

MINUTES

Joint Hearing of the Senate  
and Assembly Government Affairs Committees  
February 23, 1977  
2:00 pm.

MEMBERS PRESENT: Chairman Murphy  
Mr. May  
Mr. Craddock  
Mr. Jeffrey  
Mr. Mann  
Mr. Moody  
Mr. Robinson  
Mrs. Westall  
Mr. Rhoads  
Mr. Jacobsen, who will be taking Mr. Rhoads'  
place on the committee

Senate Members Present:  
Senator Gibson  
Senator Foote  
Senator Faiss  
Senator Gojack  
Senator Hilbrecht  
Senator Schofield  
Senator Raggio

Chairman Murphy called the meeting to order at 2:09 pm and introduced the members of both committees to the audience. He explained that this hearing was not to discuss specific changes in A. B. 278 but to hear general suggestions and comments.

The guest list is attached to these minutes as the last Exhibit.

Mr. Bruce Arkell, State Planning Coordinator, explained the history of the bill and gave a general description of it. His remarks and proposed amendments are attached herewith as Exhibit 1.

The statement of James Deere of the Nevada Arts Council was read into the record. A copy of which is attached as Exhibit 2.

Dean Robert C. Weems of the College of Business at UNR spoke to the committee regarding the Nevada Employment Security Council. A copy of his testimony is attached as Exhibit 3.

Senator Hilbrecht asked Dean Weems if his only specific complaint was the limitation of terms. He was told yes.

Assemblyman Craddock asked Dean Weems if he felt the duties of the Rural Manpower Services Advisory Council could be assumed by the Nevada Employment Security Council. Dean Weems said that it was a workable change.

Mr. James Threet read a statement into the record, attached herewith as Exhibit 4.

Mr. Bill Stafford, Past President of the National Interstate Council of Cosmetologists, spoke against the portions of the bill which consolidate the Barbers Health and Sanitation Board and the Board of Cosmetology.

Mr. George Enomoto, Chairman of the State Board of Architecture, told the committee that he did not like the proposed membership of the Board. He added that there was negative language as to the duties of the public person on the board but no specific duties for that person to perform. He did not want the Board to change at all.

Mr. Jack Leman of the Colorado River Advisory Commission told the committee that S. B. 153 pertains to the same commission and that the actions toward the board should take this into consideration.

Ms. Daisy Talvitie testified in favor of A. B. 278, her remarks are attached as Exhibit 5.

Mr. Victor Isaacson, Secretary of the Nevada State Board of Dispensing Opticians, told the committee that his Board had no objections to having representation of the general public on their Board but that their present income from license renewal fees and examination fees would not be enough to cover the additional member.

Mr. M. Douglas Miller, Chairman of the Nevada Advisory Mining Board, told the committee that the Board does not want to be abolished. A copy of his statement as well as a resolution from the Board and a letter from the Washoe Chapter of the Nevada Miners and Prospectors Association are attached as Exhibit 6.

Mr. Paul Gemmill, Co-Executive Secretaries of the Nevada Mining Association told the committee that his Association was against the abolition of the Nevada Advisory Mining Board. A copy of his statement is attached herewith as Exhibit 7.

Mr. Barney Dehl of the Nevada Crime Commission appeared before the committee and said that he had numerous objections to the provisions in A. B. 278 that related to the Crime Commission, officially known as the Commission on Crimes, Delinquency and Corrections. The committee asked him if, during the preparation of Mr. Arkell's study, the members of the Crime Commission had offered suggestions and were helpful to him. Mr. Dehl's answer to this was not clear. He said that the members that he had spoken with had not even received the questionnaire. Mr. Arkell informed him that responses had been received from some of the members of the Crime Commission.

Mr. Dehl then continued by saying that the members of the Crime Commission had not had a chance to review the proposed changes. He was reminded by members of the committee that the study had been out since September.

Mr. Buck Smith read a statement for the Governor's Advisory Council on Children and Youth. A copy of that statement and a position paper is attached as Exhibit 8. He also submitted two letter from Nevada youth regarding the benefits of this Council. (Exhibit 8)

Mr. Bob Wright of Wells, Nevada, a member of the State Board of Agriculture presented the committee with some questions to be reviewed. They are attached herewith as Exhibit 9.

Mr. Louis Bergevin, member of the Nevada Cattlemen's Association, told the committee of his objections to term limitations because of the expertise that is invaluable to a commission's deliberations.

Ms. Mary Stevens read a statement by the Inter-Tribal Council of Nevada, attached as Exhibit 10.

Mr. Lowell C. Bernard, President of the Nevada State Board of Accountancy presented a statement for the record, attached as Exhibit 11.

Mr. John A. Gidney, President of the Nevada Society of Certified Public Accountants presented a statement, Exhibit 12, in to the record.

Mr. I. J. Sandorff read a statement from William E. Hancock Manager of the Public Works Board into the record, Exhibit 13.

Dr. William Edwards, Secretary of the Board of Oriental Medicine, told the committee that the Board is in essential agreement with the concept of A.B. 278 but that BDR 54-484 which has not been introduced yet, has better wording.

Ms. Jean T. Peavy, Executive Secretary, Nevada State Board of Nursing, presented the Statement attached as Exhibit 14 for the committee's consideration.

Mr. Stanley Miller, Chief Appeals Referee, presented a statement for the Employment Security Board of Review, attached as Exhibit 15.

A statement for the Nevada State Board of Landscape Architecture was submitted for the record, attached as Exhibit 16.

A statement for the Nevada Junior Livestock Show Board was submitted for the record, attached as Exhibit 17.

Exhibit 18, is a copy of the statement of Barbara Mello, a former officer and member of the Nevada State Council on the Arts. Also included is a followup letter from Mrs. Mello.

Mrs. Mimi Rodden submitted the position statement for the Nevada State Museum Board of Trustees, attached as Exhibit 19.

Mr. Gary Voss a licensed provider of child care that he did not feel any of the changes proposed regarding child care facilities were necessary.

Mr. Jack Lemen, Executive Director of the Educational Communications Commission, told the committee that he was opposed to the abolition of the ECC and submitted his reasons which are stated in Exhibit 20.

Ms. Ann Hibbs representing Nevada Nurses told the committee that the Nevada Nurses Association would like a registered nurse on the Board of Health. Attached as Exhibit 20A.

Ms. Ellen Pope representing the L.P. Nurses agreed with Ms. Hibbs suggestion of placing a nurse on the Board of Health.

Mr. Vernon E. Schied submitted Exhibit 21.

Mr. Frank Holtzhour, from the Department of Human Resources, submitted a chart, Exhibit 22, showing the effects of A. B. 278 on the Dept. of Human Resources.

Ms. Pam Wilcox submitted a statement regarding the State Conservation Commission's position on A.B.278. Attached as Exhibit 23.

Dr. James Roberts of the University of Nevada at Reno told the committee that he supported the statements of the League of Women Voters voiced earlier by Ms. Talvitie. He also submitted a letter from his wife, Anne Roberts, which is attached as Exhibit 24.

Mr. Bryce Rhoads of the Medical Examiners told the committee that he did not agree with term limitations.

Mr. George Bennett told the committee that one lay person on the State Board of Pharmacy is enough and that term limitations are not right.

Mr. Merlin Anderson, Administrator of the Nevada Commission on Postsecondary Institutional Authorization told the committee that he was not opposed to term limitations and submitted a statement attached as Exhibit 25.

Ms. Lorrdales Sebbas, Owner and Director of Prater Way College of Beauty told the committee that she was in full agreement with the sections of A. B. 278. Her statement is attached as Exhibit 26.

Mr. Tom Cooke of the Nevada State Contractors Board told the committee that he did not like term limitations and only supported one public member on the Board.

Mr. Fred Fulstone Jr. told the committee that he did not want any changes in the Sheep Commission and the Pest and Rodent Control Boards. He was informed that with the amendments proposed by Mr. Arkell these to boards would not be affected.

Ms. Carol Tickey told the committee that she was in favor of the bill. That it would improve the quality of Nevada's boards and commissions.

Mr. Fred Daniels of the Professional Engineers Registration Board told the committee that they had no qualms with the intent of A.B. 278 but that they wanted the membership of the Board to be more specific on p. 83, line 40 subsection 2.

Mr. Glen Griffith, Department of Fish and Game, said that the chairman of the Board could not attend the meeting but he will issue a written statement for the committee's consideration.

The meeting was adjourned at 5:04pm. Chairman Murphy encouraged written testimony to be submitted for the committee's consideration at a later date. The following is a list of testimony that was sent to the committee and is attached as Exhibits as noted.

Exhibit 27 - Letter from Marvin M. Sedway, Nevada State Board of Optometry

Exhibit 28 - Letter from Thomas C. Wilson, Sr., Museum Board

Exhibit 29 - Letter from Del Frost, Bureau of Alcohol and Drug Abuse

Exhibit 30 - Letter from Mrs. Mary C. Davis

Exhibit 31 - Letter from Donald J. Crosby

Exhibit 32 - Letter from W.V. Wright

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- Exhibit 33 - Testimony regarding the Barbers Health and San. Board
- Exhibit 34 - Letter from Julian C. Smith, Jr.
- Exhibit 35 - Letter from Jean S. Dunn
- Exhibit 36 - Letter from Herbert J. Rowe
- Exhibit 37 - Letter from William E. Hancock
- Exhibit 38 - Letter from Larry D. Struve, Esq.
- Exhibit 39 - Testimony from Nevada Assoc. of Realtors
- Exhibit 40 - Letter from Dan J. Quinan
- Exhibit 41 - James E. Baker memo
- Exhibit 42 - Letter from John B. McSweeney
- Exhibit 43 - Letter from John Crossley

