

Assembly

2- 0496

GOVERNMENT AFFAIRS COMMITTEE

MINUTES OF THE MEETING

MARCH 20, 1975

MEMBERS PRESENT: CHAIRMAN DINI  
VICE-CHAIRMAN MURPHY  
ASSEMBLYMAN CRADDOCK  
ASSEMBLYMAN HARMON  
ASSEMBLYMAN MAY  
ASSEMBLYMAN SCHOFIELD  
ASSEMBLYMAN FORD  
ASSEMBLYMAN YOUNG

MEMBERS ABSENT: ASSEMBLYMAN MOODY

ALSO PRESENT: Dan G. Rosenberg, California Department of  
Agriculture  
Robert Hartzell, Department of Agriculture-  
California  
Robert Long, Employment Security  
W. E. Hancock, Department of Public Works  
Merle Snider, Arts Council  
Tom Ballou, Nevada Department of Agriculture

(The following bills were discussed at this meeting: A.B. 383,  
A.B. 15 and A.B. 16, A.B. 385, S.J.R. 8, S.B. 268, A.B. 324,  
S.B. 240 and S.B. 241).

Mr. Murphy called the meeting or order and stated that there was a quorum present.

The first bill to be discussed was A.B. 383, which reduces membership of Nevada state council on arts and its executive board in specified stages. Mr. Merle Snider, Chairman of the Nevada State Council on the Arts testified first. He stated that this bill has been discussed among the members of the Nevada State Council and it is felt that the council could operate more effectively and should be reduced in number of members from 21 to 11 over a period of four years. A poll was made of the council members and the vote was 11 to 2 to reduce the size of the council over a period of time. Since this bill has been printed they again polled the members and yesterday, the vote was 10 to 1 for approval. He stated that the university has not taken an active part in this board. He further stated that it would be best to eliminate the university from the membership. He stated that the other portion of the bill which reduces the Executive Board from 6 to 5 would make it a better proportion.

Mrs. Ford asked how many years the program was that congress passed.

Mr. Snider stated that the original legislation was in 1965. The first funding that Nevada received was in the fiscal year of 1967. It received \$25,000 for that survey. He stated that the money has increased step by step under the federal/state partnership and is about \$200,000 annually. He did state that this was subject to congressional legislation.

Mrs. Ford asked if there was authorization for a 10 year program. Mr. Snider stated that it was a year to year thing. He stated that it is now a solid agency and will continue for many years to come.

Mr. Dini stated that Mr. Heaney had indicated that he concurred with Mr. Snider.

The next bills to be discussed were A.B. 15 and A.B. 16. Mr. May moved for a "do pass", which was seconded by Mr. Harmon, on A.B. 15.

Mr. Craddock stated that he did not object to having an independent government in two cities, but he does not understand what we are accomplishing with this bill. They are creating an act that they could do away with. He stated that he did not see the purpose and that he could not support it.

Mr. Dini asked if there was any other discussion.

Mrs. Ford stated that she had raised some question as to wording of the second sentence and she would just as soon keep the bill in committee until they get a report from Senator Gibson.

Mr. May made a motion for a do pass on A.B. 16, which was seconded by Mr. Harmon. Mr. Craddock and Mrs. Ford stated that their comments on A.B. 16 would be the same as they were for A.B. 15.

The committee members in favor of the do pass motions for A.B. 16 and A.B. 15 were: Assemblyman Dini, Assemblyman May, Assemblyman Harmon, Assemblyman Murphy and Assemblyman Young. Mr. Craddock and Mrs. Ford were opposed to the do pass motions on A.B. 15 and A.B. 16. Mr. Schofield and Mr. Moody were not present at the time of the vote.

The next bill on the agenda was A.B. 385, which qualifies all service performed in public employment for unemployment compensation. Mr. Banner testified with regard to this bill. Mr. Banner stated that in the governor's state of the state message, he stated that all employees of the state should be covered by unemployment insurance. He stated that it is being

provided at the present time, but there is no assurance that Washington will continue with it in the future. He recommends that we assume this obligation. It is the result of comments that he represents quite a number of people in the public service. He stated that he was speaking for people that he represents in District 11.

