

JOURNAL

OF THE

Assembly of the State of Nevada

FIFTY-THIRD SESSION

THE FIRST DAY

CARSON CITY (Monday), January 18, 1965

Pursuant to the provisions of the Constitution and Statutes, the Assembly was called to order by Secretary of State John Koontz at 12 noon.

Prayer by the Chaplain, The Very Reverend Hugh P. Smith.

Mr. Secretary of State requested Mr. Nathan T. Hurst to serve as temporary Chief Clerk of the Assembly.

Roll called.

Present: Messrs. Alleman, Bailey, Bastian, Bowler, Bunker, Close, Delaney, Fike, Mrs. Frazzini, Messrs. Gibson, Giomi, Glaser, Godbey, Gray, Harris, Miss Herr, Messrs. Howard, Jacobsen, Johnson, Jones, Kean, Knisley, Leavitt, Manning, Mello, Olsen, Palludan, Mrs. Parsons, Messrs. Petrini, Pozzi, Rosaschi, Swackhamer, Swobe, Mrs. Tyson, Messrs. Valentine, Wood, and Young.

Mr. Secretary of State appointed Mr. Jones, Miss Herr, Messrs. Manning, Young, and Pozzi as a temporary Committee on Legislative Functions to examine credentials.

Mr. Secretary of State announced that if there were no objections the Assembly would recess for 15 minutes while credentials are examined by the temporary Committee on Legislative Functions.

Assembly in recess at 12:05 p.m.

ASSEMBLY IN SESSION

At 12:13 p.m.

Secretary of State Koontz presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Secretary of State:

Your Committee on Legislative Functions has had the credentials of the respective Assemblymen-elect under consideration, and begs leave to report

The Committee on Escort escorted the Justices of the Supreme Court to chairs in the Assembly.

The President of the Senate welcomed the Governor and invited him to deliver his message.

The Governor delivered his message as follows:

**MESSAGE OF THE GOVERNOR TO THE
LEGISLATURE OF NEVADA
FIFTY-THIRD SESSION, 1965**

CARSON CITY, JANUARY 18, 1965

Mr. President, Mr. Speaker, Distinguished Members of the Legislature, and Guests:

The State of Nevada enters her second one hundred years in good condition. The last few years have shown steady and, in some instances, remarkable progress. We continue to lead the nation in per capita population growth. The latest statistics show Nevada leading the nation in personal income. Our economy in spite of inevitable isolated plateaus is vigorous. Prospects for the future appear to be excellent. The people of Nevada are proud, optimistic, competitive, and determined to maintain this dynamic economic and personal climate.

This atmosphere has been created and sustained not by government but by individual citizen initiative. Government has sometimes provided leadership and inspiration but in the main serves as a necessary adjunct to the will, force, and drive of the citizen and citizens' groups which each in their way contribute to the overall objective of progress.

Our joint purpose then as this Session of the Legislature convenes is to determine how we, the executive and legislative branches of government, can best contribute to the combined individual effort. We must be a part, not above or below, but within the mainstream of activity. We must not shirk from our responsibilities yet our authority must be carefully used so that we do not limit or discourage the solution of problems where they are best resolved, with the people. Our purpose is to contribute to the public welfare, not dictate nor control it. But, at the same time, we cannot fulfill our function by merely serving as a barometer or political weathervane—a mere spigot through which the liquid of public opinion flows. We must lead, guide and inform with the certain knowledge that an informed public will permit and expect us to do the right and moral thing—will let us help do the things that must be done. We cannot by fiat or decree operate independently of those we serve, or alien to the concerted public point of view. We cannot then act in a vacuum, but act we must even if our actions serve only to pose and dramatize the problem—the solution to wait until the entire public process has been concluded.

