

Senate

COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

Minutes of Meeting -- March 31, 1971

The thirty-second meeting of the Committee on Federal, State and Local Governments was held on the 31st day of March, 1971.

|                            |                  |
|----------------------------|------------------|
| Committee members present: | James I. Gibson  |
|                            | Carl F. Dodge    |
|                            | Lee Walker       |
|                            | Warren L. Monroe |
|                            | Chic Hecht       |
|                            | Stan Drakulich   |
|                            | Coe Swobe        |

Also present were:

Bill Hancock, State Planning Board  
 Juanita Blankenship, Administrative Analyst, Clark County  
 Ty Hilbrecht, Assemblyman  
 Father Lewis Vitali  
 John Meder, Carson City Board of Supervisors  
 Roy Pagni, Washoe County Commissioner  
 Dave Henry, Clark County Administrator  
 C. B. Kinnison, Washoe County Manager  
 William Hadley, District Attorney's Office, Washoe  
 Shirley Richards, Welfare Office, Washoe  
 Lou Paley, CIO  
 Howard Gray, Attorney  
 Joe Anderson, State Librarian  
 Linda Newman, Librarian, University of Nevada  
 Jack Cunningham  
 Press

Chairman Gibson called the meeting to order at 3:00 P.M. Several matters were before the committee for consideration.

AB-687 Authorizes city of Yerington to improve, equip its sanitary sewer system and water system and to issue general obligation bonds and other general obligation securities for such project.

An earlier hearing was held on AB-687 at which time the committee heard detailed testimony. Chairman Gibson further explained that this proposal does provide for an election.

AB-467 Transfers responsibility for issuing billboard permits from county clerk to county building inspector.

Mr. Kinnison of Washoe County noted that this proposal came from the county association and was not requested by the county of Washoe. Mr. Cunningham spoke in support of AB-467, stating that this responsibility should be with the county building inspector.

SB-620 Permits State Planning Board to authorize change orders less than certain percent of contract price.

Mr. Hancock explained that the change this makes in the State Planning Board Act is to authorize change orders to contracts not to exceed 10% of the total contract price. Two reasons for the addition to this act: (1) the attorney general has advised that under Nevada law there is a lot of case law that indicates that if you modify a contract by change order over 10% you are substantially changing the terms of the contract and this may result in one of the unsuccessful bidders protesting the contract, and (2) the legislative auditors have questioned past contract procedures, and this would clarify the law making it a more workable procedure.

AB-215 Establishes a distribution center within the State Library for state publications.

Mr. Anderson, State Librarian, and Miss Linda Newman, Librarian at the University of Nevada in Reno, both appeared as witnesses to testify on AB-215. Mr. Anderson testified that the principal effect of this bill would be to allow an orderly organization for public use of this form of the public record and simply make it available to the Washoe county area on a depository basis, as well as the Elko county area and Clark county. It will also assure to the state library agency that the collection of these kinds of materials will be as complete as possible, and re-enforces their ability to exchange with the regional and national depositories.

AB-5 Creates position of ombudsman.

Mr. Hilbrecht gave a summary of the reasons why he felt this would be of benefit to the State of Nevada. This bill, in

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effect, creates the position of ombudsman for the state, which was introduced and defeated in the 1967 session. Since that time Mr. Hilbrecht has attended a western conference on the ombudsman and learned that there are several states, cities and local political subdivisions that have adopted an ombudsman office. The cities of Buffalo and San Diego have both had considerable experience with this office.

The ombudsman concept is simply to provide by establishing a specific office, a source of access to the government for people who feel that they have been wronged by an administrative act of the government. The experience of those entities that have adopted this office has been very satisfactory. One reason this is particularly timely in this state is pointed up by the problems with welfare, wherein the ombudsman, if in effect, could have clarified some of the problems on both sides.

Juanita Blankenship of Clark county, spoke in support of AB-5, stating that this is a failsafe device which signals malfunctions in the primary mechanism which would help to prevent disaster, and the welfare situation is a very good example of this.

