fails to make such an appointment within 60 days after the effec-  
7 tive date of the amendments to this compact or the occurrence of a  
8 vacancy on the governing body, the governor of the state in which the  
9 appointing authority is located shall make the appointment. The term of  
10 any member so appointed shall be 1 year.

11 (4) The position of any member of the governing body shall be deemed  
12 vacant if such a member is absent from three consecutive meetings of the  
13 governing body in any calendar year.

14 (5) Each member and employee of the agency shall disclose his eco-  
15 nomic interests in the region within 10 days after taking his seat on the  
16 governing board or being employed by the agency and shall thereafter  
17 disclose any further economic interest which he acquires, as soon as fea-  
18 sible after he acquires it. As used in this paragraph, "economic interests"  
19 means:

20 (A) Any business entity operating in the region in which the member  
21 or employee has a direct or indirect investment worth more than \$1,000.

22 (B) Any real property located in the region in which the member or  
23 employee has a direct or indirect interest worth more than \$1,000.

24 (C) Any source of income attributable to activities in the region,  
25 other than loans by or deposits with a commercial lending institution in  
26 the regular course of business, aggregating \$250 or more in value received  
27 by or promised to the member within the preceding 12 months; or

28 (D) Any business entity operating in the region in which the member  
29 or employee is a director, officer, partner, trustee, employee or holds any  
30 position of management.

31 No member or employee of the agency shall make, or attempt to  
32 influence, an agency decision in which he knows or has reason to know he  
33 has an economic interest. Members and employees of the agency must  
34 disqualify themselves from making or participating in the making of any  
35 decision of the agency when it is reasonably foreseeable that the decision  
36 will have a material financial effect, distinguishable from its effect on the  
37 public generally, on the economic interests of the member or employee.

38 (b) The members of the agency shall serve without compensation, but  
39 the expenses of each member shall be met by the body which he represents  
40 in accordance with the law of that body. All other expenses incurred by  
41 the governing body in the course of exercising the powers conferred upon  
42 it by this compact unless met in some other manner specifically provided,  
43 shall be paid by the agency out of its own funds.

44 (c) Except for the secretary of state and director of the state department  
45 of conservation and natural resources of Nevada and the member  
46 appointed pursuant to subdivision (a)(2)(C), the members of the govern-  
47 ing body serve at the pleasure of the appointing authority in each case,  
48 but each appointment shall be reviewed no less often than every 4 years.  
49 Members may be reappointed.

50 (d) The governing body of the agency shall meet at least monthly. All

1 meetings shall be open to the public to the extent required by the law of  
2 the State of California or the State of Nevada, whichever imposes the  
3 greater requirement, applicable to local governments at the time such  
4 meeting is held. The governing body shall fix a date for its regular  
5 monthly meeting in such terms as "the first Monday of each month," and  
6 shall not change such date more often than once in any calendar year.  
7 Notice of the date so fixed shall be given by publication at least once in a  
8 newspaper or combination of newspapers whose circulation is general  
9 throughout the region and in each county a portion of whose territory lies  
10 within the region. Notice of any special meeting, except an emergency  
11 meeting, shall be given by so publishing the date and place and posting an  
12 agenda at least 5 days prior to the meeting.

13 (e) The position of a member of the governing body shall be considered  
14 vacated upon his loss of any of the qualifications required for his appoint-  
15 ment and in such event the appointing authority shall appoint a successor.

16 (f) The governing body shall elect from its own members a chairman  
17 and vice chairman, whose terms of office shall be 2 years, and who may be  
18 reelected. If a vacancy occurs in either office, the governing body may fill  
19 such vacancy for the unexpired term.

20 (g) Four of the members of the governing body from each state consti-  
21 tute a quorum for the transaction of the business of the agency. The  
22 voting procedures shall be as follows:

23 (1) For adopting, amending or repealing environmental threshold carry-  
24 ing capacities, the regional plan, and ordinances, rules and regulations,  
25 and for granting variances from the ordinances, rules and regulations, the  
26 vote of at least four of the members of each state agreeing with the vote of  
27 at least four members of the other state shall be required to take action. If  
28 there is no vote of at least four of the members from one state agreeing  
29 with the vote of at least four of the members of the other state on the  
30 actions specified in this paragraph, an action of rejection shall be deemed  
31 to have been taken.

32 (2) For approving a project, the affirmative vote of at least five mem-  
33 bers from the state in which the project is located and the affirmative vote  
34 of at least nine members of the governing body are required. If at least  
35 five members of the governing body from the state in which the project is  
36 located and at least nine members of the entire governing body do not  
37 vote in favor of the project, upon a motion for approval, an action of  
38 rejection shall be deemed to have been taken. A decision by the agency to  
39 approve a project shall be supported by a statement of findings, adopted  
40 by the agency, which indicates that the project complies with the regional  
41 plan and with applicable ordinances, rules and regulations of the agency.

42 (3) For routine business and for directing the agency's staff on litiga-  
43 tion and enforcement actions, at least eight members of the governing  
44 body must agree to take action. If at least eight votes in favor of such  
45 action are not cast, an action of rejection shall be deemed to have been  
46 taken.

47 Whenever under the provisions of this compact or any ordinance, rule,  
48 regulation or policy adopted pursuant thereto, the agency is required to  
49 review or approve any project, public or private, the agency shall take  
50 final action by vote, whether to approve, to require modification or to

1 reject such project, within 180 days after the application for such project  
2 is accepted as complete by the agency in compliance with the agency's  
3 rules and regulations governing such delivery unless the applicant has  
4 agreed to an extension of this time limit. If a final action by vote does not  
5 take place within 180 days, the applicant may bring an action in a court of  
6 competent jurisdiction to compel a vote unless he has agreed to an exten-  
7 sion. This provision does not limit the right of any person to obtain judi-  
8 cial review of agency action under subdivision [(h)] (j) of Article VI.  
9 The vote of each member of the governing body shall be individually  
10 recorded. The governing body shall adopt its own rules, regulations and  
11 procedures.

12 (h) An advisory planning commission shall be appointed by the agency.  
13 The commission shall include: the chief planning officers of Placer  
14 County, El Dorado County, and the City of South Lake Tahoe in Califor-  
15 nia and of Douglas County, Washoe County and Carson City in Nevada,  
16 the executive officer of the Lahontan Regional Water Quality Control  
17 Board of the State of California, the executive officer of the Air Resources  
18 Board of the State of California, the director of the state department of  
19 conservation and natural resources of the State of Nevada, the adminis-  
20 trator of the division of environmental protection in the state department  
21 of conservation and natural resources of the State of Nevada, the admin-  
22 istrator of the Lake Tahoe Management Unit of the United States Forest  
23 Service, and at least four lay members with an equal number from each  
24 state, at least half of whom shall be residents of the region. Any official  
25 member may designate an alternate.

