

COMMITTEE ON GOVERNMENT AFFAIRS

Minutes of Meeting - February 10, 1975

Present: Chairman Gibson  
Senator Dodge  
Senator Gojack  
Senator Foote  
Sen. Hilbrecht  
Sen. Schofield

Also Present:

Richard Bunker, Clark County  
Bob Warren, Nev. League of Cities  
John L. O'Harra, Nev. Dept. of Agriculture  
Harry Gallaway, Nev. Dept. of Agriculture  
Thomas W. Ballow, Nev. Dept. of Agriculture  
J. Elrod Stavley, Nev. Cattlemen's Assoc.  
Fred L. Warren, Nev. Dept. of Agriculture  
Robert Petroni, Clark County School Dist.  
Don Perry, N.S.E.A.  
Richard Morgan, N.S.E.A.  
Evelyn J. Mathis, Nev. Tax Commission  
Bob Gagnier, S.N.E.A.  
J. T. Rathburn, Tax Commission  
Father Dunphy, Franciscan Center  
A. A. Campos, Parole & Probation  
Carol Nevin, Crime Commission  
James Geroy, Parole & Probation  
Ed Snyder, Nev. Dept of Agriculture  
L.W. Bergévin, Agriculture Dept.  
Marvin Picollo, Washoe Cnty. School Dist.  
Harry Dickson, Carson City School Dist.  
Bill Adams, City of Las Vegas  
Mr. Blackum, Lyon County School Dist.  
John Lattimore, City of Reno  
Frank Farenkopf, Washoe County

The seventh meeting of the Government Affairs committee was called to order on 2-10-75 at 2:45 p.m. The minutes reflect that a quorum was present. The first bill on the agenda was SB-107

SB-107 Authorizes governor to enter into interstate law enforcement mutual aid agreements. Fiscal Note (BDR 18-337)

Carol Nevin, Department of Law Enforcement, testified in favor of SB-107. Mr. Nevin sited several examples of how restricted their people are with the present law and hoped that the enactment of SB-107 would help with inter-state law enforcement if the governor could enter into an agreement with the state of California to allow officers from California to enter Nevada and vice-versa, being protected during the time they are in the other state.

## Senate

88

Government Affairs  
Minutes of Meeting #7  
February 10, 1975  
Page 2

Senator Dodge inquired to the procedure used while in "hot pursuit" insofar as borders are concerned. Discussion followed on the problems that have come up due to the present laws.

Colonel Lambert, Highway Patrol, spoke in favor of SB-107 stating that under the prevailing laws today California can not come across the state line in a mutual aid effort such as could have possibly been needed during the Governor's convention at Stateline.

The request was designed from the Mutual Aid Compact that is in existence between California and Arizona. The intent of SB-107 is to enable the Governor to enter into specific compacts that would not be an all encompassing compact but more of an assistance on request compact. This shouldn't be limited to an agreement with California only.

Mr. Bud Campos, representing the Dept. of Parole and Probation, also spoke in favor of SB-107, citing several problems around the Lake Tahoe area where the passage of this bill would be reflected the most, i.e. narcotics investigations where several jurisdictions work together on the same case.

Chairman Gibson questioned the statement in the first paragraph of SB-107 regarding the Governor consulting with the Chief Executive or governing bodies of such political subdivision. This should also reflect the Sheriff in some way.

Mr. Bob Warren, Nevada League of Cities, felt that the way this bill reads it is too open to the kinds of agreements that might be entered into. The Governor could order the political subdivisions to enter into a particular law enforcement problem and he is bound to consult first but they have no other recourse but to agree. Mr. Warren feels there should be limits to the types of agreements in the language of this bill. He informed the committee that he would have a meeting with the law officials concerned, discuss the language and report back to the committee.

Mr. Frank Farenkopf, Washoe County, feels the most important factor is consulting with the Sheriff before using his men and materials.

Colonel Lambert was requested by Chairman Gibson to furnish the committee with a copy of the California, Arizona Agreement. Further discussion on this bill was set aside at this time.

Senate

Government Affairs  
Minutes of Meeting No. 7  
February 10, 1975  
Page 3

89

SB-100 Makes provisions on fair employment practices applicable to school district departments. Fiscal Note (BDR 23-439)

Senator Hilbrecht informed the committee on the reasons for the drafting of SB-100. It was the belief that the school districts were somehow omitted and this bill will now include them on fair employment practices.

Mr. Bob Gagnier, representing the N.S.E.A. supports SB-100 with a request that everything after "age" on line 14 be stricken.

Senator Dodge questioned taking out the mandatory retirement at age 65.

Mr. Gagnier feels that the sole criteria for employment or retirement should be on job performance only.

Mr. Petroni, representing Clark County School Districts, testified on SB-100 regarding the language in the bill, particularly the retirement portion. His studies indicate that the bill should reflect some leeway on retirement, possibly rehiring the teacher on a yearly basis after 65 with a review from their fellow teachers at the end of each year.

Discussion followed from the committee regarding how you would be able to fire someone who wasn't doing his job and the reasons for retiring teachers if there is no mandatory retirement.

Father Dunphy, Franciscan Center, was in favor of SB-100 and hoped that the language could eliminate descrimination of minorities.

Mr. Marvin Picollo, representing Washoe County School Districts, felt that passage of this bill would make more problems for those in charge of retiring or firing school teachers. He felt that it was quite impossible for an administrator to decide whether or not a person was mentally incompetent.

Discussion followed with the past procedure in retiring teachers at age 65 and ways to keep good teachers on past 65 if their performance was up to standards.

The committee decided to take SB-100 under further discussion.

SB-106 Adding to sources from which state board of parole commissioners may accept grants and gifts for its program. Fiscal Note (BDR 16-169)

## Senate

Government Affairs  
 Minutes of Meeting No. 7  
 February 10, 1975  
 Page 4

Mr. Bud Campos, and Mr. Jim Geroy, representing the Parole & Probation department, spoke in favor of SB-106. Mr. Campos indicated that they have from time to time received assistance from private groups and various law enforcement agencies as well as gifts from various groups. His department has no legislative authority to accept these gifts and services under the present laws.

