

Senate

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COMMITTEE ON GOVERNMENT AFFAIRS

Minutes of Meeting - February 13, 1975

Present: Chairman Gibson
Senator Walker
Senator Dodge
Senator Foote
Senator Hilbrecht
Senator Gojack
Senator Schofield

Also Present:

Dan Quinan, Fire Marshall
Darwin K. Ellis, Douglas Cnty. Fire Dept.
W. D. Richard, Henderson, Nevada
William J. Bruner, Fire Marshal Div.
Wally Warren, Sierra Pacific Power Co.
Tom Young, Sierra Pacific Power Co.
Jack Mitchell, City of N. Las Vegas
R. Maples, Washoe County School Dist.
Robert Warren, Nev. League of Cities
C. H. McCrea, Southwest Gas Corp.
Burge Robb, Southwest Gas Corp.
Richard Morgan, N.S.E.A.
Brian Bland, Press
W. E. Admas, City of Las Vegas
Senator Bryan
Senator Raggio
Jim Lien, Tax Commission

The ninth meeting of the Government Affairs Committee was called to order at 2:30 p.m. Due to Senator Raggio's schedule the committee discussed SB-166 first.

SB-166 Provides that agreements between local government employers and employee organizations may extend beyond term of office of any member or office of local government employer. Fiscal Note (BDR 23-864)

Senator Raggio spoke in favor of SB-166 citing that this bill would clarify a situation that was raised in previous litigation in connection with contracts between public employees and public employee groups. It would also make it clear that any agreements that are entered into as a result of negotiations would be valid even though they would extend beyond the terms of office of any of the members of a public employee group.

Mr. Wally Warren, S.P.P. Co. felt that his people had no quarrel with this piece of legislation and was in favor of its passage.

Mr. Morgan, N.S.E.A., was in favor of SB-166 and felt that it was a very good piece of legislation.

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

AB-37 Makes certain changes in powers and duties of state fire marshal and his deputies. Fiscal Note (BDR 42-119)

Mr. Dan Quinan, State Fire Marshall, informed the committee that the drafting of this bill was an agency request. The original law came from a volume called the Municipal Fire Administration handbook.

Mr. Quinan cited several amendments their department initiated in order to make the law conform to todays standards.

1. On Line 2 - "The State Fire Marshal shall enforce all laws and ordinances. An ordinance is a city or county function and is not the responsibility of the State Fire Marshal. Proposes to Eliminate "and ordinances".
2. On Line 4 - The prevention of fires. The prevention of fires is a function carried on by inspectors on the municipal level to remove hazards and conditions that could cause a fire. Proposes to change it to read " fire prevention".
3. On Line 7 - The construction, maintenance and regulation of fire escapes. New buildings do not have fire escapes. Therefore, we feel that this is obsolete language. Proposes eliminate language regarding fire escapes.
4. On Line 8 - "Overseeing the safety of and directing of means for escape. Feels that this is not a state function. Proposes to eliminate the work "overseeing" and substitute "The Safety access means and adequacy of exit in case of fire.

Mr. Quinan felt that many of the responsibilities of the State Fire Marshall as indicated by the present laws belongs to the cities and counties.

Mr. Bill Farr, Fire Chief of Sparks, representing the National Fire Chiefs Association testified in favor of Mr. Quinan's comments and AB-37.

Mr. Sears, President of the Nevada Fire Chiefs Association also testified in favor of Mr. Quinan's comments and AB-37

Mr. Bill Adams, City of Las Vegas, spoke in favor of AB-37.

Mr. Jack Mitchell, representing the City of North Las Vegas was in favor of AB-37.

Later in the meeting a motion of "Do Pass" was initiated by Senator Foote, seconded by Senator Hilbrecht. Motion carried unanimously.

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SB-160 Creates office of public counsel to represent people of Nevada before public service commission. Fiscal Note No. (BDR 58-403)

Senator Bryan informed the committee on the reasons behind the drafting of this bill. It will authorize the creation of a new position called Office of Public Counsel. This law is in the state of Florida at the present. The role and function of the counsel is to protect the public interest in all proceedings before the Public Service Commission. The Public Counsel is authorized to intervene in all matters pending before the commission when he believes it is in the interest of the public to do so. Senator Bryan feels that the counsel should be separate and independent from the executive branch of the government, therefore, he could take action independent from the commission.

Wants the Public Service Commission to be converted into an adversary proceeding in the sense that the public service commission would be weighing data and information presented by the utilities who are advocating the rate increases. Then the Public Counsel would challenge that decision where they felt it was appropriate.

Discussion followed with the feeling that the Public Counsel might become too sympathetic with the Public Service Commission and therefore not be as effective in its judgements.

Mr. Mike Milner, State Commerce Division spoke in favor of SB-160. Mr. Milner did feel that it might be difficult to take an adversary position with a sister agency, but feels there is a need for the public to have representation.

Mr. Thomas McAdam, representing the Nevada Bell, was against the passage of SB-160 stating that he felt it would not be effective and in the long run cost the consumer more money. He felt that the answer to the problem was to give the Public Service Commission more support and better equip them with the staff they need.

Mr. Charles McCrea, Executive Director of Southwest Gas Association, read a letter sent to Senator Bryan regarding both SB-160 and SB-161. (See attached letter). Mr. McCrea stated that he is against SB-160

Further discussion on SB-160 was set aside at the present time.

AB-57 Removed obsolete provision relating to methods of accounting for county hospitals. Fiscal Note (BDR 40-359)

Mr. Jim Lien, Tax Commission, testified on the technical amendments on this bill, updating the language by deleting the cash method and replacing it with the accrual method.

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

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AB-59 Makes revision in list of expenditures permitted from separate bank accounts of certain school districts and county hospitals. Fiscal Note (BDR 31-354)

Mr. Jim Lien also testified on this bill. Stated that on line 21 there is a clarification by adding the words "capitol projects".

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

AB-73 Technical amendment correcting internal reference in NRS 333.300, relating to state purchasing procedures. Fiscal Note (BDR 27-68)

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

AB-74 Technical amendment correcting internal reference in NRS 497.190. Fiscal Note (BDR 44-80)

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

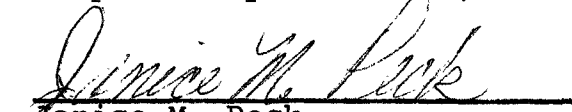
SB-97 Repeals provision which allows State of Nevada to sell land received from United States in exchange for state land. Fiscal Note (BDR 26-552)

Chairman Gibson read the following to the committee before they took action on SB-97. 323.050, All lands received from the United States in exchange for state lands [shall be subject to sale by the State according to its laws] New Language, "May be sold only by express legislative authority".

