

Assembly

0142

GOVERNMENT AFFAIRS COMMITTEE

MINUTES OF THE MEETING

February 19, 1975

MEMBERS PRESENT:

CHAIRMAN DINI  
VICE-CHAIRMAN MURPHY  
ASSEMBLYMAN CRADDOCK  
ASSEMBLYMAN HARMON  
ASSEMBLYMAN MAY  
ASSEMBLYMAN MOODY  
ASSEMBLYMAN SCHOFIELD  
ASSEMBLYMAN FORD  
ASSEMBLYMAN YOUNG

ALSO PRESENT:

Frank Holzhauer, Department of Human  
Resources  
John Duarte, Welfare Division  
John Homeyer, Health Division  
Larry Dunphy, Common Cause  
Richard Bunker, County of Clark  
Bill Adams, City of Las Vegas.

Chairman Dini called the meeting to order at  
9:00 A.M.

Chairman Dini advised the committee that they  
would continue discussion of A.B. 85, and asked if there were  
any proponents of the bill.

Father Larry Dunphy testified with regard to  
A.B. 85, and stated that he represented the common cause.  
Father Dunphy stated that he felt that the thrust of the  
bill is one that is absolutely necessary and desirable.  
He further stated that he thought there was a need for  
assurance in law. He stated that the provision in Section  
1 has come up in several other meetings, particularly through  
a couple of bills proposed in the Senate, and that it leaves  
some room for discussion. Father Dunphy stated that there  
are occasions when there is a need for an exception of the  
open meeting. He further stated that there could be an open  
meeting law and also provision for certain situations that  
would be better handled in private. A situation for privacy  
would be when it would affect someone adversely. He further  
stated that the exceptions to such meetings should be for  
discussion and taking of testimony only. All actions and  
decisions resulting from that are to be taken up at a public  
meeting.

Father Dunphy stated that when the committee decides that it is necessary to have such a closed meeting that this should be done by a recorded affirmative vote of at least two-thirds of the committee members and should be taken in an open meeting with advance notice.

With regard to notice of committee meetings, Father Dunphy stated that one hour is hardly appropriate notice. He stated that it is difficult to arrive at the meeting from almost anywhere in the state with only one hour's notice. He stated that public notice was needed through the press so people would be able to come. Father Dunphy stated that the common cause felt that 72 hours notice in advance would be appropriate.

Father Dunphy further stated that the minutes should include attendance, substance, the recorded vote and a description of the action.

Father Dunphy further stated that if a committee meeting was called in violation of this that the actions of the committee should be voidable by a petition to the appropriate court.

Mr. Dini asked if there were any questions with regard to A.B. 85 or if anyone else wished to testify. Mr. Dini stated that they would hold A.B. 85 until later in the meeting in order to give Mr. Coulter time to arrive.

The next bill to be discussed was A.B. 212.

Frank Holzhauser of the Department of Human Resources testified. Mr. Holzhauser stated that he represented Mr. Roger Trounday.

Mr. Holzhauser stated that A.B. 212 is their initiative to get additional flexibility in the computer services which are needed in the department. He stated that they are the largest single state agency and their budget is the largest in the state. Mr. Holzhauser stated that his agency deals with the most people, and that his agency deals with somewhere between 55,000 and 65,000 people in any one day. Mr. Holzhauser stated that they are potentially the largest user of computer services within the state of Nevada.

Mr. Holzhauser further stated that they had another request to set up a small study to allow them to determine what use of computer services would benefit their department. He stated that all the agencies represented have the option to go outside and use other services. He stated that it was their feeling that they needed to have some bargaining power and flexibility as any other agency. He further stated that in order to provide the best data available, this bill was their only approach, and that they were the prime users.

Mr. Dini asked if there were any other questions.

Mr. John Duarte next testified. He stated that they were the largest user of the computer services and that the service ran about \$330,000 and that by 1976 it would probably be in the neighborhood of about a half of a million dollars. He further stated that he thought the bill would be best exactly as it was written, and that it would give them the greatest flexibility to serve their needs. He stated that there were 50,000 to 55,000 people being serviced per month and that without the computer they could not get this done.

Mr. Dini asked if there were any other questions.

Mr. May asked which computer was being used and Mr. Duarte stated that it was the state computer. Mr. May inquired if the computer processed checks and retrieved information, and Mr. Duarte replied that it did both. He further stated that there were many, many things that the computer did and that it was used quite frequently.

Mr. May asked if the memory banks contained information.

Mr. Duarte stated that they did and that the main purpose of the bill is to give the director of the Department of Human Resources a say with the commission itself. He further stated that at the present time he had 9 people working full time with Central Data Processing.

