Assembly MINUTES

LEGISLATIVE FUNCTIONS COMMITTEE - NEVADA STATE LEGISLATURE -

58TH SESSION - MAY 6, 1975

The meeting was called to order by Chairman Dreyer at 3:20 P.M.

MEMBERS PRESENT: Mr. Bennett Mrs. Brookman Mr. Jacobsen Mr. Mello Mr. Sena Mrs. Wagner Mr. Chairman

MEMBERS ABSENT: None

SPEAKING GUESTS: A

Assemblyman Lowman Assemblyman Hickey Attorney General List Senator Dodge Senator Wilson Hubert Hardy, Public Service Commission Bob Bruce, Controller's Office Jim Lien, Tax Commission Glen Atkinson, Governor O'Callaghan's Committee on Assessment and Tax Equity.

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The purpose of this meeting was to discuss and take action on the following measures:

ACR 67	SCR	6
ACR 53	SCR	30
ACR 60	SCR	35
ACR 66	SCR	37
AB 753	SCR	31
	SCR	38

The first measure discussed was ACR 67 which:

Directs legislative commission to study ways for the legislature to encourage the creation and retention of private and community foundations.

Assemblyman Lowman spoke on this measure. He said there are several foundation in the State of Nevada but none of the magnitude of the Fleischman Foundation. He stated that this foundation will be going out of business in 1980 so he felt in that case there was really not much time to work on the problem as to whether there is any chance of retaining it as a Nevada community foundation having a set of directors to continue its work.

Mr. Lowman said he understands from corporate attorneys that this is possible. He also said that the Attorney General informed him that there are states which do this by a statute which allows the Attorney General to regulate foundations. He said such a study could be done in-house or by outside assistance. Assembly LEGISLATIVE FUNCTIONS MAY 6, 1975 PAGE TWO

> Attorney General List was present and spoke on this measure. He said a great deal of attention is being placed on foundations across the country and the role they play and their tax status. He commented that the Ford Foundation has cut its budget in half. He said areas which were once taken care of by foundations are now in many cases being carried out by the government.

Mr. List said the American people are quite generous and are willing to help others on a voluntary basis. He said better than six billion dollars per year is contributed to churches in the U.S. and two billion dollars to other charities and seven billion dollars is given from one individual to another. At the present time there are in excess of 6,000 foundations in the country. The foundations in Nevada file annual reports with the Attor ey General's Office giving a recap of what has been spent and on what. Foundations in this country operate over 3,500 hospitals, 1,300 private colleges and 17,000 other private schools. This is all done not at the taxpayers expense but by voluntary contribution.

Mr. List said he would like to see charities and foundations encouraged and fostered in this State. He added that he had not had time to compare Nevada's statutes with those of other states but he felt it would be well to find out whether Nevada could induce additional foundations to come into the State. This would be to the advantage of the taxpayers. A study would determine if some simple changes could be made to accomplish this. He did not think this seemed like a resolution that would require a great deal of expense or manpower and he did feel it could be done in-house.

Mr. List commented that the Attorney General's Office in California has twenty attorneys who work solely on foundations and charitable organizations. New York also has a huge staff while Nevada has historically done very little in terms of looking at them or recognizing them.

Mr. List informed the committee that these foundations usually are set up by a testamentary trust where an individual dies and leaves a trust or are sometimes a gift from a living person. They are set up by conditions set out by the donor as to what purposes the money can be used for. There are legal limitations on how long they can exist (Statute of Perpetuity) which might be, for example, until the donor dies plus 21 years. At that time they must end. Each year these are subject to judicial scrutiny; however, the courts exercise very little authorty. They rely on the goodwill of the trustees. He concluded his remarks by stating that he did feel we really should take a look at this because it is important.

Mr. Bennett moved a "do pass" of ACR 67. This was seconded by Mrs. Brookman and carried the committee unanimously (Mr. Mello was not present at the time of vote).

This concluded discussion on ACR 67 and ACR 53 was discussed which:

Directs legislative commission study of veterans' services and benefits in Nevada.

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> The committee commented that this type of study could be done in-house using the information gathered in previous studies on this subject.

Mr. Sena moved a "do pass" of <u>ACR 53</u>. This was seconded by Mr. Bennett and the motion carried unanimously (Mr. Mello was not present at the time of vote).