REVENUE

It is a common fallacy that governments at any level can act only within the limits of public funds available. The fact is that some of the most essential responsibilities of government and the people in it are within the realm of attitudes and personal vigor. As a matter of fact, it is increasingly more evident that many of the basics to achievement cannot be bought. Money cannot buy fiscal responsibility, good will, morality, or ideas. Nevertheless, all governments in America today below the federal level face a common and major problem—lack of funds. It is true that the ability to meet certain social responsibilities in which the cost is based upon the number of individuals participating such as welfare, education, industrial compensation, unemployment compensation, and the like is inescapably tied to the ability to pay. Government money comes from tax revenues. Today the federal share of the total revenue collected from American citizens exceeds 70 cents of every tax dollar paid. State and local governments each receives less than 15 cents of the tax dollar. Despite new and higher taxes, local governments are in a disastrous deficit spending spiral having increased their indebtedness from \$19 billion in 1950 to \$63 billion in 1963—substantially greater than the rate of debt increase

of the federal government in the same period. In light of these conditions, need we wonder why the federal level of government has increasingly enlarged its activities in the social and welfare fields? Local governments are and have been hard pressed; the federal government obviously has had the ability to pay. The American people are concerned with the exercise of power by a vast, complicated federal complex far removed. Unfortunately, the exercise of power in many areas of activity is inseparably related to the distribution of taxing authority. There is little we can do here concerning this obvious imbalance of tax revenues except to join in the chorus of discontent and hope that the concert of voices throughout the land will be heard and heeded. There are some hopeful signs. The 88th Congress, upon the recommendation of the President of the United States, legislated a tax cut. Additional tax cuts have been recommended to the present Congress. These actions will help spur the general economic activity and indirectly provide additional revenues to state and local governments. The most candid recognition of the problem comes from certain economic advisors to the President of the United States who have recommended to the President an unfettered proportionate return of approximately \$2.3 billion in federal tax revenues to the states. I am advised that this proposal will not be presented to the present Congress. It is, however, a recognition of the problem and a hopeful sign for the future. I would respectfully recommend a resolution to Congress on this matter.

The Nevada State Constitution should be amended in order to permit the State to receive estate taxes that now go to the federal government. This would involve no additional cost to the taxpayer.

As with all other state and local governments, the paramount concern of this Legislature, I believe, will be in the field of fiscal affairs.

The financial problems become more severe as we go down the governmental ladder. The cities and counties, in my opinion, are in the most difficult position; the federal in the best. I have long taken the view that not only authority but necessary revenues to effect it should be reduced to the lowest governmental level possible consistent with economy, common sense, and ability to achieve results. It is my view that further relief to cities and counties should be provided at that level rather than further increasing the state revenues and attendant state power. The fact is that the State, without new general taxes or increases in existing ones, can adequately maintain the present level of activity including aid to cities and counties, but cannot increase the level of support to political subdivisions. A tax is a tax and requires payment by the taxpayer no matter where the tax is imposed. It costs the taxpayer just as much to pay a tax going to the State as it does one going to city or county. A state tax, however, applies to *all* taxpayers whether or not the city or county in which they live needs the additional service for which they are being taxed. There is a great disparity of need among our 17 counties. Where the need truly exists the residents will meet the obligation and should be able to do so on a local level, in most instances. Since the State without additional revenues cannot meet the financial burdens of local governments to a greater extent than is now possible and since local governments are poverty-stricken in varying degrees, I believe the local citizen taxpayer should at least be given the option to support his local government to the degree he feels necessary.

REAPPORTIONMENT

Reapportionment of state legislatures presently not apportioned in both houses on a "one man, one vote" standard has been specifically ordered by the United States Supreme Court with respect to certain states. There is no question but that the interpretation of the United States Constitution by the United States Supreme Court on this point stands as the rule of law and applies generally throughout the land. Specific application of the law will be made in each state by the courts, unless the United States Constitution is amended, or the states voluntarily reapportion according to the standard decreed. It serves no purpose to argue the merits of the decision or to question the motivation of the nation's highest court. Suffice it to say that the United States Constitution provides for a method of representation in our State Legislature which is not presently being followed.

Reapportioning our Legislature is one of the most delicate and difficult problems that this body in its one-hundred-year history has ever faced. It will require long and careful study and the ultimate in objective statesmanship. It will in all probability, for instance, result in complete lack of county representation for some of our 17 counties. It will, to some degree, seriously impair the check and balance provided by two houses selected upon different principles. The ramifications are serious and far reaching. The problem should be approached with the utmost deliberation.

