

Senate

COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

Minutes of Meeting -- February 28, 1969

The nineteenth meeting of the Committee on Federal, State and Local Governments was held on February 28, 1969 at 2:30 P.M.

Committee members present: Chairman James Gibson
Warren L. Monroe
Vernon E. Bunker
Marvin L. White
Chic Hecht
Carl F. Dodge

Also present were:

Curt Blyth Nevada Municipal Association
Joe Cathcart Purchasing Agent, Las Vegas
J. T. Klenke Clark County Purchasing Director

Press representatives.

Chairman Gibson called the meeting to order at 2:30 P.M. Under consideration were several bills.

SB-222 Proposed by Committee on Federal, State and Local Governments.
Makes comprehensive revisions in Local Government Purchasing.

SB-130 Proposed by Committee on Education.
Amends local government Purchasing Act to raise contract amount requiring advertising; permits change of place of opening bids.
Executive estimate of cost: None.

Mr. Blyth stated that SB-222 could probably be called a Municipal Association bill, although it does represent the thinking of the people involved in municipal, urban, county and school areas. Chairman Gibson pointed out that both bills amend the same section of the law.

Mr. Blyth: SB-130 does two things. As you know, we now have three classifications of purchasing: those for purchases of less than \$1,000.00 -- for which no bidding or other requirements are necessary; purchases from \$1,000.00 to \$2,500.00, in which we use the informal bid procedure; purchases for over \$2,500.00, for which we use the formal procedure. Section 1 of this bill would expand the informal bid procedure to \$5,000.00 and also changes the date of the length of time for advertising. Other alterations in SB-130 are repeated in SB-222. SB-222 is, also, an over-all approach to purchasing.

At this point, Mr. Blyth went into each bill, delineating the changes and proposed language.

Section 4, No. 3 of SB-222 concerns action taken by local government in an emergency, including actions of the chief administrative officer at such a

time. After detailing this point, Senator Monroe stated that he would like to comment on this.

Senator Monroe: We have a provision on the books now that the City Council can pass an emergency ordinance -- and there are provisions which facilitate the passing of that ordinance, one of which is eliminating one of the publications. I don't think there's an instance on record in Elko County in the last 40 years where every ordinance passed has been an emergency and I think we ought to attempt to define emergencies. To make it clearer, I have some additional wording suggested there. (Reading from Section 4, No. 3) Line 22, ". . . health, safety and welfare resulting from the occurrence of a disaster such as, but not limited to, fire, flood, hurricane or disease, or which may lead to the impairment of the health and safety of the public, if not immediately attended to." This language at least tries to put some limitation on that word "emergency," or the City Council and supervisors might . . . everything as an emergency.

Senator Gibson then pointed out that the language now in the bill grew out of a special situation in Henderson -- which never again would happen -- and he felt that there should be some sort of limitation on this. Senator Farr added that he did not like the idea (in the same section) of polling the governing body by telephone, because he felt that this could be abused.

In response to Senator Gibson's observation that something specific must have caused this language to be inserted in the bill, Mr. Cathcart cited the occasion of an emergency in a \$2,500.00 addition in Clark County -- consisting of two emergencies two months apart, one requiring around \$6,300.00 and the other around \$8,000.00 -- both getting close to the \$10,000.00 emergency limit. Both instances affected the health and welfare of the public. If such an emergency affected a school (air-conditioning or heating system), it was felt that the latitude allowed in this wording would provide more expeditious action. Senator Monroe repeated that there should be limitation to the emergency interpretation. Mr. Blyth added that they certainly did not wish to attract abuse to this. There was inter-committee discussion on this point.

Subsequently, there was committee discussion regarding Section 5 of SB-222. Senator Dodge said that he did not like the language in this section and suggested using the words, "lowest conforming bid." Mr. Klenke and Mr. Cathcart further explained various procedures along this line in purchasing, the problems and desired clarifications.

Mr. Blyth detailed the other proposed changes in the bill, item by item. The committee was unanimous in its approval of the proposed change in Section 7. There was discussion regarding the bidding procedures and advertising for bids -- as in Section 12. This discussion involved delineation of "low bidder," "responsible bidder," et cetera.

Senator Dodge asked Mr. Blyth what the difference in price would be between accepting bids and negotiating for purchases. Mr. Blyth said he felt that negotiating would be best.

Chairman Gibson, after further discussion regarding the various mentioned points, stated that the committee would discuss this at a later meeting.

SB-140 Proposed by Committee on Federal, State and Local Governments.
Implements Nevada racing commission's multiple racing program
by authorizing greyhound racing on tracks holding a minimum of
25 days of horse racing each 90-day period.

Chairman Gibson carefully reviewed the bill -- which was now amended, pointing out that all the language that had been in SB-48 was now incorporated in SB-140.

There was wide committee discussion regarding authority and position of the Gaming Commission versus the Racing Commission. Chairman Gibson stated that this newly amended bill does, in fact, accede to what Frank Johnson had requested regarding the surveillance of the Gaming Commission.

Senator Monroe moved Do Pass, seconded by Senator Bunker. All voted Aye, except Senator Farr, who voted Nay. Motion carried for passage.

SB-48 Proposed by Committee on Federal, State and Local Governments.
Strengthens financial controls on horse racing in Nevada.

Senator Dodge moved that this bill be held indefinitely, seconded by Senator Bunker. Vote was unanimous for this.

There being no further business, Chairman Gibson adjourned the meeting.

Respectfully submitted,

Patricia F. Burke

Patricia F. Burke,
Committee Secretary