

Assembly

GOVERNMENT AFFAIRS COMMITTEE

2-0587

MINUTES OF THE MEETING

MARCH 27, 1975

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

ALSO PRESENT: Mr. Richard L. Morgan, S.N.E.A.
Mr. Henry Etchemendy, Carson City
Mr. Ronald C. Jack, City of Las Vegas
Mr. W.E. Hancock, State Public Works Board
Mr. Paul Carrington, Carson City
Mr. Frank Holzhauser, Department of Human
Resources

(The following bills were discussed at this Meeting: S.B. 43,
S.B. 290, S.B. 296, A.B. 336*, S.B. 297, A.B. 449).

Mr. Dini called the meeting to order at 8:00 A.M.

The first bill to be discussed was S.B. 43, which requires local government employer to furnish projected budget to employee organization. Mr. Dick Morgan testified. He stated that the original bill was amended in the Senate Committee. This bill makes information more readily available on local government budgets. One of the quarrels was as to whether or not any money existed in the budget. Mr. Craddock referred to the preliminary budget and asked if this was because of a time element. Mr. Morgan stated yes, that the time span in negotiations calls for an effort to resolve the dispute between December and March, and that it should be advanced further, at least closer to the end of the fiscal year.

Mr. May referred to line 20 and stated that that was pretty open. He asked Mr. Morgan what the fiscal interpretation was.

Mr. Bob Kerns representing the police and fire departments testified next. Mr. Kerns stated that this is so that they could have access to any report if the received money from the government.

Mr. Dini asked if this was revenue sharing and Mr. Kerns replied yes.

*S.B. 336

The next bill on the agenda to be discussed was A.B. 449, which revises provision in Carson City Charter on borrowing money in certain circumstances without voter approval. Mr. Henry Etchemendy, city manager of Carson City testified. He stated that this bill affects them because all it does is to amend the Carson City Charter. He stated that it has a companion bill. Mr. Dini asked if Mr. Carrington wished to testify and Mr. Carrington stated that Mr. Etchemendy said everything that needed to be said.

The next bill to be discussed was S.B. 290, which clarifies application of local government zoning laws to state lands.

Mr. Hancock of the Public Works Board testified. He stated that the original bill was amended in the Senate with the concurrence of the Attorney General. He stated that it changed the word "facility" to "activity". He stated that it was the intent of the 1971 legislature to exempt existing institutions from this requirement, and that this was only to clarify that the state cannot be zoned out of its functional use at an institution. Mr. Hancock stated that facility was impossible to define and that activity has been substituted.

Mr. Craddock stated that they had some concern in Southern Nevada about the Highway Department putting up a facility in a residential zone.

Mr. Hancock stated that that was when all this came about. Mr. Hancock stated that it was zoned differently between time acquired and time of completion. He stated that it was protested and that they did not complete it there. He stated that only existing ones would be exempted. He stated that facility has been interpreted to be a single building, and that this makes it difficult.

Mrs. Ford asked if Mr. Hancock would go back over it.

Mr. Hancock stated that as he understood it from Senator Hiblecht, activity means prison or mental facility. The state could continue to build within an existing facility. He stated that zoning pertained to physical ground. All new acquisitions have to comply with local zoning. You should be able to expand an existing institution with another building that may not comply with the zoning that is on that property. Mrs. Ford stated that this was so broad that you can expand an activity on the other side of town.

Mr. Craddock stated that it did seem somewhat unfair to have the state be able to continue to build a facility where an activity exists. The activity can be expanded in the facility.

Mrs. Ford stated that "any activity" leaves it wide open. She stated that she would be interested in seeing a letter from the Attorney General. Mr. Hancock stated that he could get one.

2-0589

Mr. Adams testified next. He stated that it was the suggestion of Senator Hilbrecht to change this wording to activity and that the Mental Health Facility was what was involved. The idea was that by using the word facility they could go back and put in a gravel pit. Activity would require them to state that it was the health center. The City stands in acceptance of this. They recommend that it stay as it is now and as it is operating now.

Mr. Adams stated that he does not have trouble with the word facility -- the attorney general does. Mr. May stated that all it does is that it allows them to continue.

The next bill to be discussed was S.B. 296, which authorizes public employees to use benefits received from Nevada Industrial Commission rather than sick leave benefits in certain cases.

Mr. Kerns of the Firefighters and peace officers testified next. He stated that last night he had run into something and he would like to check it out. He feels that there may be some conflict between this bill and S.B. 336. He has not had sufficient time to check it out. He stated that he would like to be able to talk to either Senator Raggio or Senator Hilbrecht,

Mr. Gagnier testified next. He stated that they had asked that this bill be introduced in the senate because of a problem. When it was enacted it was an effort to insure that employees were not charged a full day of sick leave when they received NIC benefits but a proportionate amount. He stated an employee may wish to keep sick leave as an insurance. He stated that it was permissive. He stated that he did not believe that there was a problem with this bill and that the problem may be with S.B. 336 because if an employee runs out of sick leave he goes on leave of absence without pay. This was put on at the request of the cities. He stated that he does not feel that it conflicts with S.B. 336.

Mr. Wittenberg of the personnel department stated that this is permissive and he agrees with Mr. Gagnier. The other statute need to be dealt with if there is a conflict.

Mr. Dini asked if there was any fiscal impact and Mr. Wittenberg stated No.