There was further discussion of this proposal. Mr. Hilbrecht referred to a written statement from Mr. McDonald which indicated that there would be office space available in the legislative counsel building and that the ombudsman would have access to the research bureau as well as available legal help. Senator Monroe questioned as to what guarantee there would be that this office could be kept out of politics? Mr. Hilbrecht explained that there are safeguards written into the proposal which would prevent that. He would be paid a high salary, no one could be appointed to that office who had been in the legislature within the past four years, nor could he have held public office. Also he can only be removed by a 2/3rds vote in each house.

Mr. Hilbrecht left a copy of the Hawaii report as well as other material for the committee to study on this matter.

AB-13 Requires maintenance of separately located offices by members of Nevada Industrial Commission.

Mr. Paley, representing the CIO, testified that he stands in opposition to AB-13. Mr. Howard Gray also testified that he opposes this bill and feels that it would only confuse things and make it harder from an economic standpoint to have a smooth running commission.

SB-614 Amends law relating to county aid to indigents.

C. B. Kinnison, Washoe County Manager, along with Mrs. Richards of the Washoe Welfare Office, and Mr. Hadley of the Washoe District Attorney's office, all came forward to testify in support of SB-614. Mr. Kinnison stated that this should have been done some time ago, and it is really re-defining and bringing up to today's pattern an old welfare act. This proposal gives the county commissioners more fiscal control of the management of a county, which certainly should be encouraged.

Mr. Kinnison referred to page 2, section 3 of SB-614 and said that there seems to be a limit on the amount of money that a county could levy for welfare purposes which may present a problem. This amount is flexible in that it changes yearly as the assessed base of a county would change.

Mrs. Richards noted that the welfare association wishes to go on record as being in favor of SB-614. They feel that with the changes in this bill they will have a more workable law and that if this is passed they will be able to set standards which will permit them to give the assistance that is needed to those that need it instead of to everyone that walks in the door.

Mr. Hadley added that what this does is state a maximum amount that can be paid out in one year -- it is not an arbitrary proposal, but does set standards which can be followed, and he feels it is a very fair bill.

Mr. Henry of Clark county proposed an amendment to this bill as follows: Add the language after paragraph 3, "except that if the health of the poor is placed in jeopardy and there is a lack of monies to provide necessary medical care, the Commissioners shall declare an emergency and provide additional funds from whatever resources may be available."

There was further discussion with the committee, Mr. Henry of Clark county and Mr. Hadley of Washoe county on this proposed amendment, with Washoe county stating at this time that they do not approve of the proposed amendment.

SB-293 Modifies procedure for filing plats and broadens definition of "subdivision."

Chairman Gibson explained that this bill as it is now written applies only to the larger counties.

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The committee then took action as follows:

- AB-687 Senator Monroe moved "Do Pass," seconded by Senator Hecht. The motion carried.
- AB-467 Senator Walker moved "Do Pass," seconded by Senator Monroe. The motion carried.
- SB-620 Senator Hecht moved "Do Pass," seconded by Senator Walker, The motion carried.
- AB-215 Senator Dodge moved "Amend and Do Pass," seconded by Senator Hecht. The motion carried.
- AB-5 Chairman Gibson noted that this would have to be referred to Senate Finance.
- AB-13 Senator Drakulich moved "Hold," seconded by Senator Monroe. The motion carried.
- SB-614 Will wait on this until the amendment has been prepared.
- AB-679 Senator Dodge moved that "we approve and Do Pass," seconded by Senator Hecht. The motion carried.
- SB-612 Senator Dodge moved "Do Pass," seconded by Senator Hecht. The motion carried.
- SB-293 Senator Drakulich moved "Do Pass as Amended," seconded by Senator Dodge. The motion carried.
- AB-43 Senator Monroe moved to "Hold," seconded by Senator Hecht. The motion carried.
- SB-207 Senator Dodge moved to "Hold," seconded by Senator Monroe. The motion carried.
- SB-579 Senator Dodge moved "Do Pass," seconded by Senator Drakulich. The motion carried.

There being no further business, the meeting adjourned.

Respectfully submitted,

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Mary Jean Pondi,  
Committee Secretary