Nevada does not as yet face a federal court order or deadline within which this matter must be accomplished, although the issue is now before the federal court and a final decision requiring reapportionment can logically be expected before the end of the year. It has not been the practice of the federal courts in other jurisdictions to reapportion by judicial decree without giving the respective states the opportunity to do the job themselves within a prescribed period of time. However, the federal court having jurisdiction of the Nevada case has continued the matter until June of this year, possibly with the thought that ample notice of pending judicial action has been given and the Legislature would be expected to act now. It is not necessarily a fact, therefore, that if reapportionment is not accomplished at this session, the court will give us further time for the matter to be considered at a special session.

I am certain that we do not want a federal court to reapportion us. If you should decide not to reapportion now in order to exhaust, insofar as possible, the possibilities of amending the United States Constitution, I can assure you and the court that I stand ready to call a special session for this purpose should the court order follow the usual pattern and set a time limit for legislative action.

Should you decide not to attempt reapportionment now, I would respectfully suggest that this body assign the matter for study and recommendation either to the Legislative Commission or a special committee.

I stated earlier that reapportionment without question would be required unless the United States Constitution were amended permitting the respective states to determine representation in one house of a bicameral legislature on factors other than population. The United States Constitution can be amended in two ways, (1) by a process initiated in the Congress and ratified by the states or (2) by a constitutional convention of states, such convention to be called by Congress upon application of the states. If you believe, as I do, that the composition of our Legislature should be determined by the people of this State, and you decide not to voluntarily reapportion at this session, I suggest that you pass the necessary resolutions urging action in both of these ways.

LAW ENFORCEMENT

The increasing incidence of crime rate is of great concern at all levels of government. I am opposed to a state police force. The matter of crime prevention and enforcement should be left in the main within the jurisdiction of cities and counties. We should, however, see that the proper laws are passed to provide the local jurisdictions with effective means to combat the problem. There are certain responsibilities within the broad scope of the matter that must be realistically met by the State. I suggest, therefore, that the Legislature consider and act favorably upon the following measures:

1. Authorize an investigator for the Attorney General's office. This position would, in addition to the necessary investigative activities, also institute a Bureau of Criminal Identification. I should state to you that in all probability it will take several years before an effective bureau can be placed in operation. This action would provide a necessary starting point.
 2. Enact "Battered Child" legislation.
 3. Provide for a waiting period for purchase of a hand gun.
 4. Provide the suggested increases in personnel for the State Prison, the Highway Patrol, and Probation and Parole.
 5. Strengthen law enforcement agencies with respect to control of crowds.
- Bills have been prepared on all of these matters and, where necessary, budgetary provisions are included.

COMMERCE

As our State grows and the flow of commercial transactions increases, it is necessary that we continually review our statutes in order to provide reasonable and property protection to the consumer. The Attorney General has prepared legislation on the following matters:

1. Realistic penalties for fraudulent stocks and securities sales.
2. False and fraudulent advertising.
3. Retail and installment sales of all consumer goods and services.
4. Land Subdivision Act—imposing penalties for fraudulent misrepresentation.

I commend legislation to you in these fields.

HIGHWAY SAFETY***Driver Education***

The lack of standard driver education courses in many of our high schools in Nevada is costing young adults and their parents thousands of dollars every year. Insurance premiums are substantially less upon completion of a standard driver education course—much less than the cost per pupil of the course. The safety benefits of a uniform driver education course in all the schools are obvious.

The National Commission on Safety Education indicates that the cost for a standard course in driver education per pupil is \$55. Cost has been one of the principal obstacles in further expansion of the driver education program in Nevada.

The general tendency in the United States today is for more and better programs in driver education and most states have made significant gains in this direction. We in Nevada should strive for a qualifying course of driver education in all of our high schools. Some 22 states now have special legislation to support their driver education programs. The programs in California and Mississippi are supported by a percentage of traffic infraction fines.

