

Assembly

GOVERNMENT AFFAIRS COMMITTEE
MINUTES OF THE MEETING
FEBRUARY 27, 1973

MEMBERS PRESENT: CHAIRMAN DINI
VICE-CHAIRMAN ULLOM
ASSEMBLYMAN MAY
ASSEMBLYMAN SMITH
ASSEMBLYMAN GETTO
ASSEMBLYMAN GOJACK
ASSEMBLYMAN YOUNG
ASSEMBLYMAN FORD
MEMBERS ABSENT: ASSEMBLYMAN BROOKMAN (EXCUSED, ILL)
ALSO PRESENT: ASSEMBLYMAN HAFEN
NICK LAURI

The meeting was called to order by the chairman.

SB 240 - Authorized the City of Henderson to issue not to exceed \$2,100,000 of bonds for acquiring public improvements.

Assemblyman Young moved "DO PASS"
Assemblyman Gojack seconded the motion.
The motion carried unanimously.

Assemblyman Smith asked for committee introduction of three BDRs - 18-956*, 31-688^A and 23-1043^O.
Assemblyman Smith moved for Committee Introduction.
Assemblyman Ford seconded the motion.
The motion carried unanimously.

AB 47 - Provides standards of ethical conduct for public officers and employees and establishes a State Ethics Commission.

Assemblyman Hafen told the committee that this bill was the result of two years of work by a sub-committee made up of Senators Walker and Young and Assemblymen Hafen and Lauri. The sub-committee held public hearings in Reno and Las Vegas and many other meetings. The help and advice of many people in the State was asked. The bill provides for 4 basic things: 1) Code of Ethical Conduct 2) Creation of State Ethic Commission 3) Creation of Local Ethic Commissions 4) Supplemental Codes. It was the feeling of the sub-committee that the people preferred this type of legislation. The NRS provide for action in cases of criminal misconduct so legislation is not needed for that purpose.

* A.B. 431

A.A.B. 432

° A.B. 433

The sub-committee compared the laws of 49 states and had AB 47 drawn. The sub-committee also studied the model law of the Commission on State Governments. The result is a very broad law. It was the finding of the sub-committee that rather than benefiting from holding public office most men lose more than they gain.

The chairman asked if the sub-committee had found much evidence of conflict of interest on a local level.

Assemblyman Hafen replied that they had not looked into this area.

Assemblyman Ford stated she liked the idea of local ethics commissions, but the bill did not spell out how they would actually work.

Assemblyman Hafen said the sub-committee assumed that the local commissions would follow the State Commission. However, the bill has to be amended because 5 year terms are not constitutional and an amendment could be drawn to clear up how the local commissions are organized.

Assemblyman May asked what the interpretation of constituent was.

Assemblyman Hafen said the bill intended this to mean any person in the State of Nevada for a member of the Legislature.

✓ The chairman explained to the committee that he had asked that AB 166 be drawn. This is a much more specific ethic law and includes lobbyists. The main reason for including lobbyists was to clarify the fact that a legislator cannot be both a lawmaker and a lobbyist. This measure would also make a person running for public office declare his financial condition. The voters would be aware of the fact that he had a financial interest in various businesses; that he might be voting on legislation which affected his own business interests.

Assemblyman Gojack pointed out that in small communities the filing of a financial statement could hurt the candidate or be used against him. She also questioned the fact that although even if the person were found to have a conflict of interest and unethical conduct, he could still hold office.

Assemblyman Hafen said it was the feeling of his sub-committee that the people wanted just a general code of ethics and were not interested in financial disclosures.

The chairman suggested that the bill could be amended to have disclosure of interest without amounts.

Assemblyman Hafen said such a disclosure could have the effect of keeping qualified people from running for office.

The chairman asked if conflict of interest had been brought up by any of the voters during the campaign.

Assemblyman Gojack said it was an issue in her campaign.

Assemblyman Young stated he was against all or any such legislation.

