

MINUTES

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Assembly

WAYS AND MEANS COMMITTEE - NEVADA STATE LEGISLATURE - 57th SESSION

April 14, 1973

Meeting called to order by Chairman Mello at 7:04 AM in the Ways and Means Committee Room.

PRESENT: Chairman Mello, Vice Chairman Schofield, Messrs. Dreyer, Robinson, Capurro, Hafen, Smith, Prince and Howard.

ALSO PRESENT: John Dolan, Randy Webb and Ron Sparks.

Predatory Animal Control, page 494: Chairman Mello wanted to know what the Committee wanted to do on this, in regard to the new budget submitted by Senate Finance.

Mr. Dolan submitted to the Committee a new budget based on six new personnel.

Chairman Mello also pointed out that in addition to this budget there is a Federal budget of \$160,000 per year for predator control.

Mr. Howard recommended that the Committee stand fast on the revised budget of the six new positions.

Mr. Howard moved to close this budget as amended. Second by Mr. Dreyer. Nays: Mr. Hafen. Motion passed.

Chairman Mello brought up the point that Mr. Capurro was trying to make yesterday in having the new Judge in Washoe County be elected. He also stated that according to Mr. McDonald there would be a Courtroom available by January 1, 1974.

Mr. Schofield moved that the appointment of the Judge be made effective January 1, 1974. Second by Mr. Robinson. Motion passed.

District Judges Salaries, Judges & Widows Pensions, page 113: By adding another Judge for Washoe County the following money should be added. \$13,200 for FY 1973-74 and \$29,700 for FY 1974-75.

In connection with this, S.B. 352 increases widows benefits from \$350.00 to \$500.00 per month. There are six Judges' widows. This represents a total increase of \$10,800 per year to this budget.

Motion for do pass on S.D. 352 by Mr. Prince. Second by Mr. Hafen. Nays: Messrs. Dreyer, Howard and Schofield. Motion passed.

Mr. Prince moved that the budget be closed amended to include those figures as listed. Second by Mr. Robinson. Nays: Mr. Howard, Dreyer, Schofield. Motion passed.

A.B. 496: This bill provides, at the employees discretion, the payment of overtime in cash. Mr. Sparks pointed out to the Committee that this should be left to the discretion of the agency.

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head because in many instances there has not been enough money budgeted to pay overtime in all cases and that comp time is used as an alternative by the agencies.

Mr. Schofield moved for an indefinite postponement. Second by Mr. Dreyer. Motion passed.

It was decided to hold ACR 46 until Mr. Capurro arrives.

A.B. 947: This bill increases the amount of allowable administrative claims against the State. This takes out (line 5) the interest prior to the judgment. That \$20,000 on the Webster case, was that interest? Mr. Sparks said that was interest that accrued since the claim was filed.

It also changes the \$1,000 to \$15,000 that the State Board of Examiners may grant without Legislative approval. It would allow administrative settlement of claims and it would allow some claims to be paid without having to wait for legislative approval. This would give the matter of settlement a greater chance.

Would pay interest only after the action went all the way through Court and a judgment was entered we would then pay interest from then on.

The entire problems lies when the interest exceeds the statutory liability of \$25,000. The question is as to whether or not the interest is in addition to the state liability of \$25,000; but by placing this strike out in there we are saying the total liability of the state is \$25,000 including interest.

This is legislation that the Attorney General suggested.

On the Webster case we had four claims of \$25,000 each, but in addition to that we are now required to pay the interest so actually our liability is higher than \$25,000 per claim.

Mr. Hafen said that he thought it would still be there because it says no award for damages may exceed \$25,000.

Mr. Sparks said that it was his understanding that it was the interest of the Attorney General's office when they had the bill drawn was to limit the State to the liability of \$25,000 including interest. That was the intent when the bill was drawn.

Chairman Mello said that the Attorney General didn't want to pay over \$25,000 for the claim and the accrued interest.

Mr. Howard moved for a do pass. Second by Mr. Schofield. Motion passed.

