

COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

Minutes of Meeting -- March 19, 1971

The twenty-fifth meeting of the Committee on Federal, State and Local Governments was held on the 19th day of March, 1971.

Committee members present: James I. Gibson
Coe Swobe
Carl F. Dodge
Chic Hecht
Stan Drakulich

Also present were:

Archie Pozzi, Senator
Sam Palazzolo, President, Nevada State Employees Association
Claude Evans, Steelworkers Union
Russ McDonald, Legislative Counsel Bureau
Dennis Wright, Legislative Counsel Bureau
Doug Byington, Councilman, City of Sparks
Jack Cunningham

Press representatives

Chairman Gibson called the meeting to order at 1:15 P.M. The first two bills were considered jointly as follows:

AB-6 Provides for observance of certain legal holidays on Fridays, permits governor to declare legal holidays.

SB-25 Provides for observance of certain legal holidays on Fridays, permits governor to declare legal holidays.

Senator Pozzi, who introduced SB-25, asked Mr. Palazzolo to speak for the Employees Association on this matter.

Mr. Palazzolo testified that there is an average of eleven holidays celebrated throughout the various states over the period of a year, whereas Nevada has nine. Last year Nevada lost three of these because they fell on a Saturday, and the governor did not have the authority to declare an extra day off. If this bill is not passed they will lose two more this coming year, the first one being Christmas and the second one New Years. They also feel the governor should have the authority to declare legal holidays when he sees fit.

The Association is presently in favor of the committee considering AB-6 because of the fact that it has already passed the Assembly 35-2. Out of the survey that was taken a few months ago, 48 states answered and all of them gave their employees Monday off when a holiday fell on a Sunday, and 31 of the 48 when a holiday fell on a Saturday gave off either Friday or another day.

Senator Dodge questioned Section 2 of this bill with reference to closing of the schools when the governor declares holidays. They are required in order to get their ADA allowances to meet so many days a year. Mr. Palazzolo noted that certain sections can be exempted. It was agreed that Senator Dodge would check this out with the school district before any action is taken on AB-6.

Senator Hecht moved to "Hold," on SB-25, seconded by Senator Drakulich. The motion carried.

AB-404 Amends charter of City of Reno to provide for appointment of city clerk.

Senator Swobe stated that this office is already filled by an appointment, but the language is needed in the law. The charter for the City of Reno has been drawn up in this manner and will conform with this proposal. He also said that he would like this to go through as an emergency measure.

Senator Dodge moved to "Do Pass," seconded by Senator Swobe. The motion carried.

AJR-10 Proposes to amend the Nevada constitution by declaring moneys paid into public employees' retirement fund are trust funds.

Mr. McDonald explained that the theory here is to guarantee that these would be trust moneys and in order to divert them from that trust purpose the people would have to vote on it.

Senator Dodge moved to "Do Pass," seconded by Senator Drakulich. The motion carried.

AB-243 Makes office of inspector of mines an appointive office, to be filled by governor on and after January 1975.

Senator Dodge stated that he thinks the main function of this office now is concerned with safety and that this should be placed under the safety aspects of the Industrial Commission.

Mr. Claude Evans, who is with the Steelworker's Union, spoke in support of AB-243. He said it is at least a step in the right direction. The problem they are presently faced with at Titanium Metals (for example) is that they are covered by the Mines Safety Act and the enforcement of the safety there is regulated by the mines inspector, whereas the building right next to it, which is a chemical company, there the safety inspection is handled by the NIC, and in each case you have men doing exactly the same job. He added that he thought this job should be incorporated into and be regulated by the NIC Safety Division. Senator Dodge noted that it was set up with a mine inspector originally because they did not have the safety division under NIC.

Mr. Russ McDonald spoke on AB-243, noting that this bill is merely to make the office of the inspector of mines an appointive office and would not be effective until January, 1975.

There was further discussion regarding the problem of the NIC not being able presently to go in and enforce safety matters where the safety requirements are regulated by the inspector of mines. Mr. Evans emphasized that there could be many problems and serious ones which could arise from this situation during the next four years. Mr. McDonald said that there could also be problems and a question with respect to federal regulations if the state doesn't take some action. A bill has already been prepared which could help alleviate this problem.

