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SENATE FINANCE COMMITTEE  
MINUTES OF MEETING  
MAY 15, 1975

The meeting was called to order at 9:05 a.m.

Senator James I. Gibson was in the Chair.

PRESENT:                    Senator James I. Gibson, Vice-Chairman  
                              Senator B. Mahlon Brown  
                              Senator William J. Raggio  
                              Senator Clifton Young  
                              Senator Warren L. Monroe  
                              Senator Lee E. Walker

ABSENT:                    Senator Floyd R. Lamb, Chairman

OTHERS:                    Colonel Edsall, A.B. 164  
                              Orville Wahrenbrock, Department of Human Resources  
                              Assemblyman Chester Christensen, A.B. 394  
                              Bob Gagnier, SNEA  
                              Jim Wittenberg, Personnel Division  
                              Howard Barrett, Budget Office  
                              Ron Sparks, Fiscal Analyst

A.B. 164

Colonel Edsall spoke in favor of this bill. Senator Gibson asked if called Federally, does the Federal government pay for the daily pay. Colonel Edsall said yes.

The Committee secretary was not present for the rest of the testimony, and the bill was not acted on in this meeting.

A.B. 394 (See attached bill)

Assemblyman Chester Christensen said that the City of Sparks asked the Delegation to introduce this bill, which includes just about all the property that the mental health institute has to spare. Assemblyman Christensen said that through an agreement with the hospital, the parcels decided on were property along the Truckee River, Galletti Way, and street improvements.

Mr. Orville Wahrenbrock said that this bill was introduced by the Department of Human Resources, as the Department felt that the river front property should be conveyed to the respective cities.

Senator Gibson asked if the Stempeck Park situation has been resolved. Mr. Wahrenbrock said that he believed that this has been resolved to everyone's satisfaction, but it is not a part of this bill.

Senator Young asked what are the actual parcels listed in the bill. Senator Gibson read from a memo from the Human Resource Director.

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Senator Gibson said the following:

Parcel #1 -- Fisherman's Park (bank of the Truckee River across from the Institute) 3.00 acres

Parcel #5 -- Galletti Way 2.450 acres

Parcel #6 -- Land for south 21st street extension .879 acres

Parcel #7 -- Tip of land involved in extension of 21st street .005 acres

Senator Raggio questioned the agreement on Stempeck Park. Senator Gibson read further from the memo, and said:

"S.B. 348 is the land exchange in which we trade Stempeck Park (Parcel #2) and a small strip along the proposed 21st Street (Parcel #4) for property near the University. The appraised value for these two (2) pieces of property is \$478,000.00. The appraised value for the property at the University of Nevada is \$309,000.00. The State would be paid the difference which is \$169,000.00.

With this money, we would match Sparks' contribution to develop the bigger park site on the grounds of the Nevada Mental Health Institute. This would help to defray the cost that they have incurred in the present Stempeck Park. They would be giving up an eight (8) acre park in exchange for a fifteen (15) acre park and with the State's participation in its development, Sparks will end up with an excellent multi-use recreational area for the public."

Assemblyman Christensen said that the City of Sparks felt that it would not be an advantage to develop another park in this area, as the entire town is moving in another direction.

Senator Walker - Do Pass  
Senator Young - 2nd  
Senator Lamb - Absent  
Motion Carried.

A.B. 472

Mr. Bob Gagnier said that the Association objected to Page 2, Section 7 of the bill because this would involve about thirty (total) people in compactions.

Mr. Jim Wittenberg said that some of the salaries are slightly in excess of 20% because they are compounded, and involve the Consumer Price index increase given to dental and health service positions in January, 1974, and well as the 15% increase recommended in A.B. 211.

Senator Gibson asked if all these positions are paid at the top of their range. Mr. Wittenberg said yes, but even at these rates it is difficult to recruit. Mr. Wittenberg said that some physicians are leaving private

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practice now due to the malpractice insurance law, and it may be easier to recruit.

A.B. 245 (See attached bill)

Senator Raggio - Do Pass  
Senator Brown - 2nd  
Senator Lamb - Absent  
Motion Carried.