Respectfully submitted,

*Kim Morgan*

Kim Morgan, Committee Secretary

Bruce Arkells: I was asked to conduct this study about April of last year and come up with some recommendations concerning the state agencies, boards and commissions. The study, after preliminary review of all the statutes, indicated we had a little over 200 state agency boards and commissions. The study was limited to about 150 of those. We did not look at elected boards, constitutional boards, full time salary boards, and those that dealt with small functional areas because they would require a very specific type study. One of the problems to identify initially was there is really not much consistency in why we have boards, the reasons for them are or the purposes for the boards themselves. What we tried to do and what this report and the subsequent legislation attempts to do is institute a system for state boards and commissions in state government of Nevada. The approach we took with the study was to contact all the state boards and commissions with some hard factual data questionnaires to determine what they were doing in meetings, that type of information. We also contacted all of the board members that were serving at the time. We sent out over--little over 800 letters to board members. We got back about 400 responses. The purpose of this was just to find out what they felt about the board, what problems they saw, or whatever. Based on a review of the statutes, the questionnaires, as well as what other states have done in the areas of boards and commissions, we basically identified 3 general problems with the study. The first related to the fact that we had varying qualification requirements for board members, length of terms for board members, length of terms were different, terms some were staggered, some were not staggered, we even have some boards where there are no terms--they are at the pleasure of the Governor, they are just appointed and there is no provision for changing them. We felt that if we did bring about some consistency in those areas--it would benefit both the administration in a sense of making the appointments as well as in operation of the boards, and further, the public, we felt, would have some ideas as to what the functions of the boards were. That one book you have, the brown-covered one, it's the first time there has been a state directory of all the boards put out and made available. For instance, you just couldn't find boards in the past. Now that problem--the two recommendations we had concerning that--there were four of them actually--one of them was to have the terms of public office boards fall due on specific dates of the year. We broke them into two categories. They fall due on June 30, and October 30. We staggered the terms of office which were advisory, policy making or regulatory over a three year period. The determination on a three year period was based on the average time that board members now serve. The board members presently have

served a little over five years. When that breaks down it comes out to about a six year period which works out to two three year terms. We've also recommended a limitation on the appointment of not more than two consecutive terms on the same board and part of the rationale behind that was to be sure that there was some turnover in board members. We've reduced, where possible, the number of board members to no more than nine which we found from a review of the literature indicated about the largest a board could be and still be effective. The other area that we identified as a problem, and this came more from analysis of the questionnaires that we sent out, that boards which we term as a free floating board, just was not attached to anyone, and although it may have had advisory abilities, it had no one to provide administrative support to the board, or if it was done it was done on a happenstance way, and the boards really weren't able to function well. And so we made some recommendations to attach boards to existing agencies where possible, at least for the purpose of providing administrative support, in a sense to let the boards function in the area of being advisory or policy making. The last area that we had was that--we found--the Governor is ultimately held responsible for the decisions of all the boards, under the constitution he is the supreme executive officer of the state, he's responsible for the execution of all the laws. We found that about 20 boards, a little less than that, where the Governor in fact did not have either the ability to make appointments to boards or he was restricted in who he could appoint. In addition, in some cases he didn't have the ability to appoint staff and approve budgets. What we've done in the bill is remove that where we identified it. Now that basically covered all the change recommendations that are included in the legislation. This affected probably 90 percent of the boards that we looked at. We also recommended in the study a repeal of about 43 boards. After the study was released, based on a comment we received, as well as additional information that was furnished by board members, as well as the public, the legislation, as introduced, has recommended the repeal of about 36. We developed a series of criteria to address when we should recommend repeal of a board and that was based primarily on if the responsibilities of the board could be assumed by a line agency or another existing board. The reason for this was to bring about some accountability in this system. That applied, as an example, to the barbers and cosmetologists where we've left the board essentially to handle licenses, but all their health and safety functions were being handled, as proposed by the bill, by the health division, which is ultimately responsible for all non-administrative health matters in the state. Some boards are shown as repealers but we tried to combine or consolidate boards that had overlapping responsibilities involved in the same area. As



an example, we have right now about six boards involved with children and youth in the state. We folded these into two boards. We made some recommendations on where functions would be performed with statutory authority. As an example, the Mining Safety Advisory Board, the Alfalfa Seed Advisory Board, both advise administrators--or boards that have responsibilities to allocate funds. These functions could be performed without statutory authority, in our opinion. Another reason was that the board failed to meet as required by statute or hadn't met at all. We have some boards in this category; one of them is the Renal Disease Advisory Committee which hasn't met for several years. The last area, and this was the one that led primarily to getting the report out as early as we did was, we recommended repealing boards if we couldn't identify a reason to retain the board for public health, safety and welfare reasons. This really ultimately only applied to one board in the study and that was Landscape Architects. Under their statutes, their purpose is to protect the public welfare. We were unable to identify any public welfare. We've asked for some comments; we haven't received any yet. But essentially what you see before you is a bill, although it is long and complicated, basically incorporates those first eight recommendations for the change as well as the language necessary to repeal the statutes governing those 36 boards or fold them into some others. Now, as a result of the printing of the bill, we did pick up some additional comments that pointed out some errors in the bill and I do have a series of amendments to it. But maybe before we get into that, one thing that we should look at on those repealed boards on page 12 of the yellow book--we recommend the repeal of the Advisory Mining Board. Now the reason for that recommendation, on the bottom of the page, was that we had some difficulty in determining where--presently the Mining Advisory Board is termed a free floating board, it is not attached to anyone, it basically advises the state legislature and the congressional delegation. It has extreme difficulty in obtaining administrative support. My office has provided some of that in the past. What we've suggested in the report and then again in the legislation was that the functions be transferred to the Department of Economic Advisory Council on Industry and also also some of it could be taken over by the Multiple Use Advisory Board. At that time, that was our recommendation, what's in the legislation. As a result of some hearings that are going on in the Senate Government Affairs Committee now on S.B. 153, apparently there possibly will be the creation of a Mineral Resources Division in the Department of Conservation and Natural Resources, built around the base of the old Oil and Gas Conservation Commission. It would be my suggestion that the possibility would exist to expand that board, incorporate some of the functions of the Mining Advisory Board,

and basically create a Minerals Resources Advisory Board to that division, which looks to me like it probably will come out in some form. We have some difficulty again with that board because there was no place for it to go, at the time of the study. It's also important to note at this point that in this study, I think there has only been about one function that has been repealed, and that has to do with landscape architects. All the rest of them have been transferred or moved around to some other spot in the administrative process and again, the purpose of that really falls back on the two things we think would be accomplished if this thing were passed and that is that the general public would have better access to state government and the governor and the administrative branch could be held accountable for some of the actions which presently it is difficult to determine if they are accountable for. And again this goes back to the point to implement what the constitution calls for. As I said, we do have some changes to the bill that came out after the publication of it and these fell basically into three categories. We had some technical changes; general changes which pertain to more than one board; and specific changes you make to one particular board. I think those have been provided to the committee members, but I'll go through them very briefly and at least in concept what they touch on. The general changes occurred in section 3 where we have provided a definition of "general public" which didn't exist in the bill before. And essentially that would read as "someone who has demonstrated interest in matters covered by the board or commission to which a person is to be appointed and has no pecuniary interest in the matters controlled or regulated by the board", and there would be a further modification in that section to make clear that the two term limitation is not retroactive. We're also proposing changes to Sections 372, 373, 374 and 375, concerning expiration dates of current terms and reappointment terms. Essentially, those provisions now call for the terms on the boards that expire on June 30, the appointments to start would take effect in July of 1978. The intention was to have those take effect beginning July 1, of this year. Because the appointment date was June 30, the bill drafter pushed it up to June 30 of 1978. What we're suggesting is that the first appointments take effect July 1 of 1977, and the other ones take effect in 1978 and on down that way. And in those cases--and in the third general recommendation, we have more of a suggestion, but in those cases where the authority to appoint the director has been proposed for change from a board or commission to the Governor, several persons have suggested that minimum qualifications be established for each of the provisions in the statute. This has been done in suggested amendments in the case of the Director for the Historical Society and the State Museum. These

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standards were developed in cooperation with the board and staff of those agencies and we'd be happy to work with the agencies if the Committee decides to pursue it in writing those particular qualifications for each one of those that are affected. In addition, there were several minor modifications to the bill which we had that affected.

## INDEX TO AB 278

The attached index to AB 278 has been prepared to simplify locating provisions of the bill that pertain to each board and commission.

Included is the name of each board and commission (alphabetically by subject), NRS reference, Directory reference, Report reference, and finally a listing of each section of AB 278 that pertains to each board or commission. The directory reference is to the Directory of Executive Branch Boards in Nevada Revised Statutes, Governor's Office of Planning Coordination, October, 1976. The report referred to in the index is the publication, Nevada Executive Branch Boards and Commissions - Recommendations for Change, Governor's Office of Planning Coordination, September, 1976.

I N D E X

	NRS Reference	Directory Page	Report Page	Bill Section #
Accountancy, Nevada State Board of	628.035	12	4	3, 263-264, 371, 375(1), (2)
Advance Right-of-Way Acquisition and Management Agency	409.100	64	16	147-149, 371
Agriculture, State Board	561.045	19	5	3, 236-239, 371, 375(1), (2)
Alcohol and Drug Abuse Advisory Board	458.201	47	15	371
Alfalfa Seed Advisory Board	587.135	20	13	249, 371
Apprenticeship Council, State	610.030	26	6	252, 373
Architecture, State Board of	623.050	13	4	3, 258, 371, 375(1), (2)
Arts, Nevada Council on the	233C.030	33	6	3, 25-30, 371, 375(3), (4)
Archaeological Council, Nevada	381.340	36	1	None
Athletic Commission, Nevada	467.020	23	5	3, 183, 375(1), (2)
Barbers/Health and Sanitation Board, State	643.020	1	12	3, 294-320, 371, 375(1), (2)
Bicentennial Commission, Nevada American Revolution	233E.010	69	2	None
Cancer Advisory Board	457.030	43	14	172-180, 371
Child Care Advisory Board	432A.130	37	7	3, 162-163, 375(1), (2)
Children and Youth, Governor's Advisory Council on	233D.030	36	14	371
Chiropractic Examiners, Nevada State Board of	634.020	2	3	3, 274, 375(1), (2)
Civil Defense Advisory Council	414.050	51	15	371
Colorado River Advisory Commission	538.051	57	10	3, 209-211, 371, 375(3), (4)
Communications Board, State	233F.090	32	6	31
Comprehensive Health Planning Advisory Council, State	439A.020	48	8	None
Contractors' Board, State	624.040	14	4	3, 259, 260, 371, 375(1), (2)
Conservation Commission, State	548.115	53	9	3, 233 - 235, 371, 375(3), (4)
Cosmetology, State Board of	644.030	1	12	3, 321-354, 371, 375(1), (2)
Credit Union Advisory Council	678.290	66	2	369, 372
Crimes, Delinquency and Corrections, Commission on	216.085	49	9	3, 7-11, 375(1), (2)
Dairy Commission, State	584.420	18	1	None
Data Processing Commission	242.190	75	2	None
Data Processing Advisory Board	242.210	75	16	32, 371
Dental Examiners of Nevada, Board of	631.120	2	3	3, 268-270, 375(1), (2)
Economic Development Advisory Council (Tourism)	231.050	70	10	3, 14, 375(1), (2)
Economic Development Advisory Council (Industry)	231.050	71	11	3, 13, 14, 375(1), (2)