Another suggestion made by Mr. McDonald in this regard would be to create a Mine Safety Inspection Division in the Industrial Safety Division and by statute transfer the incumbent over there and guarantee that he would be employed at the same salary during his term of office. You would wipe out the office of the inspector of mines per se and transfer the function and the personnel to the Industrial Commission Safety Department.

Chairman Gibson is to check out the problems and ramifications on this bill and the proposed transfer to NIC.

SB-560 Provides for compensation of hospital trustees in all counties.

Chairman Gibson stated that this legislation had been introduced by Senator Manning and the present language limits this to counties having less than 30,000 registered voters. Mr. Cunningham was present and noted that he had no objection to SB-560. There

was discussion as to what is presently done with respect to the school board and their compensation, and it was agreed to check this out before any further action is taken.

SB-518 Enacts new Sparks city charter.

Mr. Wright of the Legislative Counsel Bureau and Mr. Byington representing the Sparks City Council were present to discuss the ramifications of SB-518.

In response to questions from Chairman Gibson Mr. Wright said that Section 2.010 would take care of the salaries of the judge, councilmen and mayor as far as increase or decrease during term of office. It will be necessary to amend Section 5.010 to include the attorney and clerk. Also, Mr. Wright was requested to prepare an amendment changing the debt limit for the city of Sparks to 20%.

Mr. Byington has conferred with the other council members in Sparks and although they didn't want to approve the staggered terms of 2 and 4 years, they did propose 4 and 6 years. Following further discussion Chairman Gibson requested Mr. Wright to also prepare an amendment with respect to staggered terms as follows: Wards 2 and 4, the city attorney, the municipal judge, and the city clerk for 4 years; and the mayor, and Wards 1, 3 and 5 for 6 years.

AB-131 Relaxes conditions for out-of-county public printing.

Mr. Cunningham explained that this was a "housecleaning" type of bill. This removes the requirement that such printing must be placed with a local printing establishment and adds the words "with some bona fide newspaper or bona fide commercial printing establishment elsewhere in the state adequately equipped to do such printing." In some of the smaller counties they are not able to get the work done locally. Senator Monroe had indicated he had some specific problems in connection with this bill and the committee will delay action until he can be heard.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Mary Jean Pondi,
Committee Secretary

2-

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 6

ASSEMBLY BILL NO. 6—MESSRS. BRYAN, DREYER, FRY,
MAY, BRANCH, OLSEN, HILBRECHT AND MRS. BROOK-
MAN

JANUARY 19, 1971

Referred to Committee on Government Affairs

SUMMARY—Provides for observance of certain legal holidays on Fridays, per-
mits governor to declare legal holidays. Fiscal Note: No. (BDR 19-146)

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

AN ACT relating to legal holidays; providing for the observance of certain legal
holidays on Fridays; permitting the governor to declare a certain number of
legal holidays; 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. NRS 1.130 is hereby amended to read as follows:
2 1.130 1. No court except a justice's court or a municipal court shall
3 be opened nor shall any judicial business be transacted except by a jus-
4 tice's court or municipal court on Sunday, or on any day declared to be a
5 legal holiday according to the provisions of NRS [236.010 or] 236.015,
6 except for the following purposes:
7 (a) To give, upon their request, instructions to a jury then deliber-
8 ating on their verdict.
9 (b) To receive a verdict or discharge a jury.
10 (c) For the exercise of the power of a magistrate in a criminal action
11 or in a proceeding of a criminal nature.
12 (d) For the issue of a writ of attachment, which may be issued on
13 each and all of the days above enumerated upon the plaintiff, or some
14 person in his behalf, setting forth in the affidavit required by law for
15 obtaining the writ the additional averment as follows: That the affiant
16 has good reason to believe, and does believe, that it will be too late for
17 the purpose of acquiring a lien by the writ to wait until subsequent day
18 for the issuance of the same. All proceedings instituted, and all writs
19 issued, and all official acts done on any of the days above specified, under
20 and by virtue of this section, shall have all the validity, force and effect of
21 proceedings commenced on other days, whether a lien be obtained or a
22 levy made under and by virtue of the writ.

Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.

S. B. 25**SENATE BILL NO. 25—SENATOR POZZI**

JANUARY 20, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY—Provides for observance of certain legal holidays on Fridays, permits governor to declare legal holidays. Fiscal Note: No. (BDR 19-405)**EXPLANATION**—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to legal holidays; providing for the observance of certain legal holidays on Fridays; permitting the governor to declare legal holidays; 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. NRS 1.130 is hereby amended to read as follows:
 2 1.130 1. No court except a justice's court or a municipal court shall
 3 be opened nor shall any judicial business be transacted except by a jus-
 4 tice's court or municipal court on Sunday, or on any day declared to be a
 5 legal holiday according to the provisions of NRS [236.010 or] 236.015,
 6 except for the following purposes:
 7 (a) To give, upon their request, instructions to a jury then deliberating
 8 on their verdict.
 9 (b) To receive a verdict or discharge a jury.
 10 (c) For the exercise of the power of a magistrate in a criminal action
 11 or in a proceeding of a criminal nature.
 12 (d) For the issue of a writ of attachment, which may be issued on each
 13 and all of the days above enumerated upon the plaintiff, or some person
 14 in his behalf, setting forth in the affidavit required by law for obtaining
 15 the writ the additional averment as follows: That the affiant has good
 16 reason to believe, and does believe, that it will be too late for the purpose
 17 of acquiring a lien by the writ to wait until subsequent day for the issu-
 18 ance of the same. All proceedings instituted, and all writs issued, and all
 19 official acts done on any of the days above specified, under and by virtue
 20 of this section, shall have all the validity, force and effect of proceedings
 21 commenced on other days, whether a lien be obtained or a levy made
 22 under and by virtue of the writ
 23 2. Nothing herein contained shall affect private transactions of any
 24 nature whatsoever.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 404

ASSEMBLY BILL NO. 404—MESSRS. MCKISSICK AND CAPURRO

FEBRUARY 19, 1971

Referred to Committee on Government Affairs

SUMMARY—Amends charter of City of Reno to provide for appointment of city clerk. Fiscal Note: No. (BDR S-754)



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

AN ACT to amend an act entitled "An Act to incorporate the Town of Reno, in Washoe County, and defining the boundaries thereof, and to authorize the establishing of a city government therefor, and other matters relating thereto," approved March 16, 1903, as amended.

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

- 1 SECTION 1. Section 1 of Article IV of the charter of the City of
- 2 Reno, being chapter 102, Statutes of Nevada 1903, as added by chapter
- 3 71, Statutes of Nevada 1905, and as last amended by chapter 244,
- 4 Statutes of Nevada 1959, at page 288, is hereby amended to read as
- 5 follows:
- 6 Section 1. There shall be a city clerk, who shall be [elected by the
- 7 qualified electors of the city at each general city election,] *appointed by*
- 8 *the city council*, and he shall hold office for the term of 4 years and until
- 9 his successor has been duly [elected] *appointed* and qualified. *Any per-*
- 10 *son elected to the office of city clerk before the effective date of this*
- 11 *amendatory act shall continue to hold office until the expiration of the*
- 12 *term for which he may have been elected.* No person shall be eligible
- 13 for said office who shall not be a bona fide resident of the city for a period
- 14 of at least 1 year next preceding his [election,] *appointment*, and who is
- 15 not a citizen of the state, and of the age of at least 21 years, and a tax-
- 16 payer and elector in said city.
- 17 SEC. 2. Section 5 of Article IV of the charter of the City of Reno,
- 18 being chapter 102, Statutes of Nevada 1903, as added by chapter 71,
- 19 Statutes of Nevada 1905, and as last amended by chapter 242, Statutes of
- 20 Nevada 1963, at page 415, is hereby amended to read as follows:
- 21 Section 5. The city clerk shall receive an annual salary the amount
- 22 of which shall be fixed by the city council by resolution. [at not less than
- 23 \$9,000 nor more than \$12,000, payable in 12 equal monthly installments.