26 The term of office of each lay member of the advisory planning com-  
27 mission shall be 2 years. Members may be reappointed.

28 The position of each member of the advisory planning commission  
29 shall be considered vacated upon loss of any of the qualifications required  
30 for appointment, and in such an event the appointing authority shall  
31 appoint a successor.

32 The advisory planning commission shall elect from its own members a  
33 chairman and a vice chairman, whose terms of office shall be 2 years and  
34 who may be reelected. If a vacancy occurs in either office, the advisory  
35 planning commission shall fill such vacancy for the unexpired term.

36 A majority of the members of the advisory planning commission con-  
37 stitutes a quorum for the transaction of the business of the commission. A  
38 majority vote of the quorum present shall be required to take action with  
39 respect to any matter.

40 (i) The agency shall establish and maintain an office within the region,  
41 and for this purpose the agency may rent or own property and equipment.  
42 Every plan, ordinance and other record of the agency which is of such  
43 nature as to constitute a public record under the law of either the State of  
44 California or the State of Nevada shall be open to inspection and copying  
45 during regular office hours.

46 (j) Each authority charged under this compact or by the law of either  
47 state with the duty of appointing a member of the governing body of the  
48 agency shall by certified copy of its resolution or other action notify the  
49 Secretary of State of its own state of the action taken.

ARTICLE IV. Personnel

1  
2  
3 (a) The governing body shall determine the qualification of, and it shall  
4 appoint and fix the salary of, the executive officer of the agency, and shall  
5 employ such other staff and legal counsel as may be necessary to execute  
6 the powers and functions provided for under this compact or in accordance  
7 with any intergovernmental contracts or agreements the agency may  
8 be responsible for administering.

9 (b) Agency personnel standards and regulations shall conform insofar  
10 as possible to the regulations and procedures of the civil service of the  
11 State of California or the State of Nevada, as may be determined by the  
12 governing body of the agency; and shall be regional and bistrate in appli-  
13 cation and effect; provided that the governing body may, for adminis-  
14 trative convenience and at its discretion, assign the administration of  
15 designated personnel arrangements to an agency of either state, and pro-  
16 vided that administratively convenient adjustments be made in the stand-  
17 ards and regulations governing personnel assigned under  
18 intergovernmental agreements.

19 (c) The agency may establish and maintain or participate in such addi-  
20 tional programs of employee benefits as may be appropriate to afford  
21 employees of the agency terms and conditions of employment similar to  
22 those enjoyed by employees of California and Nevada generally.

23  
24 ARTICLE V. Planning

25  
26 (a) In preparing each of the plans required by this article and each  
27 amendment thereto, if any, subsequent to its adoption, the planning com-  
28 mission after due notice shall hold at least one public hearing which may  
29 be continued from time to time, and shall review the testimony and any  
30 written recommendations presented at such hearing before recommend-  
31 ing the plan or amendment. The notice required by this subdivision shall  
32 be given at least 20 days prior to the public hearing by publication at least  
33 once in a newspaper or combination of newspapers whose circulation is  
34 general throughout the region and in each county a portion of whose  
35 territory lies within the region.

36 The planning commission shall then recommend such plan or amend-  
37 ment to the governing body for adoption by ordinance. The governing  
38 body may adopt, modify or reject the proposed plan or amendment, or  
39 may initiate and adopt a plan or amendment without referring it to the  
40 planning commission. If the governing body initiates or substantially  
41 modifies a plan or amendment, it shall hold at least one public hearing  
42 thereon after due notice as required in this subdivision.

43 If a request is made for the amendment of the regional plan by:

44 (1) A political subdivision a part of whose territory would be affected  
45 by such amendment; or

46 (2) The owner or lessee of real property which would be affected by  
47 such amendment,

48 the governing body shall complete its action on such amendment within  
49 180 days after such request is accepted as complete according to standards  
50 which must be prescribed by ordinance of the agency.

1 (b) The agency shall develop, in cooperation with the states of Califor-  
2 nia and Nevada, environmental threshold carrying capacities for the  
3 region. The agency should request the President's Council on Environ-  
4 mental Quality, the United States Forest Service and other appropriate  
5 agencies to assist in developing such environmental threshold carrying  
6 capacities. Within 18 months after the effective date of the amendments  
7 to this compact, the agency shall adopt environmental threshold carrying  
8 capacities for the region.

9 (c) Within 1 year after the adoption of the environmental threshold  
10 carrying capacities for the region, the agency shall amend the regional  
11 plan so that, at a minimum, the plan and all of its elements, as imple-  
12 mented through agency ordinances, rules and regulations, achieves and  
13 maintains the adopted environmental threshold carrying capacities. Each  
14 element of the plan shall contain implementation provisions and time  
15 schedules for such implementation by ordinance. The planning commis-  
16 sion and governing body shall continuously review and maintain the  
17 regional plan. The regional plan shall consist of a diagram, or diagrams,  
18 and text, or texts setting forth the projects and proposals for implementa-  
19 tion of the regional plan, a description of the needs and goals of the  
20 region and a statement of the policies, standards and elements of the  
21 regional plan.

22 The regional plan shall be a single enforceable plan and include all of  
23 the following correlated elements:

24 (1) A land-use plan for the integrated arrangement and general location  
25 and extent of, and the criteria and standards for, the uses of land, water,  
26 air, space and other natural resources within the region, including but not  
27 limited to an indication or allocation of maximum population densities  
28 and permitted uses.

29 (2) A transportation plan for the integrated development of a regional  
30 system of transportation, including but not limited to parkways, high-  
31 ways, transportation facilities, transit routes, waterways, navigation  
32 facilities, public transportation facilities, bicycle facilities, and appurte-  
33 nant terminals and facilities for the movement of people and goods within  
34 the region. The goal of transportation planning shall be:

35 (A) To reduce dependency on the automobile by making more effective  
36 use of existing transportation modes and of public transit to move  
37 people and goods within the region; and

38 (B) To reduce to the extent feasible air pollution which is caused by  
39 motor vehicles.

40 Where increases in capacity are required, the agency shall give preference  
41 to providing such capacity through public transportation and public pro-  
42 grams and projects related to transportation. The agency shall review and  
43 consider all existing transportation plans in preparing its regional trans-  
44 portation plan pursuant to this paragraph.

45 The plan shall provide for an appropriate transit system for the region.

46 The plan shall give consideration to:

47 (A) Completion of the Loop Road in the states of Nevada and Cali-  
48 fornia;

49 (B) Utilization of a light rail mass transit system in the South Shore  
50 area; and

1 (C) Utilization of a transit terminal in the Kingsbury Grade area.  
2 Until the regional plan is revised, or a new transportation plan is adopted  
3 in accordance with this paragraph, the agency has no effective transporta-  
4 tion plan.