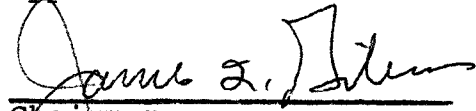
Motion of "Do Pass" with amendment as reflected above, by Senator Walker, seconded by Senator Hilbrecht. Motion carried unanimously.

As there was no further business the meeting was adjourned at 4:30 p.m.

Respectfully submitted,


Janice M. Peck
Committee Secretary

Approved:


Chairman

S E N A T E

AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS
 THURSDAY
 DATE 2-13-75 TIME... 2:30 P.M. ROOM. 345.

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel Requested*</u>
Sb-137 <i>deleted: 2-13-75</i>	Allows use of business license revenue for financing offstreet parking. Fiscal Note (BDR 21-516)	
	Notify: Senator Young, City of Reno Washoe County	
SB-160	Creates office of public counsel to represent people of Nevada before public service commission	
	Notify: Senator Bryan, Noel Clark, R.S.C. Mr. Davis, Nevada Chamber of Commerce Mr. Wally Warren	
SB-166	Provides that agreements between local government employers and employee organiza- tions may extend beyond term of office of any member or officer of local government employer. Fiscal Note (BDR 23-864)	
	Notify: Senators Raggio & Dodge Dick Morgan, N.E.A., Mr. Bob Warren, Nev. League of Cities, Bob Broadbent, County Commissioners	
AB-37	Makes certain changes in powers and duties of state fire marshal and his deputies. Fiscal Note (BDR 42-119)	
	Notify: Assemblyman Getto, State Fire Marshall	
AB-57	Removed obsolete provision relating to methods of accounting for county hospitals. Fiscal Note (BDR 40-359)	

Notify: Mr. John Crossley, Legislative Auditor

AB-59

Makes revision in list of expenditures permitted from separate bank accounts of certain school districts and county hospitals. Fiscal Note (BDR 31-354)

Notify: Mr. John Crossley, Legislative Auditor

AB-73

Technical amendment correcting internal reference in NRS 333.300, relating to state purchasing procedures. Fiscal Note (BDR 27-68)

Notify: Mr. John Crossley, Legislative Auditor

AP-74

Technical amendment correcting internal reference in NRS 497.190. Fiscal Note (BDR 44-80)

Mr. John Crossley, Legislative Auditor



SOUTHWEST GAS CORPORATION

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Charles H. McCrea, Executive Vice President / Administration

Senator Richard Bryan
Nevada State Senate
Carson City, NV 89701

Dear Senator Bryan:

Subject: SB 160 and SB 161


I have a number of problems which I would like to bring to your attention with respect to the above-captioned bills. Let's take them one by one.

SB 160

Several years ago the Public Service Commission had only one attorney. He was a deputy of the attorney general assigned to the Public Service Commission to perform the duties specified in NRS 703.210. This created something of a problem, for the jobs of advising the Commission and advising the Commission Staff are not always compatible. The Commissioners are the final decision makers with respect to utility applications, and while at times they may appear to act in a judicial capacity, in fact they must always act legislatively because the whole judicial power of the State of Nevada is vested (by Article 6, Section 1 of the Nevada Constitution) in "a Supreme Court, District Court, and Justices of the Peace" and such "Courts for municipal purposes only in incorporated cities and towns" as may be established by the legislature. Unlike a court, then, the Commission may use the counsel assigned to it under NRS 704.030 to advise it as to the legality of any actions it proposes to take.

The position of the Commission Staff does not coincide with that of the Commission. The traditional position of a Commission Staff is to present to the Commission a knowledgeable, objective and neutral view of requests made of the Commission by the utilities which the Commission regulates.

As utility regulation evolved in Nevada, it followed the footsteps established years previously by the regulatory agencies of the Federal government and the larger states, and the need became obvious for Commission Staff Counsel, to represent the Staff exclusively in presenting Staff's views to the Commission. The Nevada Commission now has Staff Counsel (Mike Soumbeniotis) for exactly this purpose.



Senator Richard Bryan
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I submit that the explicit assignment that the Commission Staff and Staff Counsel are supposed to fulfill is to represent the public interest as Staff sees it before the Public Service Commission. If the Staff is not performing this function effectively (my opinion is that Staff is performing this function effectively), the fault lies not with the law but with the administration of the law. In any event, it occurs to me that the office of public counsel which SB 160 would create would provide a 100% overlap with Commission Staff responsibilities, at no cognizable benefit to the public but at, no doubt, considerable expense. And the expense of paying the salary of the public counsel would be only the beginning. In order to perform his assigned function properly and effectively, the public counsel would require the assistance of accounting, engineering, economic, financial and rate experts; in short, all of the functions that the Staff of the Commission is supposed to (and does) provide. In a single sentence, the taxpayers are already paying for this function and I believe it would be inexcusably wasteful to duplicate it.

SB 161

I worry about all of the things that might be construed to mean "the same subject matter" within the ambit of proposed paragraph 4 of NRS 704.110. As you know, Southwest Gas has been faced with increases in its cost of gas as many as five or six times a year, and in some instances the increases have been of such staggering size that the Company would be literally wiped out if it was unable to obtain prompt pass-along increases in its rates to its customers.

Just as a single example, an increase in the cost of gas to Southwest that became effective January 1, 1974 exceeded \$5 million on an annual basis. This single cost of gas increase exceeded by 50% the total net income of the Company for the year! What would Southwest do if it already had a rate increase application pending with respect to certain of its rates? Would the "same subject matter" be involved?

Each time Southwest is notified of a proposed supplier rate increase, it files with the Public Service Commission, proposed new rate schedules spreading the increase in the cost of gas across the rates which it charges its customers. If the term "the same subject matter" is broadly defined, the Company might be limited to two pass-along increases per year (one every six months) irrespective of how much the cost of gas might increase to the Company, or how often.



Senator Richard Bryan
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In addition to the foregoing objections, there are, of course, the various constitutional requirements applicable to rate making. Generally, they evolve from the "due process" clauses of the Fifth and Fourteenth Amendments to the United States Constitution and the clause in the Fifth Amendment prohibiting the taking of private property for public use without just compensation. These provisions of the United States Constitution are generally echoed in Article 1, Section 8 of the Nevada Constitution, and are generally considered to be the origin of the requirement that a utility's rate must be "just and reasonable."

I believe that the legislature cannot abridge the "just and reasonable" requirement by any legislation, and I believe that SB 161 might attempt to do just that. There has to be a forum, open at all times, to which a public utility can go seeking relief, and I believe that the legislature would be in constitutional trouble immediately if it should attempt to circumscribe the availability of that forum, for that surely would be a denial of due process.