A.B. 385

Mr. Howard Barrett said that this was amended to be an Administration bill, and will make the provision uniform for all employees in the State. Mr. Barrett said that the State would not pay a premium, but reimburse E.S.D. at the end of the year. Mr. Barrett said that this would involve approximately \$400,000 per year.

Senator Raggio questioned if it was necessary to have that high of an amount. Mr. Barrett said that they had no way of judging this except through the experience of the hospital, and the university, so they took the average cost of these two. Mr. Barrett said that this bill will only be effective if the Federal law is withdrawn.

A.B. 284

Mr. Barrett said that this is not an Administration bill, but was amended to be similar to the Administration's Senate bill.

Mr. Barrett said that this involves payment to what is termed a "good Samaritan" victim, which is an individual who is attempting to prevent the omission of a crime against someone else; and a 'pure' victim, who can only receive up to \$1,000 for medical coverage, or funeral expenses, and who was the actual intended victim of the crime.

The meeting was adjourned until 12:30 p.m. of this same date.

The meeting re-convened at 12:40 p.m., May 15, 1975.

All senators were present, excepting Senator Floyd R. Lamb. Others present were Speaker Keith Ashworth; Secretary of State William Swackhamer; and L.C.B. Director, Art Palmer.

AB 447

Mr. William Swackhamer said that this bill will have to go to Judiciary before consideration by the Finance Committee, but if it is enacted, the Secretary of State office would like an additional clerical position, and equipment.

Senator Raggio asked if this bill would require the Notaries to keep

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records of signatures. Speaker Keith Ashworth said that the bill requires that records will be filed every six months with the Secretary of State's office. Senator Young said that he has never seen a question on the legality of a Notary. Mr. Swackhamer said that this will guarantee that there is a more reliable second record of the signature, rather than relying on the memory of the Notary.

Legislative Counsel Bureau Budget

Mr. Art Palmer distributed a budget request from the Bureau to the Committee. Mr. Palmer said that the Bureau request exceeds the Governor's recommendation by 8% the first year, and 7% the second year. Mr. Palmer said that generally all of the salaries in the three divisions are in what is termed "unclassified". Mr. Palmer said that almost all the salaries show a 15% increase over the current work program, and in some cases the increase is for 18%. Mr. Palmer went over each page of the submitted budget, and showed the discrepancies and increases in cost.

Senator Gibson asked what is the total fiscal impact. Mr. Palmer said \$1,897,561 for the first year, and \$1,779,858 for the second year.

Senator Raggio asked Mr. Palmer why his salary was less than that of the Legislative Counsel. Mr. Palmer said that he did not want his salary to impede the hiring of quality people for the legal positions.

Senator Gibson said that this budget has had the approval of the Legislative Commission.

Senator Brown - Approve the submitted budget.  
Senator Young - 2nd  
Senator Lamb - Absent  
Motion Carried.

A.B. 164 (See attached bill)

Senator Gibson asked if the money for this bill is in the budget. Mr. Barrett said no, it is out of the Board of Examiner's emergency fund.

Senator Brown asked what this will cost. Senator Gibson said that the Colonel had said that in the last six years, it has cost on the average, \$1,600.

Senator Young - Do Pass  
Senator Raggio - 2nd  
Senator Lamb - Absent  
Motion Carried.

A.B. 472

There was a general discussion on the equitability of this bill to the other State employees.

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The following was decided by the Committee:

- a) The 95% clause would be retained.
- b) A ceiling in the amount of \$39,500 would be placed on the increase.
- c) By a vote of five to one (Senator Monroe voted "NO"), the amount of the increase would be 12 1/2%.

A.B. 385

Senators Raggio and Monroe were in favor of giving the State group insurance request of \$32.00. The other Senators felt that the employees are already receiving enough benefits, with their salary increases, merit, and longevity. Senator Walker said that this bill would only apply if the Federal government did not pay the compensation, and even then, it probably would not amount to very much.

It was decided to hold this bill for conference with the Assembly Ways and Means.