ACR 60 was then taken up. It:

Directs legislative commission to study Nevada Review of ABA Standards of Criminal Justice.

Mrs. Wagner said the purpose of this resolution was to compare Nevada's standards in relationship to the ABA. Mr. Hickey said the intent was to standardize the criminal courts and he did feel this was of value. Attorney General List commented on this measure saying the ABA had a committee which came up with some uniform standards which it is advocating for adoption throughout the states. He said they are controversial and prosecution will say they are defense oriented. He said many of the changes were sweeping changes and to get a full grasp of them, an in-depth study would be required. He felt the Legislative Counsel Bureau could conduct this study with some input from the ABA, the District Attorneys Association, judges, and other practicing members of the Bar.

Mr. Wagner moved that <u>ACR 60</u> be "do passed". This was seconded by Mr. Sena and carried the committee unanimously (Mr. Mello not present at time of vote).

ACR 66 was then taken up which:

Directs legislative commission to study the problems of mass transit in Clark County.

Assemblyman Hickey explained what the measure would do and commented that it is a great expense and one of the big problems will be developing some type of revenue for the transit system.

With regard to comments made by several of the committee members that many studies have already been done in this area, Mr. Hickey replied that some have been done but he did not think they answered all the questions nor were any alternatives offered. He added that this is not only a Clark County problem but also a problem in Washoe County.

Mr. Jacobsen was concerned about whether the Commission should get involved in this because of the local revenues involved. He felt the Counsel Bureau had the experts to draft the legislation but he did not feel they had the expertise to help in the study.

Mr. Hickey concurred with Mr. Jacobsen's last comment and said this is why there is a provision in the bill for input from other groups.

Mr. Jacobsen asked Mr. Hickey if he thought volunteers could be obtained to work on this study. Mr. Hickey said it was going to Assembly LEGISLATIVE FUNCTIONS MAY 6, 1975 PAGE FOUR

> be a tough committee and that some people have indicated interest in being on this committee and he added that he would serve on it because it is vital to Clark County. He said it would be an extensive think and that it would be hard to estimate how many meeting would be needed but he felt perhaps six. There would be approximately six or seven people on the committee and it would not require any travel.

Mrs. Brookman added that if something is not done, Federal monies would be lost for such a study. Mr. Bennett felt enough studies in this area had already been done.

Mr. Hubert Hardy of the Public Service Commission spoke on this measure saying he was not speaking for it or against it but just to bring some facts to the attention of the committee. He said he believed there would be some serious problems if something was not done. He explained the recent happenings of the Las Vegas Transit System including their change from a "loop" system to a "grid" system which resulted in decreased ridership and increased cost. He felt they only wanted to service the strip and not the residential areas. They have now applied to go back to the "loop" system. Mr. Hardy said at this point he did not think they were interest in operating the system and he felt they were going to ask for their franchise to be cancelled and then there would be problems. He suggest that this be looked into because he felt there could be very serious problems if the current system ceased to operate. He said he was concerned for the citizens and if this would help them, he would be in favor of it. If it would not help them, then he could not see the need.

Mr. Dreyer wondered why this study should be done involving legislators because several groups have been studying this issue to a great extent down in Clark County and he did not see what would be accomplished by this study.

Mr. Bennett moved that <u>ACR 66</u> be "indefinitely postponed". This was seconded by Mr. Jacobsen and carried the committee with Mr. Sena and Mrs. Brookman voting "no" and Mrs. Wagner "not voting".

AB 753 was then discussed which:

Modifies membership and duties of Marlette Lake water system advisory committee.

Mr. Jacobsen said this advisory committee was organized back in 1965. The bill would add one more member to the committee and would have the committee fall under the jurisdiction of the Commission.

Mr. Bennett moved that <u>AB 753</u> be "do passed". This was seconded by Mrs. Brookman and carried the committee unanimously.

<u>SCR 6</u> was taken up which:

Directs legislative commission to conduct study of fiscal impact on local taxing jurisdictions of changing the method of allocating Utility and railroad valuations from mile-unit basis to situs basis. Assembly LEGISLATIVE FUNCTIONS MAY 6, 1975 PAGE FIVE

> Mr. Jacobsen said his concern was that he wanted to be sure this measure would not foul up some of the little communities whose livelihood comes from these railroads and utilities.

