

Senate

COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS

Minutes of Meeting -- April 13, 1973

The forty-third meeting of the Committee on Federal, State and Local Governments was held on the 13th day of April, 1973, at 5:15 P.M.

Committee members present: Chairman James Gibson
John Foley
Coe Swobe
Chic Hecht
Lee Walker
Carl Dodge
Stan Drakulich

Also present were:

Thalia Dondero, Las Vegas Chamber of Commerce
Russ McDonald, Reno City Manager
Sheriff Bob Galli, Washoe County
Don Peckham, Washoe County Assessor
Mr. Brown, Washoe County Clerk
Leroy Bergstrom, Washoe County
Kevin Efromyson, Clark County School District
Richard Morgan, Nevada State Education Association
Ed Psaltis, Washoe County Schools
Dr. Paul Fenske, Desert Research Institute
James Wittenberg, State Personnel
Bob Gagnier, Nevada State Employees Association
Angus MacEachern, City of Las Vegas
Press

SB-624 Requires certain counties to create airport authorities.

Thalia Dondero from the Las Vegas Chamber of Commerce spoke in support of this bill. She believes that an airport authority is a necessary vehicle in order to have more power and improve the conditions there. The area is growing fast and they don't like to see any unnecessary delay in getting things done. In reply to Senator Gibson, Mrs. Dondero stated that the airport is under the county and state Purchasing Act. Chairman Gibson requested that Mrs. Dondero furnish the committee with a copy of the Grand Jury report.

AB-915 Requires counties having a population between 100,000 and 200,000 to establish a merit personnel system for county employees.

Mr. Russ McDonald, Reno city manager, explained that this bill proposes to institute in Washoe County a merit personnel system. This bill is equivalent to legislation now on the statutes which is applicable only to Clark County. The committee also heard testimony from Mr. Bob Galli, Washoe County Sheriff, who stated that he is opposed to Section 6 of the bill, but not to the general concept of a personnel merit system. Mr. Don Peckam, Washoe County Assessor, spoke in agreement with Mr. Galli's testimony.

AB-832 Authorizes county commissioners to establish central receiving and disbursing systems for handling of county moneys, moneys held in trust by the county.

Mr. McDonald explained that this bill permits the county commissioners to establish by ordinance a central receiving and disbursing system for the handling of county money. Mr. McDonald submitted a copy of a Grand Jury Report on this legislation, which is attached hereto as Exhibit "A". The committee also heard testimony from Mr. Leroy Bergstrom of Washoe County on this legislation. Following discussion, Senator Dodge moved to "Amend and Do Pass," seconded by Senator Swobe. Motion carried.

AB-828 Authorizes county commissioners to vote on contracts extending beyond their terms of office where such contracts provide for supplying water to county facilities by general improvement districts; removes jurisdiction of public service commission concerning such contracts.

Mr. McDonald again testified, stating that AB-828 is general on its face, but written specially for the unincorporated town of Gerlach. After further explanation and discussion, Senator Swobe moved "Do Pass," seconded by Senator Dodge. Motion carried.

AB-829 Provides that county, city building, electrical, permit fees are inapplicable to State of Nevada and its political subdivisions.

In the last session of the legislature in amending the zoning laws provided an exemption between the state and political subdivision that you didn't have to pay any building permit fees, however, they neglected to say that you didn't have to pay any electrical or plumbing permit fees. Senator Dodge moved "Do Pass on AB-829," seconded by Senator Swobe. Motion carried.

AB-830 Removes county commissioners as members of county park commission in counties having a population of 100,000 or more.

AB-830 was drafted at the request of the Washoe County Commissioners. At the present time there are three different park and recreation laws on the books -- Washoe operates under 244.3083. Senator Drakulich moved "Do Pass," seconded by Senator Swobe. Motion carried.

AB-831 Annexes certain described real property to City of Sparks.

Mr. McDonald stated that this bill proposes to amend the charter of the City of Sparks. Senator Drakulich moved "Do Pass," seconded by Senator Swobe. Motion carried.

AB-837 Increases amount of authorized advances from county general fund or short-term financing for county public improvements by special assessments without issuance of bonds.

Mr. McDonald said that this proposal would apply only where a special assessment does not exceed \$30,000. An example of where this would be used in Washoe County would be to improve roads in an urban area through the creation of a special assessment district. Senator Dodge moved "Do Pass," seconded by Senator Swobe. Motion carried.