In the budget I recommend that this be a self-supporting program. I propose that a Driver Education Fund be established and be supported by penalties on fines and forfeitures for moving traffic violations. Such funds would be payable to the Department of Education and in turn allocated to the school districts. If proceeds from these two sources fail to produce sufficient funds, a small laboratory fee, payable by the students taking driver education, may be collected by the local school district.

With more than 30 years of experience in the driver education movement, we can now truthfully say that an approved course in driver education is one of the best solutions to this complex problem of traffic safety.

Motor Vehicle Inspection

A perpetual, well-balanced traffic safety program to combat death and injury on our highways is essential. In order to attain this balance, safe vehicles are a prime necessity. To this end, I recommend passage of a law requiring compulsory annual motor vehicle inspection. The proposal is self-supporting and requires no continuing general fund or highway users appropriation. Similar laws currently are in effect in 20 states in the nation and have been highly effective in keeping unsafe vehicles off the highways.

Highway Patrol

I have recommended substantial increases in Highway Patrol personnel. Such increases are necessary if we are to be effective in our fight against highway injury and death.

AGRICULTURE AND LIVESTOCK***Assessment of Agricultural Lands***

The assessment of agricultural lands, especially those lands near urban or residential development areas, has created serious economic problems for some of our ranchers and farmers. The present situation is confiscatory. When the economic return therefrom is from agriculture production and the lands are assessed at market value, a disproportionate tax burden is imposed on the property.

As you will recall, the 1961 Session of the Nevada Legislature enacted a provision (Chapter 300, Statutes of Nevada 1961) which would have provided relief to owners of agricultural lands located in rapidly-developing areas. This was subsequently declared unconstitutional by the Nevada Supreme Court.

In order to recognize and encourage the agricultural industry, I am proposing legislation to initiate an amendment to the State Constitution to permit assessment of agricultural lands on the basis of use.

Imports of Beef and Mutton

Imports of beef and mutton still impose a serious threat to our livestock industry. I recommend adoption of a resolution calling this matter to the attention of the 89th Congress.

Public Land Committee

The 88th Congress passed legislation providing for a Federal Land Law Review Commission. The purpose of this commission is to review the chaotic complex of land laws now in existence and recommend corrective legislation to the Congress at the end of 4 years. United States Senator Alan Bible is a member of this commission.

No state is more deeply concerned in the area of public lands than is Nevada. With 86 percent of our land now under federal control, it is imperative that a workable solution be found so that this growing State and others in the West may utilize needed areas of the public domain for governmental, industrial, private, livestock, and agricultural purposes. Our future then, in this vital area, rests with the recommendations of the commission and ultimately with the Congress.

In my view the public land problem is second in importance only to water. Nevada's position must be carefully considered and clearly enunciated to the commission and the Congress. Our own internal interests must be merged so that a solid front position is obtained within the State. Leadership is needed in the Western States generally with the hope that a Western States' position can be agreed upon, thus adding strength in numbers.

I propose that this Legislature create a Public Land Committee with 11 members to be appointed by the Governor. Representation should include banking and savings and loan, political subdivisions (cities and counties), industry (management), labor, fish and game, mining, agriculture and livestock, education, recreation and conservation, with the Director of the Department of Conservation and Natural Resources to serve as chairman. The committee will be attached to the Department of Conservation and Natural Resources. Funds have been provided in the budget.

HEALTH AND WELFARE

Medical Assistance to the Aged

One matter of deep concern to all of us is the inability of many of our senior citizens to afford adequate medical services. The benefits available under the federal Kerr-Mills Act, which is designed to provide medical assistance for the aged, are not now available to Nevadans.

At the present time hospital costs are borne entirely by the counties; nursing home care is borne by the State with limited federal participation.

Appropriate legislation to authorize the State to receive and disburse federal funds under the Kerr-Mills Act equal to 50 percent of all medical assistance for the aged expenditures will permit both adequate care and financial relief to the counties at no increase in state costs. This proposal is urged by the Nevada State Medical Association and other voluntary groups.

The proposal will enable present budgeted funds to be used for federal matching. No additional general fund appropriation is required.