Original bill is 3 pages long.
Contact the Research Library for
a copy of the complete bill.

A. J. R. 10**ASSEMBLY JOINT RESOLUTION NO. 10—MR. HOMER**

FEBRUARY 3, 1971

Referred to Committee on Government Affairs

SUMMARY—Proposes to amend the Nevada constitution by declaring moneys paid to public employees' retirement fund are trust funds. (BDR C-907)

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

ASSEMBLY JOINT RESOLUTION—Proposing to amend section 2 of article 9 of the constitution of the State of Nevada, relating to finance and state debt, declaring public employees' retirement funds to be trust funds.

- 1 *Resolved by the Assembly and the Senate of the State of Nevada,*
 2 *jointly,* That section 2 of article 9 of the constitution of the State of
 3 Nevada be amended to read as follows:
 4 **[Section]** *Sec. 2.* The legislature shall provide by law for an annual
 5 tax sufficient to defray the estimated expenses of the state for each fiscal
 6 year; and whenever the expenses of any year shall exceed the income,
 7 the legislature shall provide for levying a tax sufficient, with other sources
 8 of income, to pay the deficiency, as well as the estimated expenses of such
 9 ensuing years or two years. Any moneys paid for the purpose of providing
 10 compensation for industrial accidents and occupational diseases, and for
 11 administrative expenses incidental thereto, *and for the purpose of fund-*
 12 *ing and administering a public employees' retirement system,* shall be
 13 segregated in proper accounts in the state treasury, and such moneys shall
 14 never be used for any other purposes, and they are hereby declared to be
 15 trust funds for the uses and purposes herein specified.

A. B. 243

**ASSEMBLY BILL NO. 243—COMMITTEE ON
GOVERNMENT AFFAIRS**

FEBRUARY 10, 1971

Referred to Committee on Government Affairs

SUMMARY—Makes office of inspector of mines an appointive office, to be filed by governor on and after January 1975. Fiscal Note: No. (BDR 46-1122)

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

AN ACT making the office of inspector of mines appointive on and after the 1st Monday in January 1975; providing that the governor shall make the appointments after such date; 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. NRS 281.010 is hereby amended to read as follows:
- 2 281.010 1. The following officers shall be elected:
- 3 (a) A governor.
- 4 (b) A lieutenant governor.
- 5 (c) Two United States Senators.
- 6 (d) The number of members of the House of Representatives of the
- 7 United States to which this state may be entitled.
- 8 (e) The number of presidential electors to which this state may be
- 9 entitled.
- 10 (f) Five justices of the supreme court.
- 11 (g) District judges, as provided in NRS 3.010.
- 12 (h) Senators and members of the assembly.
- 13 (i) A secretary of state.
- 14 (j) A state treasurer.
- 15 (k) A state controller.
- 16 (l) An attorney general.
- 17 (m) An inspector of mines [] until the general election in 1974.
- 18 (n) Other officers whose elections are provided for by law.
- 19 (o) For each county, and the equivalent officers for Carson City:
- 20 (1) One county clerk, who shall be ex officio clerk of the board of
- 21 county commissioners and clerk of the district court of his county.
- 22 (2) One sheriff.
- 23 (3) One district attorney.

Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.

S. B. 560

SENATE BILL NO. 560—SENATOR MANNING

MARCH 16, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY—Provides for compensation of hospital trustees in all counties.
Fiscal Note: No. (BDR 40-2018)



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

AN ACT providing for the payment for services performed of members of boards of hospital trustees in all counties of the state.