AB-838 Gives Washoe County an option to lease specific state property located in Washoe County for additional term of 99 years after year 2050.

Mr. McDonald explained the need for this legislation. After discussion it was decided that further checking would be necessary before any action is taken on this bill.

AB-942 Prohibits interments in a portion of Hillside Cemetery in Reno, Nevada; requires removal of human remains therein and reinterment in another location.

Mr. McDonald testified as to the purpose of this legislation. Senator Swobe moved to "Amend and Do Pass," seconded by Senator Dodge. Motion carried.

SB-120 Makes technical changes in surveying and mapping provisions affecting subdivision of land.

Senator Swobe moved "Do Pass as Amended," seconded by Senator Dodge. Motion carried.

AB-458 Removes restriction on carrying forward accumulated unused sick leave for employees in public service.

Chairman Gibson informed the committee that he had been approached by many people who would like the committee to reconsider their previous action on AB-458. He also read a proposed amendment to the bill.

Senator Hecht moved to "Re-consider AB-458," seconded by Senator Swobe. Motion carried.

Senator Hecht moved to "Accept proposed amendment and Do Pass," seconded by Senator Swobe. Motion carried.

Chairman Gibson then turned to the proposed legislation on public employee negotiations. The committee heard testimony from Mr. Kevin Efroymsen of the Clark County School District, who proceeded to go over the suggested amendments to the present act and the list of mandatory bargaining provisions. Following Mr. Efroymsen, Mr. Richard Morgan of the Nevada State Education Association, Mr. Ed Psaltis, Dr. Paul Fenske of the Desert Research Institute, Mr. James Wittenberg of the State Personnel Division, Mr. Bob Gagnier, Professor Richardson, and Mr. Angus MacEachern of the City of Las Vegas, all spoke before the committee giving the positions of the different entities involved in this act. Chairman Gibson then asked the committee to give consideration to all the suggestions that had been made so they could come to a decision on the various proposals. (A copy of Dr. Fenske's testimony is attached hereto as Exhibit "B".)

The committee then discussed and took action on the following bills:

- AB-241 Wait for further amendments to be prepared by Senator Swobe.
- AB-342 More background and information is needed.
- AB-62 Senator Dodge moved "Do Pass," seconded by Senator Drakulich. Motion carried.
- SB-419 Senator Dodge moved to "Hold Indefinitely," seconded by Senator Foley. Motion carried.
- SB-319 Senator Dodge moved to "Amend and Do Pass," seconded by Senator Foley. Motion carried.
- AB-543 Senator Hecht moved "Do Pass," seconded by Senator Foley. Motion carried.
- AB-267 Senator Drakulich moved "Do Pass," seconded by Senator Dodge. Motion carried.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Mary Jean Fondi,
Committee Secretary

30-72
MAR

SIXTH REPORT OF WASHOE COUNTY GRAND JURY

NOV 15, 1972 at 2:00
H. K. ...
E. J. ...

TO: THE HONORABLE GRANT L. BOWEN, JOHN W. BARRETT,
JOHN E. GABRIELLI, THOMAS O. CRAVEN, EMILE
GEZELIN and JAMES GUINAN, JUDGES OF THE SECOND
JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF WASHOE.

RECEIVING AND DISBURSING COUNTY MONEY

Current and past Grand Juries have investigated the handling of public monies by various Washoe County Departments. These investigations have revealed archaic and obsolete procedures which have made possible questionable administration of county funds and in prior years an actual embezzlement. This report concerns the implementation of a system whereby the Washoe County Treasurer's Office would receive all money paid to the county and the Washoe County Controller's Office would disburse all county funds.

A large portion of the money received by Washoe County is paid directly to the Washoe County Treasurer's Office. However, a considerable amount of money is received by other county departments, held for a month and only deposited with the Treasurer's Office at the end of the month. Likewise, most of the disbursement of county funds is done by the Washoe County Controller's Office. However, disbursements are made by other county departments. The present system is almost dictated by the law of the State of Nevada which sets forth the duties and responsibilities of many county departments.

There are numerous departments of county government and many of these departments have checking accounts in the name of the individual county department. From these various accounts, the individual departments often collect and disburse county

money. It is not unusual to have a county department acting as both the billing and receiving entity, with the money accumulated in the department checking account and turned into the Washoe County Treasurer's Office at the end of the month. Quite often a sizable amount of money is held in a department checking account and no interest is received on the money.