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Glen Atkinson spoke on this measure. Mr. Jacobsen asked him to define situs basis. Mr. Atkinson said it would mean that it would be treated like any other property and the tax base would go to the county where property is physically located.

Mr. Bruce added that this could be an in-house study.

Mrs. Wagner moved that <u>SCR 6</u> be "do passed". This was seconded by Mr. Bennett and carried the committee with Mr. Mello and Mrs. Brookman out of the room at the time of vote.

SCR 30 was then taken up which:

Directs legislative commission to study records retention procedures by local governments.

Mr. Jacobsen explained that this was merely to update and look into methods such as microfilming. He said it could be done in-house in about one month's time.

Jim Lien spoke on SCR 30. He said this study would hopefully determine a uniform method for what records should be retained and for what period of time. Such things would be considered as microfilm and what records should be destroyed and whether something should be audited by an independent auditor. He said presently all this is a conglomeration of methods. This measure would give us an opportunity to take a look at modern methods of record management. It could determine how to manage local records so the public has them available yet not have them cluttering up space with useless papers. He felt this would be beneficial to all levels of government but primarily on the local level. He added that there would be alternatives available--you would not have to do this.

Mr. Jacobsen moved that <u>SCR 30</u> be "do passed". This was seconded by Mrs. Wagner and carried the committee unanimously (Mr. Mello not present at time of vote).

At this point Mr. Jacobsen presented two bills for committe introduction. One congratulated the Carson City Chapter of Retired Officers Association. The second one authorizes a per diem of \$15 for the Chief Clerk. The committee decided that. both of these would be introduced by this committee.

SCR 35 was then discussed. It:

Directs legislative commission to study means whereby Nevada may derive additional benefit from public lands.

Senator Dodge spoke on the bill saying 86% of Nevada is public land--we don't have much ownership. The concern was governmental regulatory action on public domain and additional intrusion Assembly LEGISLATIVE FUNCTIONS MAY 6, 1975 PAGE SIX

> onto the public lands by the Federal Government. Senator Dodge said Senator Blakemore has done much research on this subject. The attempt was to get some sort of concurrent management with more voice from the State.

Mr. Jacobsen moved that <u>SCR 35</u> be "do passed". This was seconded by Mr. Bennett and carried the committee unanimously (Mr. Mello and Mr. Sena were not present at time of vote).

SCR 37 was then discussed which:

Directs legislative commission to study problems related to the state permanent school fund.

Senator Dodge said at one time the interest earned from this ten million dollar fund would have been considered substantial but it isn't anymore. He went on to say that if we are going to continue with the permanent school fund, we ought to review what is going on and who is not doing it properly and it should be enforced, or on the other hand, the fund could be done away with. He said he was not advocating this but felt perhaps the fund could be used in some other way. The question is if we should continue the permanent school fund concept or institute constitutional amendments for change. If it is continued, it should be policed better. He commented that fines from the Fish and Game Commission go into this fund and the Fish and Game Commission has asked that that fine money be replaced out of the general fund for their operating revenue. Their fines amount to \$30,000 to \$60,000 per year.

VSenator Dodge commented that he felt this study could be done in-house--no study committee would have to be involved. He said there was a thought of doing away with the fund and taking that \$10,000,000 and setting up a State Fund on a need basis for school construction purposes. The money would be used for public education and that \$10,000,000 would be helpful in the State in those areas where the local tax base cannot get the job done. He said Mr. Oliver put out a report pointing out the disparities of how these contributions were being made into this fund and he also pointed out there is a need for policing it.

Mrs. Wagner moved that <u>SCR 37</u> be "do passed". This was seconded by Mr. Jacobsen and carried the committee with Mr. Mello and Mr. Sena not present at the time of vote.

SCR 31 was taken up which:

Directs legislative commission to study intergovernmental payments.

Senator Dodge said this would not require a study committee. The consideration would be of making book entries rather than passing money back and forth. He said there is criticism of governmental agencies not making contributions when they are due. If a book entry were made, there would be no time lag. Mr. Oliver and Mr. Bruce would attempt to set up such a system if a formal request was made. Senator Dodge felt this would be a great system

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if it could be worked out and that it would result in much savings.