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

1 SECTION 1. NRS 450.130 is hereby amended to read as follows:
2 450.130 1. [In counties having less than 30,000 registered voters in
3 the 1954 general election, or any subsequent general election, no hospital
4 trustee shall receive any compensation for his services performed.
5 2. In any county or counties having 30,000 or more registered voters
6 in the 1954 general election, or any subsequent general election, a hospital
7 trustee] *Any trustee of any county hospital* may, subject to the provisions
8 of subsection [3,] 2, receive a salary of \$50 per month and the chairman
9 of the board of hospital trustees may receive a salary of \$100 per month.
10 [3.] 2. Before any hospital trustee shall be entitled to any compen-
11 sation as provided in subsection [2,] 1, he shall first have devoted a
12 minimum of 1 day during the month exclusively to the business and
13 affairs of the hospital, exclusive of regular meetings of the board of hos-
14 pital trustees.
15 [4.] 3. Any trustee of any county hospital may receive reimburse-
16 ment for any cash expenditures actually made for personal expenses
17 incurred as such trustee. An itemized statement of all such expenses and
18 money paid out shall be made under oath by each of such trustees and
19 filed with the secretary. An itemized statement shall be allowed only by
20 an affirmative vote of all trustees present at a meeting of the board.

Original bill is on file at
the Research Library.

S. B. 518

SENATE BILL NO. 518—COMMITTEE ON FEDERAL,
STATE AND LOCAL GOVERNMENTS

MARCH 12, 1971

Referred to Committee on Federal, State and Local Governments

SUMMARY—Enacts new Sparks city charter. Fiscal Note: No. (BDR S-2022)



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

AN ACT incorporating the City of Sparks in Washoe County, Nevada, and defining the boundaries thereof, under a new charter; 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. The charter of the City of Sparks is as follows. Each
2 section of the charter shall be deemed to be a section of this act for the
3 purpose of any subsequent amendment.

4
5 ARTICLE I

6
7 Incorporation of City; General Powers; Boundaries;
8 Wards and Annexations; City Offices

9
10 Section 1.010 Preamble: Legislative intent.

11 1. In order to provide for the orderly government of the City of
12 Sparks and the general welfare of its citizens the legislature hereby estab-
13 lishes this charter for the government of the City of Sparks. It is expressly
14 declared as the intent of the legislature that all provisions of this charter
15 be liberally construed to carry out the express purposes of the charter and
16 that the specific mention of particular powers shall not be construed as
17 limiting in any way the general powers necessary to carry out the purposes
18 of the charter.

19 2. Any powers expressly granted by this charter are in addition to
20 any powers granted to a city by the general law of this state. All pro-
21 visions of Nevada Revised Statutes which are applicable generally to
22 cities (not including, unless otherwise expressly mentioned in this charter,
23 chapter 265, 266 or 267 of NRS) which are not in conflict with the pro-
24 visions of this charter apply to the City of Sparks.

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A. B. 131**ASSEMBLY BILL NO. 131—COMMITTEE ON
GOVERNMENT AFFAIRS**

FEBRUARY 2, 1971

Referred to Committee on Government Affairs

SUMMARY—Relaxes conditions for out-of-county public
printing. Fiscal Note: No. (BDR 19-30)EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.AN ACT relating to county printing; relaxing the conditions required for out-of-
county public printing; 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. NRS 244.330 is hereby amended to read as follows:
2 244.330 1. All public printing required by the various counties shall
3 be placed with some bona fide newspaper or bona fide commercial print-
4 ing establishment within the county requiring the same; but if there is no
5 bona fide newspaper or bona fide commercial printing establishment
6 within the county adequately equipped to do such printing, then the print-
7 ing so required shall be placed [through the local bona fide newspaper or
8 bona fide commercial printing establishment.
9 2. Nothing in this section shall be construed as requiring counties to
10 pay to the local bona fide newspaper or bona fide commercial printing
11 establishment any commission on such printing, but the commission must
12 be paid by the printing establishment doing the same.
13 3.] *with some bona fide newspaper or bona fide commercial printing*
14 *establishment elsewhere in the state adequately equipped to do such print-*
15 *ing.*
16 2. Except as otherwise authorized in subsection [5.] 4, printing
17 required by counties shall be done within the state.
18 [4.] 3. The provisions of this section are contingent upon satisfac-
19 tory services being rendered by all such printing establishments and rea-
20 sonable charges therefor. Reasonable charges shall mean a charge not in
21 excess of the amount necessary to be paid for similar work in other print-
22 ing establishments.
23 [5.] 4. Nothing in this section shall be construed as prohibiting the
24 printing of county bonds and other evidences of indebtedness outside the
25 state.

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Original bill is on file at
the Research Library.