Senator Dodge questioned some of the gifts that would possibly lead into additional financing from the State. Mr. Campos agreed that a great deal of judgement and study should be done prior to acceptance of these gifts or services.

No further discussion on this bill and there was no action taken.

SB-111        Creates administrative division within state department of agriculture, provides for its functions and makes an appropriation. Fiscal Note (BDR 50-210)

Mr. Thomas W. Ballow, representing the Nevada State Department of Agriculture, spoke in favor of this bill. See the attached statement that Mr. Ballow read to the committee.

Mr. Ballow stated that the most serious problem is the inequitable funding on the livestock industry

Mr. Lewis Stavley, representing the Nevada State Cattlemen's Association, felt the Department of Agriculture has become more of a consumer protection agency than it has a service to the livestock industry. We feel that it is unfair for the livestock industry to carry the burden of consumer protection for all the people and the livestock people paying the bill. Mr. Stavley gave an example of the inflation in the livestock industry.

Senator Hilbrecht clarified that from Mr. Stavley's statement part of the money coming in is being used for administrative needs instead of law enforcement and grant inspections. Mr. Stavely indicated that this was part of the problem. No action was taken on this bill.

SB-112        Increases certain powers of the executive Director of the state department of agriculture and provides for confidentiality of private information acquired by department personnel. Fiscal Note (BDR 50-166)

Mr. Harry Gallaway, representing the Nevada Department of Agriculture spoke in favor of SB-112. Mr. Gallaway gave many examples of the types of hindrances they now deal with under the present laws.

Mr. Gallaway stated that this bill will amend certain sections of Chapter 561 of the authority of the executive Director to subpoena records, etc. by adding the words "prior to" an investigation. It gives the department a general authority to investigate any matters pertaining to the laws and regulations administered by the department

Government Affairs  
Minutes of Meeting No. 7  
February 10, 1975  
Page 5

and specifically sets out that the Administrative Procedures Act will govern the investigative hearings that are held. Under Section 3 it also includes a definite employee responsibility on the divulging of information that is developed in connection with the hearing. Along with this bill the department is putting together an instruction course on investigations, techniques, etc. No action was taken on this bill.

SB-3 Allows local governments to issue purchase orders in current fiscal year for payment in ensuing fiscal year. Fiscal Note (BDR 31-9)

Senator Dodge indicated that a question was raised about the effect of this amendment which we originally put on this bill. It was subsequently pulled for further review. There was a question raised about whether or not the school districts or local government entities might be proceeding properly under the exemption authorities in the section under the local government budget act.

Mrs. Mathis, the Nevada Tax Commission, read a letter from Mr. James C. Lien, Asst, Secretary, who could not be present. See the attached letter for details.

Mr. Fred Blackum, Lyon County School District, spoke to the committee on SB-3 and was in favor of its passage as it would enable the school to put in for purchase of those necessary items needed for the next school year prior to the end of the fiscal year.

Discussion followed with regards to the reflection on some kind of budget for those things that are ordered in one fiscal year and paid for in the following fiscal year.

Mr. Dick Morgan and Mr. Don Perry representing N.S.E.A., testified on SB-3. Their view was that these purchases for supplies ordered in one fiscal year and paid for in another should be "visible" somewhere on the budget. See the attached budget given to the committee as an example of their point.

Discussion followed on the types of accounting systems and which would be the most useful system to use.

Chairman Gibson asked Mr. Morgan to go over the bill again and bring back the language he felt this bill should have.

No further discussion on this bill, no action taken.

SB-137 Allows use of business license revenue for financing offstreet parking. Fiscal Note (BDR 21-516)

Senate

Government Affairs  
Minutes of Meeting No. 7  
February 10, 1975  
Page 6

Mr. Joe Lattimore, City of Reno, spoke to the committee on SB-137. He indicated that he had no information to give the committee and would appreciate their holding this bill until he could report back to them.

Chairman Gibson requested Senator Gojack to get the information necessary on this bill.

SJR-2 Requests President of the United States to recind decision by Office of Management and Budget which withholds further funding of railroad relocation project in Elko. Fiscal Note (BDR 677)

Chairman Gibson indicated to the committee that there was a delegation going to Washington on this matter and he wanted to act on this bill during this meeting.

Motion of "Do Pass" by Senator Hilbrecht, seconded by Senator Foote. Motion carried unanimously.

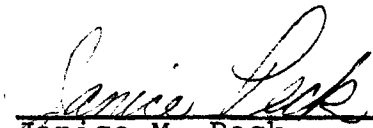
Senator Hilbrecht reported to the committee that SB-97 was still in the Legislative Counsel Bureau being drafted and at this time had no information on this bill.

Chairman Gibson had a bill introduction request for the second stages of the Southern Nevada Water Project.

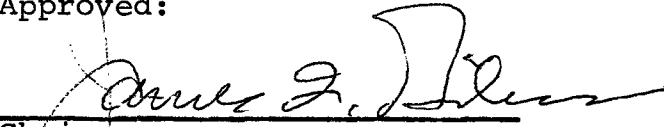
Motion to introduce this bill by Senator Schofield, seconded by Senator Hilbrecht, motion carried unanimously.

With no further business the meeting was adjourned at 5:30 P.M.

Respectfully submitted,

  
\_\_\_\_\_  
Janice M. Peck  
Committee Secretary

Approved:

  
\_\_\_\_\_  
Chairman

S E N A T E

AGENDA FOR COMMITTEE ON ..Government..affairs.....

DATE ... <sup>Monday</sup> 2-10-75.....TIME... 2:30.P.M....ROOM...345.....

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel Requested*</u>
--	----------------	-------------------------------

SB-107                    Authorizes governor to enter into inter-  
state law enforcement mutual aid agree-  
ments. Fiscal Note BDR 18-337)  
HEARING  
Notify: Governor's Office, Mr. Arkell,  
Howard Barrett, Mr. Nevin.