I am most acutely aware that your constituents are both frustrated and angry over the epidemic increases in utility rates. I think the people have been virtually incited to violence by the public relations ineptness of Nevada Power Company. In my view, though, however inept Nevada Power may be in its public relations, it has a very definite need for huge infusions of new capital, just as Southwest does. And for all the powers that the Public Service Commission has in regulating utilities (NRS 704.210 says "full power", and the courts say "full power" means just that), neither the Commission nor even the legislature has any power to compel any investor to invest any money in any public utility. The Commission must use the carrot rather than the stick in providing utilities with sufficient profits to attract capital. Otherwise, the capital simply will not be forthcoming and the utilities will be unable to "furnish reasonably adequate service and facilities" as required by NRS 704.040. The obligation of the utility under that law obviously ends where the money runs out, and I believe that the energy supplying utilities in Nevada are a lot closer to that point than the public and the legislators (and perhaps even the Commission) realize.

Call me if I can answer any questions.

Sincerely,

CHMcC:rm

North Las Vegas
Jan 31, 1975

COMPARISONS OF GENERAL FUND REVENUES

	BUDGET ESTIMATE <u>1974-75</u>	BUDGET ESTIMATE <u>1975-76</u>	OVER/ (UNDER)
AD-VALOREM TAXES (OPERATING)	\$ 797,372	\$ 850,513	\$ 53,141
FRANCHISE FEES	\$ 292,906	\$ 307,341	\$ 14,435
BUSINESS LICENSE FEES	\$ 236,472	\$ 248,295	\$ 11,823
LIQUOR LICENSE FEES	48,240	50,652	2,412
GAMING LICENSE FEES	97,817	102,708	4,891
BUILDING & OTHER PERMITS	38,250	40,163	1,913
ANIMAL LICENSE FEES	8,857	9,300	443
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SUB-TOTAL	\$ 429,636	\$ 451,118	\$ 21,482
COURT FINES	\$ 332,980	\$ 349,630	\$ 16,650
OTHER FINES & FEES	16,800	17,640	840
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SUB-TOTAL	\$ 349,780	\$ 367,270	\$ 17,490
PRIVILEGE TAX	\$ 68,800	\$ 77,000	\$ 8,200
CIGARETTE TAX	1,283,318	1,335,165	51,847
LIQUOR TAX	208,482	228,822	20,340
1/2¢ SALES TAX	1,621,845	1,731,978	110,133
STATE GAMING FEES	86,171	90,480	4,309
GASOLINE TAX	147,893	155,000	7,107
ROAD FUND FROM COUNTY	7,687	8,000	313
FEDERAL GRANTS	36,532	30,000	(6,532)
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SUB-TOTAL	\$ 3,460,728	\$ 3,656,445	\$ 195,717

Over

SALES & MISC. REVENUES	\$ 95,693	\$ 80,000	\$ (15,693)
INTEREST ON INVESTMENTS	676,460	405,000	(271,460)
	<u> </u>	<u> </u>	<u> </u>
SUB-TOTAL	\$ 772,153	\$ 485,000	\$(287,153)
	<u> </u>	<u> </u>	<u> </u>
 SUB-TOTAL-ALL RESOURCES	 \$ 6,102,575	 \$ 6,117,687	 \$ 15,112
 OPENING BALANCE	 \$ 1,497,549	 \$ 579,320	 \$(918,229)
	<u> </u>	<u> </u>	<u> </u>
GRAND TOTAL-ALL RESOURCES	\$ 7,600,124	\$ 6,697,007	\$(903,117)

MW:pw
01-27-75

EXHIBIT "A"

COMPARISONS OF GENERAL FUND EXPENDITURES

	1974-75 BASIS FORMAL AMENDED BUDGET	1974-75 BASIS AMENDED WORKING BUDGET	1975-76 PROPOSED TENTATIVE BUDGET
Mayor-Council	\$ 77,647	\$ 75,103	\$ 76,980
City Clerk	91,866	72,337	77,339
City Manager	54,251	45,583	43,981
Finance	194,752	165,079	163,383
Computer Services	106,892	88,505	101,695
City Attorney	160,681	143,559	155,358
Municipal Court	173,772	164,107	172,623
Elections	24,100	23,100	-0-
Building Maintenance	190,230	166,022	173,704
Printing & Supplies	94,407	76,093	80,846
Personnel	90,151	70,711	75,655
Revenue Refunds	12,875	7,215	12,875
Insurance-General	50,000	50,000	60,000
Contributions	49,600	49,600	49,600
ADMINISTRATIVE SUB-TOTAL	\$1,371,224	\$1,197,014	\$1,244,039
Police	\$2,502,604	\$2,465,708	\$2,578,829
Animal Control	102,975	97,475	97,805
Fire Department	1,138,231	1,128,231	1,151,510
Building Inspection	154,218	151,510	153,563
Civil Defense	12,318	11,841	11,260
PUBLIC SAFETY SUB-TOTAL	\$3,910,346	\$3,854,765	\$3,992,967
HEALTH SUB-TOTAL	\$ 20,703	\$ 20,703	\$ 20,785
Street Department	\$ 447,609	\$ 402,227	\$ 415,955
Traffic-Street Lighting	287,748	253,354	270,786
Planning	72,041	59,545	62,242
Community Planning	54,278	45,140	40,535
Industrial Development	54,374	55,743	56,977
Engineering	243,772	234,990	253,904
PUBLIC WORKS SUB-TOTAL	\$1,159,822	\$1,050,999	\$1,100,399

Parks	\$ 446,059	\$ 406,232	\$ 422,103
Recreation	184,476	191,373	183,826
Swim Pools	67,861	67,861	67,861
Library	153,731	165,892	153,081
Golf Course	67,020	65,965	58,515
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LEISURE SERVICES SUB-TOTAL	\$ 919,147	\$ 897,323	\$ 885,386
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TOTAL EXPENDITURES	\$7,381,242	\$7,020,804	\$7,243,576
CONTINGENCY FUND	176,223	-0-	-0-
ENDING FUND BALANCE	42,659	579,320	(546,569)
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GRAND TOTAL	\$7,600,124	\$7,600,124	\$6,697,007

MW:pw
01-27-75

EXHIBIT "B"

COMPARISONS OF GENERAL FUND EXPENDITURES (CONT)