A.B. 767: This bill enacts the Archeological Resources Law. After the hearing before this Committee both of the parties appearing on behalf of this bill submitted amendments to it. The people supporting this bill said that it was fine with them if the money was deleted from this bill.

Mr. Howard said that even if the money is thrown out and the enabling legislation is given you can be sure that two years from now they will be back asking for money for this program.

Mr. Prince moved for an indefinite postponement. Second by Mr. Howard. Motion passed.

S.B. 161: Explained by John Dolan. See attached for outline of his remarks.

Mr. Howard moved for a do pass. Second by Mr. Schofield. Motion passed.

S.B. 327: Construction of bicycle paths. Mr. Schofield moved for a do pass. Second by Mr. Prince. Motion passed.

S.B. 354: This is the bill which allows for the repayment of the purchase cost of the computer main-frame. Cost \$2,263,000 pay-back in 20 years to the General Fund.

S.B. 355: Appropriates the money for the purchase of the computer main-frame. Instead of leasing, administration has recommended the purchase, savings realized will be approximately \$1-1/4 million.

S.B. 356: Provides for a sinking fund, which is established for the purchase of additional or replacement computer equipment.

Mr. Dreyer moved for a do pass on S.B. 354, 355 and 356. Second by Mr. Howard. Motion passed.

Mr. Sparks advised the Committee that there may possibly be looking at a problem with the automation budget in the Department of Motor Vehicles. Not suggesting to reopen the budget only that it might be necessary to go before the Interim Finance Committee.

S.B. 382: This is a housekeeping bill. It would allow for a transfer of moneys from the Administrative Account into the Capital Construction account in the Parks Division. This transfer would result from the reimbursement from the Federal Government for cost of the capital improvement projects.

Mr. Dreyer moved for a do pass. Second by Mr. Prince. Motion passed.

S.B. 390: Explained by Senator Lamb. This bill provides that all bills that have a fiscal impact of \$2,000 or more will have a fiscal note attached. This would alleviate the problems created when a fiscal note is not attached and the bill gets passed

without anyone realizing there is a fiscal impact.

It also provides, that Administration bills, which do contain a budget in the Executive Budget need not have a fiscal note attached.

S.B. 520: This bill abolishes the Nevada Heritage Association. Transfers all responsibility and money remaining to the State Park System. All money remaining on the effective date of this legislation will revert to the General Fund and the like amount will then be transferred to the State Park System. There will be approximately \$51,433 remaining.

Mr. Prince moved for a do pass. Second by Mr. Dreyer. Motion passed.

S.B. 604: This bill would authorize the Governor to receive and distribute special revenue sharing funds received from the Federal government. This comes about because the Federal government has changed its procedures in granting federal dollars to the various states. They are changing this procedure to make special revenue sharing funds available to the Department of Education, Criminal Justice, Manpower and HUD in the form of grants in the interim between legislative sessions. This would authorize the Governor to distribute and receive the special revenue sharing funds to replace grants as they are removed throughout the budget. It is felt that all funds should come directly through the State and be allocated through the legislative and executive branches. Although it could be worked out so that all funds would go through the Interim Finance Committee this could create a problem because these funds may come in small amounts at varying times.

The Department of Education opposes this bill because of the large share they will receive and think the money should be given directly to the Board of Education.

Mr. Howard moved for a do pass. Second by Mr. Prince. Motion passed.

S.B. 525: This bill provides that 1% of all moneys received, state and gifts, would be used for recreational purposes only at the Spring Mountain Youth Camp.

Mr. Dreyer moved for a do pass. Second by Mr. Howard. Motion passed.

Page 407, Real Estate Subdivision Fund. Explained by Mr. Hafen. This bill as it is presently written and as amended by the Senate provides that all fees, money, collected from fees of any kind would go into a special fund and would be non-reverting; a continuing fund to be used by the Real Estate Division in this particular section. It also removed the provision that the Administration must go through the state personnel and the

attorney general's office when hiring people.

Mr. Hafen feels that a better way of going would be to set up a budget, make an appropriation and fund them through the budget. All fees collected would go into the General Fund. Because, at this time it cannot be determined what the income from those fees might be.