Mr. Dini asked if local governments were covered now.

Mr. Banner stated that there is a provision in the law. There may be one county providing that type of insurance. Mr. Banner stated that this could be done a reimbursement type of program.

Mr. Young asked how many we were talking about.

Mr. Banner stated that he had no idea.

The Budget Director for the state of Nevada next testified. He stated that this was not their bill and that they felt that a bill was not needed. However, in researching the law, they have asked for it. He stated that it could be amended to conform with their thinking. All state employees are covered under unemployment insurance and so are local employees. The federal government provided that they would pay unemployment benefits for unemployed state or local workers. He stated that state funds should be made available or effective if federal ones are repealed. They would like this bill to be effective if the federal law is repealed. Under state law, the state hospital and university systems are covered. They are covered on a non-profit status. They do not pay the same contribution. They are paying in about 4/10th of 1% of their payroll. Business pay either 2.7% or 3.0%. The state payroll runs about \$100,000,000 a year.

Mr. Dini asked what the amendment was.

The budget director stated that the amendment should probably change 612.116. That law presently says that the provisions of 612.553 can be used by state hospitals and institutions of higher education.

Mr. Schofield asked if the state and local government employees were covered by federal funds. The budget director stated that the federal funds go directly through employment security.

Mr. Schofield asked Mr. Broadbent if the county employees were covered.

Mr. Broadbent stated that it was his understanding that they are.

Mr. Robert Long testified next and introduced Walter Drew, of the Employment Security Department. Mr. Long stated that they supported what Mr. Barrett, the Budget Director, stated. They feel that the act should specify how it is

funded. They were not as confident as to what it would cost. They do feel that the committee should be aware that some employers are unhappy with the fact that the hospitals and the university are allowed to reimburse. They also do not pay the state unemployment costs which is .58%.

Mr. Drew of Employment Security next spoke. He stated that it would cover all of the cities and counties. He stated that what they are concerned about is that when the federal act expires on December 31, 1975 what takes over. They do not want it to be effective before that. They want to give cities, counties and school divisions a chance to prepare their budgets. He stated that they believed that eventually as they are required to cover the university and state hospital, it will be a federal requirement that unemployment insurance be made mandatory for all public employees. The only exception to those covered would be self-employed people. remarks attached

Mr. Young asked if Mr. Drew agreed with Mr. Barrett that the word "if" should be in there. Mr. Long stated yes.

Mr. Murphy asked if Mr. Long was recommending the July 1, 1976 date.

Mr. Long stated that the effective date could be when the federal program is terminated.

Mr. Murphy asked how much money this would involve.

Mr. Long stated that they believed that 35,000 people would be involved and that it would cost about \$126 per employee per year.

Mr. Bob Warren testified next and he stated that as testimony has revealed, there is some uncertainty as to the formula and as to the amount of money. As a consequence, the cities have not been able to contemplate the fiscal aspect. They would like the opportunity to do so. They may be able to come up with a guess by working with Employment Security on the bill. Mr. Warren stated that it would probably be a better drafted bill if it did contain the amount of money or at least a percent of the payment that would be necessary.

Mr. Warren stated that it should not go into effect until July, 1976 or after the present federal program expires, whichever is later.

Mr. Young asked Mr. Warren if he was saying that the cities were not paying into this.

Mr. Warren stated no.

Mr. Broadbent stated that he did not think that we were paying and that they were a recipient. Mr. Warren stated that the federal government has picked it up at this point.

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The next bill to be discussed by the committee was S.J.R. 8, which extends support of the Nevada state legislature to proposed Nevada-California Regional Exclusion Program.

Mr. Dan G. Rosenberg and Mr. Robert Hartzel of the California Department of Food and Agriculture testified with regard to this bill.

