

MINUTES OF MEETING - WAYS AND MEANS COMMITTEE

NEVADA STATE LEGISLATURE - 1968 SPECIAL SESSION - FEBRUARY 19, 1968

The meeting was called to order by Chairman Glaser at 2 PM in the Ways and Means Room.

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

S. B. 3: Amends 1967 general appropriation act to transfer portion of appropriation made to department of motor vehicles for use during 1968-1969 fiscal year for use during 1967-1968 fiscal year. No cost to state.

This takes \$125,000 out of last year's budget and puts it into this years. By the act of '65 it was scheduled that every state had to go to reflectorized plates before 1970, but now the deadline is 1969.

About \$70,000 worth of materials are on order, and they do not have the money to pay it. Passing this bill would concur with the action taken by the Roads, Transportation and Aviation Committee.

Mr. Ashworth moved that S.B. 3 be reported out with a Do Pass.
Mr. Howard seconded the motion.
Motion passed unanimously.

S. B. 4: Authorizes employment of state park construction engineer.
Executive estimate: No additional cost.

Mr. Gene Phelps, Deputy Budget Director, explained the feeling of the Parks Division that they are not spending their money wisely without the engineering support they need either from outside or within the Planning Division. So, they would like to spend part of the balance of their money to finance a construction engineer (from the funds already appropriated).

Mr. Jim Wittenberg, Personnel Division, said that it happens periodically that the function for a certain position is no longer needed and the employee is laid off. So, the concern of the Senate Finance Committee over putting this in classified is really not justified. It would not just create a position to be filled forever. This is really in the hands of management. The Legislature has the authority to strike position whether classified or unclassified. The engineers in the other agencies are classified so it would seem incongruous to have this one unclassified. His salary would be \$8200 to start with a maximum of \$10,000 and would come under Grade 31. Fringe benefits, retirement, etc. would go along with :

Mr. Glaser said this information is just for review as Senate Finance still has this bill.

Mr. Wittenberg was excused at 2:12 PM.

S. B. 10: Makes appropriation to reserve for statutory contingency fund; provides state expenses under Uniform Criminal Extradition Act to be paid from reserve for statutory contingency fund. Cost to state: \$17,529.

Mr. Phelps explained to the committee that the material in this bill is in 2 parts. The first recommends payment of extradition proceedings by a statutory contingency fund and the second part appropriates the money necessary to bring the fund back up to the \$20,000 which normally is done each time the Legislature meets.

The 1967 Legislature repealed NRS 179.210 to 300 inclusive which provided that instead of the county of residence, the state should pay for the extradition costs. This made it a state charge, but no funds were appropriated, so this bill recommends that the costs be paid from the statutory contingency fund. The \$17,529 is the disbursement since last December '66. Page 30 of the Budget Book shows the breakdown. It includes the cost of Attorneys' fees for indigent prisoners, court costs, claims for damages, etc. The highest single item is the attorney fees.

Discussion on this being the reason for the additional money - the unusually high amount for attorney fees--\$12,761 out of the total. The prisoners find out through their own study whether they have grounds for appeal, then make petition to court and then the court appoints the attorney, etc. and thus the costs to the state.

Mr. Bowler said that the number of inmates has increased so the percentage would allow for an increase. Also, the new criminal code patterned after Supreme Court edicts has greatly liberalized the opportunities for appeal.

Mr. Phelps said that Ormsby County now has an \$1800 bill pending to be presented to the state for search and other related costs on a recent case involving 5 prisoners.

Mr. Phelps felt that the \$20,000 fund will be adequate for both extradition and other costs in the future. This year's cost is unusual; the past 2 years has only been \$7,717.

S. B. 14: Supplemental appropriation for operation of public service commission of Nevada during fiscal years 1967-1969. Cost to state highway fund: \$23,572.

The Public Service Commission has been spending a greater proportion of funds regulating motor carriers than the public utilities. An Opinion of the Attorney General said this was illegal. So, these figures are based on the estimate of what it would take to regulate the motor carriers for the balance of the year, replacing the mil tax funds with highway funds. It will not result in an overall increase in their budget.

Mr. Ashworth asked if the Las Vegas taxicab problem had a lot to do with this. Mr. Phelps said there have been several appeals from other carriers too from the highway end of it.

Mr. Phelps, in answer to question, said that the Public Service Commission determines the franchise end of public utilities, the need and the rates. The mil tax pertains to the gross revenue of public utilities.

Mr. Glaser said this is just an authorized expenditure.

Mr. Ashworth moved that S.B. 14 be reported out with a Do Pass.

Mr. Bowler seconded the motion.

Motion passed unanimously.

Discussion on the progress of A.B. 7. It is now in the Judiciary Committee

Meeting adjourned at 2:30 PM.