Mr. Dini asked Mr. Duarte that if by putting the director on the board it would give them the ability to go outside Central Data Processing.

Mr. Duarte stated yes.

Mr. Young then asked Mr. Duarte where they would go if they went outside.

Mr. Duarte replied that they could hire their own staff for the computer and then go to Central Data Processing. He stated that they could go outside to develop their own system.

Mr. Young then asked if they could buy their own computer.

Mr. Duarte stated no.

Mr. Dini asked if there were any further questions.

Mr. Moody mentioned that this bill had no fiscal note.

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Mr. Duarte stated that they are presently in the budget and that no additional cost for this bill is expected.

Mr. Holtzhauer stated that it was hoped that the bill will reduce the cost.

Mr. Dini then asked if there were any further comments or questions.

Mr. Jack Homeyer of the Health division next testified. He stated that they wanted to save money wherever possible. He stated that the Vital Statistics Department has records on over 1-1/2 million people and that these records are searched daily to answer requests from the people of the state and from law enforcement agencies. He further stated that in order to process these records, they have to go through Central Data Processing. Mr. Homeyer stated that when the cost for this facility increases they bill Central Data Processing, who, in turn, increases their rate to his department and then his department has to bear the additional expense. He stated that he was currently paying enough to Central Data Processing to hire his own programmer, and that he is currently receiving only 25% of a man. He informed the committee that they were talking about a savings of 1-3/4 years in programming effort and a savings of \$115,000 in programming costs to develop their own system.

Mr. Dini asked if there were any questions.

Mr. May asked if they had to wait longer than they would have to since you don't have any representation on the committee.

Mr. Homeyer stated that they did. He stated that right now the Tax Commission and Gaming Control Board have preference over their department on the use of the computer.

Mr. Holtzhauer stated that they have here in Nevada, one of the most sophisticated computers available anywhere in the country and that California runs their entire state government on 5 machines and that Nevada has one. He further stated that if they could get into it properly, the computer is everything they would need.

Mr. Craddock asked if the information that they had in the computer bank now was sufficient or would having a member on the board enable them to put more information in.

Mr. Duarte stated yes. He further stated that he could not use the facility because it would degredate the other users. He further stated that if he had a seat on the board, he could go through his director.

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Mr. Dini asked if other users in the state are having the same problem.

Mr. Holzhauser stated that he did not think that the other agencies had the same problem because they do not have the same use as his department does. He further stated that they were hoping that with the small study they could get to a point where the whole department gathers all data in the same fashion.

Mr. Dini asked if there were any other questions or if anyone else would like to speak with regard to A.B. 212.

The next bill on the agenda was A.B. 260. Mr. Schofield testified with regard to this bill. Mr. Schofield stated that they were proposing with this bill, to discuss the number of years for holding on to various records and authorizing destruction of some after microfilming. He stated that this bill would give the agencies authority to destroy those records. He further stated that it was a very simple bill, but that the various agencies need authority by statute.

Mr. Dini asked if the records would be microfilmed before being destroyed.

Mr. Schofield stated yes.

Mr. Dini then questioned Mr. Schofield with regard to Section 2, paragraph 2, line 25 and asked why the deletion.

Mr. Schofield stated that he was really not sure.

Mr. Bunker stated that as a practical matter that was done by the audit division.

Mr. Schofield stated that he believed that there were some agencies that have certain controls on this right now and that they would be happy.

Mrs. Ford stated that they have had several bills on this last time and that they made them conform to model standards.

Mr. Dini stated that he thought that it was put in last time.

Mrs. Ford said that she was just wondering why it was put in so soon.

Mr. Warren then stated that the bill was not requested by the cities, but that the League of Cities supports the bill. He further stated that there is a large volume of records that can pile up substantially, and that two years may be a more appropriate figure for the holding of the documents. He stated that the

protection is that the records were microfilmed. It would give counsel permission by resolution that they may have these records destroyed rather than have them make a determination. He further stated that it would place the responsibility with persons who are caring for records rather than the elected officials.

Mr. Dini asked if all of the cities are capable of microfilming the records.

Mr. Warren stated that he would see if his smaller cities could do it and what the fiscal impact would be.

Mrs. Ford questioned how many records were required by law to be preserved. She then referred to the records on the monorail in Las Vegas and stated that if these records were destroyed they would have lost a great deal of information and she felt that two years would be a little short. Mrs. Ford then stated that Line 17, subsection 3 applied only to state law. She then asked how many records it really did cover. She stated that it would not cover correspondence or contracts between an entity and a pending project.

Mr. Warren stated that if there was no law now, then they could presently be destroyed under the current statutes. It would still be a matter of discretion.

