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Assembly

GOVERNMENT AFFAIRS COMMITTEE

1-0025

MINUTES OF THE MEETING

February 4, 1975

MEMBERS PRESENT:

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

ALSO PRESENT:

Mr. Bill Adams, City of Las Vegas  
Mr. Dan J. Quinan, State Fire Marshal  
Mr. Jim Rothman, Nevada Tax Commission

Chairman Dini called the meeting to order at 8:10 A.M.

The first bill to be discussed was A.B. 37, which makes certain changes in powers and duties of state fire marshal and his deputies.

Mr. Dan J. Quinan, State Fire Marshal, testified that rather than identify all the occupancy, that they have limited their area to the existing one. He indicated that Clark County has a building code with over 50 categories, and that he was not responsible for city and county ordinances and that this has caused him some trouble.

Mrs. Ford asked about the fire claims provisions of the bill.

Mr. Adams of the City of Las Vegas questioned the definition of assembly. He outlined the problems between the uniform code used by the city and the state regulations. He urged that the committee use the language previously in the building code.

Mr. Dini indicated that they would have to define public assembly or else the section would be no good. He asked if the same wording was recommended.

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Mr. Quinan stated that the problem was the change in the number of people in an assembly.

Mr. Schofield asked Mr. Quinan what his recommendation would be.

Mr. Quinan stated that it would be his recommendation to merely delete that reference to definition of assemblies.

Mr. Dini indicated that the committee had to define public assembly or else the section would be no good. He asked if the same wording was recommended.

Mr. May asked if that was bill No. 50.

Mr. Quinan stated that it was the Uniform Assembly Bill, #50. He then read portions of bill #50.

Mr. Dini noted that A.B. 37 does not mention education and asked if there was a reason for it. Mr. Quinan indicated that it did mention schools.

Mr. Dini asked the committee if there were any questions.

Mr. Schofield asked Mr. Quinan if this would have any detrimental effect in his ultimate goal?

Mr. Quinan indicated that it would not and informed the committee that he did not want to be in a position of dictating statutes. He informed the committee that they had problems without the definition and stated that it was where the definition came from that worried him.

Mr. Dini said the definition said for 50 or more persons for such purposes as deliberation, education, worship, instruction, entertainment or amusement, or of 100 or more in dining establishments.

Mr. Dini then asked the committee if there were any other questions and asked if any one else would like to testify on A.B. 37.

Mr. Dini informed the committee that the next bill on the agenda was AB 57 which removes obsolete provision relating to methods of accounting for county hospitals, and which was introduced by the Committee on Taxation.

Mr. Jim Rothman of the Nevada Tax Commission then introduced himself to the Committee and informed the committee that he was appearing in the absence of Mr. Shehan, the Executive Secretary.

Mr. Rothman informed the committee that the purpose of this bill was to remove the obsolete language in Paragraph 2. He then quoted from Paragraph 2 of A.B. 57 as follows:

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"from employing either the cash or accrual method of accounting."

Mr. Rothman stated that all of the hospitals used the accrual method of accounting.

Mr. Dini left the committee room, and Vice-Chairman Murphy then asked the committee if there were any questions.

Mr. Schofield asked Mr. Rothman what method was used and Mr. Rothman informed Mr. Schofield that they all used the accrual method. Vice-Chairman Murphy asked if there would be any exception. Mr. Rothman indicated that in his opinion there would be none.

Mr. May stated that a couple of years ago the Legislative Counsel Bureau sent out a memorandum dictating in so many words that they shall revert to the accrual basis.

Vice-Chairman Murphy inquired if there were any opponents of the bill. He then proceeded to the next bill on the agenda, A.B. 59, which makes revision in list of expenditures permitted from separate bank accounts of certain school districts and county hospitals. Vice-Chairman Murphy asked if there was anyone who wished to speak in favor of the bill.

Mr. Jim Rothman informed the committee that he was requesting that the revision be revised and informed the committee that on the second page, Paragraph 5, the only change was in this paragraph. He indicated that the term "debt service" was to be deleted. The words "debt service" should in fact, be left in, and the term "capital projects" should be added too.

Mr. Murphy asked if there were any questions or comments.

Mr. Schofield asked if this bill was submitted to the bill drafters.