The certified public accounting firm employed by the county has recommended that a better system of handling money and accounting for it could be implemented. This would be done by establishing a central department for receiving cash and a central department for disbursing county money, these two departments being separate and apart. With few exceptions, the individual bank and checking accounts of each county department would be eliminated.

It has been recommended by the certified public accounting firm that the establishment of this long range project be done in several phases in accordance with a master plan of implementation. The county Data Processing Department has indicated that the use of a computer would greatly aid such a central disbursement and receiving system and would make such a system more effective and economical in the long run. The Data Processing Department has indicated that it has the capability as to equipment and that the present personnel in that department could handle the implementation of this plan if it were done gradually. The computer already rented by the county could be used for this purpose without a great increase in cost anticipated.

The logical departments to act as the central receiving and central disbursement departments, according to the certified public accounting firm and the Data Processing Department, would be the Treasurer's Office to handle the receiving of all county money and the county Controller's Office to handle the disbursement of county money. If such a system were implemented, these two

departments might need additional personnel, funding, and space to discharge their responsibilities; however, there should be a concomitant reduction in those departments relieved of their present responsibility of handling multiple accounts.

The concept of central departments for receiving and disbursing county money has been strongly endorsed by the Washoe County Manager, Russell W. McDonald, and the Washoe County Fiscal Analyst, Robert Bruce.

It is anticipated by the certified public accountants that a central receiving and disbursing system would have the following advantages:

- 1) There would be greater accountability for county money and additional checks on the handling of money. No longer would one department do both the billing and receiving of a particular county debt.

- 2) Money paid to the county would be immediately received by the central receiving department and could be placed in a savings account or other investment which would pay interest to the county. It is anticipated that the interest reaped from this immediate investment of county money would run into many thousands of dollars each year.

- 3) It would generally eliminate a department from holding large amounts of money for a period of time. In the past, the accumulation of cash by an individual department has lent itself, in a few instances, to the improper handling and use of county money by county employees.

- 4) It would eliminate a great deal of bookkeeping and accounting for cash received and disbursed by the employees of individual county departments who quite often do not have adequate training or skill in bookkeeping and accounting. Under the new system, this work would now be done by the more experienced and specialized individuals in the departments receiving and disbursing county money.

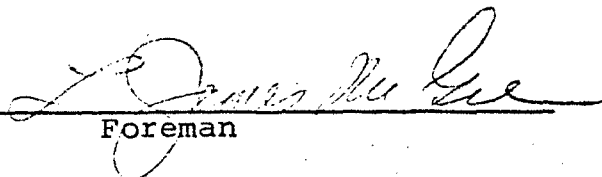
5) It might mean an increase in personnel in the departments which were designated as the department for receiving cash and the department for disbursing county money, along with additional expenditures for equipment and more office space. However, it is anticipated that in the long run the money spent in doing this would be at least partially offset by the money received in interest by the timely depositing of county funds and the elimination of multiple bookkeeping work by individual county departments.

THE WASHOE COUNTY GRAND JURY RECOMMENDS:

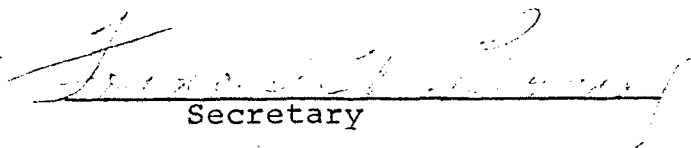
1. The Washoe County Commissioners endorse the concept of a central receiving and disbursing system for the handling of county money and that county employees be instructed to prepare a long range plan for the implementation of such a system once appropriate state legislation is enacted to permit this implementation.

2. The Washoe County Commissioners request that legislation be introduced and passed in the forthcoming legislative session to permit Washoe County to establish a central receiving and disbursing system as briefly outlined in this report. At present, it appears clear that state law would not permit the implementation of such a system, and therefore legislative authorization is a necessity.