SB-100                    Makes provisions on fair employment  
practices applicable to school district  
departments. Fiscal Note (BDR 23-439)  
HEARING  
NOTIFY: James Wittenberg, Bob Gagnier  
Bob Broadbent, Bob Warren, Bill Adams,  
Ken Guinn, Dick Morgan, and Father Dunphy

SB-106                    Adding to sources from which state board  
of parole commissioners may accept grants  
and gifts for its program. Fiscal Note  
(BDR 16-179)  
HEARING  
Notify: Governor's office, Mr. Barrett,  
Board of Parole Commissioners

SB-111                    Creates administrative division within  
state department of agriculture, provides  
for its functions and makes an appropria-  
tion. Fiscal Note (BDR 50-210)  
HEARING  
Notify: Mr. Howard Barrett, & State  
Department of Agriculture.

SB-112                    Increases certain powers of the executive  
Director of the state department of  
agriculture and provides for confidentiality  
of private information acquired by depart-  
ment personnel. Fiscal Note (BDR 50-166)  
HEARING  
Notify: Mr. Barrett, & State Dept. of  
Agriculture.

OVER

\* Please do not ask for counsel unless necessary

## S E N A T E

AGENDA FOR COMMITTEE ON ...Government Affairs.....  
 Monday  
 DATE .....2-10-75.....TIME...2:30 P.M.....ROOM..345.....

PAGE 2

Bills or Resolutions  
 to be considered

Subject

Counsel  
 Requested\*

SB-3	<p>Allows local governments to issue purchase orders in current fiscal year for payment in ensuing fiscal year. Fiscal Note No. (BDR 31-9)</p> <p>Notify: Senator Dodge, Tax Commission            Dick Morgan, Clark County Schools, Ken Guinn, County Commission Association            Bob Broadbent, League of Cities            Mr. Bob Warren</p>	
SB-137	<p>Allows use of business license revenue for financing offstreet parking. Fiscal Note (BDR 21-516)</p> <p>Notify: Senator Young, Mr. Bob Warren            Mr. Bob Broadbent</p>	
SJR-2	<p>Requests President of the United States to rescind decision by Office of Management and Budget which withholds further funding of railroad relocation project in Elko. (BDR 677)</p> <p>Notify: Senator Monroe, Mr. Bob Warren</p>	



Statement of Thomas W. Ballow, Executive Director  
Nevada State Department of Agriculture  
Before the Nevada State Legislature  
Senate Committee on Government Affairs  
Regarding SENATE BILL 111.

February 10, 1975

Chairman Gibson and members of the Senate Committee on Government Affairs, I appreciate the opportunity to testify before you today on Senate Bill 111. This bill was drafted at my request and is designed to solve some specific problems. At first glance, it may appear to be just a bill to create another division of State Government, but let me assure you it is designed to solve some very specific and quite serious problems.

BACKGROUND - The funding for the Nevada Department of Agriculture is quite varied and complex and so are the activities of the Department. Funding to carry out the Department's responsibilities are derived basically from six different funds: the Plant Industry Fund (53.2%), Apiary Inspection Fund (.5%), Agricultural Registration and Enforcement Fund (4.5%), Livestock Inspection Fund (22.3%), Insect Abatement Fund (3.2%), and the Veterinary Medical Services Fund (16.3%). The Plant Industry Fund and the Veterinary Medical Services Fund are mostly appropriated reverting funds from the State General Fund with some income from fees. The Insect Abatement Fund is a revolving fund. The remaining funds (LIF, AR&E, AIF) are supported by fees or special taxes on the users or the particular industry with some miscellaneous sources. Unused funds in the Livestock Inspection Fund, Apiary Inspection Fund and Agricultural Registration and Enforcement Fund are carried forward to the next year and do not revert.

The Department is divided into three divisions: (1) The Division of Plant Industry, made up of 63% of our full time work force is primarily concerned with the administration of the weights and measures program, noxious weed and insect control program, apiary inspection and registration, antifreeze registration, the licensing and bonding of agricultural produce buyers, pesticide registration and inspection, control of insect pests and plant diseases, registration of fertilizers, licensing and inspection of nursery stock, licensing pest control operators, testing petroleum products and inspecting advertising, plant quarantine, seed inspection and certification, grading of agricultural produce, and inspection and analysis of animal feeds. These activities are supported by the Plant Industry Fund, Apiary Inspection Fund, Agricultural Registration and Enforcement Fund, and the Insect Abatement Fund. (2) The Division of Animal Industry, made up of 14% of our full time work force is primarily concerned with the investigation control and eradication of contagious communicable or parasitic diseases of livestock; control of animal diseases transmittable to man; the protection of citizens through investigation and regulation of animal food products and animals. The Animal Disease Diagnostic Laboratory is in this division. This division works closely with the programs of the Animal Plant Health Inspection Service of U.S.D.A. involving disease eradication programs. Animals are inspected for export purposes as well as for disease at livestock sales yards, stockyards and feedlots. These activities are supported primarily by the Veterinary Medical Services Fund. (3) The Division of Brand Inspection, made up of 23% of our full time work force is primarily

concerned with performing brand inspections on cattle and horses at change of ownership, shipment out of a district, and prior to slaughter. The purpose is to detect strays and stolen animals, provide ownership certification and papers covering shipments, and to deter the theft of animals. This division carries out intensive investigations regarding suspected livestock thefts and assists in the arrest and prosecution through local and U. S. Courts. Brand inspections are carried out on a routine daily basis at livestock sales yards, slaughter houses and shipping points. The division records brands and handles livestock dealers and sales yards licensing. These activities are supported entirely by the Livestock Inspection Fund.

PROBLEMS - S.B. 111 is designed and drafted to solve some specific problems as follows:

Problem #1: Inequitable Funding and Taxation. There are six full time employees in the Department who do strictly general services or administrative work for the entire Department. They are the Executive Director, Program Specialist, Receptionist, Accounting Clerk Building Tradesman and one Clerk Typist. The Executive Director's salary is paid 50% from the Livestock Inspection Fund and 50% from the Plant Industry Fund. Three of the employees, the Program Specialist, Receptionist, and Clerk Typist are paid from the Livestock Inspection Fund. Two of the employees, Accounting Clerk and Building Tradesman are paid from the Plant Industry Fund. In summary, the salaries of two and one half of the six general service or administrative employees are paid from the Plant Industry Fund and three and one half are paid from the Livestock Inspection Fund.