Mr. Bunker, representing the county of Clark stated that as a matter of course, right now in the County Treasurer's office they maintain on file three year records. He stated that the one problem they have is that they are going to have to start a new bureaucracy in county government if they have to maintain the level as it is now. They will have to build a new building and hire security officers, etc.

He stated that to ignore this bill, is to ignore a piece of technology. He stated that microfilming is more superior than searching the files. He further stated that he would appreciate favorable consideration on this bill. He said that the volume in the county clerk's office has an extremely large volume right now in Clark County.

Mr. Young asked if the records were now being kept for five years.

Mr. Bunker stated that they were.

He stated that Clark County still had some records from the 1920's. He stated that they were transported up to the state archives.

Mr. Dini asked if there were any further questions.

Mr. May asked Mr. Bunker if they were working with original documents and if they were would not the originals get frayed and perhaps be extracted from the files.



Mr. Bunker again stated that to ignore this legislation is to ignore a valid piece of technology that has been developed.

Mr. Warren then stated that on Page 2, line 8, that this bill is permissive and would not mandate it on those communities that could not respond.

Mr. Adams then stated that the cities' position is that they are in favor of this bill. He stated that a library of old data was still maintained. Mr. Adams stated that a new city hall had 8 shelves and that they had the opportunity to have enough space available for 8 more shelves. All 16 shelves have been used and now more have been added and that the need was now for more space.

Mr. Dini asked if there were any further questions.

The next bill on the agenda was A.B. 258. Mr. Schofield asked the committee if this bill could be held for a later hearing date in light of some information he had just received on this bill.

A small recess was taken by the committee.

The meeting was called back to order.

Mr. Dini asked Assemblyman Wagner if she was here to testify on A.B. 85. Mrs. Wagner stated that she has already testified on this bill and that she had no further testimony.

Mrs. Ford then made a motion to amend and do pass A.B. 85 by taking out the word subcommittees in Section 1 and deleting sections 2 and 3. The motion was seconded by Mr. Murphy.

Mr. Dini suggested that the wording in Section 1 provide for standing committees.

Mr. Dini asked if there was any discussion on the amendment and the motion.

Mr. Murphy stated that he was going to support this because it is a good thing. Mr. Murphy stated that he thought that we had a good open meeting law to work with and that it would be satisfactory and that this was a good piece of legislation.

Mr. Craddock stated that he thought that it did what he was after.

All of the committee members were unanimously in favor of the motion to amend and do pass with regard to A.B. 85 and the motion was unanimously carried.

The next bill on the agenda was A.B. 212. A motion for a do pass was made by Mr. May and seconded by Mr. Murphy. Mr.

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Dini asked the committee members if there was any discussion on A.B. 212. Mr. Moody stated that he thought that this was a fine bill.

All of the committee members were unanimously in favor of the motion for a do pass on A.B. 212 and the motion was unanimously carried.

Mr. Dini then stated that in accordance with Mr. Schofield's request that A.B. 258 would be held by the committee.

A.B. 260 was next discussed. A motion for a do pass was made by Mr. Schofield and was seconded by Mr. Harmon.

Mr. Craddock stated taht he was concerned with line 17 and wondered what records they were referring to.

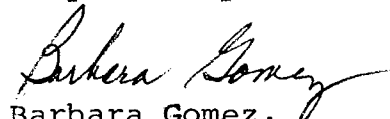
Mrs. Ford stated that she thought that that was optional. She further stated that they have the discretion to microfilm other things. Mrs. Ford referred to a schedule that the various agencies had with regard to their documents. She further stated that she thought that it would be okay.

Mr. Dini stated that local governments have tons of paper.

The entire committee was in favor of the motion for a do pass which was made by Mr. Schofield and seconded by Mr. Harmon and the motion was unanimously carried.

There being no further business to come before the meeting, the meeting adjourned.

Respectfully submitted,



Barbara Gomez,  
Committee Secretary.



ASSEMBLY

AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS

Wednesday,  
Date February 19, 1975 Time 9:00 A.M. Room 214

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Bills or Resolutions to be considered	Subject	Counsel requested*
A.B. 85	Provides for advance notice of meetings of legislative committees and sub-committees and for public access to meetings and records thereof.	
A.B. 212	Includes director of department of human resources on data processing commission if department is furnished services by state computer facility.	
S.J.R. 2	Requests President of the United States to rescind decision by Office of Management and Budget which withholds further funding of railroad relocation project in Elko.	
A.B. 260	Establishes procedure for destruction or disposition of obsolete records by local governments.	
A.B. 258	Clarifies use of land descriptions by reference to certain maps in possession of county officers.	

\*Please do not ask for counsel unless necessary.