A.B. 284 (See attached bill)

Mr. Barrett said that there should be a clause which required that the victim's medical insurance be used, prior to any State compensation. The Senators generally felt that the fiscal impact of this bill should be known.

Senator Monroe - Hold in Committee  
Senator Young - 2nd  
Senator Lamb - Absent  
Motion Carried.

University Athletics

Senator Raggio - Motion to Concur with the Assembly.  
Senator Young - 2nd  
Senator Lamb - Absent  
Motion Carried.

There being no further business, the meeting adjourned at 1:45 p.m.

RESPECTFULLY SUBMITTED:

APPROVED:

SHEBA L. WOOLLEY, SECRETARY

FLOYD R. LAMB, CHAIRMAN

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 394

ASSEMBLY BILL NO. 394—ASSEMBLYMEN CHRISTENSEN,  
MELLO AND BENKOVICH

MARCH 12, 1975

Referred to Committee on Ways and Means

SUMMARY—Authorizes state land register to convey, by quitclaim deed, certain real property to City of Sparks. Fiscal Note: No. Description verified. (BDR S-887)

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT authorizing and directing the state land register to convey, by quitclaim deed, certain real property to the City of Sparks to use for the purpose of parks and recreation, public roadways and a storage area.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

1 SECTION 1. Notwithstanding the provisions of NRS 232.158 or any  
 2 other law of the State of Nevada, the state land register on behalf of the  
 3 State of Nevada and the Nevada mental health institute (as successor in  
 4 title to the Nevada state hospital) is hereby authorized and directed to  
 5 convey, by quitclaim deed, to the City of Sparks, all of the right, title and  
 6 interest of the State of Nevada in and to the following parcels of land, situated in the City of Sparks, County of Washoe, State of Nevada, subject  
 7 to the conditions herein contained:  
 8 Parcel No. 1 described as:  
 9 Beginning at a point on the North-South centerline of Section 7,  
 10 T. 19 N., R. 20 E., M.D.M., from which the Northeast corner  
 11 of said section bears N. 61°37'48" E.—3,008.28 feet, and proceeding  
 12 thence N. 89°48'20" E.—52.03 feet to a point on a  
 13 curve on the westerly right-of-way line of Galletti Way; thence  
 14 along said westerly line the following eight (8) courses and distances:  
 15 (1) along the arc of said curve to the left, having a tangent which  
 16 bears S. 19°56'20" E., a central angle of 26°13'00", a radius  
 17 of 430.00 feet, and an arc length of 196.76 feet;  
 18 (2) S. 46°09'20" E.—281.03 feet;  
 19 (3) along a tangent curve to the right, having a central angle of  
 20 8°29'09", a radius of 670.00 feet, and an arc length of 99.23  
 21 feet;  
 22  
 23

THIS EXHIBIT IS 4  
CONTACT THE RESEARCH

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 245

ASSEMBLY BILL NO. 245—ASSEMBLYMEN BREMNER, BAR- ENGO, BROOKMAN, MURPHY, JEFFREY, POLISH, ROB- INSON, WITTENBERG, SCHOFIELD, MELLO, GLOVER, DEMERS, FORD, WAGNER AND DREYER

FEBRUARY 12, 1975

Referred to Committee on Ways and Means

SUMMARY—Makes appropriation to division of state parks of state department of conservation and natural resources to provide for consulting and contract services and capital improvements for Nevada state park system. Fiscal Note: No. (BDR S-858)

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT making an appropriation to the division of state parks of the state department of conservation and natural resources to provide for consulting and contract services and capital improvement projects for the Nevada state park system.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

1 SECTION 1. There is hereby appropriated from the general fund in  
2 the state treasury to the division of state parks of the state department  
3 of conservation and natural resources the sum of \$1,372,500 for the  
4 biennium beginning July 1, 1975, and ending June 30, 1977, for the pur-  
5 pose of providing for consulting and contract services necessary for park  
6 improvement projects and for making capital improvements to the  
7 Nevada state park system.