RESPECTFULLY SUBMITTED,


Foreman

ATTEST:


Secretary

STATEMENT BEFORE THE SENATE
COMMITTEE ON COLLECTIVE BARGAINING

by

Dr. Paul Fenske
Faculty Representative
Desert Research Institute

I am Dr. Paul Fenske. I am a scientist and a professional employee of the Desert Research Institute, University of Nevada System. Also, I am the Chairman of the Faculty Senate of the Desert Research Institute. On April 3, 1973, a ^{general} meeting of the ~~entire~~ faculty of the Desert Research Institute was held to consider the collective bargaining bills before this committee. As a result of this meeting, a resolution was passed unanimously by the faculty of the Desert Research Institute and I was appointed their spokesman. At the time it was anticipated that this committee would still be the joint assembly and senate committee on collective bargaining and these words appear in the resolution which I shall now present.

RESOLUTION PASSED UNANIMOUSLY BY THE FACULTY OF THE DESERT
RESEARCH INSTITUTE - April 3, 1973.

WHEREAS the Faculty of the Desert Research Institute is mindful of activities in the Nevada State Legislature pertaining to collective bargaining for State employees and University System Faculty.

AND WHEREAS the Faculty of the Desert Research Institute is unanimously of the opinion that they should be on record before the Joint Committee on Collective Bargaining on the subject issues,

NOW THEREFORE BE IT RESOLVED as follows:

1. The primary position of the Faculty of the Desert Research Institute is that it is opposed to any arrangement which would provide for collective bargaining for the reason that collective bargaining is fundamentally in conflict with the professional needs of this faculty.

Exhibit "B"

2. Having stated a general position, the Faculty of the Desert Research Institute furthermore desires to record a position with respect to specific bills introduced in the legislature on these matters. In that regard, Senate Bill 453 is the least objectionable of all bills introduced to date.

Gentlemen, I would like to stress several important points. This is a unanimous resolution of the Faculty, and should carry more weight than a resolution of their representatives, the Faculty Senate. This should be contrasted with the University of Nevada, Reno, where the Faculty Senate Chairman conveyed the opinion of the Faculty Senate only, and as far as I know, the Faculty was not polled to any great extent on this important issue. That is, I know that some of the faculty members in the Mackay School of Mines were unaware of the actions taken by the UNR Faculty Senate. The statements given before the Joint Committee do not necessarily represent the attitudes of the majority of the UNR Faculty and certainly do not represent the unanimous opinion of that faculty. I cannot speak to the situation at UNLV or the Community College Division.

The primary position of the Faculty of the Desert Research Institute is that they are opposed to collective bargaining because it is in conflict with the professional needs of the Faculty.

I will elaborate somewhat on this position. The Desert Research Institute is a unique organization in the University of Nevada System. Although some members of the faculty hold joint appointments in the teaching division of the University of Nevada System, Desert Research Institute as such is not a teaching organization. It is a research institute. Its objectives and methods of operation of necessity do not correspond to the objectives and methods of operation of the teaching division. In the past about one tenth of the funding of the Desert Research Institute has been supplied through the

University of Nevada System. About nine tenths of the funding is from organizations such as the National Science Foundation, the Office of Water Resources Research, the Bureau of Reclamation, the Atomic Energy Commission and the State Highway Department. In general this funding, nine tenths of the funding of the Desert Research Institute, is obtained by the individual efforts of the scientists of the Desert Research Institute in competition with scientists from throughout the nation. They receive the funding because of the recognition of their professional expertise. Their professional status, their income, and their working conditions reflect this expertise. Competition is an essential motivating force. This is why they find the concept of collective bargaining, when they are largely individual bargainers, abhorrent and motivation toward mediocrity rather than toward excellence.

If collective bargaining ^{legislation} is to become a reality in the University of Nevada System, and there seems to be little doubt that this will occur, if not in this legislature, then in a future legislature, the Faculty of the Desert Research Institute desires to be considered a separate entity or bargaining unit as set forth in Senate Bill 453 or in the compromise bill that is before you at this time. They desire this because they are unique in the University of Nevada System. They desire this because of the threat to individual freedom and right to work that is exemplified by Assembly Bill 945 which would repeal the right to work law in the State of Nevada and Assembly Bill 956 which would create union shops in the State of Nevada. It would be disastrous to the Desert Research Institute and its relatively small faculty to be controlled by the overwhelming voting block represented by the rest of the University of Nevada System.

Speaking now in my own behalf but also probably in behalf of the Faculty of the Desert Research Institute, if this committee sends a collective bargaining bill to the Senate for action, I strongly recommend that the Faculty of the Desert Research Institute be specifically exempted from the provisions of the bill.