Mental Hygiene

Probably no subject has received more and longer study than has the subject of mental health. The time for genuine progress is overdue. I urge your consideration of the proposal that a Division of Mental Hygiene be created within the Department of Health and Welfare to carry on present and future programs for the care and treatment of patients with mental deficiencies of all types.

This division will include the State Hospital and will coordinate and unify the present fragmented efforts in the mental hygiene field. It will require no major staff increases nor additional general fund appropriations, and will provide a means to deliver to Nevada citizens the highest possible level of service for dollars expended.

County Community Mental Health Centers

Connected with this proposal is one for a program providing state support to county community mental health centers. This proposal envisions dealing with local problems at the local level. A means for the State to provide leadership and financial support to local jurisdictions is the best approach. A modest fund appears in the budget for this purpose.

I hope you will take these actions now, actions which will develop optimum immediate results in benefits to citizens, and actions which will also provide a proper foundation for future progress in the prevention and treatment of mental deficiencies.

WORKMEN'S BENEFITS

Nevada Industrial Insurance and Occupational Disease

It is my recommendation that the payments made to the injured workmen under the Nevada Industrial Insurance Act and the Occupational Diseases Act be increased in keeping with today's living costs. Present benefits are inadequate. The wage earner, when industrially injured, must receive both medical care and compensation commensurate with his present income.

The Nevada State Fire Chiefs Association and the Nevada State Firemen's Association have endorsed a heart and lung bill placing such infirmities for firemen under the coverage of Nevada industrial compensation. I think the proposal has merit and commend it to you.

Unemployment Compensation

Unemployment insurance is a program that has become a necessary and proper adjunct to our economic life. Feeling that a comprehensive review of the State's Unemployment Insurance Law was in order, I appointed a study committee composed equally of labor and management representatives. This committee has made recommendations for amending the State's Unemployment Compensation Law. These recommendations have been incorporated into a bill which I believe is fair to the interests of both employers and employees. The recommended legislation, if approved, will allow reduced contribution rates, effective January 1, 1965, for employers who qualify. It will also increase the weekly benefits payable to unemployed workers who qualify. I recommend approval of this legislation.

STATE GOVERNMENT

Retirement

The State of Nevada has one of the most beneficial governmental retirement systems in the nation.

For some time I have been concerned about the problem of establishing a maximum retirement age for state employees. Most local governments and school districts have recognized this problem and have established such a policy, as has the University of Nevada.

The lack of such a policy may encourage some employees to remain in state service after they have already earned their retirement, and beyond their capacity to perform adequately. It also discourages younger employees who presently see little chance of advancement.

As of July 1, 1966, state employees with sufficient service to retire will qualify for the increased benefits you provided in 1963. I recommend establishing a maximum retirement age at that time. After that date it is proposed that state employees retire at age 65. Those willing and able to contribute outstanding service to the State could be rehired on a year-to-year basis until they reach the maximum employment age of 70 years.

I also recommend that any present employee be allowed to continue employment beyond the age of 65 in order to meet the minimum requirements for retirement benefits.

Central Data Processing

In order to obtain the maximum efficiency and the utmost in economy, it is essential that a central data processing function be authorized for state government. Legislation will be presented to you for this purpose. You will find the proposal included in the budget.

Salaries—Elected and Judicial Officers

A matter in which Nevada cannot take pride is in the area of salaries to elected executive and judicial officials. Appointive and employed personnel within state, city, and county governments, the University of Nevada, and school districts in many instances are paid substantially more than the judiciary and elected officials. These elected office holders are directly responsible to the people of the State. Their salaries should reflect their responsibilities. I have made provision in the budget for such increases.

GENERAL

Civil Rights

Four years ago this body created a Commission on Equal Rights of Citizens. Last year the 88th Congress passed a Federal Civil Rights Bill. The federal legislation provides in part that states having adequate legislation in this field may handle civil rights matters without the unsolicited assistance of a federal agency.

The federal legislation, as a matter of fact, is the law of the land. Its most controversial title, public accommodations, has been held constitutional by the United States Supreme Court. The argument, therefore, is no longer as to the merits of the civil rights legislation—it is the law and applies equally throughout the land. It is no longer then a question of *what* is going to be done, but simply a question of *who* is going to do it.