Mr. Bob Bruce spoke on SCR 31. He said the purpose was to improve capability of processing payments that the State makes to the local governments. He said currently this process is very involved and confusing which creates a delay in some cases. He said he and his department would like to have the opportunity to join with the people on the study to be of any assistance they can. He said their goal was to speed up the processing of these payments. He did feel this could be done in-house. He said their idea was to work with one little governmental entity as a pilot program. He said there are about 100 different vendor numbers in raking payments to Washoe County when, in fact, there should only be one.

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Jim Lien of the Tax Commission said interest payments are lost while money is going back and forth. He said the Local Government Advisory Committee would like to see this type of thing done and would like to work on the committee. He felt it could be done in-house.

Mr. Jacobsen moved that <u>SCR 31</u> be "do passed". This was seconded by Mrs. Wagner and carried the committee with Mr. Sena and Mr. Mello out of the room at the time of vote.

SCR 38 was taken up which:

Directs legislative commission to study the feasibility of establishing a regional water and sewer district to encompass certain areas of Washoe County.

Senator Wilson spoke on this measure saying this is a subject that has been under discussion in Washoe County for a number of years. He said as the area grows, it is becomeing more and more apparent that something has to be done to administer sewer and water. He felt it would take two years to put this bill together properly. It would be drawn to encompass the total urban area. He said the area needs to be defined and the concensus of opinion from Reno, Sparks and Washoe County must be obtained to see if there is a basis support of this and if there is, it must then be put together. He felt it was something that had to be put together locally and put together before the session ever starts. He said he wanted it drawn in such a way that it will qualify for Federal funding if any is available. He added that a large part of this could be done in-house. He pointed out the problem that the longer we wait to do this, the greater is the possibility that Sierra Pacific Power Company will sell the water company to a non-public entity. This water company is a money loser for Sierra Pacific and he did not know how much onger they would hold on to it. He did not think just local legislators should be involved but any that have been involved in this type of thing in the past. The study will show if this type of measure would ever get off the ground.

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Mr. Hardy spoke on SCR 38 commenting that with a flat water rate there is no incentive to conserve.

Mrs. Wagner moved that <u>SCR 38</u> be "do passed". This was seconded by Mr. Jacobsen and carried the committee with Mr. Sena and Mr. Mello out of the room at the time of vote.

Mrs. Brookman spoke briefly on the gifts for the leadership and for the front desk.

With no further business the meeting was adjourned at 5:45 P.M.

Respectfully submitted,

Joan Anderson, Secretary

ASSEMBLY

HEARING

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7422

COMMITTEE ONLEGISLATIVE FUNCTIONSTuesdayDateMay 6, 1975Time5:00 p.m. Room222

Bill or Resolution to be considered		Subject	
ACR-66√(Hickey)	Directs legislativ problems of mass t	e commission to ransit in Clark	study the County.
ACR-53 (Robinson)Directs legislativ veterans' services	e commission st and benefits in	udy of n Nevada.
ACR-60√(Barengo)	Directs legislativ Review of A.B.A. S	e commission to tandards of Crin	study Nevada minal Justice.
AB-753√	Modifies membership water system advise		Marlette Lake
ACR-67 (Lowman- May)	Directs legislative the legislature to retention of priva	encourage the	creation and
SCR-6 [°] (Brown)	Directs legislative of fiscal impact of of changing the me and railroad valua- to situs basis.	n local taxing thod of allocat	jurisdictions ing utility
SCR-30 /	Directs legislative retention procedure		
scr-31 \checkmark	Directs legislative governmental payme		study inter-
SCR-35√(Blakemor	e)Directs legislati by Nevada may der public lands.	ve commission to ive additional 1	o study means whe: benefit from
SCR-37 *	Directs legislati related to the st	-	
SCR-38 (Wilson)	Directs legislation feasibility of estand sewer distric of Washoe County.	tablishing a real	gional water

SUBJECT ACR	66 - Directs le	gislative	commission to stud	y the problems
of m	ass transit in	Clark Cour	ity.	
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LEGISLATIVE FUNCTIONS COMMITTEE LEGISLATION ACTION