None are paid from the other funds. The livestock industry which provides almost all of the income in the Livestock Inspection Fund through fees and taxes is paying 58% of the strictly administrative salaries and expenses of the Department while requiring only about 23% of these services. In addition, the livestock industry is paying its fair share into the State General Fund which provides the salaries and expenses for the remaining administrative or general services personnel of the Department. Historically, the Department has evolved over the years from a Board of Livestock Commissioners to its present status. This is one of the remaining problems that should be corrected. The livestock industry in Nevada is in a seriously sad economic condition. It cannot afford to continue to carry a disproportionately heavy share of the administrative costs of the Department. S.B. 111 would solve this problem by placing the general services and administrative personnel in a new Administrative Division funded entirely by an appropriation from the General Fund.

Problem #2: Audit and Accounting Deficiency. The Nevada Department of Agriculture does not have an accountant or an auditor on its staff. Our one Accounting Clerk is not able to keep up with the paperwork demands of the State's new computerized Financial Management Information Reporting System, purchasing, payroll and other jobs. Under the present system we are able to find out where expenses and income stood one to four months previous. This Department needs the manpower and accounting expertise to show where we are today and to project income and expenses into the future so that adjustments can be made before financial problems are encountered, not after.

The Department was last audited by the Legislative Counsel Bureau in 1968. (I arranged for a special audit through the Inter-governmental Personnel Act in 1972.) They have been unable to audit the Department since then because of a very limited staff and higher priorities elsewhere. I firmly believe that government agencies should be audited annually and in no event should the period between audits exceed two years. Administrators deserve and need this help in uncovering problems and making improvements. The Legislature and the public deserve to know that the governmental agency is functioning properly or if not, what the deficiencies are. S.B. 111 is designed to solve this problem by authorizing and funding one new position of Auditor-Accountant to carry out these functions.

Problem #3: Secretarial Staffing. At the present time the Executive Director does not have a secretary and must obtain secretarial help from the Division of Plant Industry and other divisions. The Division of Plant Industry and the Division of Brand Inspection are already understaffed in the secretarial and clerical field. S.B. 111 would authorize and fund one new Secretary position.

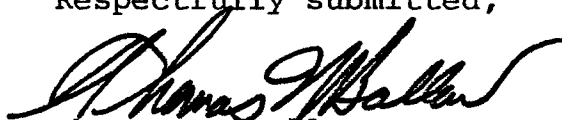
FUNDING - The Fiscal Note provides for an appropriation of \$167,368 for the fiscal year beginning July 1, 1975 and the sum of \$168,828 for the fiscal year beginning July 1, 1976. These amounts would be mostly offset by reductions in the Plant Industry Fund Budget and in the Livestock Inspection Fund Budget. The only actual "new" appropriation would be for the two new positions of Auditor-Accountant and Secretary, and related expenses; about \$20,000 each year total. The appropriation should be revised to reflect proposed salary increases and minor changes in the proposal since the Fiscal

Note and BDR were proposed.

I will be happy to provide whatever additional information I can.

I appreciate the opportunity to appear before you today to explain the need for S.B. 111 and sincerely hope that you will approve this bill.

Respectfully submitted,



Thomas W. Ballow  
Executive Director

TWB/rh

STATE OF NEVADA  
Nevada Tax Commission

CARSON CITY, NEVADA 89701

Telephone (702) 885-4820  
In-State Toll Free 800-992-0900

99



MIKE O'CALLAGHAN, Governor

JOHN J. SHEEHAN, Secretary

February 10, 1975

The Honorable James I. Gibson, Chairman, and  
Members of the Senate Committee on Government Affairs

Gentlemen:

I apologize for not being in attendance at today's hearing on SB 3; however, we are in the process of hearing appeals before the State Board of Equalization in Las Vegas.

The reason for SB 3 is to rectify what appears to be shortcoming in the provisions of NRS 354.626.

We are of the belief that for an entity to issue a purchase order (or contract) for equipment or supplies prior to the adoption of a final budget, appropriating monies to pay for those supplies and equipment is illegal as the statute is now written, unless an entity adopts encumbrance accounting pursuant to regulation adopted by the Tax Commission. A final budget may not be adopted until July 15 in a legislative year - too late to issue the necessary purchase orders.

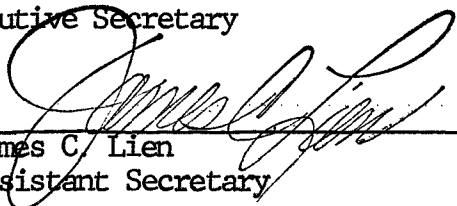
The problem is most obvious with schools which must place orders for classroom supplies such as books, paper, etc., and equipment and maintenance supplies as early as December, January or February in order to receive those supplies or equipment for the opening of school in late August or early September. But other entities also experience these problems. A fire truck, road equipment, a computer, police equipment or fertilizer for a golf course all may have to be ordered 6 to 18 months prior to the date of use.

The second reprint of SB 3 has been drawn so as not to interfere with accounting procedures of those entities using the encumbrance system (5) wherein the cost of supplies or equipment are encumbered at the time the purchase order is issued. The language will allow entities not on encumbrance accounting (188) to treat their purchase orders as deferred charges and thus expense these items during the year of their receipt or use.

In summary, I feel this amendment legalizes a current practice recognized by both local governments and the Nevada Tax Commission as necessary. It tightens the control over an entity's expenses as tied to the issuance of purchase orders. The Tax Commission will adopt an appropriate regulation to implement the bill.