We either meet the responsibilities in this field by adequate state legislation or have it met for us by a federal agency or a federal court. I prefer the former.

Many of us are concerned about the right of states to resolve their own problems. Here is an opportunity to preserve such rights. If we do nothing, let us not be heard complaining of federal intervention. Action is needed. I am confident you will enact not only the morally inescapable legislation but, in this case, the expedient legislation.

Lake Tahoe Park

During the Special Session of the Legislature in 1964, legislation was enacted designating some 8,245 acres of land in Washoe and Ormsby Counties which the State could purchase for a state park. An acquisition fund of \$1½ million was appropriated for this purpose and an additional \$100,000 was appropriated for preparation of a state park and recreation master plan, appraisal costs and other costs incidental to the acquisition of the lands designated by the Legislature.

Shortly after the adjournment of the Legislature, the Max C. Fleischmann Foundation made a commitment in the amount of \$1½ million. Other foundations have expressed great interest. The Land and Water Conservation Fund Act was passed by the 88th Congress. This should assure matching moneys for park and recreation areas in Nevada.

It appears wise to include in the proposed acquisition an additional area of approximately 1,800 acres in Ormsby County. Legislation will be presented for this purpose.

Lake Tahoe Advisory Commission

The protection of natural resources and water supplies will require increasing attention. Lake Tahoe requires special consideration now. During November of 1963 Nevada and California proposed a program to protect the water of Lake Tahoe against eutrophication. Portions of that program are progressing. The principal item of that program—removing sewage effluents from the Lake Tahoe Basin to preserve the clarity and purity of these waters—is lagging. This program must be accelerated. This is the primary problem of this vital area with so many jurisdictions—two states, five counties, and multiple local, state, and federal agencies—but there are many others.

To make some sense of this developing situation, a joint study committee is proposed. It is suggested this committee have seven members, one from each county bordering on Lake Tahoe, and one from each state. This would be an area-wide committee charged with developing recommendations to meet the needs of the entire Lake Tahoe Basin. This committee will require financing, and \$10,000 is recommended to be appropriated for this purpose.

The intent is that the committee meet, develop needed regulations, make a recommendation as to the possibility of an area-wide advisory or other over-seeing body, and present a report with recommendations to the legislatures of both states in 1967.

This legislation should only be activated upon the adoption of legislation having the same purpose by the State of California.

This proposed legislation will be transmitted to the Governor of California and the California State Legislature for consideration.

Aeronautics Advisory Committee

For many years, there has been an apparent need for aviation control and development. Nevada is one of the few states that does not have such a program. Tourism is the cornerstone of our economy, and an increasing percentage of visitors to our State come by air. I am proposing that this Legislature authorize an Aeronautics Advisory Committee for the purpose of making necessary studies and surveys relating to aviation safety, airport development, and aviation education programs. This committee would be authorized for the biennium only and would report to the Legislature and the Governor prior to the next general session. Funds have been budgeted for per diem and travel. The committee would be attached to the Public Service Commission for services.

Fire Marshal

I am proposing the creation of the position of State Fire Marshal within the Insurance Division of the Department of Commerce. Budgeted funds have been provided. It is hoped that such action will result in reduction of fire insurance premiums as well as produce more adequate and effective fire control programs.

Local Governments Budget Act

The Nevada Municipal Association, representing in this instance the combined recommendations of the cities, counties, and school districts, is proposing a Local Governments Budget Act. Such an act would provide uniformity of budgeting and be more comprehensible to the general public. I earnestly recommend its passage.

Election Laws

The developments of the 1964 General Election exposed some ambiguity and omissions in our election laws. The Attorney General has made some recommendations and bills will be presented in conformance with them. I also propose that we should have a uniform ballot to be authorized for form by the Secretary of State. This legislation is prepared and will be submitted to you.

Constitutional Amendment to Lower Voting Age to 18

The right to vote and to participate in the administration of government is fundamental in our free society. To preserve that right, Americans from the age of 18 and even younger have freely sacrificed at home and bravely died on the open seas and foreign battlefields.