5 (3) A conservation plan for the preservation, development, utilization,  
6 and management of the scenic and other natural resources within the  
7 basin, including but not limited to, soils, shoreline and submerged lands,  
8 scenic corridors along transportation routes, open spaces, recreational  
9 and historical facilities.

10 (4) A recreation plan for the development, utilization, and manage-  
11 ment of the recreational resources of the region, including but not limited  
12 to, wilderness and forested lands, parks and parkways, riding and hiking  
13 trails, beaches and playgrounds, marinas, areas for skiing and other rec-  
14 reational facilities.

15 (5) A public services and facilities plan for the general location, scale  
16 and provision of public services and facilities, which, by the nature of  
17 their function, size, extent and other characteristics are necessary or  
18 appropriate for inclusion in the regional plan.

19 In formulating and maintaining the regional plan, the planning com-  
20 mission and governing body shall take account of and shall seek to har-  
21 monize the needs of the region as a whole, the plans of the counties and  
22 cities within the region, the plans and planning activities of the state,  
23 federal and other public agencies and nongovernmental agencies and  
24 organizations which affect or are concerned with planning and devel-  
25 opment within the region.

26 (d) The regional plan shall provide for attaining and maintaining fed-  
27 eral, state, or local air and water quality standards, whichever are stric-  
28 test, in the respective portions of the region for which the standards are  
29 applicable.

30 The agency may, however, adopt air or water quality standards or con-  
31 trol measures more stringent than the applicable state implementation  
32 plan or the applicable federal, state, or local standards for the region, if it  
33 finds that such additional standards or control measures are necessary to  
34 achieve the purposes of this compact. Each element of the regional plan,  
35 where applicable, shall, by ordinance, identify the means and time sched-  
36 ule by which air and water quality standards will be attained.

37 (e) Except for the Regional Transportation Plan of the California  
38 Tahoe Regional Planning Agency, the regional plan, ordinances, rules  
39 and regulations adopted by the California Tahoe Regional Planning  
40 Agency in effect on July 1, 1980, shall be the regional plan, ordinances,  
41 rules and regulations of the Tahoe Regional Planning Agency for that  
42 portion of the Tahoe region located in the State of California. Such plan,  
43 ordinance, rule or regulation may be amended or repealed by the govern-  
44 ing body of the agency. The plans, ordinances, rules and regulations of  
45 the Tahoe Regional Planning Agency that do not conflict with, or are not  
46 addressed by, the California Tahoe Regional Planning Agency's plans,  
47 ordinances, rules and regulations referred to in this subdivision shall con-  
48 tinue to be applicable unless amended or repealed by the governing body  
49 of the agency. No provision of the regional plan, ordinances, rules and

1 regulations of the California Tahoe Regional Planning Agency referred to  
2 in this subdivision shall apply to that portion of the region within the  
3 State of Nevada, unless such provision is adopted for the Nevada portion  
4 of the region by the governing body of the agency.

5 (f) The regional plan, ordinances, rules and regulations of the Tahoe  
6 Regional Planning Agency apply to that portion of the region within the  
7 State of Nevada.

8 (g) The agency shall adopt ordinances prescribing specific written find-  
9 ings that the agency must make prior to approving any project in the  
10 region. These findings shall relate to environmental protection and shall  
11 insure that the project under review will not adversely affect implementa-  
12 tion of the regional plan and will not cause the adopted environmental  
13 threshold carrying capacities of the region to be exceeded.

14 (h) The agency shall maintain the data, maps and other information  
15 developed in the course of formulating and administering the regional  
16 plan, in a form suitable to assure a consistent view of developmental  
17 trends and other relevant information for the availability of and use by  
18 other agencies of government and by private organizations and individ-  
19 uals concerned.

20 (i) Where necessary for the realization of the regional plan, the agency  
21 may engage in collaborative planning with local governmental juris-  
22 dictions located outside the region, but contiguous to its boundaries. In  
23 formulating and implementing the regional plan, the agency shall seek the  
24 cooperation and consider the recommendations of counties and cities and  
25 other agencies of local government, of state and federal agencies, of  
26 educational institutions and research organizations, whether public or  
27 private, and of civic groups and private persons.

28  
29 **ARTICLE VI. Agency's Powers**

30  
31 (a) The governing body shall adopt all necessary ordinances, rules, and  
32 regulations to effectuate the adopted regional plan. Except as otherwise  
33 provided in this compact, every such ordinance, rule or regulation shall  
34 establish a minimum standard applicable throughout the region. Any  
35 political subdivision or public agency may adopt and enforce an equal or  
36 higher requirement applicable to the same subject of regulation in its ter-  
37 ritory. The regulations of the agency shall contain standards including but  
38 not limited to the following: water purity and clarity; subdivision; zoning;  
39 tree removal; solid waste disposal; sewage disposal; land fills, excava-  
40 tions, cuts and grading; piers, harbors, breakwaters or channels and other  
41 shoreline developments; waste disposal in shoreline areas; waste disposal  
42 from boats; mobile-home parks; house relocation; outdoor advertising;  
43 flood plain protection; soil and sedimentation control; air pollution; and  
44 watershed protection. Whenever possible without diminishing the effec-  
45 tiveness of the regional plan, the ordinances, rules, regulations and poli-  
46 cies shall be confined to matters which are general and regional in  
47 application, leaving to the jurisdiction of the respective states, counties  
48 and cities the enactment of specific and local ordinances, rules, regu-  
49 lations and policies which conform to the regional plan.



1 The agency shall prescribe by ordinance those activities which it has  
2 determined will not have substantial effect on the land, water, air, space  
3 or any other natural resources in the region and therefore will be exempt  
4 from its review and approval.

5 Every ordinance adopted by the agency shall be published at least once  
6 by title in a newspaper or combination of newspapers whose circulation is  
7 general throughout the region. Except an ordinance adopting or amend-  
8 ing the regional plan, no ordinance shall become effective until 60 days  
9 after its adoption. Immediately after its adoption, a copy of each ordi-  
10 nance shall be transmitted to the governing body of each political subdivi-  
11 sion having territory within the region.

12 (b) No project other than those to be reviewed and approved under the  
13 special provisions of subdivisions (d), (e), (f) and (g) may be developed in  
14 the region without obtaining the review and approval of the agency and  
15 no project may be approved unless it is found to comply with the regional  
16 plan and with the ordinances, rules and regulations enacted pursuant to  
17 subdivision (a) to effectuate that plan. The agency may approve a project  
18 in the region only after making the written findings required by this subdivi-  
19 sion or subdivision (g) of Article V. Such findings shall be based on  
20 substantial evidence in the record.

21 Before adoption by the agency of the ordinances required in subdivi-  
22 sion (g) of Article V, the agency may approve a project in the region only  
23 after making written findings on the basis of substantial evidence in the  
24 record that the project is consistent with the regional plan then in effect  
25 and with applicable plans, ordinances, regulations, and standards of federal  
26 and state agencies relating to the protection, maintenance and  
27 enhancement of environmental quality in the region.