	NRS Reference	Directory Page	Report Page	Bill Section #
Educational Communications Commission, Nevada	398.090	30	14	132, 371
Educational Television Development Council, Nevada	398.160	31	14	371
Eldorado Valley Advisory Group	321.420	58	10	3, 56, 375(3), (4)
Employee-Management Advisory Committee	288.135	68	2	372
Employment Security Council	612.305	39	7	3, 253, 254, 375(1), (2)
Energy Resources Advisory Board, State	523.010	60	10	3, 205, 206, 375(3), (4)
Engineers, State Board of Registered Professional	625.100	15	5	3, 261, 262, 375(1), (2)
Environmental Commission, State	445.451	55	10	3, 171, 374(2)
Environmental Education, Nevada Advisory Committee for	385.470	32	6	3, 127, 128, 375(3), (4)
Ethics Commission, State	281.570	76	N/A	None
Equal Rights Commission, Nevada	233.030	70	10	3, 21, 22, 375(1), (2)
Equalization, State Board of	361.375	61	1	87, 372
Examiners, State Board of	353.010	61	1	None
Federal Lands, State Multiple Use Advisory Committee on	232.151	55	15	371
Finance, State Board of	355.010	62	1	372
Fire Marshal's Advisory Board, State	477.020	50	9	3, 185-186, 375(1), (2)
Fish and Game Advisory Board, State	501.120	59	15	371
Fish and Game Commissioners, State Board of	501.167	58	10	3, 194-196, 202-204, 371
Forestry and Fire Control, State Board of	472.030	53	9	3, 184, 375(3), (4)
Funeral Directors and Embalmers, State Board of	642.020	13	4	3, 293, 375(1), (2)
Game Management Boards (17), County	501.260	59	1	197
Gaming Commission, Nevada	463.022	22	1	None
Gaming Control Board, State	463.030	21	1	None
Gaming Policy Committee	463.021	22	1	None
Girls Training Center Advisory Board, Nevada	210.410	37	14	6, 371
Grazing Boards, Central Committee of Nevada State	568.170	19	1	None
Grazing Boards, State	568.040	18	1	None
Grievance Committee (to the Board of Accountancy)	628.170	12	12	None
Ground Water Boards	534.035	56	1	207, 372
Health, State Board of	439.030	43	8	3, 166, 371, 375(3), (4)
Health Facilities Advisory Council	449.290	45	15	371
Hearing Aid Specialists, State Board of	637A.030	4	3	3, 280-282, 371, 375(1), (2)
Highways, Board of Directors of the Department of	408.105	64	1	None

	NRS Reference	Directory Page	Report Page	Bill Section #
Historical Society Board of Trustees, Nevada	382.012	35	7	3, 113-121, 375(3), (4)
Housing Commission, State	315.790	71	16	40, 371
Indian Commission, Nevada	233A.020	42	8	3, 23, 24, 375(1), (2)
Indian Education, Nevada Indian Advisory Committee for	385.540	29	12	371
Industrial Commission, Nevada	616.125	46	1	371
Industry, Agriculture and Irrigation, State Commission on	324.030	74	16	60
Instructional Planning Council, Nevada	398.150	30	14	371
Insurance, Committee on Group	287.041	66	2	372
Investment Committee (to PERB)	286.284	65	2	None
Irrigation District Bond Commission	539.637	60	16	212-232, 371
Land Use Planning Advisory Council, State	321.740	54	9	3, 57, 58, 375(3), (4)
Landscape Architecture, Board of	623A.080	14	12	371
Legislative Communications Council, Nevada	398.170	31	14	371
Liaison Committee (to State Board of Psycho- logical Examiners and Board of Medical Examiners)	641.150	7	12	371
Libraries, Nevada Council on	383.020	33	6	3, 122, 371, 375(3), (4)
Liquefied Petroleum Gas Board, Nevada	590.485	16	5	3, 251, 375(1), (2)
Livestock Show Board, Nevada Junior	563.010	72	16	242, 248, 371
Local Government Advisory Committee (to Tax Commission)	354.594	63	1	None
Local Government Employee-Management Relations Board	288.080	68	2	33, 372
Lost City Museum Advisory Commission, The	381.290	34	7	3, 111, 112, 375(3), (4)
Marlette Lake Water System Advisory Committee	331.165	57	15	82, 371
Marriage and Family Counselor Examiners, Board of	641A.090	9	4	3, 290-292, 371, 375(1), (2)
Medical Advisory Board	467.065	24	13	371
Medical Boards (NIC)	616.190	46	1	372
Medical Care Advisory Group (Health Board)	422.151	44	1	None
Medical Examiners of the State of Nevada Board of	630.050	8	4	3, 265-267, 371, 375(1), (2)
Medical Laboratory Advisory Committee	652.160	44	8	359, 373(2)
Mental Hygiene and Mental Retardation Advisory Board	433.284	48	8	3, 164, 165, 375(3), (4)
Merit Award Board	285.030	67	2	372
Mining Board, Advisory	513.010	17	12	371
Mining Safety Advisory Board	512.105	17	13	371
Mobile Home and Travel Trailer Advisory Commission, Nevada	489.160	24	13	187-193, 371

	NRS Reference	Directory Page	Report Page	Bill Section #
Museum Board of Trustees, Nevada State	381.030	34	7	3, 89-110, 371, 375(3), (4)
Nursing, State Board of	632.020	9	4	3, 271, 272, 371, 375(1), (2)
Nursing Facility Home Administrators, Nevada State Board of Examiners for Skilled	654.050	10	4	3, 360-362, 371(1), (2)
<u>Oil and Gas Conservation Commission, Nevada</u>	522.030	16	5	204, 374
Older Americans, Advisory Committee on	427A.130	41	8	3, 161, 371, 375(1), (2)
Opticians, Board of Dispensing	637.030	5	3	3, 279, 375(1), (2)
Optometry, Nevada State Board of	636.030	4	3	3, 277, 278, 371, 375(1), (2)
Oriental Medicine Advisory Committee	634A.100	3	12	371
Oriental Medicine, Board of	634A.030	3	3	3, 275, 375(1), (2)
Osteopathy, State Board of	633.020	5	3	3, 273, 375(1), (2)
Pardons Commissioners, State Board of	213.010	52	1	None
Park Advisory Commission, State	407.017	54	9	3, 143, 371, 375(3), (4)
Parole Commissioners, State Board of	213.108	52	9	None
Peace Officers Standards and Training Committee	216.135	49	15	371
Personnel Commission, Advisory (to	284.030	67	2	372
Pharmacy, State Board of	639.020	10	4	3, 286, 375(1), (2)
Physical Therapy Examiners, State Board of	640.030	6	3	3, 287, 371, 375(1), (2)
Plumbing Boards, Regional	444.360	73	16	167-170, 371
Podiatry, State Board of	635.010	6	3	3, 276, 375(1), (2)
Police and Fireman's Retirement Advisory Committee	286.190	69	2	None
Post-Secondary Institutional Authorization, Commission on	394.381	29	6	3, 130, 131, 295, 300, 313-317, 322, 329, 345-352, 375(3), (4)
<u>Predatory Animal and Rodent Committee, State</u>	567.020	21	13	None
Prison Commissioners, Board of State	Const.	51	1	None
Private Investigator's Licensing Board	648.020	15	5	3, 358, 375(1), (2)
Psychological Examiners, State Board of	641.030	7	3	3, 288, 289, 371, 375(1), (2)
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Public Health Sanitarians, Board of Registration for	653.020	11	12	371
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Public Works Board, State	341.020	63	10	3, 83, 84, 167-170, 371, 375(3), (4)
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Real Estate Advisory Commission, Nevada	645.050	25	6	3, 355-357, 371, 375(1), (2)
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Sheep Commissioners, State Board of	562.060	20	13	3, 240, 241, 371, 375(1), (2)
Shorthand Reporters Board of Nevada, Certified	656.040	11	4	3, 363, 364, 371, 375(1), (2)
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Veterans' Advisory Commission, Nevada	417.150	42	8	3, 150-153, 375(1), (2)
Veterinary Medical Examiners, Nevada State Board of	638.020	8	4	3, 283-285, 375(1), (2)
Virginia City Historic District Commission	384.040	35	7	3, 124-126, 375(3), (4)
Vocational Education, State Board for	388.330	28	1	None
Vocational-Technical Education, Nevada Advisory Council for	399.030	28	6	142, 373(2)
Water District Advisory Boards	533.300	74	2	None
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Statement of James Deere to Joint Hearing on Government Affairs. - February 23, 1977

Two years ago, the Arts Council proposed - and the Legislature voted - to reduce the Council's size from 21 -- 11 over the next 4 years: 17 members at July 1, 75; 13 members at July 1, 1977; and 11 members at July 1, 1979.

After Mr. Arkell appeared before the Council at its meeting last October to outline his plan, the Council voted to speed up the process and place the appointments on Mr. Arkell's proposed schedule, but they voted to maintain the reduction at 11 members rather than the proposed nine. The Council would be reduced to 13 members this July, as the statute now requires, and finally to 11 members next May.

In other action the Council voted to recommend the appointment of the Executive Director by the Council, rather than by the Governor.

In other respects - the three-year terms, the limit of members to two consecutive terms, and the empowering of the full council in place of the current Executive Board, the Council's plan was similar to Mr. Arkell's, and should be adopted.

There wouldn't seem to be much difference between 11 and nine arts council members. Yet when one considers the geography of the state and the many areas of the arts to be represented, it is less surprising that the council preferred to stay at eleven.

Much of the council's job is evaluating arts projects from around the state. When the council must cover all the arts, from crafts to the fine and performing arts, including ceramics, weaving, environmental design and architecture, painting, sculpting, public media, the dance, folk music, symphony and chamber music, theatre and opera, the combination of council and staff should provide sufficient expertise to give good advice and make justifiable evaluations. When the staff is still limited to two professional positions, the council needs to have broad expertise in a variety of areas. There is a better chance of this with 11 appointments rather than 9.

As to the appointment of the Executive Director, there are arguments on both sides. The Director's life might be simpler under a gubernatorial appointment, but there's no question but that the job - and the office - would be increasingly politicized if appointed by the Governor. There are many who feel that the arts should be kept free of partisan politics. That may explain why the Harris Poll of state arts agencies last year showed that only 20% of the states have their directors appointed by the governor. And in several of those states, representatives from the arts councils are involved in the selection process.