Mr. Rosenberg stated that the purpose of the joint resolution is to ask the legislature to approve in principle, California regulating its agricultural inspection stations from the eastern border of California to the eastern border of Nevada. He stated that California is unique and fortunate that they have natural exclusion boundaries on the east and west side. He stated that Nevada is free of insects and pests. He stated that the pests affecting them will not move across Nevada. He stated that Nevada and California both have the same type of pests. The only way that they could get across is to be carried by vehicles. As traffic increases it is difficult. In 1969 they worked on the regional concept and they worked with Arizona and Nevada to develop the regional approach to keep pests under control. Arizona's system is similar to theirs. He stated that they jointly inspect on the Arizona Eastern Border. They signed a contract in 1973 where they inspect in California. The major difference between Arizona and Nevada is that Nevada does not have a detection system. He stated that their director of agriculture met with the director and along with some of their legislators to explore the concept. In the fall of 1972 they sent a team to Nevada to look at the possibility and to determine where the best locations would be for these stations.

The results of the study were that the locations north of Winnemucca, just west of Wells, at McGill and at Mesquite. The four stations would cover traffic from states east of us through to California. In June 1973 they met with Mr. Bastian and started working with him. Then, with the help of Tom Balou they met with the chambers of commerce in various cities and had contact with officials in Winnemucca and McGill. They explained the concept to those communities. They got excellent response. There was no objection that they were aware of. Governor Reagan received a letter from Governor supporting the concept. He stated that they went to their legislature and submitted a capital expenditure request in November of 1973 but it was rejected at the cabinet level because they wanted Nevada to participate. They explained that this was not their intent and that this was to be entirely financed by California. He stated that only if they chose to contract for services at a later time. In the spring of 1974 they again presented a budgetary request and their treasury suggested that since we were going to be spending in excess of \$2,000,000 to build these stations it would be well to have the Nevada legislation on record as supporting the principle. At that point they started the process that they are here for today. They met with the Nevada Board of Agriculture. Governor Reagan put the

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request in his budget. At that time it looked favorable. They contracted with the Nevada Department of Highways to do a cost study. The cost would be approximately \$2.4 million to prepare the sites and stations. He stated that when Governor Brown looked at the fiscal state of the state, he felt that this was not high in priority during this coming fiscal year. Governor Brown did suggest that they get the joint resolution of legislation.

He stated that they had gone before the Senate Government Affairs Committee and it was approved by the Senate.

Mr. Dini asked how this will affect the shipment of produce from Nevada to California. He asked if they presently inspect everything.

Mr. Rosenberg stated that they are putting in a capital outlay request for this program. It takes at least six months. The process of inspection at the Truckee Station would be the checking of material to see if it originates in the state of Nevada. Mr. Hartzell stated that there would be no statistics there. He stated that they would be eliminating 7 and building 4 stations.

Mr. Rosenberg stated that the staff they used at the seven stations would be used at the four new ones.

Mr. Schofield asked what type of harrassment and reaction they have received in their stations along their borders.

Mr. Rosenberg stated that over the years the problem has increased accordingly with traffic. The number of questions they have now are very minimal. They are more on the type of inquiries, than complaints.

Mr. Rosenberg then stated that the gypsy moth is a threat to every western state. He stated that moving vans were not inspected. When they come out of storage they are inspected.

Mr. Schofield asked what advantage coming into the state of Nevada would be to California.

Mr. Hartzell stated that their traffic is getting heavy and the by-pass lanes are extensively heavy. It is a problem. It affects their ability to be effective. They have an annual traffic flow of 8,000,000. It would be a material reduction in the number of cars to be inspected along with an increase in effectiveness.

Mr. Schofield asked what type of orientation there would be to let these people know that this is not a Nevada operation.

Mr. Rosenberg stated that this would be the identification of the personnel at the stations.



Mr. Murphy asked how long it takes for a produce truck to be inspected and if there was an annual inspection.