Our future as a nation rests on how fully and how intelligently that right is exercised. Recognizing this, our schools have emphasized education for citizenship. Improved and expanded educational techniques, combined with the coverage and explanation of public affairs by the mass communications media, have helped produce high school graduates better equipped than any before them to become intelligent, loyal, and civic-minded voters.

Yet, the participation of voters in our youngest age group, from 21 to 30 years of age, is so poor as to cause official concern. How does the interest and idealism of our young people become blunted? The President's Commission on Registration and Voting Participation offers this answer:

"... By the time they have turned 21 (the minimum voting age in 46 of the

50 states) many young people are so far removed from the stimulation of the educational process that their interest in public affairs has waned. Some may be lost as voters for the rest of their lives."

The most basic need of youth is to participate in the responsibilities of adult life, yet we deny them the responsibility of helping shape their own government. In time of war, they must bear the brunt of its frightful demands. It is fitting, just, and desirable that they be allowed to vote.

This suggestion is not new; it was requested as an amendment to the United States Constitution by the President in 1954. Four states, including our two new states of Alaska and Hawaii, have decided that the age of 21 is no magic guarantee of responsible citizenship. They have, therefore, reduced the voting age from 21 years. I suggest that this arbitrary level of voting age, derived from the middle ages, has no inviolate place in Nevada society.

Nevada voters twice in our first century amended the State Constitution to change voting requirements. In 1880, persons of nonwhite origin were given the right to vote and in 1914 Nevada became one of the first nine states to grant suffrage to women. I believe it is past time that we recognize that, whatever the original premise of voting age, it no longer applies. Times have changed. Our young people between the ages of 18 and 21 should become full partners in the governmental process.

Therefore, I am requesting the Legislature to propose an amendment to Section 1 of Article 2 of the State Constitution, lowering the voting age of citizens from 21 years to 18 years.

Southern Nevada Water Project

Southern Nevada is facing a serious water shortage—a problem which must be solved if the splendid growth experienced there in the past few years is to continue. The solution lies in major part in completing the pumping facilities and pipelines to draw the needed water from Lake Mead and deliver it to the populated areas in order to supply our citizens and assure continuance of the industrial growth of Southern Nevada. Our congressional delegation during the 88th Congress introduced a bill to authorize the necessary construction with federal funds. Unfortunately Congress adjourned before final action could be taken on this bill, caused in part by the fact that the Nevada Project was tied in with other projects embraced in the Southwest Water Plan of the Secretary of the Interior. Our congressional delegation has again introduced legislation in the current session to authorize this project and will do everything possible to assure favorable action. The problem is grave. I respectfully suggest that the Nevada Legislature adopt appropriate resolutions directing the attention of the Congress to this serious Nevada problem.

Administrative Procedures Act

I have in the past recommended adoption of an Administrative Procedures Act. I again recommend this.

Real Estate Commission

Some amendments are necessary in order to clarify and strengthen the role of the Real Estate Commission in the Real Estate Division of the Department of Commerce.

Other Recommendations

Recommendations not specifically mentioned in this message have been presented for your consideration by the Nevada State Museum, the Attorney General, the Nevada Municipal Association, the Nevada State AFL-CIO and the Judiciary. Many of these recommendations have merit. I respectfully request your serious consideration of them.

EDUCATION

The biennial budget presented with this message contains an amount of \$62,747,823 for aid to public schools excluding the University of Nevada.

This is approximately 55 percent of the total general fund operating appropriation. Including the University of Nevada and other educational programs the total amount for education is 69.5 percent of the general fund operating appropriation.

Primary and Secondary

The recommended appropriation is sufficient to continue the present level of support provided under the Peabody Formula as well as the increased support provided at the 1964 Special Session. These amounts have been increased to provide for estimated 9 and 9½ percent annual increases in enrollment. Funds are also provided for the direct payment by the State of teachers' retirement as well as a required addition to the special funds for Ormsby, Lincoln, Lander, and White Pine Counties.

As your Legislative Committee has done some work on a possible revised school support formula, I am not recommending either support of or change in the Peabody Formula. The funds provided can be used for payment under the present or proposed formulas.