Another aspect of this goes back to the question of expertise. Quality is one of the fundamental elements that the council deals with. The council may feel that on occasion - and this does not refer to the present governor - a selection process might be turned from a concern for quality to one of political expediency.

Finally, will not the governor have so many of these professional appointments to make that the process will be delegated after all? Why not leave it with the council and its special expertise and knowledge of the field?

We have provided your committees with our recommendations for reorganization, and whether you would prefer to substitute our bill, or amend Mr. Arkell's, we would urge you to consider these two exceptions - appointment of the Director by the Council, and the reduction of the Council to 11.

Members of the Government Affairs Committee, my name is Robert C. Weems.

I am a member of the Advisory Council of the Nevada Employment Security Department. I am appearing at the request of Mr. James Henderson who is Chairman and could not be present. I am speaking on behalf of the Council itself, not the department staff or any other group.

We are not opposing the proposed legislation. We think it has some good features. We do, however, feel that the Advisory Council is a unique body and should not be included in a bill of this type. We would raise some very serious questions which we wonder have been thoroughly researched regarding our Council and its functions.

First of all, we are a federally mandated Council. Our expenses are borne by the U.S. not by State of Nevada. We deal with both federal and state government and act as liaison between the Nevada department and the U.S. Employment Security Office. Our Council is fairly typical of Councils throughout the nation and is functioning well. We feel that to force our Council into a common pattern for all committees could lessen our effectiveness.

Secondly, our Council has statutory authority to recommend legislation. You will recall that two years ago we recommended to the Legislature several changes in the law which resulted in the stabilization of the trust fund and making our system one of the best in the United States. To function effectively in a situation such as this calls for continuity of membership. Had we not had a Board of long experience, it is doubtful if we could have brought to you such a straightforward recommendation representing a concurrence of management, labor and the public. Our excellent functioning at that time and today is the direct result of membership terms averaging well in excess of the six years as proposed in AB 278. To recommend legislation on a continuing basis

requires long experience and a minimum of turnover.

Thirdly, our Board represents three segments of our economy in equal numbers -- labor, management and the public. Experience and continued association with other members is needed to learn to work together in a spirit of harmony and compromise. Needless to say we do not agree on everything. But on October 6 we passed a resolution unanimously -- I should like to read it to you at this time.

"We believe the terms for members of the ES Council should not be limited to two consecutive terms because:

1. The Council has a very complicated responsibility and it takes much more time to become acquainted with all the facts necessary to function effectively.
2. The Council is compiled of three distinct segments, i.e., those representatives of labor, management and the public, and it is essential that they work closely together; therefore, it is felt that persons serving more than two terms might become more effective communicators with one another.
3. There is an importance for continuity where the Council makes recommendations to the Department and the Legislature regarding tax policy and the Legislature meets only once in two years. This requires continuity of serving on the Council.

For good reasons, and the unique nature of our Council, we strongly recommend that the Employment Security Advisory Council be omitted from this bill.

2/23/77

On behalf of the barbers of Nevada I am speaking to oppose the part of A B 278, section 294 through 320 covering the Barbers Health and Sanitation board and laws governing the practice of barbering in Nevada. A profession that is one of the oldest in the world today, a profession that has gone through many changes, but the most noticeable changes have taken place in the past fifteen years. Most of the Nevada barbers have been able to keep pace with the rest of the nation only because of the board being small in size and understanding the problems that existed. This not only helped the barbers, but the consumers has benefited as well through rules and regulations adopted by the board and laws passed by the legislature.

In 1929 the Legislature created the Barbers Health and Sanitation Board to protect the public's health. I am sure there was a need then for this board and beleive it is more important today. The board today consists of three barber members appointed by the Governor and one member the State health officer or one member from his staff.

We beleive the very first section (294) of the proposed bill to be discriminatory to require a Barber Shop or a Beauty shop to post a sign which reads "Any person who has a complaint concerning any practice of an owner or employee of a barber shop may submit such complaint, in writing to the commissioner of consumer affairs of the department of commerce" unless all other professions are required to do the same.

In the past two months in meetings and through correspondence we have heard a great deal about accountability from the office of the planning coordinator. It is our sincere belief that the health department has the power at the present time to enforce a health regulation or a violation of the health law. They could work through the board or file a complaint with the district attorney. Any member of the board or its agents or assistants shall have authority to enter and inspect any barbershop or barber school at any time during business hours, or at any time when the practice of barbering or instruction in such practice is being carried on. The board is appointed by the Governor and may be removed for cause. To change any rule or regulation the board must comply with the legislative procedure act .

It is our belief that the present board is more effecient and practical at the present time than it would be if the duties are divided between three departments as proposed. The public would have three agencies to deal with.

We are also concerned about the proposed budget, as an example we find no provisions to cover expenses for members if it becomes necessary to hold a hearing on a violation, or per diem and travel expense for members of the commission on post secondary institutional authorization. The present board is financed by the fees paid by the barbers entering our profession or practicing in Nevada. The citizens of this state are not taxed one penny to support this board.

The barber members of our board are appointed for a three year term, one vacancy occurs each year. We are not here to protect any board member, but to try and protect and keep a system that has been working successfully for years. It is our opinion that everyone wants less government, less red tape, fewer agencies to deal with. Therefore we urge you to vote NO and defeat AB-278. Thank you

STATEMENT OF LEAGUE OF WOMEN VOTERS OF NEVADA RE: AB 278

By: Daisy J. Talvitie, President

Among the guiding principles that govern all League action is the belief that, whatever the issue, government policies, programs, and performance must meet these criteria:

1. Competent personnel with clear responsibilities
2. Co-ordination among agencies and levels of government
3. Adequate financing
4. Effective enforcement
5. Well defined channels for citizen input and review

Additionally, our principles state that the government system must be open, representative, accountable, and responsive to all citizens with protection of individual liberties.

In line with those stated principles, the League supports certain underlying recommendations that were the basis for development of AB 278, while taking no position on many of the specifics found in the bill. WE support:

1. The abolition of all boards and advisory bodies that have become inactive, failing to meet--a clear indication that they serve no useful purpose.
2. The attachment of all boards and advisory bodies to an existing agency so that lines of responsibility are clearly defined.
3. The addition of the general public to all boards with serious objections to having boards dominated by single interest representation which becomes self-serving operating solely for the benefit of the persons being regulated.
4. The elimination of requirements that the Governor appoint from lists prepared by special interest groups or organizations, feeling that this approach interferes with the citizen's ability to judge the performance of the Governor who is expected to be responsive to the entire electorate.
5. The establishment of specific terms of office for board members with the staggering of terms to assure that no board is suddenly composed of all new members.
6. The removal of administrative authority to appoint staff and approve budget from boards where it exists as these functions should be considered the ultimate responsibility of the Governor.
7. The provision of adequate staff and budget to all boards and advisory bodies to assure ability to perform the functions for which they were established. We particularly object to provisions in law which provide for membership from the general public but fail to provide financial support for attendance at meetings as has often been the case in the past.



• Since the League has not done studies on many of the programs included in A.B. 278, we confine our comments on specific portions of the bill to areas of particular League concern. These are:

(1) In numerous spots in the bill, we find language that creates an inference that some board members are to represent specific interests or groups. It is our belief, that while it may be necessary in some instances to make appointments of individuals with specific qualifications, the language in law should be such as to clearly indicative of the principle that all board members are to serve the general public.

(2) On page 16, lines 10 through 32. Here we find a conflict with the provisions on the same subject found in S.B. 153 which reorganizes administration of the programs of natural resources, conservation, and environmental protection. We object to the elimination of the "two representatives at large" on line 25.

(3) On page 17, lines 1 and 2. We find this language ambiguous and wonder if it implies special interest groups using federal lands. Since the use of federal lands impacts all citizens of our state, the seven members should be from the general public--not necessarily classified as "representative of private users of land." Private use of all federal lands is not necessarily in the public interest and in some cases, may actually conflict with the public interest.

(4) Page 17, lines 3 through 12, make provisions for payment of per diem and travel allowances for agency representatives and public officials but does not guarantee payment of the same expenses for the citizen members. Having once served on a State Advisory Committee which operated under a similar provision, I can assure you that the hardship involved will result in a very high absentee rate on the part of the citizen members, making the appointment of the citizen members meaningless or making it necessary to appoint only those citizen members that have a high income so they can afford to serve.

(5) Page 24, line 42. The League wonders why the word, "including married women", are necessary. Is there a provision elsewhere in law that creates doubt that a "married woman" is a citizen or person and is not recognized as having right to make such an application? If such is the case, it should be found and corrected to give the married woman the full rights of citizenship, full recognition of being a person.

(6) Page 51, beginning with line 31, the membership of the State Environmental Commission. This same language is found in S.B. 153, a bill which revises the administrative structure of the natural resource and environmental programs. A flaw in both bills, particularly if S.B. 153 passes (and the League does support its passage) relates to an administrative problem which we see being created if the board membership remains as listed here. Under the proposed new administrative structure, the fish and game division and the state forestry division will be placed in the same department as the division of environmental protection. The result will be that two division administrators in the department will sit on the Environmental Commission which adopts the regulations to be enforced by the administrator of environmental protection--making the environmental protection division administrator subordinate to the other administrators. The League feels that the three administrators should be on equal footing and that it would be better to resolve conflicts and establish co-ordination through the Department Director to which all three are responsible. We recommend replacing the director of fish and game on line 34 and the state forester firewarden on line 35 with appointees from the general public. We also recommend inclusion here of specific

language establishing terms for Commission members who are not agency heads with the terms staggered.

(7) Page 121, ~~lines-121~~ through 123. We find difficulty in interpreting this particular provision. One gets the impression that on certain specified dates, all boards will be composed totally of new members. We do not believe that to be the intent and have confidence that the Governor will exercise responsible judgment in making a degree of re-appointments to assure some experienced membership is retained in the process of converting over to specified, staggered terms. But we wonder if it would be possible to provide some staggered expiration dates. ~~would not~~ make the intent more clear.

The League calls to your attention S.B. 219 which also deals with boards and commissions in the executive departments and which some have labelled a sunset law. We are ~~aware~~ that it is not customary for the Assembly to pass judgment on Senate bills prior to their delivery to you after Senate passage, but since the two bills are somewhat interrelated, we suggest some co-ordination between the Senate and Assembly committees on the bills could prove helpful. In making that recommendation, however, the League wishes it to be clear that we cannot support S.B. 219 in its present form. Thank you for this opportunity to present our views.