Mr. Rothman stated that the bill was submitted to the bill drafters in error.

Mrs. Ford asked Mr. Rothman if he wanted the words debt service left in and Mr. Rothman indicated that both the words debt service and capital projects were to be included.

Mr. Murphy asked if there were any further questions.

Vice Chairman Murphy then proceeded to A.J.R. 23 of the 57th Session, which proposes amendment of certain limitations on the operation of the initiative.

Mrs. Ford indicated that this bill came out of our committee at the last session and that the language was worked out with the bill drafters and legal counsel.

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Vice-Chairman Murphy then asked if there were any other questions or comments. Mr. Murphy then stated that the technical bills on the agenda should be discussed next, but that counsel was not available. The committee secretary informed Mr. Murphy that Mr. Dini had requested counsel to be at the committee meeting at 9:00 A.M. and that counsel should be arriving shortly. Mr. Murphy thereupon requested a short recess of the committee until 9:00 A.M.

Chairman Dini called the committee back to order at 9:00 A.M. He then accounced to the committee that the would now be working on the counsel bureau clean up bills.

A.B. 73, which is a technical amendment correcting internal reference in NRS 333.300, relating to state purchasing procedures.

Counsel testified as follows:

In A.B. 73, we are amending NRS 333.300 which is a provision for notice advertising for purchasing. What we are deleting in that section is 333.140 which provides as follows:

"The Chief, in all his purchasing and property control activites, shall pursue a policy of securing the greatest possible economy consistent with grades or qualities of supplies and services that are adapted to purposes to be served."

Counsel indicated that they are amending this to refer to Section 333.250 which provides better procedures for state purchasing classification of commodities and schedules purchases by classification. It provides that the Chief shall classify for purchasing all commodities for which there is sufficient demand to justify periodic purchasing in anticipation of needs. These are the things that are generally used by most of our state offices which are standard.

Mr. Dini indicated that he did not understand the conflict.

Counsel informed the committee that he did not really think there was too much of a conflict and that he thought what they were really trying to do is to make it a little more specific in their referral. The other referral was pretty general in that you can do anything, and this one just gives a few more guidelines.

Mr. Dini asked if there were any other questions.

Counsel indicated that these are the things like paper supplies, pencils and any of the ordinary office supplies.

Mr. Dini asked if there were any questions.

A.B. 74, which is a technical amendment correcting internal reference in N.R.S. 497.190 was discussed next.

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Counsel testified that A.B. 74 amends 497.190 in sub-section 3 of that section and that they were deleting Section 497.120.

Mr. Dini indicated that that had to do with trees and other immovable objects.

Counsel further testified that 497.120 provides for replacement, alteration of non-conforming structure or tree; and for permits. He stated that the new reference to 130 goes to variances from zoning regulations and provides that any person desiring to erect any structure, or increase the height of any structure, or permit the growth of any tree, or otherwise use his property in violation of airport zoning regulations adopted under this chapter, may apply to the Board of Adjustment for a variance from the zoning regulations in question.

Mr. Dini asked if there were any questions.

A.B. 75, which is a technical amendment correcting obsolete reference to temporary emergency loan procedure was then discussed.

Counsel testified that A.B. 75 is amending Section 244.680 and this will be subsection 1 of that section. He informed the committee that they were removing the words "declare an emergency" and that prior to this time, the Board of Commissions of any county had to declare an emergency situation to secure funds. They are merely providing that the county is authorized to secure necessary funds without the declaration of an emergency.

Mr. Dini stated that at the last session we eliminated the words temporary emergency loan procedure, and that this was just some language that was left in there.

A.B. 76, which is a technical amendment conforming to section 2, chapter 587, Statutes of Nevada 1973, to section 8, chapter 542, Statutes of Nevada 1973, was discussed next.

Counsel testified that A.B. 76 deals with N.R.S. 286.220 and goes into legislative policy which he believed was intended in the 1973 session, as he recalled. The language to be deleted is "securing to such public employees a secure and just retirement and the". The new language will read: "The public employees retirement system policy, as expressed in Section I of this Act."

Mrs. Ford indicated that the policy is Section 2.

Counsel indicated that they were referring to Section 1 of this act, which is A.B. 76.

Mr. Dini asked if there were any questions.

