

Assembly

MINUTES OF MEETING - WAYS AND MEANS COMMITTEE - NEVADA STATE LEGISLATURE
54TH SESSION APRIL 5, 1967

Meeting called to order by Chairman Glaser at 3 PM in the Ways and Means Room.

Present: Glaser, Mello, Harris, Bowler, Ashworth, Tyson, Howard, Jacobsen
Absent: Young

SB 145: Provides increased service retirement allowances for legislators

Mr. Glaser said \$37,000 in the present retirement fund would be transferred to this. There would be a general fund appropriation of \$25,000. Increased contributions to Legislators - 10%. This would follow the same basic principles as the other fund. Survivors benefits after 2 years, flat rate of \$75 per child with a maximum of \$210, \$100/month to widows, full vesting at 12 years at \$240; if 52 years of age and within 8 years of retirement would pass the 60 year mark, can vest after 8 years.

Mr. Bowler moved that SB 145 be reported out with a DO PASS.
Mr. Harris seconded the motion.
Motion passed unanimously.

AB 283: Authorizes commission on peace officer standards and training to employ a training coordinator

Mr. Bowler reported on the outcome of the meeting of law enforcement agencies at which he was present. Also present at that meeting were the District Attorneys of Clark County, White Pine, Washoe and Ormsby Counties, Chiefs of Police of the Cities of Reno and Elko, and Sheriffs of Esmeralda, Nye, Washoe and Ormsby, the Attorney General and his assistant, Ray Roberts. This legislation was drafted as a result of this meeting. Mr. Bowler said they felt it was too costly for the various counties to send their men to the Academy for this training and too costly for a replacement while they were gone. They felt the simplest solution would be to have a trained man to go to the various law enforcement centers in the state to give the training required. In conversation with Chief Bunker who was not present at the meeting, Mr. Bowler said he felt that through this training, all the information that Clark and Washoe and FBI had available could be carried to the remote areas to make the officers there aware of the standards and other information. This would only require one man's traveling and would leave the law enforcers where they are needed in their counties.

Ray Roberts was asked for his comments on this subject. He said he did not feel qualified to speak for the commission. However, he is a member of the training under Chief Bunker and it is his intention to carry a 72 hour field course in training to the remote areas. They will be able to secure about \$10,000 under vocational training in state and federal funds available July 1 for this, so are asking only an amount of approximately \$5400 to be budgeted for this. The commission is composed of 5 members (3 Chiefs of Police or Sheriffs, 1 District Attorney and 1 elected city official).

Mr. Glaser commented that by setting up a secretary to this commission, we are actually setting up a lobby group. Mr. Ashworth felt it was not the duty of the state to train the county police officers and would be cheaper for the counties to send their men to the Academy for this. Mr. Jacobsen pointed out that there was mention of setting up courses on this at both Universities. Mr. Howard said that he was against this commission being formed 2 years ago. He felt that one man could not accomplish much in this area, especially in comparison to the concentrated courses offered at the Academ

Ray Roberts was present at the meeting to discuss an identifications man or investigator for his office under the Attorney General's Office. He said that in light of some confusion over the type of job he is presently doing, he has prepared some information on it and distributed it to the members of the committee. He said that upon request he goes to any area, usually the small counties in the state, to assist them in their investigative work on a particular crime. He prepares evidence to be taken to trial, and in general lends assistance to law enforcement, when requested, in any area of the state. He pointed out that criminal identifications work is a technical field. There are only about 3 men in the state qualified for this. He listed a number of areas which would be included in this highly specialized area. However, this type of man is what is so desperately needed by his office. He said that he is not an expert in this type of thing; he is an investigator who needs the backup of this identifications work. He also spoke of the tremendous workload and pointed out the necessity for another man. He said the records system proposed for the Highway Patrol is another area entirely - that would be more of an office position whereas he is asking for a field man.

He gave numerous examples pointing out the need for preservation of physical evidence at the scene of the crime. He pointed out the necessity for expert help in this. Upon question posed by Mr. Harris, he said that the identification man in Reno gets \$875/month and there is a request in now for the man in Las Vegas to get \$925/month. In order for us to hire a qualified man in this field, we would have to pay a salary of around \$900/month at least. The initial cost for camera, etc. would amount to approximately \$1000 and based upon his travel of over \$200/month he would need this amount too. He should be an expert with photographing the crime scene, processing, lab work, fingerprinting and classifications, firearms, forgery, handwriting analysis, et In answer to question on necessity for the narcotics aspect included with the proposed ID bureau, Mr. Roberts said he has received only one call on this since taking his present position. Based upon a population of $\frac{1}{2}$ million, less than $\frac{1}{4}$ of 1% is involved in narcotics, whereas the crime rate is $2\frac{1}{2}\%$ on per capita. If the FBI are called in, they will come.