Very truly yours,

John J. Sheehan  
Executive Secretary

By   
James C. Lien  
Assistant Secretary

JCL:law

LYON COUNTY SCHOOL DISTRICT  
 STATEMENT OF REVENUES AND EXPENDITURES AND CHANGES IN FUND BALANCE  
 ORIGINAL BUDGET 1973-74 AND ACTUAL 1973-74

	Amended Budget 1973-74	Actual 1973-74	Actual (Over) Or Under Budget
Fund Balance July 1, 1973	\$ 107,867.00	\$ 101,381.00	\$ 6,486.00
<b>REVENUES</b>			
10 State	1,498,493.00	1,424,164.00	74,329.00
20 County	1,241,574.00	1,258,009.00	(16,435.00)
30 School District	9,500.00	7,452.00	2,048.00
45 Federal	31,200.00	51,195.00	19,995.00
70 Sales of School Property			
80 Transfers Other Counties			
90 Transfers Other States			
<b>TOTAL REVENUES</b>	<b>\$ 2,780,767.00</b>	<b>\$ 2,740,820.00</b>	<b>\$ 39,947.00</b>
<b>FUNDS AVAILABLE</b>	<b><u>\$ 2,888,634.00</u></b>	<b><u>\$ 2,842,201.00</u></b>	<b><u>\$ 46,433.00</u></b>
<b>EXPENDITURES</b>			
100 Administration	\$ 111,280.00	\$ 108,669.00	\$ 2,611.00
200 Instruction	1,895,812.00	1,864,476.00	31,336.00
300 Aux. Services	61,758.00	55,824.00	5,934.00
400 Transportation	169,720.00	160,021.00	9,699.00
500 Operation	270,202.00	264,874.00	5,328.00
600 Maintenance	79,780.00	67,370.00	12,410.00
700 Fixed Charges	202,000.00	204,007.00	2,007.00
800 Transfers	18,850.00	18,491.00	24,895.00
900 Capital Outlay	33,741.00	8,836.00	359.00
Contingency Account	45,500.00	-0-	45,500.00
<b>TOTAL EXPENDITURES</b>	<b><u>\$ 2,888,633.00</u></b>	<b><u>\$ 2,752,568.00</u></b>	<b><u>\$ 136,065.00</u></b>
Fund Balance June 30, 1974	<u>\$ 1.00</u>	<u>\$ 89,633.00</u>	<u>\$ ( 89,632.00)</u>

SOURCE: LYON COUNTY AUDIT REPORT 1973-74



**S. B. 107**

**SENATE BILL NO. 107—COMMITTEE ON  
GOVERNMENT AFFAIRS**

JANUARY 30, 1975

Referred to Committee on Government Affairs

**SUMMARY—**Authorizes governor to enter into interstate law enforcement mutual aid agreements. Fiscal Note: No. (BDR 18-337)



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

AN ACT relating to state government; authorizing the governor to enter into mutual or reciprocal aid agreements with other governmental entities for police services; 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 223 of NRS is hereby amended by adding
- 2 thereto a new section which shall read as follows:
- 3 1. *The governor may, on behalf of this state, enter into mutual or*
- 4 *reciprocal aid agreements or compacts with other states or the Federal*
- 5 *Government, either on a statewide or political subdivision basis. Prior to*
- 6 *committing the personnel, equipment or facilities of any political subdivi-*
- 7 *sion of this state the governor shall consult with the chief executive or*
- 8 *governing body of such political subdivision.*
- 9 2. *Such agreements shall be limited to furnishing or exchange of:*
- 10 (a) *Police services;*
- 11 (b) *Personnel necessary to provide or conduct such services; and*
- 12 (c) *Such other supplies, equipment, facilities, personnel and services as*
- 13 *are needed to support such services.*
- 14 3. *The agreements may relate to the terms and conditions of mutual*
- 15 *or reciprocal aid and to reimbursement of costs and expenses for equip-*
- 16 *ment, supplies, personnel and similar items for mobile support units and*
- 17 *police units.*

**S. B. 100**

---

---

SENATE BILL NO. 100—COMMITTEE ON  
GOVERNMENT AFFAIRS

JANUARY 30, 1975

Referred to Committee on Government Affairs

SUMMARY—Makes provisions on fair employment practices applicable to school districts and district departments. Fiscal Note: No. (BDR 23-439)



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

---

---

AN ACT relating to fair employment practices; making provisions on fair employment practices applicable to school districts and district departments.

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

- 1 SECTION 1. NRS 281.370 is hereby amended to read as follows:
- 2 281.370 1. All personnel actions taken by state, county, *school dis-*
- 3 *trict, district* or municipal departments, agencies, boards or appointing
- 4 officers thereof shall be based solely on merit and fitness.
- 5 2. State, county, *school district, district* or municipal departments,
- 6 agencies, boards or appointing officers thereof shall not:
- 7 (a) Refuse to hire a person because of such person's race, color, creed,
- 8 national origin, sex or age, unless based upon a bona fide occupational
- 9 classification.
- 10 (b) Discharge or bar any person from employment because of such
- 11 person's race, creed, color, national origin, sex or age.
- 12 (c) Discriminate against any person in compensation or in other terms
- 13 or conditions of employment because of such person's race, creed, color,
- 14 national origin, sex or age, except as provided in NRS 284.3781.

**S. B. 106**

**SENATE BILL NO. 106—COMMITTEE ON  
GOVERNMENT AFFAIRS**

JANUARY 30, 1975

Referred to Committee on Government Affairs

SUMMARY—Adding to sources from which state board of parole commissioners may accept grants and gifts for its programs. Fiscal Note: No. (BDR 16-179)

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

AN ACT relating to parole and probation; adding to the sources from which funds, services, equipment, supplies and gifts may be accepted by the state board of parole commissioners; 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. NRS 213.1091 is hereby amended to read as follows:  
2 213.1091 [The board shall have the power to accept from the United  
3 States of America or any of its agencies such advisory services, funds,  
4 equipment and supplies as may be made available to this state for the  
5 purposes of probation and parole, and to]  
6 I. *The board may accept:*  
7 (a) *Advisory services, funds, equipment and supplies made available by*  
8 *any Act of Congress for any program administered by the department or*  
9 *any of its divisions.*  
10 (b) *Funds and contributions made available by a county, a city or any*  
11 *other political subdivision of this state for any program administered by*  
12 *the department or any of its divisions.*  
13 (c) *Funds, contributions, gifts, grants, bequests and services made avail-*  
14 *able by a public or private corporation, a partnership, an association or*  
15 *individuals for any program administered by the department or any of its*  
16 *divisions.*  
17 2. *The board may enter into such contracts and agreements with the*  
18 *United States of America or any of its agencies as may be necessary,*  
19 *proper and convenient.*