Mr. Dini then proceeded to A.B. 77, and was informed by counsel that Mr. Burnett said that he understands that this is in the Senate Committee being considered and that Mr. Bennett has done some work on it and that he would have some comments on it.

Mr. Dini asked counsel if that same bill was in the Senate.

Counsel informed the committee that this is what Perry had told him and he really did not have a chance to find out how it had gotten there.

Mrs. Ford informed the committee that they had had testimony on this bill by Mr. Mitchell.

Mr. Murphy indicated that the committee did. He said that there were a number of technical things and that there were some problems on the bill.

Mr. Dini then proceeded to A.B. 78, which corrects a technical defect in the amendment of the Reno City Charter.

Counsel testified that this merely changes language from singular to plural in the Reno City Charter as Reno now has more than one judge.

Mr. Dini asked counsel to have Perry supply us with a copy of the Reno City Charter as the committee did not have one.

Mr. Dini then asked the committee if there were any questions.

Mrs. Ford informed the committee that the committee had given an amended "do pass" on the Virgin River Compact and asked if we should ask counsel for that now.

Mr. Dini stated that that would be A.B. 82 and said that he would order it.

Mr. Dini indicated that he thought the committee should go ahead and discuss A.B. 37 rather than take testimony on it, and stated that the committee had heard some conflicting testimony on the wording and felt that there was going to be a problem if the committee did not adopt the recommendation of Mr. Adams. He informed the committee that some counties really have a good relationship with the fire marshal and that he was their back up man.

Mrs. Ford indicated that the marshal's concern about going with the building code definition was that it implied that he had other things to do with the building code.

Mr. Schofield said that he thought that he had explained that it did correlate with it.

Mr. Adams indicated that it would work out with both codes by going to 50.

Mrs. Ford asked if it was true that the marshal does really come to the urban areas upon the request of people and that he does not have a routine?

Mr. Adams indicated that was generally the case, except

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giving themselves a raise. This bill, in effect, says that if you are going to go out and pass an initiative to give some money, that you not go beyond the bar of limits. This is actually a stop to not allow people to go beyond those limits.

Mr. Dini asked if there were any further questions.

A "do pass" motion was made on A.J.R. 23 of the 57th Session by Mr. May and was seconded by Mrs. Ford. All of the committee members were in favor of the "do pass", with the exception of Mr. Moody who was not present at the meeting at that time.

A.B. 73 was next discussed. Mrs. Ford moved for a "do pass" which was seconded by Mr. Craddock. All of the committee members were in favor of the "do pass" motion with the exception of Mr. Moody, who was not present at the time.

A.B. 74 was discussed. A "do pass motion" was made by Mr. Harman and was seconded by Mr. Schofield. All of the committee members were in favor of the "do pass" motion, with the exception of Mr. Moody who was not present at the meeting at that time.

A.B. 75 was then discussed. A "do pass" motion was made by Mr. Schofield and was seconded by Mr. Murphy. The motion was unanimously carried by all of the committee members with the exception of Mr. Moody who was not present at the meeting at that time.

A.B. 76. A do pass motion was made by Mrs. Ford and was seconded by Mr. Harman and was unanimously carried by the committee members with the exception of Mr. Moody who was not present at the time.

Mr. Dini then informed the committee members that A.B. 77 was a hold until it was clarified. He informed the committee members that he would speak with Jim Gibson.

A.B. 78. A do pass motion was made by Mr. Craddock and was seconded by Mr. Murphy. The motion was unanimously carried by the committee members with the exception of Mr. Moody who was not present at the time.

Mr. Dini then asked the committee if there was any other business to come before th meeting.

Mr. May informed the committee that on a couple of technical bills that cities had not gotten copies of their bills yet and Mr. May read the following to the committee:

"Township, schools and municipal officials may have distributed free of charge copies of bills".

He stated that he thought there should be some automatic triggering devise so that those people we want to send bills to will

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for those buildings that are involved with welfare. He takes care of nursing homes, etc.

Mr. Dini asked what the desire of the committee was.

Mr. May indicated that he recalled that in Mr. Adams' testimony he had mentioned education. In the subject of his proposed amendment it was not given consideration.