Mr. Mello questioned the reasoning behind Mr. Robert's inclusion of his extra hours due, sick leave and vacation time all totaling 970 hours due in his report. Mr. Roberts said that his motive was simply to point out the necessity for extra help in his office. In answer to question, Mr. Roberts said he keeps track of his own time and turns it in once a month. He is always available on call; has a radio in his car, etc. In answer to question of Mr. Glaser on the authority of the county to move in on a crime scene, et Mr. Roberts said they have been doing the best they could. They do have authority to move in and do this, but rely on outside identifications help. In answer to question of counties reimbursing for this help, Mr. Roberts answered in the negative except once in Hawthorne.

Mr. Jacobsen asked if we originate a criminal ID on the basis of a records system without police authority, do you think it would function well in your office and would it be of any advantage to you? Mr. Roberts said this records system is very important and would be of help. He has no objection to the proposal of it being set up in the motor vehicle department. If this type of bureau were set up in his office, he would also need the computers, staff, etc. However, with the type of man he is requesting for his office - the identifications field man, no secretary and other staff or supplies are necessary except those mentioned above (camera, etc.) He feels the state needs both type positions as they are 2 distinct areas.

In answer to question of whether he has been able to keep up with the various requests from the counties, Mr. Roberts stressed the tremendous workload and the necessity for this identifications man to help him and cover the calls. As to the question of an extra man being diverted into the investigative type work Roberts is doing, Mr. Roberts said no, this identifications man is the type expert needed and he would be used to advantage in his own field - would not be diverted into merely investigations. These requests point out the necessity for a cop which is where I fit in; then to back up evidence, etc. the highly technical expert is needed.

In answer to the question of the cutoff of outside information, Mr. Roberts said it has been his experience to call for information and he always receives it. However, he received a letter dated March 31 pertaining to the FBI eliminating as of April 7 the rap sheets on misdemeanors.

In answer to question on federal funding, Mr. Roberts said that the basic requirement is that the agency receiving these funds be an official state agency.

Mr. Roberts left the meeting at 3:50 PM.

AB 283: Authorizes commission on peace officer standards and training to employ a training coordinator

Mr. Mello moved that AB 283 be indefinitely postponed.

Mr. Jacobsen seconded the motion.

Motion passed unanimously.

Mr. Jacobsen said, as an after-comment, that someday there will have to be some type of organization made on this subject - consolidating all the different aspects of the training into one comprehensive course, etc.

SB 317: Creates office of judicial administrator

Mr. Jacobsen and Mr. Harris expressed their opinion as not being in favor of this administrator. Mr. Howard questioned the constitutionality of this appointive man directing elective men in going out of their districts. Mr. Glaser said this is a question of whether we want the administrator or the extra judges. He pointed out Section 7 of the bill in answer to the constitutionality - where it says the Chief Justice on recommendation of administrator can direct the district judges to go where needed. The administrator is more or less a kind of efficiency expert.

SENATOR LAMB came into the committee meeting to announce what he found out relative to the Selective Service and National Guard. He said that the Selective Service money had been cut, but is forthcoming from the federal government. So, the arrangement of the past can be continued - if Millard takes the Adjutant General position along with the Selective Service, we can continue our \$1600 figure and he will be paid the rest by the federal government. If he does not take this position, then we will have to recruit someone and pay them a salary. However, it was Senator Lamb's prediction that he would take the Adjutant General position.

RUSS McDONALD was present at the meeting to discuss SB 317 above. He said that when the circuit court was built into the system, the state took over payment of all salaries of the judges from the county. So, when these judges are directed to work in another district, they go. We are still on this circuit system. However, the workload of the Chief Justice is so great that he just doesn't have the time to evaluate the various court calendars and reassign judges, to the extent needed. In view of the fact that we are always being asked for more judges for certain districts, this administrator's duties do have some merit.

This bill is supported by the Bar Association. This system is similar to the one currently in use in Idaho. In answer to question of this administrator being an attorney, Mr. McDonald said that he doesn't think you would get the analysis you want if he is not an attorney. An attorney can look at the calendar and be able to judge quite accurately how long each case should take. A statistical business administrator, as proposed by Mr. Ashworth, would not be qualified to give this analysis. Many times a case is filed just to preserve the statutory limits - it is the readiness of the cases to be tried that is the determining factor and this is where the attorney would be very useful.

In answer to question on amount of salary, Mr. McDonald felt the \$19,500 might be a little high, especially in view of the fact that after this system got going it might not be a full time job. He said in view of the study going on delving into the whole judicial system, it might be wise to hold off on this new position until after the study, if the study should warrant it. He also mentioned the study going into the advisability of municipal courts taking on some of the responsibilities of the district courts, which would also affect the situation. He felt the need right now is greater for the additional judges than the administrator, in view of the study and also in view of the legal position of such not being too sound.

Discussion on separation of powers whereby the judicial branch cannot be restricted by non-appropriation of the Legislature. Mr. McDonald give various examples where equipment was bought and paid for even though not budgeted.

Discussion on the workload of the small counties in comparison to the great backlog of the larger counties. Discussion on the circuitry now in existence whereby Judge Sexton has been working in Clark County even though not elected for that district.