8 SEC. 2. This act shall become effective upon passage and approval.

A. B. 164

ASSEMBLY BILL NO. 164—COMMITTEE ON  
WAYS AND MEANS

JANUARY 30, 1975

Referred to Committee on Ways and Means

SUMMARY—Establishes minimum daily pay and allowances for Nevada National Guard members called to active duty. Fiscal Note: Yes. (BDR 36-205)

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT to amend NRS 412.124, relating to the Nevada National Guard, by establishing minimum daily pay and allowances for members called to active state duty.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. NRS 412.124 is hereby amended to read as follows:
- 2 412.124 1. The adjutant general, with the approval of the governor,
- 3 may order members of the Nevada National Guard to active duty. Mem-
- 4 bers, while on such duty, shall receive the pay and allowances of their cor-
- 5 responding grades in the Armed Forces of the United States [ . ] , *but in*
- 6 *no case shall such pay and allowances be less than \$30 per day.*
- 7 2. Members of the Nevada National Guard serving on courts-martial,
- 8 courts of inquiry, efficiency boards, medical boards, or other special duty
- 9 requiring absence from their stations or business under competent orders
- 10 may be reimbursed for necessary expenses incurred at the rate established
- 11 for state employees by NRS 281.160.
- 12 3. In lieu of other provisions of this chapter, a medical examiner may
- 13 be paid for his services and necessary disbursements and a properly
- 14 appointed judge advocate may be paid for legal services and necessary
- 15 disbursements in any suit, action or proceeding such amounts as shall be
- 16 approved by the governor.
- 17 4. Members of the Nevada National Guard shall not receive from the
- 18 state the pay or the pay and allowances provided for by this section when
- 19 eligible for such pay and allowances from federal funds.
- 20 5. Members of the Nevada National Guard may with their consent
- 21 perform without pay or without pay and allowances any of the types of
- 22 military duty prescribed in this chapter pursuant to orders issued by com-
- 23 petent military authority; but necessary traveling expenses, subsistence and
- 24 per diem allowances may be furnished such members within the discretion
- 25 of the adjutant general and within the amount appropriated therefor.



(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 284

ASSEMBLY BILL NO. 284—ASSEMBLYMAN HEANEY

FEBRUARY 17, 1975

Referred to Concurrent Committees on Judiciary and Ways and Means

SUMMARY—Revises provisions relating to compensation for victims of criminal acts. Fiscal Note: No. (BDR 16-800)

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to compensation for victims of criminal acts; expanding the class of persons entitled to compensation as victims; setting deadlines for hearings and decisions; providing that decisions of the board are not subject to review pursuant to the Nevada Administrative Procedure Act; providing for judicial review; prohibiting compensation to certain victims; providing for rehearings of certain applications previously denied; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

1 SECTION 1. Chapter 217 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 SEC. 2. "*Crime*" means an act or omission committed within this state  
4 which is forbidden by law and punishable upon conviction by death,  
5 imprisonment, fine or other penal discipline.

6 SEC. 3. Any person who knowingly obtains or attempts to obtain, or  
7 aids or abets any person to obtain, by means of a willfully false statement  
8 or representation or other fraudulent device, assistance to which he is not  
9 entitled, or assistance greater than that to which he is entitled, with the  
10 intent to defeat the purposes of this chapter, is guilty of a gross misde-  
11 meanor.

12 SEC. 4. NRS 217.020 is hereby amended to read as follows:  
13 217.020 As used in this chapter, unless the context otherwise requires,  
14 the words and terms defined in NRS 217.030 to 217.070, inclusive, and  
15 section 2 of this act, have the meanings ascribed to them in such sections.

16 SEC. 5. NRS 217.070 is hereby amended to read as follows:  
17 217.070 "Victim" means a person who is physically injured or killed:

18 [While attempting to prevent the commission of a crime or to arrest a  
19 suspected criminal or while aiding or attempting to aid a police officer  
20 to do so.] 1. While attempting to prevent the commission of a crime  
21 not initially involving:

- 22 (a) Self-defense of the life, limb or property of the victim;
- 23 (b) Defense of the life, limb or property of a relative of the victim;
- 24 (c) Defense of the life, limb or property of a person or institution based