Mr. Dini stated that he already had schools here in his definition of public assembly and that he would like this better than the bill that has give us that 50 or more persons have such purposes as deliveration, education, instruction, worship, entertainment, amusement, or awaiting transportation or 100 or more persons in dining or drinking establishments.

Mr. Schofield asked how that would affect the rural areas.

Mr. Dini stated that when you get out in the rural areas it would have a little more effect in smaller places. He stated that most small communities have adopted the uniform building code and that he did not believe that any one had not.

Mrs. Ford asked if that was for 100 people.

Mr. Dini said for drinking or eating.

Mr. Dini asked if there were any further questions.

A motion for a "Do Pass" on A.B. 37 was made by Mr. May and was seconded by Mr. Schofield. The motion was unanimously passed by all of the committee members with the exception of Mr. Young and Mr. Moody who were not present at the meeting at that time.

Mr. Dini then proceeded to A.B. 57.

Mrs. Ford moved a "do pass" on A.B. 57 which was seconded by Mr. Schofield. The motion was unanimously passed by all of the committee members with the exception of Mr. Young and Mr. Moody who were not present at the meeting at that time.

Mr. Dini then proceeded to A.B. 59. Mrs. Ford informed Mr. Dini that the brackets were not supposed to be around the words debt service and that the words capital projects should be in this bill.

A motion for a "do pass" on A.B. 59 was made by Mr. Schofield and was seconded by Mr. May. The motion was unanimously carried by all of the committee members with the exception of Mr. Young and Mr. Moody, who were not present at the meeting at that time.

The next bill was A.J.R. 23 of the 57th Session. Mr. Schofield asked for clarification of this bill as he did not understand it.

Mr. Dini stated that this constitutional proposal was brought about by the firemen going out in Las Vegas and passing an ordinance



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automatically get copies of these bills. He further stated that at least one person in every city and in every county should be getting these bills automatically.

Mr. Dini stated that the counties already get them.

Mr. May stated that that was correct, but that the cities don't.

Mr. Dini stated that all of the county clerk offices get them.

Mr. May indicated that it states upon request and that the offices would have to write in for them. Mr. May then stated that he would get together with Mr. Adams and Mr. Broadbent.

Mr. Dini asked the committee if there was a motion that Mr. May request a committee bill.

A motion was made by Mrs. Ford and was seconded by Mr. Craddock.

Mrs. Ford stated that she thought that was amended this last session, and that Mr. May should talk to Jake. What might be the answer would be to require the Legislative Counsel Bureau to send a notice to these people that they have the right to request bills. This would be just by way of a reminder. Mrs. Ford further stated that on the bound statutes at the end of the session, the City Clerks are not included in that. She stated that she had done a little bit of research on that and would discuss it with Mr. May with regard to a bill for publications.

Mr. Dini informed the committee that Mr. Harmon had a bill for committee introduction.

Mr. Harmon stated that this is a Clark County Bill and that he would like to present it for introduction.

Mr. Dini stated that it was BD 25-28 and that it was a publication bill.

Mr. Dini further stated that he would suggest holding this for a few more days.

Mr. Schofield then asked Chairman Dini to be excused from the meeting because he was scheduled to be at a hearing on Labor.

Mr. Schofield was then excused from the meeting.

Mr. Dini: With the permission of the committee, I would like to do some research on this bill.

Mr. Dini asked the committee members if there was any other business to come before the meeting.

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Mr. Dini stated that the committee would not meet tomorrow unless it had gotten a bunch of bills for introduction. He informed the committee that he and the committee secretary were going to attempt to schedule a meeting for Friday, February 7, 1975.

The meeting was then adjourned.

Respectfully submitted,

Barbara Gomez,  
Committee Secretary

ASSEMBLY

AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS  
Tuesday,  
Date February 4, 1975 Time 8:00 A.M. Room 214

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Bills or Resolutions  
to be considered

Subject

Counsel  
requested\*

AB 37	Makes certain changes in powers and duties of state fire marshal and his deputies.	
AB 57	Removes obsolete provision relating to methods of accounting for county hospitals.	
AB 59	Makes revision in list of expenditures permitted from separate bank accounts of certain school districts and county hospitals.	
AJR 23 (57th Session)	Proposes amendment of certain limitations on the operation of the initiative.	