S. B. 111

SENATE BILL NO. 111—COMMITTEE ON ENVIRONMENT AND PUBLIC RESOURCES

JANUARY 30, 1975

Referred to Committee on Government Affairs

SUMMARY—Creates administrative division within state department of agriculture, provides for its functions and makes an appropriation. Fiscal Note: Yes. (BDR 50-210)

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

AN ACT relating to the state department of agriculture; creating a division of administration within the department; providing for its organization, powers and duties; making an appropriation; 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. NRS 561.194 is hereby amended to read as follows:
- 2 561.194 1. The department shall consist of:
- 3 (a) *The division of administration.*
- 4 (b) The division of animal industry.
- 5 **[(b)]** (c) The division of brand inspection.
- 6 **[(c)]** (d) The division of plant industry.
- 7 **[(d)]** (e) Such other divisions as the executive director may from
- 8 time to time establish.
- 9 2. *The division of administration shall maintain a central recordkeep-*
- 10 *ing system, keep personnel records of department employees and admin-*
- 11 *ister personnel rules, conduct the fiscal and auditing functions of the*
- 12 *department and perform such other administrative services as are required*
- 13 *by the department.*
- 14 **[2.]** 3. The division of animal industry shall manage activities of the
- 15 department pertaining to the protection and promotion of the livestock
- 16 industry of the State of Nevada.
- 17 **[3.]** 4. The division of brand inspection shall manage activities of
- 18 the department pertaining to brands and marks and brand inspection in
- 19 the State of Nevada.
- 20 **[4.]** 5. The division of plant industry shall manage activities of the
- 21 department pertaining to the protection and promotion of the agricultural
- 22 industry of the State of Nevada.

1     SEC. 2. NRS 561.175 is hereby amended to read as follows:  
2     561.175 The executive director *shall serve as director of the division*  
3 *of administration and* may serve as the director of the division of animal  
4 industry or as the director of the division of plant industry if properly  
5 qualified as required by NRS 561.205 and 561.214. He may serve as  
6 director of any other division created within the department as provided  
7 by paragraph ~~[(d)]~~ (e) of subsection 1 of NRS 561.194.

8     SEC. 3. There is hereby appropriated from the general fund in the  
9 state treasury to the state department of agriculture for the support of the  
10 division of administration the sum of \$167,368 for the fiscal year begin-  
11 ning July 1, 1975, and ending June 30, 1976, and the sum of \$168,828  
12 for the fiscal year beginning July 1, 1976, and ending June 30, 1977.

**S. B. 112**

**SENATE BILL NO. 112—COMMITTEE ON ENVIRONMENT  
AND PUBLIC RESOURCES**

**JANUARY 30, 1975**

**Referred to Committee on Government Affairs**

**SUMMARY—Increases certain powers of the executive director of the state department of agriculture and provides for confidentiality of private information acquired by department personnel. Fiscal Note: No. (BDR 50-166)**

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

**AN ACT relating to the state department of agriculture; increasing investigative and certain other powers of the executive director of the department; providing for the confidentiality of private information acquired by department personnel; providing penalties; 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. NRS 561.145 is hereby amended to read as follows:
- 2 561.145 1. As the executive head of the department, the executive
- 3 director shall direct and supervise all administrative and technical activi-
- 4 ties of the department, and all programs administered by the department
- 5 as provided by law. He shall devote his entire time to the duties of his
- 6 office, and shall follow no other gainful employment or occupation.
- 7 2. The executive director may, within such limitations as may be pro-
- 8 vided by law, organize the department into various divisions and, from
- 9 time to time, alter such organization and reassign responsibilities and
- 10 duties as he may deem appropriate.
- 11 3. The executive director shall:
- 12 (a) Coordinate the activities of the various divisions of the department.
- 13 (b) Report to the board upon all matters pertaining to the administra-
- 14 tion of the department.
- 15 (c) Submit a biennial report to the governor, the legislature and the
- 16 board of the work of the department, with recommendations that he may
- 17 deem necessary. The report shall set forth the facts relating to the con-
- 18 dition of the livestock, agriculture and related industries in the State of
- 19 Nevada.
- 20 4. *The executive director may:*
- 21 (a) *Conduct investigations into any matters pertaining to the laws and*
- 22 *regulations administered by the department and into any possible viola-*
- 23 *tions thereof.*

1 (b) Hold, or cause to be held, hearings on any cases involving such  
2 laws and regulations, in accordance with the requirements and limitations  
3 of the Nevada Administrative Procedure Act.

4 (c) Cause the prosecution of actions for the judicial enforcement of  
5 such laws and regulations.

6 SEC. 2. NRS 561.146 is hereby amended to read as follows:

7 561.146 1. Whenever the executive director is authorized or required  
8 by law to conduct an investigation or a hearing, he [shall have authority  
9 to] may issue subpoenas requiring the attendance of witnesses before him,  
10 together with all books, memoranda, papers and other documents relative  
11 to the matters for which the investigation or hearing is called, [to]  
12 administer oaths and take testimony thereunder, and [to] take depositions  
13 within or without the state, as the circumstances of the case may  
14 require.

15 2. The district court in and for the county in which any investigation  
16 or hearing is being conducted by the executive director [shall have the  
17 power to] may compel the attendance of witnesses, the giving of testimony  
18 and the production of books and papers as required by any subpoena  
19 issued by the executive director.

20 3. In case of the refusal of any witness to attend [or] , testify or  
21 produce any papers required by such subpoena, the executive director may  
22 report to the district court in and for the county in which the investigation  
23 or hearing is pending, by petition [,] setting forth:

24 (a) That due notice has been given of the time and place of attendance  
25 of the witness or the production of the books and papers;

26 (b) That the witness has been subpoenaed in the manner prescribed in  
27 this section; and

28 (c) That the witness has failed and refused to attend or produce the  
29 papers required by subpoena before the executive director in the investigation  
30 or hearing named in the subpoena, or has refused to answer questions  
31 propounded to him in the course of such investigation or hearing,  
32 and asking an order of the court compelling the witness to attend [and] ,  
33 testify or produce the books or papers before the executive director.