MIKE O'CALLAGHAN  
Governor

STATE OF NEVADA



ADVISORY MINING BOARD

P.O. BOX 797  
HENDERSON, NEVADA 89015  
Telephone 565-8741

7-6  
M. DOUGLAS MILLER  
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FRED D. GIBSON, Jr.  
Secretary  
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PETER E. GALLI  
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JAMES McCARTY  
635-2680  
J. M. REYNOLDS  
573-2232  
KENT ROLLINS  
573-2335  
HOWARD WINN  
235-7741

November 8, 1976

Honorable Mike O'Callaghan  
Governor of Nevada  
State Capitol  
Carson City, Nevada 89710

Re: Arkell Study on Boards & Commissions

Dear Governor O'Callaghan:

The Advisory Mining Board met on November 6, 1976 in Reno for the express purpose of preparing recommendations to you on a State Minerals Policy. A resolution on this matter will be submitted at a later date.

At this same meeting the Board discussed the recommendation of Mr. Arkell to abolish the Advisory Mining Board. The Board has directed me to advise you of its strong objection to Mr. Arkell's recommendation.

The Board has met on ten separate occasions since May, 1974 in various locations in the State. With few exceptions all members of the Board have attended every meeting and, previous to 1975, at their own expense. Copies of the minutes of each meeting have been submitted to your office.

The Board has listened to presentations by various representatives of state and federal government agencies, private citizens and other users of federal lands. More importantly, the Board has provided a forum for the mineral industry, particularly the small miner and prospector.



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Governor Mike O'Callaghan

-2-

November 8, 1976

The Chairman has prepared comments on a large number of environmental impact statements, withdrawals of federal lands and pending federal legislation, has appeared as a witness at several hearings both in and out of state and has represented the Board during the legislative session.

In short, we believe that we have enthusiastically and responsibly performed all of the duties (and more) as outlined in the statutes, limited only by the financial support and staff available to us.

The mineral industry in Nevada is critically important. With the growing national crisis in energy and strategic mineral resources, it is imperative that those resources found in Nevada be economically located, inventoried and developed in accordance with a comprehensive minerals policy.

Formulation and implementation of an effective minerals policy will, necessarily, require a strong and informed representation of the industry at state government level. The Advisory Mining Board partially fulfills this need. Access to paid staff would greatly enhance its effectiveness which perhaps could best be accomplished by affiliating the Board at staff level with the Department of Conservation and Natural Resources.

In summary, the members of the Advisory Mining Board recommend retention of the Board as presently constituted with sufficient additional funding to provide adequate secretarial and other staffing as might be required.

The Board would be pleased to discuss this matter in further detail with you or your staff.

Kindest personal regards,

*M. Douglas Miller*  
M. Douglas Miller  
Chairman

STATE OF NEVADA  
ADVISORY MINING BOARD

Resolution

WHEREAS, the history of mining in the state of Nevada is essentially a history of the state, and

WHEREAS, mining on the Comstock was directly responsible for the inclusion of Nevada into the Union, and

WHEREAS, today 10% of the state's gross product is produced by 1% of the state's population which is involved in mining, and

WHEREAS, the United States of America is presently dependent on uncertain foreign sources for many of its energy and mineral requirements, and

WHEREAS, the mineral resources in the state of Nevada are vital to the security, defense and economic well being of our nation, and

WHEREAS, the economic development of mineral resources in the state of Nevada is becoming increasingly difficult because of the impact of federal environmental, land withdrawal and other regulations.

THEREFORE BE IT RESOLVED by the Advisory Mining Board that we urgently request the Governor and Legislature, in order to promote a viable mineral industry, that they formulate and implement a State Minerals Policy that will:

1. Promote and encourage the retention of the 1872 Mining Law, since that law is equitable to both the small miner and the large mining firms and is well understood by both domestic and foreign investors, and promote and encourage the retention of the State Mining Law in its present form.

2. Increase its participation in all decisions concerning land use for mining and energy resources within the state.

3. Oppose the withdrawal from mineral entry of any land within the state by any agency without a competent and exhaustive mineral examination.

4. Promote exploration and mining by encouraging the continuation of the traditional spirit of cooperation at the local level between the mining industry and the Department of the Interior and Agriculture.

5. Provide for easy access and liaison between state, federal, private and industrial agencies and personnel.

6. Assume more control over the institution and regulation of controls over air and water pollution, surface disturbance within the state and institute such controls as are compatible with both the public welfare and industry.

7. Encourage federal legislation which would revise the three thousand federal laws governing the Public Lands and eliminate those laws that are antiquated or obsolete.

8. Encourage the reduction of state and federal bureaucratic processes that hinder, delay or inhibit applications for leases and patents.

9. Encourage the elimination of the Interior Board of Appeals and encourage the facilitation of direct appeal to the Civil Court system on conflicts between federal land agencies and industry.

10. Encourage the restoration of those withdrawals to mineral entry which are no longer pertinent and promote the re-examination of all withdrawals at not more than ten year intervals.

11. Promote mining as a viable concept in the multiple use of Public Lands administered by the Secretary of the Interior.

12. Promote federal legislation to provide congressional oversight of Public Land operations entrusted to the Secretary of the Interior.

BE IT FURTHER RESOLVED, that the legislature establish an agency whose responsibility will be to implement the State Minerals Policy.

*M. Douglas Miller*  
*Chairman*

*1976-1977*

EXH 6



# NEVADA MINERS and PROSPECTORS ASSOCIATION

~~1985 SCARLETT AVENUE~~  
604 Lander Street

~~(702) 797-1948~~

RENO, NEVADA 89503

## WASHOE CHAPTER

1872

February 1, 1977

Hon. Mike O'Callaghan  
Governor of Nevada  
Capitol Building  
Carson City, Nv. 89701

Dear Governor O'Callaghan:

It has come to the attention of the Nevada Miners and Prospectors Association, Washoe Chapter, that the recommendation has been made to eliminate the Advisory Mining Board. It is the feeling of our organization this Board has been the only means of communication between your office and the small miners and prospectors in our State for the past several years. Therefore, we believe it would be harmful to the mining interests of the State of Nevada, present and future, if this advisory capacity to you were diminished in any way. Elimination of this channel of communication would impair the ability of your office to assist citizens of this State who are actively involved in an industry that contributed over \$43 million to the State Treasury in the past fiscal year.

It is our firm belief the second largest contributor to the State economy deserves not only a continuing active voice, but a strengthening of that voice. In this vein, the Advisory Mining Board should be emphasized more instead of less by increasing their budget from the \$1,500.00 allotted last year to approximately \$20,000.00. The increased monies would be used for travel expenses of the Board members in contacting the small miner and prospector throughout the entire State to better understand their position and problems. In addition, it would assist them in their studies of ways and means of further exploring and developing the oil and gas industry in the State, as well as other presently unknown mineral deposits. Further, a portion of the increased budget could be used to hire a secretary to assist the Board in its correspondence and record keeping.

Our organization wishes to commend you for your stand concerning the BLM Regulations and interpretation of Public Law 94-579, The Federal Land Policy and Management Act of 1976 (commonly known as the Organic Act), as defined in your recent letter to Secretary of





# NEVADA MINERS and PROSPECTORS ASSOCIATION

~~X985XSTXCTEBXAXXENLXK~~  
604 Lander Street

~~X702X7X7XK945X~~

RENO, NEVADA 89503

1872

## WASHOE CHAPTER

Hon. Mike O'Callaghan  
Governor of Nevada  
Page 2  
February 1, 1977

Interior Kleppe. In this time of crisis, with the growing Federal bureaucracy stifling the present mining system, we look to you for leadership and support in this vital industry, not only in Nevada but in the entire nation.

Respectfully,

NEVADA MINERS AND PROSPECTORS,  
WASHOE CHAPTER

E. A. Hollingsworth  
President

EAH:bar

cc: Lt. Gov. Robert Rose  
President of the Senate  
Hon. Joseph Dini  
Speaker of the Assembly  
M. Douglas Miller  
Chairman, Advisory Mining Board  
Nevada Miners and Prospectors Association

# NEVADA MINING ASSOCIATION, INC.

SUITE 602 • ONE EAST FIRST STREET

RENO, NEVADA 89505

February 23, 1977

PAUL GEMMILL  
W. H. WINN  
CO-EXECUTIVE SECRETARIES

POST OFFICE BOX 2498  
TELEPHONE 323-8575

## BOARD OF DIRECTORS

THOMAS M. CAHILL  
ORRISON M. FLATBERG  
JOHN R. HARMON  
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A. M. LAIRD  
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J. P. McCARTHY  
MARK B. NESBITT  
PAUL G. REEVE

## S T A T E M E N T

BY  
PAUL GEMMILL  
ON  
A.B. 278

I am Paul Gemmill, co-executive secretary of Nevada Mining Association, Inc., and an ex-officio member of the Governor's Advisory Mining Board.

First, I want to thank you for the opportunity afforded me to present my views which relate to the need to preserve and strengthen a Mining Advisory Board to work with Nevada government in identifying problems of the mining industry, so that Nevada will have continuing, current information needed to take an aggressive stand, as suggested in my previous testimony on S.B. 153 which recommends a mineral division under the Department of Conservation and Natural Resources.

With the present proliferation of environmental concerns which would blanket Nevada with the identical controls designed to restore Appalachia after decades of strip coal mining, Nevada miners are faced with an urgent need to have the State take a firm hand in preventing chaos. Masses of the U.S. population through media promotion would vote for making our entire State a single-purpose wilderness, whereas we know that anyone truly familiar with our State admires its mining history and realizes that fully 90% of the land area is supported by the basic industries, Mining and Agriculture.

The Governor's Advisory Mining Board, established by a Legislative Act, was quite active up until Governor Sawyer's Administration and I was a charter member of the board. It was the usual practice to meet in the Governor's office. When established, the small miner and "seed bed" activity in finding and developing future producers of precious metals was of much concern. But, the precious metal segment soon entered a very long period of depression due to market prices being held constant by Federal policy while cost of production escalated. The Board became inactive during those many years.

Now, gold and silver prices are on the rise and many anticipate parity will be reached in the foreseeable future. Many small miners have continued work on their holdings to retain title over a 30-year period and many others are interested in starting activity in old mining districts. But right at a time when the small miner sees a favorable climate for his activity, including his ability to invite well-financed exploration, he is faced with certain interference due to imposition of Federal regulations. At the very least, the regulations

will impose serious problems which must be of concern to Nevada's governing bodies.