The main source of revenue for schools continues to be the State's General Fund. A national education association publication indicates that for 1963-64 the school districts in Nevada received 68.2 percent of their total support from the State. The national average was 41.6 percent. Only five southern states, plus Delaware and New Mexico provide a greater percentage from the state for public education than does Nevada.

The same study further indicates that in the last decade the state support raised from 40.8 percent to 68.2 percent. Nationally it rose from 39.2 percent to 41.6 percent.

University of Nevada

I have proposed increases in the University of Nevada budget of approximately 28 percent over the present biennium. This is a substantially greater increase than is provided for state agencies generally. The major portion of the capital improvements program is proposed for the University of Nevada at both campuses.

BUDGET

We have made much progress in the last few years. Many programs that provide essential service to Nevada citizens have been adopted by you. We have made great financial progress in supporting the University of Nevada, the State Hospital, the Nevada Youth Training Center, the State Prison and the service programs. We have added the Girls Training Center, a state tuberculosis treatment program, and a mental health care program. We have increased aid to schools to a point where only seven states support their schools to a greater percentage. We have started an extensive state park system, and we have reorganized the greatest portion of our general agencies into more effective operating units.

Due to the prudent handling of the state tax dollar, Nevada is in a sound and solid financial condition. With this message I give you a budget that proposes some program increases and that will at the same time maintain and strengthen the fiscal integrity of the State.

We must not decrease the services provided by the State and must increase where the needs are clearly indicated. The budget accomplishes these purposes. You will find in reviewing this budget that particular emphasis has been placed on budgets for education and agencies related to law enforcement, the prison, parole and probation, and highway patrol. Although much progress has been made in these areas in recent years this budget will provide for more.

In light of the systematic reduction of federal taxes, the recommendations of the Advisory Finance Committee—particularly with reference to the gaming tax, and the paramount importance of keeping our state tax structure one of the most favorable in the nation, I am convinced that we should not consider additional tax revenues at this session. We can meet our present responsibilities adequately and make meaningful starts on some new ones within our present tax structure. We must, however, continue constant reappraisal of tax sources in order to guarantee, insofar as possible, that each segment of our economy pays its fair share. Continuing objective analysis of the gambling tax is particularly necessary. If future studies indicate that an increase in gaming taxes is in order, we must not hesitate to take the necessary action.

The proposed budget is based entirely upon existing taxes and a realistic appraisal of the revenues these will raise in the next 3 years. Every new program or increase in present programs recommended in the message is fully

supported in the budget. It is a completely balanced budget and if adopted as presented will result in the maintenance of the \$4 million balance in the General Fund.

Senator Bissett moved that the Senate and the Assembly in Joint Session extend a vote of thanks to the Governor for his competent, able, and constructive message.

Seconded by Assemblyman Bunker.

Motion carried unanimously.

The Committee on Escort escorted the Governor to the bar of the Assembly.

The Committee on Escort escorted the Justices of the Supreme Court to the bar of the Assembly.

Senator Brown moved that the Joint Session be dissolved.

Seconded by Assemblyman Bunker.

Motion carried.

Joint Session dissolved at 4:39 p.m.

ASSEMBLY IN SESSION

At 4:52 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 18, 1965

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 1.

LEONA MUNK

Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS, AND NOTICES

By Messrs. Knisley and Gibson:

Assembly Joint Resolution No. 1—Proposing to amend Sections 5 and 12 of Article 4 and Section 13 of Article 15 of the Constitution of the State of Nevada, relating to the number of legislators and apportionment of the Assembly, filling of vacancies and basis of apportionment, by requiring that both houses be apportioned by districts according to population; providing for the filling of vacancies in districts comprising more than one county; and deleting provision for a mid-decade legislative census as a basis of apportionment.

Mr. Knisley moved that the resolution be referred to the Committee on State, County, and City Affairs.

Motion carried.

By Mr. Swobe:

Assembly Joint Resolution No. 2—Requesting the Congress of the United States to propose an amendment to the Constitution of the United States permitting one house of a bicameral legislature to be apportioned other than according to population.