Mr. Rosenberg stated that they only inspect from east to west.

Mr. Murphy asked how long it would take.

Mr. Rosenberg answered between three and five minutes per vehicle.

Mr. Murphy asked if the people who do the inspecting considered peace officers. Mr. Rosenberg stated that they were quarantine officers.

Mr. Murphy asked what other local authority they had.

Mr. Rosenberg stated that they had no other authority but to inspect the fruit.

Mr. Hartzell stated that if anything other than the inspection of fruit came up that they would notify the highway patrol if necessary.

Mr. Rosenberg stated that under the Federal Plant Quarantine Act of 1912 they can only stop vehicles to look for plant pests. They cannot stop a car for anything else. They also enforce federal quarantines at the stations.

Mrs. Ford asked if they were planning to call it a cooperative arrangement. She asked if they had talked to the department of Economic Development and if they would not object to our being able to use their facility.

Mr. Rosenberg answered yes.

Mr. Hartzell stated if these stations were to be used for services to the state of Nevada, it would be contractual.

Mr. May asked if the property would be either leased or purchased.

Mr. Rosenberg stated that some of it is federal land.

Mr. Hartzell stated that the details as to the contractual relationship would be the step that comes after appropriation, and that they have not gone that far.

Mr. May asked if they would carefully screen the people working at the stations and whether or not they would be happy working there.

Mr. Rosenberg stated that their people have been working in remote areas.

Mr. May stated that Nevada is independent about its tourism and referred to Winnemucca and Wells.

Mrs. Ford referred to the State Intercooperation Act and asked if this was a governor to governor thing.

Mr. Rosenberg stated that this give them authority to contract with other states for a contractual agreement for the mutual benefit of both states. He indicated that Arizona was one of these states.

Mr. May asked if there was some type of seizure procedures if someone had something that carried infection.

Mr. Rosenberg stated that in California it was a misdemeanor if someone just drove straight through an agricultural station without stopping. Mr. Rosenberg stated that if someone had something that had to be seized, it would go through quarantine. He further stated that the number of cases that have occurred in the last ten years has been less than 1/10th of 1%. He stated that most of the cases have been in marijuana or drunken driving.

Mr. Schofield asked if marijuana could be put in a quarantine on that.

Mr. Rosenberg stated that hemp is not a plant pest.

Mr. Schofield asked if there has ever been a false quarantine or if there ever was a suit against the State of California.

Mr. Rosenberg stated that not as far as the quarantine goes.

Mr. Tom Balou, Executive Director of the Department of Agriculture testified next. He stated that the State of Nevada Board of Agriculture has considered this for three years. The State Board of Agriculture did approve the project. He stated that Nevada has a selfish interest in this. As far as the employment at the stations is concerned, there will 15 full time employees at the larger stations. These will be California people. For any future employment at the stations, Nevada people will be given equal consideration. During the summer months there will be somewhere between 10 and 15 temporary and part time jobs. This would provide substantial opportunity for employment of local people during that period of time. They will work to develop a contract to protect the tourist industry.

Mr. Broadbent testified next. He stated that the county commissioners association did endorse it. 80% of Southern Nevada's tourist come in from California. It stops these people from having to be inspected. Most of the business comes from California. He stated that he represented Mesquite, and the State Board has enthusiastically is in favor of it. They are 100% for this. He stated that the inspectors have a degree in biological science.



Mr. Bob Quinn, Managing Director of Nevada Transport testified next. He stated that he would be happy if in the processing of the legislation that the intent of the legislature would be firm and express that Nevada should have something to say about the management of the facilities. He stated that it was Nevada trucking vehicles that would be stopped. There is a financial stake involved. He referred to the time previously stated for inspecting a truck. Mr. Quinn stated that by the time you gear down a truck, it takes substantially more than just the time to stop it at the station. Their experience is that it takes more than 10 minutes. Applying that figure to 750,000 vehicles a day at the two main stations it amounts to 1-1/2 million dollars a year. He stated that there was a different situation here in Nevada than in Arizona. There should be a direction in this contract that Nevada has something to say about the management.