	<u>BUDGET ESTIMATE 1974-75</u>	<u>PERCENT</u>	<u>BUDGET ESTIMATE 1975-76</u>	<u>PERCENT</u>
<u>RECAPITULATION BY FUNCTION</u>				
ADMINISTRATION	\$ 1,197,014	17.05%	\$ 1,244,039	17.19%
PUBLIC SAFETY	3,854,765	54.91%	3,992,967	55.12%
HEALTH	20,703	.29%	20,785	.28%
PUBLIC WORKS	1,050,999	14.97%	1,100,399	15.19%
LEISURE SERVICES	897,323	12.78%	885,386	12.22%
TOTALS	<u>\$ 7,020,804</u>	<u>100.00%</u>	<u>\$ 7,243,576</u>	<u>100.00%</u>

	<u>1974-75</u>	<u>PERCENT</u>	<u>1975-76</u>	<u>PERCENT</u>
<u>RECAPITULATION BY TYPE OF EXPENDITURE</u>				
WAGES	\$ 4,962,518	70.68%	\$ 5,179,327	71.50%
SERVICES & SUPPLIES	1,918,445	27.33%	2,004,249	27.67%
CAPITAL OUTLAY	79,841	1.14%	-0-	-0-
REIMBURSE ASSESS. DIST.	45,000	.64%	45,000	.62%
OFFSITE IMPROVEMENTS	15,000	.21%	15,000	.21%
TOTALS	<u>\$ 7,020,804</u>	<u>100.00%</u>	<u>\$ 7,243,576</u>	<u>100.00%</u>

Exhibit "C"



KEN O'CONNELL
Executive Vice President

TO: BOARD OF DIRECTORS
GREATER LAS VEGAS CHAMBER OF COMMERCE

FROM: IMPACT PRIORITY COMMITTEE

SUBJECT: Observations, Conclusions and Recommendations resulting from a Review of the URBAN ACTION COMMITTEE REPORT TO THE STEERING COMMITTEE OF CLARK COUNTY, NEVADA dated July 1, 1974, and Hearings on the Report which involved Action Committee Members, City and County Officials, and State Legislators.

OBSERVATIONS

The urbanized and urbanizing area of Las Vegas Valley is an area of common interests, common needs, common resources, and common goals, yet there has evolved a proliferation of jurisdictions which is not conducive to orderly growth.

There is a competition for revenues to carry out individual jurisdictional plans. There is a general confusion as to who is responsible for what, due to division of authority and responsibility. Regional problems have been neglected as each jurisdiction pursues its own goals.

The population of Clark County in 1970 was 273,288 of which 183,621 resided in incorporated cities and 125,787 of these resided in the City of Las Vegas. Of the 89,667 persons residing in unincorporated areas 85,513 lived in or near the Las Vegas Valley Metropolitan Area.

It is estimated that the population of Clark County is now approximately 334,000. Based upon housing unit permits issued since the 1970 census, the population of the City of Las Vegas is now approximately 138,000 and of the unincorporated area in or near the Las Vegas Valley Metropolitan Area is approximately 125,000. At the rate of population increase in the City of Las Vegas and the unincorporated metropolitan areas since 1970, the population of the city and these areas will be the same by 1977.

OVER PLEASE

GREATER LAS VEGAS CHAMBER OF COMMERCE

2301 EAST SAHARA AVENUE / TELEPHONE (702) 457-4664 / LAS VEGAS, NEVADA 89105

2.

In the light of the population figures, the concept of "annexation of unincorporated areas to the City of Las Vegas" is misleading. Actually, should the general boundaries of the incorporated areas of Las Vegas Valley be adopted as suggested by the Urban Action Committee, it is more reasonable to consider the process as the joining of two areas of similar population to form a new city. The people residing in the unincorporated areas which would become a part of this new city on the basis of the one man one vote concept would have as much representation in the new city government as would the people residing within the present boundaries of the City of Las Vegas.

It has come to the attention of the Impact Priority Committee that certain Federal aid programs including the Community Development Block Grant Program would be more beneficial to Clark County citizens if the county's largest city included the unincorporated areas in the Las Vegas Valley Metropolitan Area.

It is with the "new city" and "larger city" concepts in mind that the Impact Priority Committee has evaluated the Urban Action Committee Report of July 1, 1974, and as a result of the evaluation, the Committee presents the conclusions and recommendations which follow.

CONCLUSIONS

1. There is a need for a local governmental system in Las Vegas Valley which will minimize the diversity of political entity responsibility and maximize the ability to solve regional problems.
2. Historically, county and city governments play different roles in meeting the governmentally related service needs of the typical American social and political structure.
3. Though not always easily delineated, county government generally and historically offers regional and rural services while city government offers services identified with concentrations of people with common economic interests in identifiable geographical areas.
4. Most of the unincorporated area of Las Vegas Valley is urban in character and all of it is tied to the same basic economy; and, therefore, lends itself to the concept of city government.

3.

5. It is imperative that the boundaries of the political entities in Las Vegas Valley be so established as to disallow further proliferation of city government.
6. Further proliferation of city governments in Las Vegas Valley would be economically wasteful and create additional political competition which would not be to the best interests of the valley or the county.
7. The combining of the unincorporated areas of Las Vegas Valley with the boundaries of an existing city would be less disruptive to taxing and other fiscal arrangements than further proliferation of city governments, and would enhance the opportunities for local government to participate in Federal aid programs.
8. The Impact Priority Committee recognizes at this time the integrity of the city governments of Boulder City, Henderson, and North Las Vegas and does not suggest the boundaries of any of these be diminished. The Committee also recognizes the fundamental and essential place of County government in the scheme of the Nevada political structure, and believes that any changes in the basic structure and purpose of county government, and particularly Clark County government, is beyond the scope of the new city concept which has been considered by the Committee.
9. The Impact Priority Committee, though it is highly respectful of the report of the Urban Action Committee and its individual members, believes that many of the proposals for change should be allowed to evolve rather than be legislated at one time.
10. The Impact Priority Committee recognizes there are personal, political, sectional and factional problems which have in the past and probably will in the future work against changes in the status quo of government in Clark County, but it is the strong conviction of the Committee that the welfare of the citizens of the entire county transcends the special interests of individuals, groups, or even political entities and it is the responsibility of the Clark County legislative delegation to implement the recommendations contained here.

OVER PLEASE

- 4.
11. The most important goal of the 1975 Legislative Session relative to city government in Clark County should be the establishment of a firm governmental base for a new city in Las Vegas Valley which would include the present City of Las Vegas and the unincorporated urban areas. Many recommendations of the Urban Action Committee would be better left to consideration by the legislature in the future and after the new city is an operating governmental unit.