28 (c) The legislatures of the states of California and Nevada find that in  
29 order to make effective the regional plan as revised by the agency, it is  
30 necessary to halt temporarily works of development in the region which  
31 might otherwise absorb the entire capability of the region for further  
32 development or direct it out of harmony with the ultimate plan. Subject  
33 to the limitation provided in this subdivision, from the effective date of  
34 the amendments to this compact until the regional plan is amended pur-  
35 suant to subdivision (c) of Article V, or until May 1, 1983, whichever is  
36 earlier:

37 (1) Except as otherwise provided in this paragraph, no new subdivision,  
38 planned unit development, or condominium project may be approved  
39 unless a complete tentative map or plan has been approved before the  
40 effective date of the amendments to this compact by all agencies having  
41 jurisdiction. The subdivision of land owned by a general improvement  
42 district, which existed and owned the land before the effective date of the  
43 amendments to this compact, may be approved if subdivision of the land  
44 is necessary to avoid insolvency of the district.

45 (2) Except as provided in paragraph (3), no apartment building may be  
46 erected unless the required permits for such building have been secured  
47 from all agencies having jurisdiction, prior to the effective date of the  
48 amendments to this compact.

49 (3) During each of the calendar years 1980, 1981 and 1982, no city or  
50 county may issue building permits which authorize the construction of a

1 greater number of new residential units within the region than were  
2 authorized within the region by building permits issued by that city or  
3 county during the calendar year 1978. For the period of January through  
4 April, 1983, building permits authorizing the construction of no more  
5 than one-third of that number may be issued by each such city or county.  
6 For purposes of this paragraph a "residential unit" means either a single  
7 family residence or an individual residential unit within a larger building,  
8 such as an apartment building, a duplex or a condominium.

9 The legislatures find the respective numbers of residential units author-  
10 ized within the region during the calendar year 1978 to be as follows:

11	1. City of South Lake Tahoe and El Dorado County	
12	(combined).....	252
13	2. Placer County.....	278
14	3. Carson City.....	-0-
15	4. Douglas County.....	[339] 529
16	5. Washoe County.....	739

17 *Notwithstanding the numerical limitations on residential units set forth in*  
18 *this paragraph, any residential unit for which sewer capacity was allo-*  
19 *cated in 1980 in El Dorado County but for which no building permit was*  
20 *issued in 1980 may be issued a building permit in 1981.*

21 (4) During each of the calendar years 1980, 1981 and 1982, no city or  
22 county may issue building permits which authorize construction of a  
23 greater square footage of new commercial buildings within the region  
24 than were authorized within the region by building permits for commer-  
25 cial purposes issued by that city or county during the calendar year 1978.  
26 For the period of January through April, 1983, building permits author-  
27 izing the construction of no more than one-third the amount of that  
28 square footage may be issued by each such city or county.

29 The legislatures find the respective square footages of commercial  
30 buildings authorized within the region during calendar year 1978 to be as  
31 follows:

32	1. City of South Lake Tahoe and El Dorado County	
33	(combined).....	64,324
34	2. Placer County.....	23,000
35	3. Carson City.....	-0-
36	4. Douglas County.....	57,354
37	5. Washoe County.....	50,600

38 (5) No structure may be erected to house gaming under a nonre-  
39 stricted license.

40 (6) No facility for the treatment of sewage may be constructed or  
41 enlarged except:

42 (A) To comply, as ordered by the appropriate state agency for the  
43 control of water pollution, with existing limitations of effluent under the  
44 Clean Water Act, 33 U.S.C. § 1251 et seq., and the applicable state law  
45 for control of water pollution;

46 (B) To accommodate development which is not prohibited or limited  
47 by this subdivision; or

48 (C) In the case of Douglas County Sewer District # 1, to modify or  
49 otherwise alter sewage treatment facilities existing on the effective date of  
50 the amendments to this compact so that such facilities will be able to treat

1 the total volume of effluent for which they were originally designed, which  
2 is 3.0 million gallons per day. Such modification or alteration is not a  
3 "project"; is not subject to the requirements of Article VII; and does not  
4 require a permit from the agency. Before commencing such modification  
5 or alteration, however, the district shall submit to the agency its report  
6 identifying any significant soil erosion problems which may be caused by  
7 such modifications or alterations and the measures which the district pro-  
8 poses to take to mitigate or avoid such problems.

9 The moratorium imposed by this subdivision does not apply to work  
10 done pursuant to a right vested before the effective date of the amend-  
11 ments to this compact. Notwithstanding the expiration date of the mora-  
12 torium imposed by this subdivision, no new highway may be built or  
13 existing highway widened to accommodate additional continuous lanes  
14 for automobiles until the regional transportation plan is revised and  
15 adopted.

16 The moratorium imposed by this subdivision does not apply to the con-  
17 struction of any parking garage which has been approved by the agency  
18 prior to May 4, 1979, whether that approval was affirmative or by default.  
19 The provisions of this paragraph are not an expression of legislative intent  
20 that any such parking garage, the approval of which is the subject of  
21 litigation which was pending on the effective date of the amendments to  
22 this compact, should or should not be constructed. The provisions of this  
23 paragraph are intended solely to permit construction of such a parking  
24 garage if a judgment sustaining the agency's approval to construct that  
25 parking garage has become final and no appeal is pending or may lawfully  
26 be taken to a higher court.

27 (d) Subject to the final order of any court of competent jurisdiction  
28 entered in litigation contesting the validity of an approval by the Tahoe  
29 Regional Planning Agency, whether that approval was affirmative or by  
30 default, if that litigation was pending on May 4, 1979, the agency and the  
31 states of California and Nevada shall recognize as a permitted and con-  
32 forming use:

33 (1) Every structure housing gaming under a nonrestricted license which  
34 existed as a licensed gaming establishment on May 4, 1979, or whose con-  
35 struction was approved by the Tahoe Regional Planning Agency affirma-  
36 tively or deemed approved before that date. The construction or use of  
37 any structure to house gaming under a nonrestricted license not so exist-  
38 ing or approved, or the enlargement in cubic volume of any such existing  
39 or approved structure is prohibited.

40 (2) Every other nonrestricted gaming establishment whose use was sea-  
41 sonal and whose license was issued before May 4, 1979, for the same  
42 season and for the number and type of games and slot machines on which  
43 taxes or fees were paid in the calendar year 1978.

44 (3) Gaming conducted pursuant to a restricted gaming license issued  
45 before May 4, 1979, to the extent permitted by that license on that date.  
46 The area within any structure housing gaming under a nonrestricted  
47 license which may be open to public use (as distinct from that devoted to  
48 the private use of guests and exclusive of any parking area) is limited to  
49 the area existing or approved for public use on May 4, 1979. Within these

1 limits, any external modification of the structure which requires a permit  
2 from a local government also requires approval from the agency. The  
3 agency shall not permit restaurants, convention facilities, showrooms or  
4 other public areas to be constructed elsewhere in the region outside the  
5 structure in order to replace areas existing or approved for public use on  
6 May 4, 1979.