According to the fee schedule as it now stands there have been estimates ranging from \$200,000 to \$500,000. There will probably be some further amending of the fees.

Recommendations: (1) that there is need for these people in this division; and (2) that by funding this he will be able to get the implementation of this program on by July 1, 1973.

Do not believe that it is proper to put him outside the personnel system and the attorney general's office. We should have a handle on the positions. We would then have some means of review.

The Administration is recommending that all of the dollars received from land filing fees, sales representatives, etc. be deposited in the general fund and that the Real Estate Division be authorized to spend up to 40% of the fees collected.

Estimate that somewhere around \$1,000,000 would come into the General Fund during the first year.

S.B. 390. Mr. Howard moved for a do pass. Second by Mr. Schofield. Motion passed.

A.B. 539: This would supplement the income of those people who retired prior to 1963, mainly teachers. Many of these people are receiving incomes far below the poverty level. Mr. Schofield was asked by Chairman Mello exactly how many of these people are living on incomes below the poverty level. Mr. Dreyer stated that according to the figures that were given to the Committee during the hearing on this bill that the amount requested was some \$72,000 over the amount needed.

Chairman Mello stated that this bill came up every session for as long as he could remember and the people sponsoring this bill have never been able to come up with the figure of those people who have incomes besides the retirement received from this fund.

Mr. Howard stated that he felt that by voting for the Widow's pension bill he would have to go along with this bill because it provides for the same type of relief.

Mr. Prince stated that he felt it was strictly a welfare type measure and that money could be given to various groups who are needy.

Mr. Prince moved to rescind the action previously taken by the Committee on S.B. 352. Second by Mr. Dreyer. Motion passed.

Mr. Prince moved to indefinitely postpone S.B. 352. Second by Mr. Dreyer. Motion passed.

Budget for District Judges Salaries Judges and Widows Pensions, page 113: Mr. Howard moved to reopen the budget. Second by Mr. Prince.

Mr. Prince moved to delete from the budget the amount of \$10,800 for each year of the biennium for the increase in the widow's pensions. Second by Mr. Howard. Motion passed.

Mr. Capurro asked if the money was put in the budget for the new Judge for Washoe County. Chairman Mello stated that it had and gave Mr. Capurro the amounts of \$13,200 for FY 1973-74 and \$29,700 for FY 1974-75.

Mr. Howard moved to close the budget. Second by Mr. Dreyer. Motion passed.

A.C.R. 46: Mr. Capurro stated that he did not know if the Senate Resolution which is similar to this provides for a study on TDI. However, since the wording of this bill is so loose it may be possible to include a study without actually naming it.

Mr. Capurro moved a do pass. Second by Mr. Dreyer. Motion passed.

A.B. 539: Mr. Capurro moved for an indefinite postponement. Second by Mr. Prince. Motion passed. Nays: Mr. Schofield.

Mr. Howard moved that the Committee go with the bond issue for the park acquisitions. Second by Mr. Capurro. Motion passed.

The Committee agreed to hold fast on the roof for the Belmont Courthouse.

Page 554, Bond Interest & Redemption: See bonds totaling \$1.8 million at 5-3/4% interest payable in 15 years.

Mr. Capurro moved to reopen this budget. Second by Mr. Howard. Motion passed.

Mr. Capurro moved that the interest and principal categories reflect the new figures as given by Mr. Dolan, and that the budget be closed accordingly. Second by Mr. Howard. Motion passed. P & I, FY 73-74 \$171,750; P & I, FY 74-75 \$220,050.

Mr. Capurro moved that the amount of \$15,000 be placed in the appropriations act for the bond commission to sell the bonds. Second by Mr. Howard. Motion passed.

Mr. Robinson moved that the amount of \$89,898 be placed in the General Appropriation Act to be effective upon passage and approval. Second by Mr. Hafen. Motion passed.

\$89,898 represents \$75,000 for acquisition costs and \$14,898 which is the difference between the bond issue and the project cost.

Meeting adjourned at 9:15 AM.