RECOMMENDATIONS

1. The Legislature should be persuaded to proceed with the Urban Action Committee recommendations which relate to:
- a. The boundaries of the new city.
 - b. The governmental structure of the new city.
 - c. The realignment of services by the county and the new city.
 - d. The reallocation of revenues which the new boundaries and realignment of services would make necessary.
2. More specifically the Committee recommends that:
- a. The boundaries of the new city follow generally the pattern proposed by the Urban Action Committee.
 - b. The governing body of the new city be known as the Las Vegas City Council to be elected on a non-partisan basis.
 - c. The council be composed of eight members each of whom would serve a term of four years with half to be elected every two years. Each candidate would run in the election district in which he resided in the primary election. The two candidates receiving the highest number of votes in their election district would contest each other for the district council seat in an at-large general election.
 - d. The chief executive of the city be a mayor to be elected at large on a non-partisan basis for a term of four years.

- e. The Legislature initially fix the salaries of the mayor and councilmen and subsequent changes as determined by local government.
- f. The Legislature so time the creation of the new government that it be operational for budget making preparation as soon as possible and for assuming full operational responsibility by July 1, 1976.
- g. The Legislature give direction to the services allocations between the county and the new city in order to minimize conflicts in making decisions on the local level and to minimize the problems of allocating revenues. In general the service allocations should follow the pattern of typical city and county responsibilities.
- h. The Legislature make certain that in the process of realigning revenues to the county and the new city that the other cities of the county are assured of revenues in sufficient amount to meet their current needs and with sufficient revenue structure flexibility for them to compete with revenue sources as inflationary and growth trends may demand.
- i. The Greater Las Vegas Chamber of Commerce inform the Clark County Legislative delegation of its keen interest in the recommendations contained herein and offer its services in the implementation of the recommendations.

S. B. 160**SENATE BILL NO. 160—SENATOR BRYAN**

FEBRUARY 6, 1975

Referred to Committee on Government Affairs

SUMMARY—Creates office of public counsel to represent people of Nevada before public service commission. Fiscal Note: Yes. (BDR 58-403)

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

AN ACT creating the office of public counsel to represent the interests of citizens of the State of Nevada before the public service commission of Nevada; providing for the appointment, qualifications, compensation, powers and duties of the public counsel; adding to the duties of the public service commission of Nevada; 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. Title 58 of NRS is hereby amended by adding thereto
2 a new chapter to consist of the provisions set forth as sections 2 to 9,
3 inclusive, of this act.
- 4 SEC. 2. As used in this chapter, unless the context otherwise requires,
5 "commission" means the public service commission of Nevada.
- 6 SEC. 3. 1. There is hereby established the office of public counsel for
7 the purpose of representing the citizens of the State of Nevada, as con-
8 sumers, in hearings and other proceedings concerning matters within the
9 jurisdiction of the public service commission of Nevada.
- 10 2. The office shall consist of a public counsel and such additional
11 clerical, technical and professional personnel as are considered necessary
12 by the public counsel and authorized by the legislative commission.
- 13 SEC. 4. 1. The public counsel shall be appointed by the legislative
14 commission upon a majority vote of its members. The public counsel shall
15 be an attorney licensed to practice law in the State of Nevada and shall
16 serve at the pleasure of the legislative commission. Vacancies in the office
17 shall be filled in the same manner as the original appointment.
- 18 2. The public counsel shall receive an annual salary of \$22,000, and
19 travel expenses and subsistence allowances as provided by law.
- 20 3. Moneys to carry out the function of the office of public counsel
21 shall be provided by separate legislative appropriation from the general
22 fund to the legislative fund. Expenses of carrying out the function of the
23 office shall be paid from the legislative fund, upon claims approved by the

1 public counsel, to the extent of the amount in the fund which has been
2 appropriated for the purpose.

3 SEC. 5. The public counsel, as executive head of the office of public
4 counsel, shall direct and supervise all its administrative and technical
5 activities. In addition to the duties and powers imposed upon, or granted
6 to, the public counsel elsewhere in this chapter, he may:

7 1. Represent the interests of the people of this state with respect to
8 all matters within the jurisdiction of the commission.

9 2. Recommend to the commission by petition the commencement of
10 any proceeding or action.

11 3. Appear in any proceeding or action before the commission in the
12 name of the State of Nevada or its citizens and urge therein any position
13 which he determines to be in the public interest, whether consistent or
14 inconsistent with positions previously adopted by the commission.

15 4. Utilize in any proceeding or action before the commission all
16 forms of discovery available to attorneys in civil actions, subject to pro-
17 tective orders of the commission, which orders may be reviewed by the
18 district court.

19 5. Have access to and use of all files, records and data of the com-
20 mission available to any other party in a proceeding before the com-
21 mission, and obtain professional assistance from the commission in
22 interpreting such information.

23 6. In any proceeding in which he has participated as a party, obtain
24 judicial review of any final determination, finding or order of the com-
25 mission or any hearing examiner designated by the commission in the
26 name of the State of Nevada or its citizens.

27 7. Prepare and issue reports, recommendations and proposed orders
28 to the commission, the governor or the legislature on any matter or
29 subject within the jurisdiction of the commission, and make such recom-
30 mendations as he considers appropriate for legislation relative to com-
31 mission procedures, rules, jurisdiction, personnel and functions.

32 8. Appear before federal and state agencies and courts in connection
33 with matters under the jurisdiction of the commission in the name of the
34 State of Nevada or its citizens.

35 SEC. 6. 1. The public counsel shall maintain his office in Carson City
36 on the same premises as the commission or, if suitable space cannot be
37 provided by the commission, in the legislative building.

38 2. The legislative commission may authorize the public counsel to
39 employ clerical, technical and professional personnel and retain expert
40 witnesses to aid him in hearings and other proceedings before the com-
41 mission.

42 SEC. 7. 1. The public counsel and all full-time employees of the
43 office of public counsel shall devote their entire time to the duties of their
44 positions and shall follow no other gainful employment or occupation.

45 2. Neither the public counsel nor any full-time employee of the office
46 of public counsel may become a candidate for public office or become an
47 officer or employee of a political party while holding a position in the
48 office of public counsel.

49 SEC. 8. The commission shall:

50 1. Assist the public counsel in all reasonable requests for documents

1 relating to proceedings before the commission and for professional assist-
2 ance in interpreting such documents.

3 2. Provide to the public counsel, without cost, copies of all docu-
4 ments in the files of the commission relating to proceedings before the
5 commission in which the public counsel is a party or is considering join-
6 ing as a party.

7 3. Furnish the public counsel with copies of all initial pleadings in
8 all proceedings before the commission.

9 SEC. 9. If the public counsel intervenes as a party in any proceeding
10 or action involving the commission, he shall be served with all pleadings,
11 exhibits and prepared statements filed in such proceeding or action after
12 his intervention.