I have tried to present to you a concise statement in support of establishing a lay board that is adequately financed for regular meetings to keep a constant flow of information to a resource agency that speaks for mining. A mining representative on a multiple use or multiple industry board will not, in my view, be able to bring together information on the anticipated problems of the miner.

Paul Gemmill  
Co-executive Secretary

12 Copies to: Mr. James I. Gibson, Chairman  
Senate Government Affairs Committee

12 Copies to: Mr. Patrick M. Murphy, Chairman  
Assembly Government Affairs Committee

12 Copies to: Mr. R. L. Reyburn, Manager  
Milchem, Inc.

12 Copies to: M. Douglas Miller, Chairman  
Governor's Advisory Mining Board

Copy to: Dr. Vernon E. Scheid, Dean Emeritus  
Mackay School of Mines

Copy to: Dr. Arthur Baker III, Dean  
Mackay School of Mines



ex 8

# GOVERNOR'S ADVISORY COUNCIL ON CHILDREN AND YOUTH

MIKE O'CALLAGHAN, GOVERNOR  
Honorary Chairman

MRS. SHIRLEE WEDOW  
Chairman

STATEMENT TO  
JOINT HEARING, COMMITTEES ON GOVERNMENT AFFAIRS  
February 23, 1977, 2 P.M., Room 131

Mr. Chairman and members of the Committees:  
*Buck Smith a member*  
My name is ~~Shirlee Wedow~~. I am ~~chairman~~ of the  
Governor's Advisory Council on Children and Youth.

When the Council read the recommendations of the special study on State Boards, Commissions, Councils and Committees, we were, of course, most unhappy that our Council was recommended for repeal. Nonetheless, we were in sympathy with the objective of the report and felt that if another board could function as well, then we would not oppose such action-- provided certain provisions were made to recompense youth in the state for the loss of their own Council.

Please note the Position Paper.

After reading A. B. 278 and finding the reference to the Youth Services Agency Board, it is our contention that this agency and Board are still primarily concerned with the "minors adjudged delinquent" as referred to on page 1, Section 16, line 33; on page 6, Section 18, lines 12 and 13; on page 6, Section 18, lines 18-23. Also in the rest of the bill-- NRS 232.420, divisions; NRS 232.470; NRS 232.500, present duties.

The added duties in Section 17 have been taken

directly from the duties of the Governor's Council on Children and Youth, 233D.070. These additions seem to be just added on to a Board's duties that already, presumably, require full time attention.

It is our hope then that the Governor's Advisory Council on Children and Youth can be retained just as it is. If so, then, we have the necessary amendments prepared.

If this committee does determine that this is the only Council in the state devoted to the concerns of all the youth in the state and as such it should be retained, we would urge you to retain it as it is and to recommend to the Ways and Means Committee that it be funded for the next biennium, either at the amount it was funded last session (\$3,000 per year) or at the amount that the Council had requested in its proposed budget, which was never heard.

I have attached a copy of the proposed budget for your information.

However, if the committees feel that 21 members are too many (we do not and will be glad to speak to that point), it could be amended to a lesser number, hopefully not nine, the magic number. We would also be most happy to see staggered three-year terms provided for and a minimum of two terms per member.

POSITION PAPER

Retention of an Advocacy Group  
for Children and Youth

The Governor's Advisory Council on Children and Youth, in reference to the recent study of overlapping and effectiveness of Nevada committees, commissions and councils (Arkell report), wishes to go on record to express our strong feeling that a Council representing children and youth is essential in Nevada and to recommend the following points be recognized in the formation or continuation of any such Council or Board:

1. There is an acute need for one overall youth coordinating Council which is representative of concerned citizens as well as various state governmental agencies, youth organizations and youth related educational, recreational and cultural groups.
2. A large amount of state funding is provided for youth diversion or delinquency programs. However, the great majority of Nevada youth does not fit into this area. Indeed 85 percent of Nevada's youth are in the non-delinquency category. The major efforts of this Council should include this often overlooked youth majority.
3. A Children and Youth Council should not be delegated to one of the various divisions of the Nevada governmental system. This would severely restrict the inter-agency cooperation. Rather, the Council should be administered by the Governor's Office.
4. Youth of Nevada should be allowed and encouraged--even mandated (as it is in the Governor's Advisory Council on Children and Youth law, 23D.010)--to provide advice and recommendations to Nevada's policy makers on issues that concern youth. Furthermore, the Nevada youth concerned agencies should actively solicit youthful input to the problems and concerns of the day. This Council should be a vehicle to actively obtain this input from Nevada's youth.
5. The success of the first Governor's Advisory Council on Children and Youth Conference

pointed up the necessity for the continuation of this opportunity to provide youth a statewide forum to express their views and needs.

6. One of the Children and Youth Council's major duties should be the coordination, communication and cooperation between all state agencies and organizations that deal with children and youth such as (but not limited to) the following:

- The Governor's Office
- Department of Education
- Department of Human Resources
- Department of Parks and Recreation
- Department of Labor
- Traffic Safety Division
- Department of Motor Vehicles
- Department of Economic Security
- Department of Employment Security
- Drug and Alcohol Abuse Division
- University System
- Child Care Services
- P. T. A.
- Boy Scouts
- Girl Scouts
- Campfire Girls
- Mental Health Association
- Drug Abuse Programs
- Child Care Associations
- Child Abuse Associations
- Mental Retardation Association

1-4-77

GOVERNOR'S ADVISORY COUNCIL ON CHILDREN AND YOUTH

TENTATIVE PROPOSED BUDGET 1977-1979

		<u>1977-78</u>	<u>1978-79</u>
<u>COUNCIL MEETINGS</u>			
21 Council Members			
a. <u>Reno Meeting Cost Projection</u>			
7 from Las Vegas @ \$90 per day	\$ 630.00	\$ 630.00	
2 from Elko/Ely @ \$75 per day	150.00	150.00	
4 from Northwest @ \$35 per day	140.00	140.00	
b. <u>Las Vegas Meeting Cost Projection</u>			
10 from Reno and Northwest @ \$90 per day	900.00	900.00	
2 from Elko/Ely @ \$125 per day	<u>250.00</u>	<u>250.00</u>	
		<u>\$2070.00</u>	<u>\$2277.00*</u>
<u>OPERATING EXPENSES</u>			
A. Postage	\$ 400.00	\$ 400.00	\$ 440.00
B. Telephone	350.00	350.00	385.00
C. Conferences and Publications (1975 Youth Information Directory)	2500.00	2500.00	2500.00
D. Professional Services	<u>1500.00</u>	<u>1500.00</u>	<u>1500.00</u>
TOTALS		<u>\$4750.00</u>	<u>\$4825.00</u>
ANNUAL TOTALS		<u>\$6820.00</u>	<u>\$7102.00</u>
BIENNIAL TOTAL			<u>\$13,922.00</u>

\* Represents a 10 percent increase in travel costs for second year of biennium.

8-17-76  
maj





# GOVERNOR'S ADVISORY COUNCIL ON CHILDREN AND YOUTH

MIKE O'CALLAGHAN, GOVERNOR  
*Honorary Chairman*

MRS. SHIRLEE WEDOW  
*Chairman*

## Suggested Amendments to Assembly Bill 278:

1. Delete NRS 233D.010 to 233D.070 on page 120, Section 371, line 39.
2. Delete Section 17 on page 5 and 6 from line 35, page 5, through line 8, page 6.
3. Delete "and 17" on page 6, line 11.

2-16-77  
maj

and any other program administered by the rehabilitation division which he considers appropriate to incorporate into the consolidated state plan prior to submission to the Rehabilitation Services Administration of the United States Department of Health, Education, and Welfare. This subsection shall not be applicable if any federal regulation exists which prohibits a consolidated plan.

(Added to NRS by 1973, 1387; A 1975, 68)

**232.380 Rehabilitation division: Employment of staff.** The administrator of the rehabilitation division of the department may employ, within the limits of legislative appropriations and pursuant to the provisions of chapter 284 of NRS, such staff as is necessary to the performance of his duties.

(Added to NRS by 1973, 1387)

**232.390 Rehabilitation division: Appointment of bureau chiefs; unclassified or classified service; salaries; duties; employment of staff.**

1. The administrator of the rehabilitation division of the department shall appoint, with the consent of the director, a head of each bureau in the division, to be known as the chief of his respective bureau.

2. The chief of each such bureau shall:

(a) Be in the unclassified service of the state pursuant to the provisions of chapter 284 of NRS unless federal law or regulation requires otherwise, in which case the chief shall be in the classified service of the state pursuant to the provisions of such chapter.

(b) Receive an annual salary in an amount determined pursuant to the provisions of chapter 284 of NRS.

(c) Administer the provisions of law relating to his bureau, subject to the administrative supervision of the administrator.

(d) Be directly responsible to the administrator of the rehabilitation division of the department.

3. Subject to the approval of the administrator of the rehabilitation division of the department, the chief of each bureau may employ, within the limits of legislative appropriations and pursuant to the provisions of chapter 284 of NRS, such staff as is necessary to the performance of his duties.

(Added to NRS by 1973, 1388; A 1975, 59)

**232.400 Youth services agency: Purposes; duties.** The purpose of the youth services agency created by NRS 232.400 to 232.500, inclusive, is to provide services for youth who are ~~in need of residential care or in need of treatment or both.~~ In accomplishing this purpose, the agency shall work closely with other governmental agencies and with public and private agencies providing the same or a similar service. The agency, through the department of human resources, shall be the sole state agency for the establishment of standards for the receipt of federal funds in the field of

(1975)

6925

~~Juvenile development and delinquency prevention programs. The agency shall develop standards for implementation of programs aimed toward the prevention of delinquent acts of children and programs for the treatment of those brought to its attention. It shall assist in the development of programs for the pre-delinquent children whose behavior tends to lead them into contact with law enforcement agencies.~~

(Added to NRS by 1973, 1406, 1614)

**232.410 Youth services agency: Definitions.** As used in NRS 232.400 to 232.500, inclusive, unless the context requires otherwise:

1. "Administrator" means the administrator of the youth services agency.

2. "Agency" means the youth services agency in the department of human resources.

3. "Board" means the youth services agency advisory board.

(Added to NRS by 1973, 1406, 1614)

**232.420 Youth services agency: Creation; divisions.**

1. The youth services agency is hereby created within the department of human resources.

2. The agency shall consist of an administrator and the following divisions:

(a) Nevada youth training center division.

(b) Nevada girls training center division.

(c) Northern Nevada children's home division.

(d) Southern Nevada children's home division.