Mr. Quinn suggested taking up the issue of California collecting income tax and stated that it was grossly unfair. He stated that the trucks operating in California pay the same highway use tax. He suggested that when this resolution was sent down that there be some cooperation from California on the tax situation. He then read a letter from a truck driver's wife. He suggested a resolution accompany this bill.

Mr. Dini asked if Mr. Quinn thought the State of Nevada would benefit from it as far as agriculture is concerned.

Mr. Quinn stated that he was not qualified to answer that question. He stated they make a valid point, but that his reaction to the bug stations is negative.

Mr. Young stated that we would not be bothering a Nevada truck.

Mr. Quinn stated that the only reason he raised this was because Nevada should have something to say about the management facilities.

Mrs. Ford asked Mr. Quinn if he had any language in mind as far as this resolution is concerned.

Mr. Quinn stated that it could be worked out.

Mr. Murphy asked if Mr. Quinn would prepare some language that would be appropriate and Mr. Quinn replied yes, he would.

The next bill to be heard by the committee was S.B. 240, which removes forfeiture provision imposed on county recorder.

Mr. Riggan of the Douglas County Courthouse testified first, and stated that he thought it was going to be rewritten. Their attitude is that the recorder should be a record keeper. If there is a violation in procedure the burden should not be put on the recorder. If the recorder is going to be put into this position they will have to attend mapping procedures from their inception. This would place a bigger burden on them.

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Mr. Murphy asked Mr. Riggan if he had stated that they were going to amend it, and if there were provisions that he was going to ask for.

Mr. Riggan stated that they were going to remove the \$200 penalty and that they did not feel that there should be any penalty.

Mr. Murphy asked if he had any specific recommendationw

Mr. Riggan stated no, but that he could present something.

Mr. Dini asked if he could give the committee some language.

Mr. Riggan stated that they had the right to hold a plat for 10 days, and that they can assume that the governing body has done everything that they were supposed to do. If all of the signatures are there, there should be no burden on the recorder.

Mr. Murphy asked Mr. Riggan if he would mind putting some language together and then get back to the committee.

Mr. Riggan said that he would.

Mrs Ford stated that this statute had been on the books for some time and asked Mr. Riggan if he knew of anyone that had been fined.

Mr. Riggan stated that he did not know.

The next bill under discussion by the committee was S.B. 241, which Repeals the provision requiring filing of duplicate copy of mining location notice. Mr. Riggan testified on this bill. He stated that it received a do pass in the Senate and the purpose of this bill was that Nevada had a Mining District Recorder and a minor was required to file two copies of notice of location. He stated that we do not now have a mining district recorder in the state., and that there was no need for the second copy. Mr. Miller of the Advisory Mining Board questioned it and he did not see the need or the reason for having two copies. They would recommend a "do pass" on this bill.

The next bill to be discussed was S.B. 268, which repeals 1971 amendment to act authorizing and directing sale or exchange of certain state-owned land in Carson City.

Mr. Hancock of the Public Works Board testified and stated that the Public Works Board supports this bill.

Mr. Hancock showed the committee an aerial photograph and stated that the fact that this land is hillside land makes development expensive. He stated that it was an asset to the city as far as open space was concerned but that they would recommend that the authority be revoked.

Mr. Dini asked what was being done with A.B. 324. Mr. Murphy stated that we were waiting until we got some additional language for it.

Mr. Dini stated that he had a BDR for committee introduction with regard to real estate. Mrs. Ford moved that the committee introduce the bill. All of the committee members were in favor and the motion passed unanimously.

The following action was taken by the committee:

A.B. 383 - A do pass motion was made by Mrs. Ford, and seconded by Mr. Young. All of the members were in favor of the motion and it carried unanimously. Mr. Schofield and Mr. Moody were not present at the time of the vote.