Mr. Adams stated that they find no quarrel at all with this bill, and that is always what they have done. It is advisable to allow an employee to make a choice. If this is not possible they would go ahead and take his NIC payments and his salary would remain the same. If he chooses not to do that they will carry him without pay. They recommend approval of the bill.

Mr. Warren of the League of Cities supports the bill.

Mr. Dini stated that the committee would defer action until next week when Mr. Kearns could get back to them.

March 27, 1975

The next bill on the agenda was S.B. 297, which enables cities to participate in federal program of community development block grants. Mr. Ronald C. Jack of the City of Las Vegas testified. What this bill does is that it enables Nevada to participate in the block grant program. He stated that the way the federal program is set up is that cities are given entitlement. He stated that congress had appropriated money for the first three years. They have authorized a six year program and he estimates that the six years will have appropriations.

Mrs. Ford asked what amendments the senate had made in the bill.

Mr. Jack stated that there were two. On Line 10, page 1, they included Section 602. Page 3, Line 39. The whole section under subsection 3. They left that out of the bill and this is one of the major parts of the program in the Community Development Act of 1974.

Mr. Dini asked if there was a limitation on the amounts of money or on the size of cities. Mr. Jack stated that it referred to low income and minorities. You would not lose any of it unless there was a failure to perform..

Mr. Schofield asked what a private development program was.

Mr. Jack stated that it was a housing assistance plan. There will be a series of moneys available for rehabilitation of public and privately owned housing. It would involve the private sector. The building of new housing elements. He referred to centers for the elderly that may be handled privately. What they want to do is have them mixed.

Mr. May asked if he just wanted the basics in the statutes.

Mr. Jack stated yes and that the federal is more stringent.

Mr. Warren testified. He stated that the problem was not exclusive to Nevada. The grants in the past have gone to specially created urban renewal agencies rather than to the cities. Now they go directly to the cities for their determination. This language is necessary to make sure the cities have the power to accept and use the grants as specified under federal law.

Mr. Adams stated that Mr. Jack had said everything.

Mrs. Ford stated that we should keep this bill in mind and make sure that there was not conflict.

Mr. Dini stated that we could hold this bill and that he would talk to Perry about it.

Mr. Etchemendy stated that if you put it into local government

2-0591

as defined in Chapter 354. He stated that he thought that that would cover it. Local government cover all of them. He stated that Perry could look this up.

Mr. Dini stated that that was a good suggestion. Mr. Adams stated that that would make it easier.

The next bill to be discussed was S.B. 43, which requires local government employer to furnish projected budget to employee organization.

Mr. Warren testified with regard to this bill. He stated that the amendment had been adopted by the Senate. He stated that the cities helped develop this amendment. A more careful reading leads to a question as to interpretation and intent. The intent is to make available all preliminary budget and written reports that are used by a city. These are public documents. Mr. Warren referred to Line 21 and stated that the word "written" may be inserted. He stated that it could also be inserted on line 23.

He stated that this would preclude anyone asking for working papers. The working papers are tentative. They could create chaos. If this language could be added it may avoid this problem. Other than that they support the bill.

Mr. Adams stated that he thought that that was acceptable. They would prefer that it be a final document.

Mrs. Ford stated that it could be worded to say "report does not include miscellaneous working papers".

Mr. Schofield stated that he thought that the word "final" should be used.

Mr. Etchemendy stated that he could add nothing. They have no objections on this bill. He stated that he does feel that to resolve this problem there should be something in their as to it being a written report or as to what is preliminary.

Mr. Young asked if this was a big problem.

Mr. Etchemendy stated that it is not a big problem locally but there was testimony in the senate committee that there are some cities that were not providing anything to the associations or unions.

Mr. Dini stated that we would hold this up until next week and get some clarifying language.

The committee took the following action:

A.B. 449. A motion was made for a do pass by Mr. Harmon which was seconded by Mr. Schofield. All of the members were in favor of the motion and it carried unanimously. Mr. May was not present at the time of the vote.


2-0592

S.B. 290. Mrs. Ford stated that she was not satisfied. She stated that she had asked for a letter from the attorney general and that the committee wait on this bill. Mr. Dini stated that the committee would hold this bill.

S.B. 297 is being held by the committee.

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 27, 1975 Time 8:00 A.M. Room 214

2- 0586

Bills or Resolutions to be considered	Subject	Counsel requested*
S.B. 43	Requires local government employer to furnish projected budget to employee organization. NOTIFY: Senator Gibson, Mr. Warren, Mr. Broadbent, Mr. Dick Morgan	
S.B. 290	Clarifies application of local government zoning laws to state lands. NOTIFY: Senator Gibson, Mr. Warren, Mr. Broadbent	
S.B. 296	Authorizes public employees to use benefits received from Nevada industrial commission rather than sick leave benefits in certain cases. NOTIFY: Senator Sheerin, Senator Raggio, Senator Hilbrecht, Senator Lamb, Nevada Industrial Commission, Mr. Adams, Mr. Wittenberg	
S.B. 297	Enables cities to participate in federal program of community development block grants. NOTIFY: Senator Gibson, Mr. Warren, Mr. Broadbent Mr. Gray and Mr. Smith	
A.B. 449	Revises provision in Carson City Charter on borrowing money in certain circumstances without voter approval. NOTIFY: Mr. Jacobsen	

*Please do not ask for counsel unless necessary.