13 SEC. 10. NRS 218.085 is hereby amended to read as follows:

14 218.085 1. The legislative fund is hereby created as a continuing
15 fund in the state treasury for the use of the legislature, and where spe-
16 cifically authorized by law, for the use of the legislative counsel bureau.

17 2. Support for the legislative fund shall be provided by legislative
18 appropriation from the general fund.

19 3. Expenditures from the legislative fund shall be made for:

- 20 (a) The payment of necessary operating expenses of the senate;
- 21 (b) The payment of necessary operating expenses of the assembly;
- 22 (c) The payment of necessary operating expenses of but not limited to:
 - 23 (1) The legislative commission;
 - 24 (2) The legal division;
 - 25 (3) The research and fiscal analysis division;
 - 26 (4) The audit division; and
 - 27 (5) The statute revision operation,

28 of the legislative counsel bureau [.] ; and

29 (d) *The payment of necessary operating expenses of the office of pub-*
30 *lic counsel.*

31 4. Expenditures from the legislative fund for purposes other than
32 those specified in subsection 3 of this section shall be made only upon the
33 authority of a concurrent resolution regularly adopted by the senate and
34 assembly.

35 5. All moneys in the legislative fund shall be paid out on claims
36 approved by the director of the legislative counsel bureau or his designee
37 *or, in the case of claims applicable to the office of the public counsel, on*
38 *claims approved by the public counsel, as other claims against the state*
39 *are paid.*

40 SEC. 11. NRS 218.681 is hereby amended to read as follows:

41 218.681 1. The general objectives and functions of the legislative
42 commission are to:

43 (a) Assist the legislature in retaining status coordinate with the execu-
44 tive and judicial branches of state government.

45 (b) Investigate and inquire only into subjects upon which the legisla-
46 ture may act by the enactment or amendment of statutes.

47 (c) Assure that the most effective use is made of the audit, fiscal, legal
48 and research services and facilities provided by the legislative counsel
49 bureau to the legislature and its members.

50 2. In addition to the powers and duties elsewhere conferred and

1 imposed upon the legislative commission in this chapter, in order to carry
2 out its general objectives and functions the legislative commission:

3 (a) Shall receive recommendations and suggestions for legislation or
4 investigation from:

5 (1) Members of the legislative commission and other members of
6 the legislature;

7 (2) Any board, commission, department or officer of the state gov-
8 ernment or any local government;

9 (3) Bar associations, chambers of commerce, labor unions and
10 other organized groups; and

11 (4) Individual citizens.

12 (b) May hold hearings on any subject or matter which is a proper
13 subject for legislative action whenever it considers such hearings neces-
14 sary or desirable in the performance of its duties.

15 3. *The legislative commission shall appoint the public counsel, pur-*
16 *suant to the provisions of section 4 of this act, and shall supervise the*
17 *operation of his office. The public counsel is not subject to administrative*
18 *supervision by the director of the legislative counsel bureau.*

19 SEC. 12. NRS 704.450 is hereby amended to read as follows:

20 704.450 1. Upon a complaint made against any public utility by any
21 mercantile, agricultural or manufacturing society or club, or by any
22 body politic or municipal organization, or by any person or persons, firm
23 or firms, corporation or corporations, association or associations, the
24 same being interested, *or by the public counsel*, that any of the rates,
25 tolls, charges or schedules, or any joint rate or rates are in any respect
26 unreasonable or unjustly discriminatory, or that any regulation, measure-
27 ments, practice or act whatsoever affecting or relating to the transporta-
28 tion of persons or property, or any service in connection therewith, or the
29 production, transmission or delivery or furnishing of heat, light, gas, coal
30 slurry, water or power, or any service in connection therewith or the
31 transmission thereof is, in any respect, unreasonable, insufficient or
32 unjustly discriminatory, or that any service is inadequate, the commission
33 shall, within 10 days after receipt of such complaint, provide the public
34 utility complained against *and the public counsel* with a copy of the
35 complaint. Within a reasonable time thereafter the commission shall
36 investigate such complaint.

37 2. If, as a result of such investigation, the commission shall determine
38 that probable cause exists for such complaint, it shall order a hearing
39 thereof, and such hearing shall be noticed as provided in NRS 704.465,
40 and conducted as any other hearing before the commission.

41 3. No order affecting such rates, tolls, charges, schedules, regulations,
42 measurements, practice or act complained of shall be entered without a
43 formal hearing at which *the public counsel is entitled to appear and be*
44 *heard and* both the complainant and the public utility are entitled to
45 appear by counsel or otherwise and be fully heard, unless a hearing is
46 dispensed with as provided in NRS 704.465.

47 SEC. 13. NRS 704.480 is hereby amended to read as follows:

48 704.480 1. A full and complete record shall be kept of all hearings
49 before the commission, and all testimony shall be taken down by the
50 stenographer appointed by the commission, or, under the direction of any

1 competent person appointed by the commission, reported by sound
2 recording equipment in the manner authorized for reporting testimony
3 in district courts. The testimony reported by a stenographer shall be
4 transcribed, and the transcript filed with the record in the matter. The
5 commission may, by rule or regulation, provide for the transcription or
6 safekeeping of such sound recordings. Cost of recording and transcribing
7 testimony at any hearing, except those hearings ordered pursuant to NRS
8 704.450, shall be paid by the applicant. If a complaint is made pursuant
9 to NRS 704.450 by a customer or by a body politic or municipal organi-
10 zation [.] or by the public counsel, the complainant is not liable for any
11 costs. Otherwise, if there are several applicants or parties to any hearing,
12 the commission may apportion the costs among them in its discretion.

13 2. Whenever any complaint is served upon the commission as pro-
14 vided in NRS 704.540 for the bringing of actions against the commission,
15 before the action is reached for trial, the commission shall cause a cer-
16 tified copy of all proceedings and testimony taken to be filed with the
17 clerk of the court in which the action is pending.

18 3. A copy of such proceedings and testimony shall be furnished to
19 any party, on payment of a reasonable amount therefor, to be fixed by
20 the commission, which amount shall be uniform per folio to all parties.