7 (e) Any structure housing licensed gaming may be rebuilt or replaced to  
8 a size not to exceed the cubic volume, height and land coverage existing or  
9 approved on May 4, 1979, without the review or approval of the agency  
10 or any planning or regulatory authority of the State of Nevada whose  
11 review or approval would be required for a new structure.

12 (f) The following provisions apply to any internal or external modifica-  
13 tion, remodeling, change in use, or repair of a structure housing gaming  
14 under a nonrestricted license which is not prohibited by Article VI (d):

15 (1) The agency's review of an external modification of the structure  
16 which requires a permit from a local government is limited to determining  
17 whether the external modification will do any of the following:

18 (A) Enlarge the cubic volume of the structure;

19 (B) Increase the total square footage of area open to or approved for  
20 public use on May 4, 1979;

21 (C) Convert an area devoted to the private use of guests to an area  
22 open to public use;

23 (D) Increase the public area open to public use which is used for  
24 gaming beyond the limits contained in paragraph (3); and

25 (E) Conflict with or be subject to the provisions of any of the  
26 agency's ordinances that are generally applicable throughout the  
27 region.

28 The agency shall make this determination within 60 days after the pro-  
29 posal is delivered to the agency in compliance with the agency's rules or  
30 regulations governing such delivery unless the applicant has agreed to an  
31 extension of this time limit. If an external modification is determined to  
32 have any of the effects enumerated in subparagraphs (A) through (C), it is  
33 prohibited. If an external modification is determined to have any of the  
34 effects enumerated in subparagraphs (D) or (E), it is subject to the appli-  
35 cable provisions of this compact. If an external modification is deter-  
36 mined to have no such effect, it is not subject to the provisions of this  
37 compact.

38 (2) Except as provided in paragraph (3), internal modification, remodel-  
39 ing, change in use or repair of a structure housing gaming under a non-  
40 restricted license is not a project and does not require the review or  
41 approval of the agency.

42 (3) Internal modification, remodeling, change in use or repair of areas  
43 open to public use within a structure housing gaming under a non-  
44 restricted license which alone or in combination with any other such mod-  
45 ification, remodeling, change in use or repair will increase the total  
46 portion of those areas which is actually used for gaming by more than the  
47 product of the total base area, as defined below, in square feet existing on  
48 or approved before August 4, 1980, multiplied by 15 percent constitutes a  
49 project and is subject to all of the provisions of this compact relating to

1 projects. For purposes of this paragraph and the determination required  
2 by Article VI (g), base area means all of the area within a structure hous-  
3 ing gaming under a nonrestricted license which may be open to public use,  
4 whether or not gaming is actually conducted or carried on in that area,  
5 except retail stores, convention centers and meeting rooms, adminis-  
6 trative offices, kitchens, maintenance and storage areas, rest rooms, engi-  
7 neering and mechanical rooms, accounting rooms and counting rooms.

8 (g) In order to administer and enforce the provisions of paragraphs (d),  
9 (e) and (f), the State of Nevada, through its appropriate planning or regu-  
10 latory agency, shall require the owner or licensee of a structure housing  
11 gaming under a nonrestricted license to provide:

12 (1) Documents containing sufficient information for the Nevada agency  
13 to establish the following relative to the structure:

14 (A) The location of its external walls;

15 (B) Its total cubic volume;

16 (C) Within its external walls, the area in square feet open or  
17 approved for public use and the area in square feet devoted to or  
18 approved for the private use of guests on May 4, 1979;

19 (D) The amount of surface area of land under the structure; and

20 (E) The base area as defined in paragraph (f)(3) in square feet exist-  
21 ing on or approved before August 4, 1980.

22 (2) An informational report whenever any internal modification,  
23 remodeling, change in use, or repair will increase the total portion of the  
24 areas open to public use which is used for gaming.

25 The Nevada agency shall transmit this information to the Tahoe  
26 Regional Planning Agency.

27 (h) Gaming conducted pursuant to a restricted gaming license is exempt  
28 from review by the agency if it is incidental to the primary use of the  
29 premises.

30 (i) The provisions of subdivisions (d) and (e) are intended only to limit  
31 gaming and related activities as conducted within a gaming establishment,  
32 or construction designed to permit the enlargement of such activities, and  
33 not to limit any other use of property zoned for commercial use or the  
34 accommodation of tourists, as approved by the agency.

35 (j) Legal actions arising out of or alleging a violation of the provisions  
36 of this compact, of the regional plan or of an ordinance or regulation of  
37 the agency or of a permit or a condition of a permit issued by the agency  
38 are governed by the following provisions:

39 (1) This subdivision applies to:

40 (A) Actions arising out of activities directly undertaken by the  
41 agency.

42 (B) Actions arising out of the issuance to a person of a lease, permit,  
43 license or other entitlement for use by the agency.

44 (C) Actions arising out of any other act or failure to act by any per-  
45 son or public agency.

46 Such legal actions may be filed and the provisions of this subdivision  
47 apply equally in the appropriate courts of California and Nevada and of  
48 the United States.

49 (2) Venue lies:

50 (A) If a civil or criminal action challenges an activity by the agency

1 or any person which is undertaken or to be undertaken upon a parcel of  
2 real property, in the state or federal judicial district where the real prop-  
3 erty is situated.

4 (B) If an action challenges an activity which does not involve a spe-  
5 cific parcel of land (such as an action challenging an ordinance of the  
6 agency), in any state or federal court having jurisdiction within the  
7 region.

8 (3) Any aggrieved person may file an action in an appropriate court of  
9 the State of California or Nevada or of the United States alleging non-  
10 compliance with the provisions of this compact or with an ordinance or  
11 regulation of the agency. In the case of governmental agencies,  
12 "aggrieved person" means the Tahoe Regional Planning Agency or any  
13 state, federal or local agency. In the case of any person other than a  
14 governmental agency who challenges an action of the Tahoe Regional  
15 Planning Agency, "aggrieved person" means any person who has  
16 appeared, either in person, through an authorized representative, or in  
17 writing, before the agency at an appropriate administrative hearing to  
18 register objection to the action which is being challenged, or who had  
19 good cause for not making such an appearance.

20 (4) A legal action arising out of the adoption or amendment of the  
21 regional plan or of any ordinance or regulation of the agency, or out of  
22 the granting or denial of any permit, shall be commenced within 60 days  
23 after final action by the agency. All other legal actions shall be com-  
24 menced within 65 days after discovery of the cause of action.