A.B. 385 - Mr. Young suggested that we hold this bill until we had more input and the motion was seconded by Mrs. Ford. All of the committee members were in agreement. Mr. Schofield and Mr. Moody were not present at the time of the vote.

The committee then discussed S.J.R. 8. Mr. Young stated that he would like to hold this bill for a few days and Mr. Dini stated that he would like to see the committee get some legislative intent. Mr. May stated that he would like to check the compact. The committee decided that they would hold this bill for a few days.

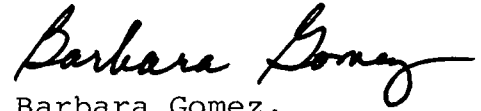
The next bill to be discussed was S.B. 240. The committee discussed the bill and it was decided to hold it for a few days for some language.

Mr. Harmon made a motion for a do pass on S.B. 241, which was seconded by Mr. Craddock. All of the members were in favor of the motion and it was unanimously carried. Mr. Schofield and Mr. Moody were not present at the time of the vote.

S.B. 268 was discussed next. Mr. Dini made a motion for a do pass which was seconded by Mr. Young. All of the committee members were in favor of the motion and it was unanimously carried. Mr. Schofield and Mr. Moody were not present at the time of the vote.

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

THURSDAY,

Date March 20, 1975 Time 8:00 A.M. Room 214

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Bills or Resolutions to be considered	Subject	Counsel requested*
A.B. 383	Reduces membership of Nevada state council on arts and its executive board in specified stages.  <u>NOTIFY:</u> Mr. Heaney - State Council of Arts Mr. Merle Schneider	
A.B. 385	Qualifies all service performed in public employment for unemployment compensation.  <u>NOTIFY:</u> Mr. Banner, Mr. Bennett, Mr. Jeffrey, Mr. Benkovich, Mr. Chaney - Mr. L. McCracken Mr. Bob Warren, Mr. Wittenberg, Budget Director	
S.J.R. 8	Extends support of the Nevada state legislature to proposed Nevada-California Regional Exclusion Program.  <u>NOTIFY:</u> Senator Gibson, Senator Monroe, Senator Blake-more, Director of Department of Agriculture, State of Nevada	
S.B. 240	Removes forfeiture provision imposed on county recorder who files a nonconforming plat.  <u>NOTIFY:</u> Senator Gibson - Mr. Riggan, Douglas County Recorder's office	
S.B. 241	Repeals provision requiring filing of duplicate copy of mining location notice.  <u>NOTIFY:</u> Senator Gibson, Mr. Douglas Miller	
S.B. 268	Repeals 1971 amendment to act authorizing and directing sale or exchange of certain state-owned land in Carson City.  <u>NOTIFY:</u> Senator Gibson, Mr. Glover	

\*Please do not ask for counsel unless necessary.

## EMPLOYMENT SECURITY COMMENTS AND POLICY ON AB 385

The purpose of this assembly bill is to provide unemployment compensation coverage for all public employment. The Employment Security Department believes in the principle behind this bill, however, the bill does need clarification so that it can be properly administered.

The bill as it is presented could cause a conflict because the present law provides for coverage of the State University and the State Hospital. (This is a Federal requirement.) It also provides that these instrumentalities of the State can elect the method by which they could pay - by a taxing method or a reimbursing method. This bill makes no provision in this area. At this point, we would like to state that we have received complaints from employer representatives that they do not like certain employing units having the privilege of reimbursing instead of paying a payroll tax and participating fully in the funding of this program.

Also we believe that this bill should provide for an effective date some time in the future such as July 1, 1976. This would give the various political subdivisions time to provide monies in their respective budgets. It would also give the Department sufficient time to contact political subdivisions and advise them as to the requirements of the bill.

If the legislature desires to pursue this assembly bill, it is recommended that Sec. 612.575 of the present Unemployment Compensation Law be repealed. This permits the governing board of any departments of the State and its political subdivisions and instrumentalities to elect coverage if they so desire.