21 4. *The commission may not charge the public counsel for copies of*
22 *any transcripts, files or other documents in the possession of the com-*
23 *mission, when the public counsel requests such documents pursuant to his*
24 *statutory powers and duties.*

S. B. 166**SENATE BILL NO. 166—SENATORS RAGGIO AND DODGE**

FEBRUARY 10, 1975

Referred to Committee on Government Affairs

SUMMARY—Provides that agreements between local government employers and employee organizations may extend beyond term of office of any member or officer of local government employer. Fiscal Note: No. (BDR 23-864)



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

AN ACT relating to the Local Government Employee-Management Relations Act; providing that agreements between local government employers and employee organizations may extend beyond the term of office of any member or officer of the local government employer; 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 288 of NRS is hereby amended by adding
 2 thereto a new section which shall read as follows:
 3 *Agreements entered into between local government employers and*
 4 *employee organizations pursuant to this chapter may extend beyond the*
 5 *term of office of any member or officer of the local government employer.*
 6 SEC. 2. NRS 354.626 is hereby amended to read as follows:
 7 354.626 1. No governing body or member thereof, officer, office,
 8 department or agency shall, during any fiscal year, expend or contract to
 9 expend any money or incur any liability, or enter into any contract which
 10 by its terms involves the expenditure of money, in excess of the amounts
 11 appropriated for that function, other than bond repayments, short-term
 12 financing repayments, and any other long-term contract expressly author-
 13 ized by law. Any officer or employee of a local government who willfully
 14 violates NRS 354.470 to 354.626, inclusive, is guilty of a misdemeanor,
 15 and upon conviction thereof shall cease to hold his office or employment.
 16 Prosecution for any violation of this section may be conducted by the
 17 attorney general, or, in the case of incorporated cities or towns, school
 18 districts or special districts, by the district attorney.
 19 2. Without limiting the generality of the exceptions contained in sub-
 20 section 1, the provisions of this section specifically do not apply to:
 21 (a) Purchase of comprehensive general liability policies of insurance
 22 which require an audit at the end of the term thereof.

1 (b) Long-term cooperative agreements as authorized by chapter 277
2 of NRS.

3 (c) Long-term contracts in connection with planning and zoning as
4 authorized by NRS 278.010 to 278.630, inclusive.

5 (d) Long-term contracts for the purchase of utility service such as, but
6 not limited to, heat, light, sewerage, power, water and telephone service.

7 (e) ~~Contracts between a local government and an employee covering~~
8 ~~professional services to be performed within 24 months following the date~~
9 ~~of such contract [.] or contracts entered into between local government~~
10 ~~employers and employee organizations.~~

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

16 SEC. 3. Any agreement entered into between a local government
17 employer and an employee organization pursuant to chapter 288 of NRS
18 which agreement is in existence on the effective date of this act is valid
19 even though its terms extend beyond the term of office of any member or
20 officer of the local government employer.

21 SEC. 4. This act shall become effective upon passage and approval.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 37

ASSEMBLY BILL NO. 37—ASSEMBLYMEN
GETTO, JACOBSEN AND DINI

JANUARY 23, 1975

Referred to Committee on Government Affairs

SUMMARY—Makes certain changes in powers and duties of state fire marshal
and his deputies. Fiscal Note: No. (BDR 42-119)EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

AN ACT to amend NRS 477.030, relating to the powers and duties of the state fire marshal and his deputies, by removing the duty to enforce ordinances; removing powers and duties related to the construction, maintenance and regulation of fire escapes; redefining the areas of application of the state fire marshal's powers and duties for consistency with the language used in the National Fire Protection Association standards; 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 477.030 is hereby amended to read as follows:
2 477.030 1. The state fire marshal shall enforce all laws [and ordi-
3 nances,] and make rules and regulations relating to:
4 (a) [The prevention of fires.] *Fire prevention.*
5 (b) The storage and use of combustibles, flammables, fireworks and
6 explosives.
7 (c) [The construction, maintenance and regulation of fire escapes.
8 (d) Overseeing the safety of and directing the means] *The safety,*
9 *access, means* and adequacy of exit in case of fire from [factories, asy-
10 lums,] *mental and penal* institutions, [day] *child* care facilities, foster
11 homes, *adult group care facilities, intermediate care facilities,* nursing
12 homes, hospitals, [churches,] schools, [halls, theaters, amphitheaters,]
13 all buildings, except private residences, which are occupied for sleeping
14 purposes, *buildings used for public assembly,* and all other [places]
15 *buildings* where large numbers of persons work, live or congregate from
16 time to time for any purpose. *As used in this paragraph, "public assembly"*
17 *means a building or a portion of a building used for the gathering*
18 *together of 50 or more persons for purposes of deliberation, education,*

- 1 *instruction, worship, entertainment, amusement or awaiting transporta-*
2 *tion, or the gathering together of 100 or more persons in establishments*
3 *for drinking or dining.*
- 4 **[(e)]** (d) The suppression and punishment of arson and fraudulent
5 claims or practices in connection with fire losses.
- 6 2. The state fire marshal may set standards for equipment and appli-
7 ances pertaining to fire safety or to be used for fire protection purposes
8 within this state, including the threads used on fire hose couplings and
9 hydrant fittings.
- 10 3. The state fire marshal shall cooperate with the state forester fire-
11 warden in the preparation of rules and regulations relating to standards
12 for fire retardant roofing materials pursuant to paragraph (e) of subsec-
13 tion 1 of NRS 472.040.
- 14 4. The state fire marshal shall cooperate with the welfare division of
15 the department of human resources in establishing reasonable minimum
16 standards for, overseeing the safety of and directing the means and ade-
17 quacy of exit in case of fire from family foster homes and group foster
18 homes.
- 19 5. The state fire marshal and his deputies shall have such powers and
20 perform such other duties as are prescribed by law.

A. B. 57**ASSEMBLY BILL NO. 57—COMMITTEE ON TAXATION**

JANUARY 27, 1975

Referred to Committee on Government Affairs

SUMMARY—Removes obsolete provision relating to methods of accounting for county hospitals. Fiscal Note: No. (BDR 40-359)**EXPLANATION**—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to county hospitals; removing obsolete provision in NRS 450.230 relating to methods of accounting.

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

- 1 SECTION 1. NRS 450.230 is hereby amended to read as follows:
 2 450.230 **[1.]** During the first week in February in each year, the
 3 board of hospital trustees shall file with the board of county commission-
 4 ers a budget as required of all governmental agencies of this state by
 5 chapter 354 of NRS, and in the fiscal management of the affairs of the
 6 public hospital and all other institutions under the supervision, govern-
 7 ment and control of the board of hospital trustees, the board of hospital
 8 trustees shall be governed by the provisions of chapter 354 of NRS.
 9 **[2.** Nothing in subsection 1 shall be construed to prohibit the board
 10 of hospital trustees from employing either the cash or accrual method of
 11 accounting, as provided in chapter 354 of NRS, in the fiscal management
 12 of the affairs of any county public hospital.]