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VOTE: Mr. Benn Mrs. Bro Mr. Jaco Mr. Mel.	<u>MOTION</u> <u>Yes No</u> nett <u>x</u> ookman <u>x</u> obsen <u>x</u> lo <u>Not present f</u>	AMEND AMEND Yes No Yes No
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JOLD DEVADA BLUEDLATURE

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Review	of ABA Standar	ds of Cr	iminal Justice.		
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JULD REVADA DEVELOLATIONS

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SUBJECT	<u>AB 753</u>	3 - Modifie	es meml	bership	and duties	of Marlett	Lake
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	MOTION	AMEND	AMEND
/ote:	MOTION Yes No	<u>AMEND</u> Yes <u>No</u>	<u>AMEND</u> Yes <u>No</u>
VOTE: Mr. Bennett Mrs. Brookman Mr. Jacobsen Mr. Mello Mr. Sena Mrs. Wagner Mrs. Wagner Mr. Chairman	$\frac{\underline{Yes}}{\underline{x}} = \underline{No}$ $\frac{\underline{x}}{\underline{x}} = \underline{No}$ $\frac{\underline{x}}{\underline{x}} = \underline{Not}$ $\underline{x} = \underline{Not}$ $\underline{x} = \underline{X}$	<u>Yes</u> <u>No</u>	
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Mr. Bennett Mrs. Brookman Mr. Jacobsen Mr. Mello Mr. Sena Mrs. Wagner Mr. Chairman	$\frac{\underline{Yes}}{\underline{x}} = \underline{No}$ $\frac{\underline{x}}{\underline{x}} = \underline{No}$ $\frac{\underline{x}}{\underline{x}} = \underline{Not}$ $\underline{x} = \underline{Not}$ $\underline{x} = \underline{X}$	<u>Yes</u> <u>No</u>	
Mr. Bennett Mrs. Brookman Mr. Jacobsen Mr. Mello Mr. Sena Mrs. Wagner Mr. Chairman	Yes No x	Yes No vote	Yes Nc

LEGISLATIVE FUNCTIONS COMMITTEE LEGISLATION ACTION

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impact on local taxing juris	commission to conduct study of fiscal dictions of changing the method of all valuations from mile-unit basis to
MOTION:	
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MOTION	AMEND
VOTE: Yes No	Yes No Yes No
Mr. Bennett X Mrs. Brookman Not present for vote Mr. Jacobsen X Mr. Mello Not present for vote	
Mr. Sena <u>x</u> Mrs. Wagner <u>x</u> Mr. Chairman <u>x</u>	
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ORIGINAL MOTION: Passed X	Defeated Withdrawn
AMENDED & PASSED	AMENDED & DEFEATED
AMENDED & PASSED	AMENDED & DEFEATED

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SUBJECT SC.	R 30 - Directs legi tention procedures	slative by local	commission t governments	to study 1	ecords	
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Moved BY			Seconded By	•		
			Seconded by	· · · · · · · · · · · · · · · · · · ·		
•	MOTION		AMEND		AMEN	D
OTE:	Yes No		Yes	No	Yes	No
Mr. Bennett	X					•
Mrs. Brookn Mr. Jacobse						· ••••
Mr. Mello		or vote.				••••••••••••••••••••••••••••••••••••••
Mr. Sena	<u> </u>	•			*****	
Mrs. Wagner Mr. Chairma		:				
		•	Gereichermennen ger			
ه کمه کنه بری میه منه کنه کنه منه میه است						
• ORIGINAL	MOTION: Passed	X	Defeated	Wi	thdrawn	
	- PASSED		AMENDED &	DEFEATED		
AMENDED	110000					

LEGISLATIVE FUNCTIONS COMMITTEE LEGISLATION ACTION

DATE May 6, 1975	
SUBJECT <u>SCR 31 - Directs legislati</u>	ve commission to study inter-
governmental payments.	
MOTION:	
Do Pass X Amend Inde	efinitely Postpone Reconsider
Moved ByMr. Jacobsen	Seconded By Mrs. Wagner
AMENDMENT:	
Moved By	
AMENDMENT:	
Moved BY	Seconded By
MOTION	AMEND
VOTE: Yes No	Yes No Yes No
Mr. Bennett <u>x</u>	
Mrs. Brookman <u>x</u> Mr. Jacobsen <u>x</u>	
Mr. Mello Not present for vo	
Mr. Sena <u>Not present for vo</u> Mrs. Wagner <u>x</u>	
Mr. Chairman <u>x</u>	
ORIGINAL MOTION: Passed X	Defeated Withdrawn
	ana and an an
AMENDED & PASSED	AMENDED & DEFEATED
AMENDED & PASSED	AMENDED & DEFEATED