25 (5) In any legal action filed pursuant to this subdivision which chal-  
26 lenges an adjudicatory act or decision of the agency to approve or disap-  
27 prove a project, the scope of judicial inquiry shall extend only to whether  
28 there was prejudicial abuse of discretion. Prejudicial abuse of discretion  
29 is established if the agency has not proceeded in a manner required by law  
30 or if the act or decision of the agency was not supported by substantial  
31 evidence in light of the whole record. In making such a determination the  
32 court shall not exercise its independent judgment on evidence but shall  
33 only determine whether the act or decision was supported by substantial  
34 evidence in light of the whole record. In any legal action filed pursuant to  
35 this subdivision which challenges a legislative act or decision of the agency  
36 (such as the adoption of the regional plan and the enactment of imple-  
37 menting ordinances), the scope of the judicial inquiry shall extend only to  
38 the questions of whether the act or decision has been arbitrary, capri-  
39 cious or lacking substantial evidentiary support or whether the agency has  
40 failed to proceed in a manner required by law.

41 (6) The provisions of this subdivision do not apply to any legal pro-  
42 ceeding pending on the date when this subdivision becomes effective. Any  
43 such legal proceeding shall be conducted and concluded under the provi-  
44 sions of law which were applicable prior to the effective date of this subdi-  
45 vision.

46 (7) The security required for the issuance of a temporary restraining  
47 order or preliminary injunction based upon an alleged violation of this  
48 compact or any ordinance, plan, rule or regulation adopted pursuant  
49 thereto is governed by the rule or statute applicable to the court in which  
50 the action is brought, unless the action is brought by a public agency or

1 political subdivision to enforce its own rules, regulations and ordinances  
2 in which case no security shall be required.

3 (k) The agency shall monitor activities in the region and may bring  
4 enforcement actions in the region to ensure compliance with the regional  
5 plan and adopted ordinances, rules, regulations and policies. If it is found  
6 that the regional plan, or ordinances, rules, regulations and policies are  
7 not being enforced by a local jurisdiction, the agency may bring action in  
8 a court of competent jurisdiction to ensure compliance.

9 (l) Any person who violates any provision of this compact or of any  
10 ordinance or regulation of the agency or of any condition of approval  
11 imposed by the agency is subject to a civil penalty not to exceed \$5,000.  
12 Any such person is subject to an additional civil penalty not to exceed  
13 \$5,000 per day, for each day on which such a violation persists. In impos-  
14 ing the penalties authorized by this subdivision, the court shall consider  
15 the nature of the violation and shall impose a greater penalty if it was  
16 willful or resulted from gross negligence than if it resulted from inadvert-  
17 ence or simple negligence.

18 (m) The agency is hereby empowered to initiate, negotiate and partici-  
19 pate in contracts and agreements among the local governmental authori-  
20 ties of the region, or any other intergovernmental contracts or  
21 agreements authorized by state or federal law.

22 (n) Each intergovernmental contract or agreement shall provide for its  
23 own funding and staffing, but this shall not preclude financial contribu-  
24 tions from the local authorities concerned or from supplementary  
25 sources.

26 (o) Every record of the agency, whether public or not, shall be open for  
27 examination to the Legislature and Controller of the State of California  
28 and the legislative auditor of the State of Nevada.

29 (p) Approval by the agency of any project expires 3 years after the date  
30 of final action by the agency or the effective date of the amendments to  
31 this compact, whichever is later, unless construction is begun within that  
32 time and diligently pursued thereafter, or the use or activity has com-  
33 menced. In computing the 3-year period any period of time during which  
34 the project is the subject of a legal action which delays or renders impos-  
35 sible the diligent pursuit of that project shall not be counted. Any license,  
36 permit or certificate issued by the agency which has an expiration date  
37 shall be extended by that period of time during which the project is the  
38 subject of such legal action as provided in this subdivision.

39 (q) The governing body shall maintain a current list of real property  
40 known to be available for exchange with the United States or with other  
41 owners of real property in order to facilitate exchanges of real property by  
42 owners of real property in the region.

43

44

## ARTICLE VII. Environmental Impact Statements

45

46 (a) The Tahoe Regional Planning Agency when acting upon matters  
47 that have a significant effect on the environment shall:

48

49

(1) Utilize a systematic, interdisciplinary approach which will insure the  
integrated use of the natural and social sciences and the environmental

1 design arts in planning and in decisionmaking which may have an impact  
2 on man's environment;

3 (2) Prepare and consider a detailed environmental impact statement  
4 before deciding to approve or carry out any project. The detailed environ-  
5 mental impact statement shall include the following:

6 (A) The significant environmental impacts of the proposed project;

7 (B) Any significant adverse environmental effects which cannot be  
8 avoided should the project be implemented;

9 (C) Alternatives to the proposed project;

10 (D) Mitigation measures which must be implemented to assure meet-  
11 ing standards of the region;

12 (E) The relationship between local short-term uses of man's environ-  
13 ment and the maintenance and enhancement of long-term productivity;

14 (F) Any significant irreversible and irretrievable commitments of  
15 resources which would be involved in the proposed project should it be  
16 implemented; and

17 (G) The growth-inducing impact of the proposed project;

18 (3) Study, develop and describe appropriate alternatives to recom-  
19 mended courses of action for any project which involves unresolved con-  
20 flicts concerning alternative uses of available resources;

21 (4) Make available to states, counties, municipalities, institutions and  
22 individuals, advice and information useful in restoring, maintaining and  
23 enhancing the quality of the region's environment; and

24 (5) Initiate and utilize ecological information in the planning and devel-  
25 opment of resource-oriented projects.

26 (b) Prior to completing an environmental impact statement, the agency  
27 shall consult with and obtain the comments of any federal, state or local  
28 agency which has jurisdiction by law or special expertise with respect to  
29 any environmental impact involved. Copies of such statement and the  
30 comments and views of the appropriate federal, state and local agencies  
31 which are authorized to develop and enforce environmental standards  
32 shall be made available to the public and shall accompany the project  
33 through the review processes. The public shall be consulted during the  
34 environmental impact statement process and views shall be solicited dur-  
35 ing a public comment period not to be less than 60 days.

36 (c) Any environmental impact statement required pursuant to this  
37 article need not repeat in its entirety any information or data which is  
38 relevant to such a statement and is a matter of public record or is gener-  
39 ally available to the public, such as information contained in an environ-  
40 mental impact report prepared pursuant to the California Environmental  
41 Quality Act or a federal environmental impact statement prepared pur-  
42 suant to the National Environmental Policy Act of 1969. However, such  
43 information or data shall be briefly described in the environmental impact  
44 statement and its relationship to the environmental impact statement shall  
45 be indicated.

46 In addition, any person may submit information relative to a proposed  
47 project which may be included, in whole or in part, in any environmental  
48 impact statement required by this article.