(REPRINTED WITH ADOPTED AMENDMENTS)
FIRST REPRINT

A. B. 59

ASSEMBLY BILL NO. 59—COMMITTEE ON TAXATION

JANUARY 27, 1975

Referred to Committee on Government Affairs

SUMMARY—Makes revision in list of expenditures permitted from separate bank accounts of certain school districts and county hospitals. Fiscal Note: No. (BDR 31-354)

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

AN ACT relating to local government finances; revising list of expenditures permitted from separate bank accounts of certain school districts and county hospitals; 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 354.603 is hereby amended to read as follows:
2 354.603 Notwithstanding any other provisions of law, in counties
3 with a population of less than 20,000, as determined by the last pre-
4 ceding national census of the Bureau of the Census of the United States
5 Department of Commerce:
6 1. The board of trustees of any county school district or the board of
7 hospital trustees of any county hospital may establish and administer
8 separate bank accounts in any bank whose deposits are insured by the
9 Federal Deposit Insurance Corporation for all moneys received by the
10 county treasurer which are by law to be administered and expended by
11 such boards. The county treasurer shall transfer such moneys to such
12 separate bank account when the following conditions are met:
13 (a) The board of trustees of the county school district or the board
14 of hospital trustees of the county hospital shall adopt a resolution
15 declaring an intention to establish and administer a separate bank
16 account in accordance with the provisions of this section.
17 (b) The board of trustees of the county school district or the board
18 of hospital trustees of the county hospital shall send a certificate to the
19 county treasurer, the county auditor, the board of county commissioners
20 and, in the case of the board of trustees of the county school district,
21 to the state department of education, attested by the secretary of such
22 board, declaring the intention of such board to establish and administer
23 a separate bank account in accordance with the provisions of this section.
24 (c) The board of trustees of the county school district or the board

1 of hospital trustees of the county hospital shall submit monthly reports,
2 listing all transactions involving the separate bank account, to the county
3 treasurer, the county auditor, the board of county commissioners, and,
4 in the case of the board of trustees of the county school district, to the
5 state department of education. Such reports shall be certified by the
6 secretary of such board. In addition, such boards shall give a full
7 account and record of all moneys in such accounts upon request of the
8 board of county commissioners.

9 2. The separate bank account of the board of trustees of the county
10 school district established under the provisions of this section shall be
11 composed of two funds:

12 (a) The county school district fund; and

13 (b) The county school district building and sites fund.

14 3. The separate bank account established by the board of county
15 hospital trustees shall be known as the county hospital fund.

16 4. No expenditures from either bank account shall be made in excess
17 of the balance of such bank account.

18 5. Such a bank account shall support all expenditures properly
19 related to the purpose of the fund, excluding direct payments of prin-
20 cipal and interest on general obligation bonds, and including, but not
21 limited to debt service, *capital projects*, capital outlay and operating
22 expenses.

23 6. The board of county commissioners, if it determines that there
24 is clear evidence of misuse or mismanagement of funds in any such
25 separate bank account, may order the closing of such account and the
26 return of such funds to the county treasury to be administered in accord-
27 ance with existing provisions of law. The board of trustees of the county
28 school district or the board of hospital trustees of the county hospital
29 shall be entitled to a hearing before the board of county commissioners.

A. B. 73

 ASSEMBLY BILL NO. 73—COMMITTEE ON
GOVERNMENT AFFAIRS

 JANUARY 28, 1975

Referred to Committee on Government Affairs

 SUMMARY—Technical amendment correcting internal reference in NRS 333.300,
relating to state purchasing procedures. Fiscal Note: No. (BDR 27-68)

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

 AN ACT to amend NRS 333.300, relating to procedures for state purchasing, by
deleting reference to NRS 333.140 and substituting NRS 333.250 to provide
the correct procedure for scheduling commodity purchases.

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

- 1 SECTION 1. NRS 333.300 is hereby amended to read as follows:
2 333.300 1. The chief shall give reasonable notice, by advertising
3 and by written notice mailed to persons, firms or corporations in a posi-
4 tion to furnish the classes of commodities involved, as shown by its rec-
5 ords, of all proposed purchases of supplies, materials and equipment to
6 be purchased in accordance with a schedule prepared in conformity with
7 the provisions of ~~[NRS 333.140.]~~ *NRS 333.250.*
8 2. All such materials, supplies and equipment, except as otherwise
9 provided in this section, when the estimated cost thereof shall exceed
10 \$500, shall be purchased by formal contract from the lowest responsible
11 bidder in conformity with NRS 334.005 to 334.009, inclusive, after due
12 notice inviting the submission of sealed proposals to the chief of the pur-
13 chasing division at his office in Carson City, Nevada, until a date and hour
14 as set forth in the proposal form, and at such date and hour the proposals
15 shall be publicly opened. The purchasing division may reject any or all
16 proposals, or may accept the proposal determined best for the interest of
17 the state. Such notice shall be published as outlined in NRS 333.310.
18 3. In case of emergencies due to acts of God or the national defense
19 or other unforeseeable circumstances, the provisions for advertisements
20 on competitive bids may be waived by the chief; but every effort should
21 be made to secure the maximum competitive bidding under the circum-
22 stances, and in no case shall contracts be awarded until every possible
23 effort has been made to secure at least three bona fide competitive bids.
-

— 2 —

- 1 In awarding contracts for the purchase of supplies, materials and equip-
- 2 ment, whenever two or more lowest bids are identical, the chief shall com-
- 3 ply with NRS 334.005 to 334.009, inclusive.
- 4 SEC. 2. This act shall become effective upon passage and approval.

②

A. B. 74

ASSEMBLY BILL NO. 74—COMMITTEE ON
GOVERNMENT AFFAIRS.

JANUARY 28, 1975

Referred to Committee on Government Affairs

SUMMARY—Technical amendment correcting internal reference in
NRS 497.190. Fiscal Note: No. (BDR 44-80)



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

AN ACT to amend NRS 497.190, relating to the powers of the board of adjustment in regard to airport zoning regulations, by deleting reference to NRS 497.120 and substituting reference to NRS 497.130 which specifies the procedure for obtaining a variance.

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

- 1 SECTION 1. NRS 497.190 is hereby amended to read as follows:
2 497.190 All airport zoning regulations adopted under this chapter
3 shall provide for a board of adjustment to have and exercise the following
4 powers:
5 1. To hear and decide appeals from any order, requirement, decision
6 or determination made by the administrative agency in the enforcement of
7 the airport zoning regulations, as provided in NRS 497.150.
8 2. To hear and decide any special exceptions to the terms of the
9 airport zoning regulations upon which such board may be required to pass
10 under such regulations.
11 3. To hear and decide specific variances under NRS [497.120.]
12 497.130.
13 SEC. 2. This act shall become effective upon passage and approval.