(e) Community services division.

(Added to NRS by 1973, 1406, 1614)

**232.430 Youth services agency: Appointment, qualifications of administrator.** The administrator shall be appointed on the basis of his education, training, experience, demonstrated abilities and his interest in youth services and related programs.

(Added to NRS by 1973, 1614)

**232.440 Youth services agency: Powers, duties of administrator.** The administrator shall:

1. Appoint, with the approval of the director, a chief of each of the divisions in the agency. The chief of the Nevada youth training center division shall be known as the superintendent of the Nevada youth training center, the chief of the Nevada girls training center division shall be known as the superintendent of the Nevada girls training center, the chief of the northern Nevada children's home division shall be known as the superintendent of the northern Nevada children's home, the chief of the southern Nevada children's home division shall be known as the superintendent of the southern Nevada children's home and the chief of the community services division shall be known as the chief of the community services division.

**232.480 Youth services agency: Advisory board.**

1. There is hereby created the youth services agency advisory board, which shall be composed of seven members appointed by and responsible to the governor and serving at the pleasure of the governor.

2. Members of the board shall be selected with special reference to their ability, interest and fitness to effectuate the purposes of NRS 232.400 to 232.500, inclusive.

3. No more than three members of the board shall be residents of the same county.

4. The administrator shall serve as executive secretary to the board. (Added to NRS by 1973, 1615)

**232.490 Youth services agency: Meetings, rules, quorum, expenses of advisory board.**

1. The members of the board shall meet at such times and such places as they shall deem necessary, but a meeting of the board shall be held at quarterly intervals.

2. The board shall prescribe rules and regulations for its own management and government, and it shall have only such powers and duties as may be authorized by law.

3. Four members of the board shall constitute a quorum, and such quorum may exercise all the power and authority conferred on the board.

4. While engaged in official business of the agency, the members of the board shall receive the per diem expense allowance and travel expenses provided by law.

(Added to NRS by 1973, 1616)

**232.500 Youth services agency: Powers and duties of advisory board.**  
The board shall be an advisory body to the administrator and as such shall have the following advisory powers and duties:

~~1. To be informed on and interested in the entire field of legislation and administration concerning the care and delivery of services to, whether or not so adjudicated, delinquent youth and youth in need of services.~~

2. To advise the administrator concerning the organization and administration of the agency or any of its divisions. The administrator shall report to the board upon all matters concerning the administration of his office and he shall request the advice and counsel of the board on matters concerning the policy thereof, but the administrator shall be responsible for the conduct and policies of the agency and its administrative functions, unless otherwise provided by law.

3. To report to the governor and the legislature on all matters which it may deem pertinent to the agency and concerning any specific matters previously requested by the governor.

4. To advise and make recommendations to the governor or legislature relative to the policy of the state concerning youth.

5. To advise the administrator with respect to the preparation and amendment of any rules or regulations to give effect to the provisions of chapters 210 and 423 of NRS and NRS 232.400 to 232.500, inclusive.

6. To exercise any other advisory powers necessary or reasonably implied within the provisions and purposes of chapters 210 and 423 of NRS and NRS 232.400 to 232.500, inclusive.

7. To keep minutes of the transactions of each board meeting, regular or special, which shall be public records and filed with the department.

8. To adopt and maintain a program of public information as to the ~~operation and needs of the divisions within the agency.~~

(Added to NRS by 1973, 1616)

The next page is 7029

February 22<sup>nd</sup> 1975  
 Esteemed Committee Members:

Last year honor was bestowed upon me to be a representative voice in the 1976 Governor's Bicentennial Conference for Youth in Tonopah, Nevada.

During my two-day stay I became exposed to different "community awareness" throughout the state and that there were different needs and wants among different regional areas that held their own list of "priority" positions.

The assembly, confusing at first (as must have been the First Continental Congress) being the first of this nature; I called the gathering a "student legislature".

Seemingly each wished to represent his group specifically — at first — but with the "Field of interest board" (made specifically for this reason) one could categorize his communities delima(s) into one or more interest fields.

I met many people — discussed many politics and interests and was impressed immensely by the effective

organization of this unique program.  
I came home enlightened and enthusiastic.

This year it has come to my attention that funding for the organization of another similar conference is under scrutiny with the possibility of being nullified from budget expenditure.

On behalf of not only myself but the many individuals to whom I expounded my personal experiences, and the accomplishments and goals of the conference, we wish that funding would be considered for many annual conferences to secure and pacify the intense student motivation to fulfill the quest of the first conference.... peers with a supportive interest and knowledgeable channels of guidance would be (as funding) the traffic-light to a program of this magnitude.

These words are from the heart in hope that the unified voice of youth in America - Nevada -

more →

page 3.

may continue to effectively work  
with peers (in a conference motif)  
to encompass and determine  
necessities in education, human  
wellfare, and the primarily  
important outlook on life in  
an everchanging society.

Sincerely,

Dave Ferris

Senior

Edward C. Reed High School.



February 22, 1977

Committee Members:

As a member of the 1976 Governors Conference for Youth, it is my opinion that the students in Nevada need a chance to help themselves, and without the assistance of such knowledgeable people as Shirlee Wedow, Dr. Jake Huber and Dr. Evelyn Dearmin it is hard for youth of Nevada to join their problems and solutions together.

Though the cost may be large the benefits received from such a conference is always greater. With the backing and help of Governor Mike O'Callaghan, Lt. Governor Robert Rose and Congressman James Santini, I am sure that the increase in youth involvement in the solving of their problems will only get greater, until someday when we will be able to help ourselves, but until that time we need your help.

Sincerely,  
Edward Paul Geiger  
Senior Sparks High School

Ex 9

A.B. 278 -- Questions -- Bob Wright, Wells, Nevada  
*speaking as member of State Board  
of Agriculture*

1. Page 28 - line 9 thru 11 - word may has been inserted instead of shall. Does not the intent change ?
- ✓ 2. What efforts have you (Arkell) made to contact the various Boards and Commissions to seek their advice and input into this legislation ?
3. Many of the proposed Boards have a provision for general public members on the Board, Why ? (The general public members cannot participate in preparing, conducting or grading any examinations if exams are required for licensing. Appointments would be a political thank you.)
4. Page 87 -- lines 17 thru 22 -- provides that persons having an obligation or interest in a hospital or health services cannot serve as a general public member on the Board. Why was no similar qualifications placed on general public members for other boards?
- ✓ 5. Why do you (Arkell) feel that the Dep't of Ag. Executive Directors appointment would be better being made solely by the Governor rather than by the Board of Ag. with the consent of the Governor as now provided? (Page 76 -- line 17) (Position would than become a political thank you position rather than based on ability. Jack Hunters' appointment to the Tax Commission is a beautiful example.)
6. The Board of Nevada State Museum (Pages 30, 31, 32, 33,34, and 35) is reduced to an advisory capacity role rather than having the authority to manage and control officers and the State Museum? Does this meet with the approval of persons interested in the Museum?
7. The Board of Federal Public Lands is being abolished and merged with the State Land Use Planning Council.(Pages 16--line 35; Page 17 -- lines 21 thru 29.) This would create a 24 member

Board. Would this council then become so unwieldy that it would have to form sub-committees to properly consider the areas assigned to it?

8. Page 49-line 50- The mental hygiene and mental retardation advisory board is a nine member Board. Why do you (Arkell) feel that five members of that Board should be representatives of the general public?

✓ 9. What is the dollar savings if A.B.278 is passed?

10. Many years of legislative work and study is being changed by this bill that doesn't seem to have the proper input into it. Is the legislative branch of government being told what to do by the executive branch? A few hearings over the next couple of months isn't going to do anything but provide opposition to the bill. Therefore, it should be referred to an interim committee to report in 1979 or else plain kill the bill.

Call upon the Assembly for the state 463-3670

Ex 10

## INTER-TRIBAL COUNCIL OF NEVADA

PHONE (702) 786-3128

98 COLONY ROAD • RENO, NEVADA 89502

To : Members of the Joint Committee on Government

Good Afternoon. My name is Mary Stevens and I am speaking for Nevada Indian Education Advocates, an association of persons interested in issues affecting the education of Indian children in Nevada. Members, who are made up of representatives of Indian education committees and interested State Department of Education, University and school district personnel, meet monthly to discuss or study specific issues. In addition, a newsletter summarizing meetings and bringing attention to other matters are mailed monthly to the attached listing.

Nevada Indian Education Advocates was formed out of the frustration of tribal leaders who have watched the inability of the State Department of Education to develop a strong advisory committee and attract a competent Indian education consultant. NIEA members feel that the only way to resolve educational problems is by strong and constant communication with the parent committees and the development of educational resources at every tribal level.

The result of some of these efforts can be seen as you visit each school district. The numbers of Indian students in Nevada schools has increased; the numbers of dropouts has decreased to below that of the national average; and college enrollment has increased from 6 students in 1960 to over 320 enrolled in post secondary institutions this year.

There is more that can be done and to ensure continuity we feel there must be incorporation and cooperation with the State Department. At a recent meeting of NIEA, the membership present reviewed AB 278 and SB 219 and would like to recommend the following:

1. That the Nevada Indian Education Advocates be recognized as the official advisory board for Indian education to the Nevada State Department of Education until July 1, 1979.
2. That the legislation regarding the Indian education consultant be revised to read:

Section 126 NRS 385.465 is hereby amended to read as follows:

1. The superintendent of public instruction shall appoint a special resource officer on Indian education. The appointment shall be approved by the State Board of Education upon consultation with the Indian education committees.
2. The resource officer on Indian education shall be an Indian who has demonstrated knowledge of the Nevada education structure; demonstrated experience working with Indian education committees and tribal development; and demonstrated knowledge and experience in working with the special needs of Indian children attending public schools.

3. The resource officer on Indian education shall work within the state department of education, with Nevada Indian Education Advocates, and with the Indian tribes in establishing programs, curricula, and textbooks designed to meet the special educational needs of Indians in this state.
4. The resource officer on Indian education has primary responsibility within the state department of education for the approval of the granting of federal funds authorized under the state to local school districts for meeting the special educational needs of Indians; to coordinate activities of the Fleischmann Indian Scholarship Committee; and to serve as the liason in the resolution of any problems that may arise between tribal entities and school districts.
5. The amount of \$36,000. per fiscal year shall be appropriated from the State General Fund for the purpose thereof.

Note: Section 4 as written in pending bill is obsolete. The State Department of Education has not had new Johnson O'Malley funds since FY 76.