34 4. The court, upon petition of the executive director, shall enter an  
35 order directing the witness to appear before the court at a time and place  
36 to be fixed by the court in such order, the time to be not more than 10  
37 days from the date of the order, and then and there show cause why he  
38 has not attended [or] , testified or produced the books or papers before  
39 the executive director. A certified copy of the order shall be served upon  
40 the witness. If it appears to the court that the subpoena was regularly  
41 issued by the executive director, the court may thereupon enter an order  
42 that the witness appear before the executive director at the time and place  
43 fixed in the order and testify or produce the required books or papers,  
44 and upon failure to obey the order the witness shall be dealt with as for  
45 contempt of court.

46 SEC. 3. Chapter 561 of NRS is hereby amended by adding thereto a  
47 new section which shall read as follows:

48 1. Whenever an officer or employee of the department, acting or  
49 claiming to act under the authority of the department, acquires information  
50 from the private papers, books or other documents of any person

— 3 —

- 1 *concerning his property, business or transactions, the officer or employee*
- 2 *shall treat the information as confidential and shall not divulge it to any*
- 3 *other person except:*
- 4 *(a) In reporting to the executive director.*
- 5 *(b) In communicating with other public officers or employees as neces-*
- 6 *sary or appropriate in the discharge of his duties.*
- 7 *(c) In testifying in administrative or judicial proceedings.*
- 8 2. *Any violation of this section is a misdemeanor.*

•



(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 3

SENATE BILL NO. 3—SENATOR DODGE

JANUARY 21, 1975

Referred to Committee on Government Affairs

SUMMARY—Allows local governments to issue purchase orders in current fiscal year for payment in ensuing fiscal year. Fiscal Note: No. (BDR 31-9)

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

AN ACT relating to local government budgets; allowing local governments to issue purchase orders for supplies and equipment in the current fiscal year for use and payment in the ensuing fiscal year.

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

- 1 SECTION 1. NRS 354.626 is hereby amended to read as follows:
- 2 354.626 1. No governing body or member thereof, officer, office,
- 3 department or agency shall, during any fiscal year, expend or contract to
- 4 expend any money or incur any liability, or enter into any contract which
- 5 by its terms involves the expenditure of money, in excess of the amounts
- 6 appropriated for that function, other than bond repayments, short-term
- 7 financing repayments, and any other long-term contract expressly author-
- 8 ized by law. Any officer or employee of a local government who willfully
- 9 violates NRS 354.470 to 354.626, inclusive, is guilty of a misdemeanor,
- 10 and upon conviction thereof shall cease to hold his office or employment.
- 11 Prosecution for any violation of this section may be conducted by the
- 12 attorney general, or, in the case of incorporated cities or towns, school
- 13 districts or special districts, by the district attorney.
- 14 2. Without limiting the generality of the exceptions contained in sub-
- 15 section 1, the provisions of this section specifically do not apply to:
- 16 (a) Purchase of comprehensive general liability policies of insurance
- 17 which require an audit at the end of the term thereof.
- 18 (b) Long-term cooperative agreements as authorized by chapter 277
- 19 of NRS.
- 20 (c) Long-term contracts in connection with planning and zoning as
- 21 authorized by NRS 278.010 to 278.630, inclusive.
- 22 (d) Long-term contracts for the purchase of utility service such as, but
- 23 not limited to, heat, light, sewerage, power, water and telephone service.
- 24 (e) Contracts between a local government and an employee covering

1 professional services to be performed within 24 months following the date  
2 of such contract.

3 (f) Contracts between a local government and any person, firm or cor-  
4 poration for the construction or completion of public works, funds for  
5 which have been provided by the proceeds of a sale of bonds or short-  
6 term financing. Unappropriated surplus funds shall not be used unless  
7 appropriated in a manner provided by law.

8 (g) *Purchase orders which are issued by a local government and deliv-*  
9 *ered to any person, firm or corporation solely for the purpose of acquiring*  
10 *supplies and equipment necessarily ordered in the current fiscal year for*  
11 *use in the ensuing fiscal year and for which an appropriation for payment*  
12 *is included in the final budget for the ensuing fiscal year.*

S. B. 137

SENATE BILL NO. 137—SENATOR YOUNG

FEBRUARY 3, 1975

Referred to Committee on Government Affairs

SUMMARY—Allows use of business license revenue for financing offstreet parking. Fiscal Note: No. (BDR 21-516)

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

AN ACT relating to powers and duties of cities; allowing the use of business license revenue to finance offstreet parking; 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. NRS 268.095 is hereby amended to read as follows:
- 2 268.095 1. The city council or other governing body of each incor-
- 3 porated city or town in the State of Nevada, whether or not organized
- 4 under general law or special charter, shall have the power and jurisdic-
- 5 tion:
- 6 (a) To fix, impose and collect for revenues or for regulation, or both,
- 7 a license tax on all character of lawful trades, callings, industries, occu-
- 8 pations, professions and businesses conducted within its corporate limits.
- 9 (b) To assign the proceeds of any one or more such license taxes to
- 10 the county within which such city or town is situated for the purpose or
- 11 purposes of making such proceeds available to the county:
- 12 (1) As a pledge as additional security for the payment of any
- 13 general obligation bonds issued pursuant to NRS 244.640 to 244.780,
- 14 inclusive;
- 15 (2) For redeeming any general obligation bonds issued pursuant to
- 16 NRS 244.640 to 244.780, inclusive;
- 17 (3) For defraying the costs of collecting or otherwise administering
- 18 any such license tax so assigned, of the county fair and recreation board
- 19 and of officers, agents and employees hired thereby, and of incidentals
- 20 incurred thereby;
- 21 (4) For operating and maintaining recreational facilities under the
- 22 jurisdiction of the county fair and recreation board;
- 23 (5) For improving, extending and bettering recreational facilities
- 24 authorized by NRS 244.640 to 244.780, inclusive; and

1 (6) For constructing, purchasing or otherwise acquiring such recre-  
2 ational facilities.