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LEGISLATIVE FUNCTIONS COMMITTEE LEGISLATION ACTION

whe	35 - Directs legislative reby Nevada may derive add	itional benefit from	public lands.
MOTION:			
Do Pass	X Amend Indefin	nitely Postpone	Reconsider
Moved By	Mr. Jacobsen	Seconded By Mr. Be	nnett
AMENDMENT:			
	•		
Moved By		Seconded By	
AMENDMENT:			
Moved BY		Seconded By	
₩ 9 600 600 600 500 gas and an an are	MOTION	AMEND	AMEND
VOTE:	Yes No	Yes No	Yes No
Mr. Bennett Mrs. Brookn Mr. Jacobse Mr. Mello Mr. Sena Mrs. Wagner Mr. Chairma	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$		
• ORIGINAL	MOTION: Passed x	Defeated Wi	thdrawn
AMENDED	PASSED	AMENDED & DEFEATED	
AMENDED	PASSED	AMENDED & DEFEATED	

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LEGISLATIVE FUNCTIONS COMMITTEE LEGISLATION ACTION

SUBJECT	ACR 37 - Dire	ects leg	gislativ	e commissi	on to st	udy problems	3
	related to the	he state	e perman	ent school	fund.		
MOTION:				, and down down, floor good your good good 1	gene gane dint wire and Wire flat gan	altre dan dirik dirik dan dirik dirik dirik kan dan dirik	
Do Pass	X Amend		Indefin	itely Pos	tpone	Reconsi	ider _
Moved By	Mrs. Wagn	er		Seconded	ByMr	. Jacobsen	en dia 1999 Periodia 1999 Periodia 1999
AMENDMENT:							
	•		-		•		
Moved By		-		Seconded	Ву		••••••••••••••••••••••••••••••••••••••
AMENDMENT:				an an an An an an an an	-		•
	6 						
Moved BY	••••••••••••••••••••••••••••••••••••••			Seconded	Bv		
					······································		• •••• ••• ••• •••
•	MOT	ION		AMEN	<u>ND</u>	AMI	ND
OTE:	Yes	No	e e e e e e e e e e e e e e e e e e e	Yes	No	Yes	No
Mr. Bennet		We that a given that spins					na Sarah Shiring Sarah
Mrs. Brook Mr. Jacobs	en X	-				۵۰ میں میں میں میں میں میں ایک میں میں میں میں میں میں میں میں میں میں میں	
Mr. Mello Mr. Sena	Not pre Not pre	sent fo sent fo	r vote r vote	Ennergian di Sanghang		***********	
Mrs. Wagne:	$r \overline{x}$	Bernandersterne					محبوبیت و روز ر
Mr. Chairm	an <u>x</u>						
-	-	، ، ، ،					
ORIGINAL	MOTION: P	assed	x	Defeated	3	Withdrawn	
	& PASSED	-		AMENDED	<u></u>	an a	
	& PASSED			AMENDED		Constant of the second se	

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LEGISLATIVE FUNCTIONS COMMITTEE LEGISLATION ACTION

DATE May 6, 1975	
of establishing a regional certain areas of Washoe Co	
OTION:	
Do Pass X Amend Inde	finitely Postpone Reconsider
Moved By Mrs. Wagner	Seconded By Mr. Jacobsen
MENDMENT:	
•	
Moved By	Seconded By
MENDMENT:	
Moved BY	Seconded By
MOTION	<u>AMEND</u> <u>AMEND</u>
YOTE: Yes No	Yes No Yes No
Mr. Bennett <u>x</u> Mrs. Brookman <u>x</u>	
Mr. Mello Not present for vote	
Mrs. Wagner X	
Mr. Chairman <u>x</u>	
ORIGINAL MOTION: Passed X	Defeated Withdrawn
AMENDED & PASSED	AMENDED & DEFEATED
AMENDED & PASSED	AMENDED & DEFEATED
Attached to Minutes May 6, 197	75