49 (d) In addition to the written findings specified by agency ordinance to



1 implement the regional plan, the agency shall make either of the following  
2 written findings before approving a project for which an environmental  
3 impact statement was prepared:

4 (1) Changes or alterations have been required in or incorporated into  
5 such project which avoid or reduce the significant adverse environmental  
6 effects to a less than significant level; or

7 (2) Specific considerations, such as economic, social or technical, make  
8 infeasible the mitigation measures or project alternatives discussed in the  
9 environmental impact statement on the project.

10 A separate written finding shall be made for each significant effect identi-  
11 fied in the environmental impact statement on the project. All written  
12 findings must be supported by substantial evidence in the record.

13 (e) The agency may charge and collect a reasonable fee from any per-  
14 son proposing a project subject to the provisions of this compact in order  
15 to recover the estimated costs incurred by the agency in preparing an envi-  
16 ronmental impact statement under this article.

17 (f) The agency shall adopt by ordinance a list of classes of projects  
18 which the agency has determined will not have a significant effect on the  
19 environment and therefore will be exempt from the requirement for the  
20 preparation of an environmental impact statement under this article.  
21 Prior to adopting the list, the agency shall make a written finding sup-  
22 ported by substantial evidence in the record that each class of projects will  
23 not have a significant effect on the environment.

#### 24 ARTICLE VIII. Finances

25  
26  
27 (a) On or before September 30 of each calendar year the agency shall  
28 establish the amount of money necessary to support its activities for the  
29 next succeeding fiscal year commencing July 1 of the following year. The  
30 agency shall apportion \$75,000 of this amount among the counties within  
31 the region on the same ratio to the total sum required as the full cash  
32 valuation of taxable property within the region in each county bears to the  
33 total full cash valuation of taxable property within the region. In addi-  
34 tion, each county within the region in California shall pay \$18,750 to the  
35 agency and each county within the region in Nevada, including Carson  
36 City, shall pay \$12,500 to the agency, from any funds available therefor.  
37 The State of California and the State of Nevada may pay to the agency by  
38 July 1 of each year any additional sums necessary to support the oper-  
39 ations of the agency pursuant to this compact. If additional funds are  
40 required, the agency shall make a request for the funds to the states of  
41 California and Nevada. Requests for state funds must be apportioned  
42 two-thirds from California and one-third from Nevada. Money appropri-  
43 ated shall be paid within 30 days.

44 (b) The agency may fix and collect reasonable fees for any services ren-  
45 dered by it.

46 (c) The agency shall submit an itemized budget to the states for review  
47 with any request for state funds, shall be strictly accountable to any  
48 county in the region and the states for all funds paid by them to the  
49 agency and shall be strictly accountable to all participating bodies for all  
50 receipts and disbursement.

1 (d) The agency is authorized to receive gifts, donations, subventions,  
2 grants, and other financial aids and funds; but the agency may not own  
3 land except as provided in subdivision (i) of Article III.

4 (e) The agency shall not obligate itself beyond the moneys due under  
5 this article for its support from the several counties and the states for the  
6 current fiscal year, plus any moneys on hand or irrevocably pledged to its  
7 support from other sources. No obligation contracted by the agency shall  
8 bind either of the party states or any political subdivision thereof.

9  
10 ARTICLE IX. Transportation District

11  
12 (a) The Tahoe transportation district is hereby established as a special  
13 purpose district. The boundaries of the district are coterminous with  
14 those of the region.

15 (b) The business of the district shall be managed by a board of directors  
16 consisting of:

17 (1) One member of the county board of supervisors of each of the  
18 counties of El Dorado and Placer;

19 (2) One member of the city council of the City of South Lake Tahoe;

20 (3) One member each of the board of county commissioners of Douglas  
21 County and of Washoe County;

22 (4) One member of the board of supervisors of Carson City;

23 (5) The director of the California Department of Transportation; and

24 (6) The director of the department of transportation of the State of  
25 Nevada.

26 Any director may designate an alternate.

27 (c) The vote of at least five of the directors must agree to take action. If  
28 at least five votes in favor of an action are not cast, an action of rejection  
29 shall be deemed to have been taken.

30 (d) The Tahoe transportation district may in accordance with the  
31 adopted transportation plan:

32 (1) Own and operate a public transportation system to the exclusion of  
33 all other publicly owned transportation systems in the region.

34 (2) Acquire upon mutually agreeable terms any public transportation  
35 system or facility owned by a county, city or special purpose district  
36 within the region.

37 (3) Hire the employees of existing public transportation systems that  
38 are acquired by the district without loss of benefits to the employees, bar-  
39 gain collectively with employee organizations, and extend pension and  
40 other collateral benefits to employees.

41 (4) Fix the rates and charges for transit services provided pursuant to  
42 this subdivision.

43 (5) Issue revenue bonds and other evidence of indebtedness.

44 (6) By resolution, determine and propose for adoption a tax for the  
45 purpose of obtaining services of the district. The tax proposed must be  
46 general and of uniform operation throughout the region, and may not be  
47 graduated in any way. The district is prohibited from imposing an ad  
48 valorem tax, a tax measured by gross or net receipts on business, a tax or

1 charge that is assessed against people or vehicles as they enter or leave the  
2 region, and any tax, direct or indirect, on gaming *or gaming* tables and  
3 devices.

4 Any such proposition must be submitted to the voters of the district and  
5 shall become effective upon approval of two-thirds of the voters voting on  
6 the proposition. The revenues from any such tax must be used for the  
7 service for which it was imposed, and for no other purpose.

8 (7) Provide service from inside the region to convenient airport, rail-  
9 road and interstate bus terminals without regard to the boundaries of the  
10 region.

11 (e) The legislatures of the states of California and Nevada may, by sub-  
12 stantively identical enactments, amend this article.

13  
14 **ARTICLE X. Miscellaneous**

15  
16 (a) It is intended that the provisions of this compact shall be reasonably  
17 and liberally construed to effectuate the purposes thereof. Except as pro-  
18 vided in subdivision (c), the provisions of this compact shall be severable  
19 and if any phrase, clause, sentence or provision of this compact is  
20 declared to be contrary to the constitution of any participating state or of  
21 the United States or the applicability thereof to any government, agency,  
22 person or circumstance is held invalid, the validity of the remainder of  
23 this compact and the applicability thereof to any government, agency,  
24 person or circumstance shall not be affected thereby. If this compact shall  
25 be held contrary to the constitution of any state participating therein, the  
26 compact shall remain in full force and effect as to the remaining state and  
27 in full force and effect as to the state affected as to all severable matters.

28 (b) The agency shall have such additional powers and duties as may  
29 hereafter be delegated or imposed upon it from time to time by the action  
30 of the Legislature of either state concurred in by the Legislature of the  
31 other.

32 (c) A state party to this compact may withdraw therefrom by enacting a  
33 statute repealing the compact. Notice of withdrawal shall be communi-  
34 cated officially and in writing to the Governor of the other state and to the  
35 agency administrators. This provision is not severable, and if it is held to  
36 be unconstitutional or invalid, no other provision of this compact shall be  
37 binding upon the State of Nevada or the State of California.