Mr. McDonald left the meeting and a recess was declared. Meeting resumed at 4:40 PM.

Bob Bruce distributed to the committee a list of budgets not yet finalized, those not agreed upon by both committees and other items holding up writing of appropriation and authorization acts.

Discussion on capital improvements. It was decided that those members of the committee available at noon tomorrow would go to the prison to look at the dairy farm in light of the request for equipment for pasteurization to allow sale of milk to state hospital, and other state agencies of like nature.

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Mr. Glaser said this could be finalized without passage of the pertinent bill under discussion.

Mr. Ashworth expressed his opinion that they do not need the requested 18 more agents or auditors. He referred to a letter from Mr. Bowers relative to the Board's collection of over \$50,000 during the last two years. The addition of more agents would cost about \$105,000. He submitted that they have a good enough auditing program already and do not need this expenditure for more. However, he would agree to adding possibly one or two more which may be warranted.

Mr. Howard said that in light of the new flat tax rate fee, they don't need more auditors; they can get by without the additional requested agents in the budget.

Mr. Ashworth spoke of the number of audits already being made on each casino. If they need investigative people, that is a different matter, but they said these 18 agents would be auditors.

Mr. Bowler suggested that in view of the new tax, we might take another look at this situation. They may need extra people for more surveillance. Mr. Ashworth disagreed with this because he said they are only increasing the flat rate on games. Mr. Bowler still felt more surveillance may prove necessary. In answer to question on how many gaming establishments would have to be audited, Mr. Bowler said over 300.

Bob Bruce said that Senate Finance are thinking about adding 2. They would have SB 349 require tighter financial control and pick up 2 more auditors with the qualification such that they would evaluate internal control system - would be CPA rather than have technical qualifications for control of the technical aspects of the gaming. In addition Senate Finance raised Mr. Bowers salary to \$15,000.

Discussion on whether or not the commission could come up with a standard accounting procedure for all gaming.

Mr. Ashworth moved that the Gaming budget include 2 more auditors in the second year. Mr. Mello seconded the motion.

The study by the new commission would not be finished for a year - thus would not be ready for this addition until the second year.

Senator Gibson is making a study on this and will have it available shortly.

Decision to hold action pending the report on Senator Gibson's study. Motion tabled.

Mr. Bowler pointed out the appropriations are flexible enough for an emergency auditor if necessary. Mr. Bruce said this is true if this remains an authorization budget, but you have to technically authorize the positions.

Mr. Howard moved that on page 319 the item for postage and freight be set at \$4000 first year and \$4500 second year; printing-operational \$8000 both years; and subscriptions and reference manuals at \$4000 both years.

Mr. Ashworth seconded the motion.

Motion passed unanimously.

Mr. Ashworth moved that equipment repair be set at \$11,600 both years.

Mr. Howard seconded the motion.

Motion passed unanimously.

Mr. Ashworth moved that special reports be set at \$65,000 for both years as they request

Mr. Bowler seconded the motion.

Motion passed unanimously.

Mr. Howard moved that public information be set at \$3000 both years.

Mr. Jacobsen seconded the motion.

Motion passed unanimously.

Mr. Ashworth moved that on page 321 the item for scientific and technical equipment be set at \$5000 both years.

Mr. Howard seconded the motion.

Motion passed unanimously.

Discussion on salary list for Gaming Board and Commission unclassified positions. The Senate felt in order to be consistent they would not allow a raise in the second year. Mr. Glaser questioned whether we should fix the salaries in the unclassified departments. Possibly we should give the commission the authority to fix their own salaries to get the men they want.

Mr. Howard suggested the salaries stay the same as the Governor recommended.

Mr. Bruce commented that we have done this before - fixing unclassified salaries - in the Governor's Office. The secretaries there are frozen in their pay - will not receive a raise in the second year.

Discussion on Ken Buck's salary. The Senate put it at \$16,000.

Mr. Howard moved that we go with the Senate on the \$16,000 salary.

Mr. Bowler seconded the motion.

Mr. Mello voted no.

Motion carried.

Meeting adjourned at 5:15 PM.

WAYS AND MEANS COMMITTEE - NEVADA STATE LEGISLATURE - 54TH SESSION

AGENDA

WEDNESDAY

APRIL 5, 1967

2:00 PM SB 64 Firemen - Heart Trouble ----- Keith Mount

CONSIDER BUDGETS

- Page 319 Gaming
- Page 353 Division of Parks
- Page 431 Retirement Board
- Page 395 Highway Department
- Page 429 Employment Security
- Pages 433 - 436 Professional and Vocational Boards

3:00 PM Criminal Investigator ----- Ray Roberts, Attorney General's Office

AB 283 Peace Officer Training

CONSIDER BILLS

- SB 27 Highway Safety Act ----- Senator Bailey
- AB 483 Gaming - Electronic Counting Devices
- SB 362 Gaming Appropriation Bill
- AB 182 Increases Number of District Judges
- SB 145 Retirement