3 (c) *To apply the proceeds of any one or more such license taxes for*  
4 *an offstreet parking project authorized and established pursuant to the*  
5 *Consolidated Local Improvements Law.*

6 2. Any license tax levied under the provisions of this section shall  
7 constitute a lien upon the real and personal property of the business upon  
8 which the tax was levied until the tax is paid. The lien shall be enforced  
9 in the following manner:

10 (a) By recording in the office of the county recorder, within 90 days  
11 following the date on which such tax became delinquent, a notice of the  
12 tax lien containing the following:

- 13 (1) The amount of tax due and the appropriate year.
- 14 (2) The name of the record owner of the property.
- 15 (3) A description of the property sufficient for identification.
- 16 (4) A verification by the oath of any member of the board of county  
17 commissioners or the county fair and recreation board [; and] *if the pro-*  
18 *ceeds have been assigned to the county or by any member of the city*  
19 *council or other governing body of each incorporated city if the proceeds*  
20 *are to be applied pursuant to paragraph (c) of subsection 1; and*

21 (b) By an action for foreclosure against such property in the same  
22 manner as an action for foreclosure of any other lien, commenced within  
23 2 years after the date of recording of the notice of the tax lien, and  
24 accompanied by appropriate notice to other lienholders.

25 3. The city council or other governing body of each incorporated  
26 city or town may delegate the power and authority [to enforce such  
27 liens] to the county fair and recreation board [.] *to enforce liens result-*  
28 *ing from the nonpayment of a license tax the proceeds of which have*  
29 *been assigned to the county for the purposes stated in paragraph (b) of*  
30 *subsection 1.* All information concerning license taxes levied by an ordi-  
31 nance authorized by this section or other information concerning the  
32 business affairs or operation of any licensee obtained as a result of the  
33 payment of such license taxes or as the result of any audit or examination  
34 of the books of the city by any authorized employee of a county fair and  
35 recreation board for any license tax levied for the purpose of NRS 244.-  
36 640 to 244.780, inclusive, is confidential and shall not be disclosed by  
37 any member, official or employee of the county fair and recreation board  
38 or the city imposing such license tax unless the disclosure is authorized  
39 by the affirmative action of a majority of the members of the appropriate  
40 county fair and recreation board.

41 4. The powers conferred by this section shall be in addition and  
42 supplemental to, and not in substitution for, and the limitations imposed  
43 by this section shall not affect the powers conferred by, any other law.  
44 No part of this section shall repeal or affect any other law or any part  
45 thereof, it being intended that this section shall provide a separate method  
46 of accomplishing its objectives, and not an exclusive one.

\*

**S. J. R. 2****SENATE JOINT RESOLUTION NO. 2—SENATOR MONROE**

JANUARY 30, 1975

Referred to Committee on Government Affairs

**SUMMARY**—Requests President of the United States to rescind decision by Office of Management and Budget which withholds further funding of railroad relocation project in Elko. (BDR 677)

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

**SENATE JOINT RESOLUTION**—Expressing concern of the legislature over, and requesting the President of the United States to rescind, the decision of the Office of Management and Budget which withholds further funding of the railroad relocation project in Elko, Nevada.

1       WHEREAS, The City of Elko, Nevada, has in good faith launched upon  
2 a project for relocation of the Southern Pacific and Western Pacific rail-  
3 road tracks, both of which traverse the central business section of the  
4 city, requiring 17 railroad crossings within the city; and

5       WHEREAS, The Congress of the United States appropriated \$1,700,000  
6 for the project which made it possible for work to be started and for  
7 contracts to be signed for completing the preliminary phases of the  
8 project; and

9       WHEREAS, This project is important not only because of the great  
10 promise it holds for the saving of human lives and the prevention of  
11 destruction of property but also because it has been selected as one of  
12 several projects of a similar nature in the United States for the purpose  
13 of determining the feasibility of eliminating hazardous railroad crossings  
14 and establishing a pattern of procedure which might be followed by all  
15 other communities in undertaking similar projects; and

16       WHEREAS, Launching of the project in Elko has caused certain resi-  
17 dents of the city to contract and obligate themselves and their establish-  
18 ments for personnel and equipment for the purpose of undertaking both  
19 the preliminary work and later phases of the project and they stand to  
20 suffer losses and great inconvenience if this project, which was launched  
21 with every reason to believe that the Congressionally-approved federal  
22 assistance would be forthcoming, is brought to a sudden and unanti-  
23 cipated halt; and

24       WHEREAS, The State of Nevada and the City of Elko have expended a

1 great deal of time and money which will be wasted if this project is not  
2 carried forward; and

3 WHEREAS, The Federal Government, in an effort to provide jobs for  
4 our rapidly increasing numbers of unemployed, has launched upon a pro-  
5 gram of federally assisted emergency employment in the public sector,  
6 much of which will be productive of questionable benefits; and

7 WHEREAS, The Elko railroad crossing elimination project and those  
8 similar projects in other communities included in this worthwhile govern-  
9 ment program will provide useful and beneficial employment to many  
10 hundreds of persons; and

11 WHEREAS, Delaying this project for any length of time will result in  
12 complicating certain community developments, and this fact plus continu-  
13 ing inflation will result in far greater cost to the taxpayers if this project  
14 is undertaken in later years; now, therefore, be it

15 *Resolved by the Senate and Assembly of the State of Nevada, jointly,*  
16 That the Nevada legislature hereby communicates to the President of the  
17 United States its concern over the decisions of the Office of Management  
18 and Budget and the secretaries of the various agencies involved to with-  
19 hold any further funding for the relocation of railroad tracks in the City  
20 of Elko, Nevada, and similar projects in other communities, except as to  
21 obligations which have been contracted for and must be paid by the  
22 various federal, state and local agencies involved, and requests that the  
23 decisions be reconsidered and that authority to proceed with these  
24 projects be immediately granted to the affected communities in accord-  
25 ance with the intent of Congress and the promises made in good faith to  
26 all concerned; and be it further

27 *Resolved,* That Nevada Senators Howard Cannon and Paul Laxalt and  
28 Congressman James Santini are requested to make a joint strenuous effort  
29 to have the project in Elko and similar projects carried forward; and be  
30 it further

31 *Resolved,* That true copies of this resolution be prepared and trans-  
32 mitted forthwith by the legislative counsel to the President of the United  
33 States, the Congressional delegation of the State of Nevada and the  
34 Secretary of the Department of Transportation; and be it further

35 *Resolved,* That this resolution shall become effective upon passage and  
36 approval.