38 (d) No provision of this compact shall have any effect upon the alloca-  
39 tion, distribution or storage of interstate waters or upon any appropri-  
40 ative water right.

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

## Exhibit I

**THIS EXHIBIT IS MISSING FROM BOTH THE ORIGINAL  
MINUTES AND THE MICROFICHE.**

Exhibit J

**THIS EXHIBIT IS MISSING FROM BOTH THE ORIGINAL  
MINUTES AND THE MICROFICHE.**

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

**S. B. 504**

SENATE BILL NO. 504—SENATORS GETTO AND JACOBSEN

APRIL 6, 1981

Referred to Committee on Natural Resources

SUMMARY—Creates state fair board. (BDR 49-1693)

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 fairs; creating the advisory board of trustees for the trust relating to the fairground and providing for its organization, powers and duties; 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 551 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 1. *The state advisory board of trustees for the trust relating to the*  
4 *fairground, consisting of ten members appointed by the governor, is*  
5 *hereby created.*  
6 2. *The governor shall appoint:*  
7 (a) *As representatives of the Nevada state fair board, its president and*  
8 *manager.*  
9 (b) *As representatives of the Reno Rodeo Association, its president*  
10 *and vice president.*  
11 (c) *A representative of the 4-H Club Leaders' Council.*  
12 (d) *A representative of the Nevada junior livestock show board.*  
13 (e) *A member of the legislature.*  
14 (f) *A representative of the Nevada State Horsemen's Association.*  
15 (g) *A prominent member of one of the cattle breeders' associations in*  
16 *the state, to represent those associations.*  
17 (h) *A person engaged in a business related to farming or ranching.*  
18 3. *The board shall review:*  
19 (a) *All uses of the real property leased to Washoe County for use as a*  
20 *fairground.*  
21 (b) *Any physical improvements or changes to the facilities at the fair-*  
22 *ground,*  
23 *to ensure that the use of the property for purposes related to agriculture*  
24 *and livestock continues in compliance with the trust provisions imposed*  
25 *upon the conveyance.*

- 1     **SEC. 2.** The governor shall appoint to the board 10 persons who are  
2 qualified under paragraphs (a) to (h), inclusive, of subsection 2 of sec-  
3 tion 1 of this act to terms as follows:
- 4     1. Three members to terms expiring on June 30, 1982.
  - 5     2. Three members to terms expiring on June 30, 1983.
  - 6     3. Four members to terms expiring on June 30, 1984.

**A. J. R. 7**

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ASSEMBLY JOINT RESOLUTION NO. 7—COMMITTEE ON  
ECONOMIC DEVELOPMENT AND NATURAL RESOURCES

JANUARY 22, 1981

Referred to Committee on Economic Development  
and Natural Resources

SUMMARY—Opposes designation of rivers in Nevada pursuant to  
Wild and Scenic Rivers Act. (BDR 107)

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.

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ASSEMBLY JOINT RESOLUTION—Opposing designation of any river in  
Nevada as wild, scenic or recreational pursuant to the Wild and Scenic Rivers  
Act.

- 1 WHEREAS, In 1968 the Congress of the United States enacted the Wild  
2 and Scenic Rivers Act (16 U.S.C. §§ 1271 et seq.) to preserve certain  
3 rivers for the benefit and enjoyment of future generations; and  
4 WHEREAS, The Heritage Conservation and Recreation Service of the  
5 United States Department of the Interior has begun to identify rivers  
6 which are eligible for designation as wild, scenic or recreational within  
7 the national wild and scenic river system; and  
8 WHEREAS, Every river in Nevada which has been identified for inclu-  
9 sion in this system is fully appropriated to beneficial uses pursuant to the  
10 water law of this state; and  
11 WHEREAS, Designation of a river as wild, scenic or recreational would  
12 create uncertainty regarding existing water rights and future uses, and  
13 curtail the ability of this state to manage its water resources properly;  
14 now, therefore, be it  
15 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*  
16 That the Nevada legislature opposes the designation of any river in this  
17 state as wild, scenic or recreational pursuant to the Wild and Scenic  
18 Rivers Act; and be it further  
19 *Resolved,* That copies of this resolution be immediately transmitted by  
20 the legislative counsel to the Secretary of the Interior, to the Vice Presi-  
21 dent of the United States as presiding officer of the Senate, to the Speaker  
22 of the House of Representatives and to all members of the Nevada con-  
23 gressional delegation; and be it further  
24 *Resolved,* That this resolution shall become effective upon passage and  
25 approval.



*Libray*

**ADDENDUM TO MINUTES OF  
THE SENATE COMMITTEE ON  
NATURAL RESOURCES**

**MARCH 11, 1981**

**ASSEMBLY BILL NO. 9**

**Submitted May 14, 1981**

STATE OF NEVADA  
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING  
CAPITOL COMPLEX  
CARSON CITY, NEVADA 89710



LEGISLATIVE COMMISSION (702) 885-5627

LEITH WASHWORTH, Senator, Chairman  
Arthur J. Palmer, Director, Secretary  
INTERIM FINANCE COMMITTEE (702) 885-5627  
DONALD R. MELLO, Assemblyman, Chairman  
Ronald W. Sparks, Senate Fiscal Analyst  
William A. Bible, Assembly Fiscal Analyst

ARTHUR J. PALMER, Director  
(702) 885-5627

FRANK W. DAYKIN, Legislative Counsel (702) 885-5627  
JOHN R. CROSSLEY, Legislative Auditor (702) 885-5620  
ANDREW P. GROSE, Research Director (702) 885-5637

May 14, 1981

M E M O R A N D U M

TO: Senator Norman D. Glaser  
FROM: Robert E. Erickson, Senior Research Analyst  
SUBJECT: Bonding for Livestock Dealers under Proposed A.B. 9.

Normal surety bonds for livestock dealers would cost as follows:

<u>Type of Livestock Dealer</u>	<u>Rate</u>	<u>Amount of Bond</u>	<u>Cost of Bond</u>
Broker or Buyer	\$10 per \$1,000 of bond up to \$10,000, then \$5 per \$1,000 thereafter.	\$100,000	\$ 550
		\$500,000	\$2,450
Stockyards and Livestock Exchanges	\$2 per \$1,000 of bond.	\$100,000	\$ 200
		\$500,000	\$1,000

Please note, however, that line 34 on page 2 of A.B. 9 provides that the amount of the bond not exceed \$100,000.

For livestock dealers using real property as security, the following would be the case:

1. Title insurance policy for 100-200 acre ranch, as an example--\$150-\$250.
2. Property appraisal on the same ranch--\$1,500-\$3,000.

Therefore, this type of security would cost the livestock dealer somewhere between \$1,650 and \$3,250, using this example.

REE/jld: 5.1 Livestock