✓ Assemblyman Ford explained to the committee that AB 367 was modeled after the Common Cause model law. The bill has three main parts 1) Conflict of Interest 2) open meetings and 3) campaign finance. She feels that the bill pulls together all the existing laws on the subject and is mid-way between AB 47 and AB 166. However, she felt that AB 47 was a first step. The basis of AB 367 was public office is a public trust. This bill provides for updating of financial statements, which neither of the other two have. She said she also felt that the idea of a joint committee on ethics, such as provided for in the bill, would be of great benefit to all legislators as they could get an immediate opinion on a question. Assemblyman Ford said the summary of the bill was incorrect as employees were not covered by the bill. She said it was felt that any attempt should start with elected officials not appointed ones.

Mr. Lauri stated that it would be best to start with a general law and then make it stronger.

Assemblyman Ford stated that all a conflict of interest law could accomplish was as much as the people involved would allow themselves to be guided by it.

Assemblyman Ullom stated he felt that some sort of conflict of interest law should be passed to provide for public trust.

Assemblyman May stated that he had received no mail on the subject and felt there was no great interest in the subject. He stated that he felt the voters knew what elected officials were doing.

Assembly

GOVERNMENT AFFAIRS COMMITTEE
MINUTES OF THE MEETING
FEBRUARY 28, 1973
PAGE 4

Assemblyman Ullom suggested that the reason people are not interested is that they do not believe such legislation can be passed.

Assemblyman Gojack said she felt that disclosure was an important part of any such legislation.

Assemblyman Getto said he felt the new rules of the committees this year were a first step. He said he felt that disclosure was not necessary.

Assemblyman Smith stated he felt the voters were aware of what each person in elected office was doing.

Assemblyman Getto stated that the one man- one vote districts made it possible for every interested voter to keep track of his elected officials.

The chairman stated he felt disclosure was needed in any such legislation.

Assemblyman Gojack stated she felt a legislative review board would take the pressure off any legislator who was being pressured to vote a certain way.

Assemblyman Ford suggested that disclosure of interests might be a surprise to the public who think all public officials have many private interests.

Assemblyman Smith said that he felt that conflicts of interest were always being tied to money when there are many other conflicts besides money conflicts.

Mr. Lauri stated that people have a very suspicious view of government and do not really believe that any conflict of interest legislation can be passed.

Assemblyman May pointed out that the Constitution gives power over the conduct of elected officials.

Mr. Lauri replied that this power has never been exercised.

Assemblyman May expressed his fear that a commission could become too political.

AB 47 - Assemblyman Smith moved "DO PASS".
Assemblyman Getto seconded the motion.
Assemblyman Ford moved AB 47 be amended to include
a disclosure section.
Assemblyman Gojack seconded the motion.
Assemblymen Smith, Getto and Young voted NO.
Assemblyman Dini, Ullom, May, Gojack and Ford voted YES.
The motion carried.
The motion that AB 47 be given a "DO PASS AS AMENDED"
did not carry.
Assemblymen Dini, Ullom, Gojack and Ford voted YES.
Assemblymen May, Smith, Getto and Young voted NO.

Assemblyman May moved AB 47 be "INDEFINITELY POSTPONED"
Assemblyman Young seconded the motion.
Assemblymen May and Young voted YES.
Assemblymen Dini, Ullom, Smith, Getto, Gojack and Ford
voted NO.
The motion was defeated.

Assemblyman Getto moved AB 47 be given a "DO PASS".
Assemblyman Smith seconded the motion.
Assemblymen Smith, Getto and Ford voted YES.
Assemblymen Dini, Ullom, May, Gojack, Young voted NO.
The motion was defeated.

The meeting was adjourned.

ASSEMBLY
H E A R I N G

COMMITTEE ON GOVERNMENT AFFAIRS

Date 2/27 Time 2:00 PM Room 214

Bill or Resolution
to be considered

Subject

AB 47
AB 166
AB 298

CONFLICT OF INTEREST