## NEED

Early in 1973, growing awareness on the part of Indian leadership that education plays a vital role in the economic development efforts of each reservation led representatives of tribal education committees to come together to discuss their concerns. While the groups had sporadically been involved with Title I or JOM projects with a few of the Nevada School districts, there was no concentrated effort to methodically develop educational leadership of programs within Indian Country. The impending legislation of "Title IV" only emphasized the need for tribes to develop awareness of the variety of educational programs available and to develop planning skills as well as the communication methods to impart their requests to their proper resources.

Representatives of education committees identified the following as critical precluding efficient educational programming and development:

1. A breakdown in communication channels from national levels through state to local (tribal) government.
2. A small scattered population in a geographically large state.
3. No unified advocacy for Indian Education.
4. No central place for interested resource people to come to meet with tribal representatives.

5. No knowledge by tribal people about educational projects being run by other tribal groups, either locally or nationally.

It was determined that a statewide association of persons interested in Indian education could serve as a coordinating body as well as advocacy group for its members. It was hoped that the sharing of information and technical expertise would reduce the isolation of projects, widen the impact of specialization from one area to another, provide more efficient expenditures at local levels, and foster comprehensive planning particularly in response to federal funding cycles. The hiring of an executive secretary would provide a full time person to perform informational services as well as to follow resource developments. At this time the group was approached by individuals who advocated this group be created within the state government structure in order to provide bureaucratic status and power to the organization. Some members were reluctant to follow this path in light of the previous failure of non-Indians to act as advocates in Indian Education. However, in the spirit of cooperation, the second path was followed.

The legislation bill was passed but the State Legislature was not requested to apply state funds to this project on the basis that federal funds were available. An advisory board that did not include broad representation of all tribal education committees, was appointed by the governor to

meet quarterly. The State Department of Education set the standards for the Indian liaison at an academic level that precluded the hiring of any Native Nevadan. While the intent of creating change was sincere, these factors combined with the fact that the State Department staff did not have the expertise to reach the grass roots of the Indian community proved the experiment to be a disaster. At the end of the year distrust of the State Department was even greater. State Department personnel were even more exasperated and frustrated by these attempts to reach the Indian Community. It also served to illustrate that effective leadership development can only be successful as an internally directed activity. It is time to return control of programming for Indian children to Indian tribes.

Much valuable time, therefore, has been lost. Tribes are becoming heavily involved in seeking educational programs and the passage of the Self-Determination Act makes the administering of JOM funds a tribal reality. Because education committees still have the same concerns as they had three years ago and wish to repair any damaged relationships with educational personnel as well as re-establish the impetus of a network of education committees throughout the State, representatives of education committees met December 6, 1975, to reconfirm their commitment to the original association. It was also decided at that time to seek funding to achieve the following goals for the association in order to provide better education services to Nevada's twenty-three (23) tribes and five thousand (5,000) plus student body.



## OBJECTIVES

1. To create a unified and cohesive body of Indian Education Advocates throughout Nevada.
2. To establish a clearing-house of education resource materials.
3. To foster exchange of ideas about education concepts and programs happening at both national and local levels.
4. To act as a technical assistance bureau to individual tribes and association members.
5. To educate other organizations to the needs, resources, concerns, and contributions of Indian Education Committees throughout Nevada.
6. To serve as a review committee for proposals or for groups hiring and firing professional staff for Indian education programs.
7. To sponsor training sessions for tribal education committees in the areas of P. L. 93-638, educational systems management, budgeting and planning, etc.

PROGRAM

Leadership development is a lengthy process. It has been determined that to achieve the previously stated goals, a formal association must first be established. Automatic membership will be extended to each tribal education committee in Nevada. In addition tribal education personnel and other advocates for improved Indian education will be solicited to lend their support.

This group will meet monthly at different reservation locations to exchange information about their individual projects; act as technical advisors to each other in problem areas, and to study resources or existing legislation such as:

- |                           |   |
|---------------------------|---|
| 1. Title Programs of ESEA | 6. Indian Advocacy Groups                       |
| 2. Johnson-O'Malley (JOM) | 7. Curriculum Projects                          |
| 3. Private Foundations    | 8. Tutoring Programs                            |
| 4. State Legislature      | 9. Exemplary-Extra Curricular Programs          |
| 5. Federal Legislation    | 10. Other Topics to be determined by membership |

Resource persons from these groups will be invited to address the association. Conversely, other groups or agencies wishing to know more about the concern of Indian parents and professionals regarding education will be invited to attend these meetings to create and enlarge communication channels. In

this manner, the association will be able to function as an advisory body and coordinate education services as well as evaluate resources through a group perspective. \*

In order to facilitate an even, steady flow of educational information, the association will sponsor monthly mailings to it's membership. This will include legislative updates, articles of general interest about education projects throughout the world, and reports on Nevada projects. It will also be part of the Association program to release articles about individual tribal projects and Nevada Indians involved in education to publications such as the State Spotlight on Education, the NEA Journal and the Native Nevadan.

\* \* \* \* \*

\* By holding these information seminars in different locations, a wider perspective of the total State education situation can be developed.



Ex 11

## NEVADA STATE BOARD OF ACCOUNTANCY

ARLINGTON-RIDGE BLDG. • 290 SO. ARLINGTON AVE. • PHONE 786-0231  
RENO, NEVADA 89501

### MEMBERS

LOWELL C. BERNARD, CPA, PRESIDENT  
MARIO J. ISOLA, PA, SEC. - TREAS.  
C. WILLIAM GEYER, CPA  
DANIEL GOLDFARB, CPA  
ALBERT G. DATTGE, PA

### COMMITTEE ON GOVERNMENT AFFAIRS - ASSEMBLY BILL NO. 278

The Nevada State Board of Accountancy licenses and regulates, as of January 1, 1977, 573 Certified Public Accountants, and 63 Public Accountants. The membership of the Nevada Society of Certified Public Accountants consists of 447 of those CPAs and the membership of the Nevada Society of Public Accountants consists of 60 of those PAS.

Each year for the past two years the Board has examined an average of 300 applicants in two exams in each year and has passed an average of 15% of those applicants. Each year the Board receives 20 applications for reciprocity licensing of out-of-State CPAs, 100 applications for temporary permits to practice by out-of-State CPAs and processes an average of 15 grievances.

1. Board members consisting of three (3) CPAs and two (2) PAs under current statute cannot properly or adequately handle Board workload. The Board needs seven (7) members, educated in accounting and qualified to administer the technical aspects and functions of the Board, including:
  - a. qualifications for candidates to sit for the CPA examination.
  - b. standards and evaluation of the CPA examination and minimum requirements.
  - c. evaluation of technical experience in auditing, attest functions and accounting and auditing standards and principles to qualify applicant for licensing.

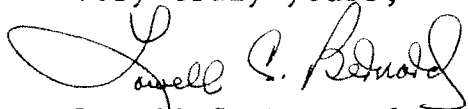
- d. after licensing, annual continuing education is required for license to practice, and Board must set standards and review compliance with 40 hours of continuing education each year for each licensed accountant.
  - e. evaluation and licensing of applicants for reciprocity by CPAs from other States, which requires review of the standards under which applicant obtained foreign CPA certificate to determine if the out-of-State requirements were substantially equivalent to Nevada.
  - f. developing and adopting Rules and Regulations for the interpretation and administration of NRS Chapter 628 and regulation of the professional and technical standards under which licensed accountants practice.
  - g. appointing and supervising the Grievance Committee, which is charged, pursuant to NRS Chapter 628, with duty to investigate and recommend to the Board action regarding violations by licensed CPAs and PAs of Chapter 628 and the Board's Rules and Regulations, the Rules of Professional Conduct for the profession, and all accounting and auditing standards.
  - h. investigation and prosecution of unlicensed persons engaging in unlawful accounting and audit activities which adversely affect the public.
  - i. investigation, regulation and administration of out-of-State CPAs temporarily engaged in the practice of accounting in the State of Nevada.
2. Assembly Bill 278, Section 264, page 84, provides for a seven (7) member Board, however, two (2) members are specified as being representatives of the general public. Section 264 fails to set standards or qualifications for the general public members of the Board. As such, they would not be able to properly understand the technical functions of the Board, and, therefore, would not meaningfully contribute to the Board's function as listed above in Paragraph 1.
  3. Assembly Bill 278, Section 371, page 121, repeals NRS 628.055, which provides for Board members holding office for 3 years per term with a maximum of 2 terms. The existing provision under NRS Chapter 628 is the same as proposed by Assembly Bill 278, Section 3, page 1. Thus, AB278 offers nothing new as applied to the Nevada State Board of Accountancy as to the term of office of its members.

4. Assembly Bill 278, Section 371, page 121, repeals NRS 628.075. NRS 628.075 provides the procedure for appointment of new or vacant members to the Board, in that the Nevada Society of CPAs or the Nevada Society of PAs recommend 3 licensees (either CPAs or PAs, depending on the vacancy) and the Governor must choose one individual from the recommended list of three. Repeal of this nomination procedure casts the appointment of new Board members into the Governor's hands without the benefit of vital suggested appointees who possess the important expert, technical and mature qualifications to perform their Board functions as required under law.
5. Assembly Bill 278, Section 375, pages 122-123, provides that all existing Board members terms expire on October 30, 1977, and that approximately one-third of the members shall be appointed for terms expiring October 30, 1978, October 30, 1979, and October 30, 1980.

Since 1960, the Board has been constituted of members serving staggered three-year terms, a maximum of two terms. The apparent import of AB 278, Section 375, is to establish such a policy for other Boards and Commissions not currently so constituted. If this amendment is passed, Board members currently engaged in a heavy work load, with continuity carried over from one Board to the next, will all be lost, and complex, sensitive and technical issues will be compounded and may result in unnecessary delays and confusion. As the Board's existing law, NRS 628.055, accomplishes the intent of Section 375, this provision should not apply to NRS Chapter 628, in order to avoid disruption, possible delays and confusion on the Board.

Accordingly, it is respectfully submitted that AB278 be amended to delete the current provisions applying to NRS Chapter 628, and that in lieu thereof, provisions be enacted to amend NRS Chapter 628, to provide for a 7 member Board of Accountancy consisting of 5 CPAs and 2PAs, with a PA being replaced on April 1, 1978 and all PAs being replaced on the Board by CPAs whenever the total number of practicing public accountants registered is 10 or less, or whenever there are no Public Accountants eligible or willing to serve as members on the Board, as contained in Senate Bill 126.

Very truly yours,



Lowell C. Bernard  
President, Nevada State  
Board of Accountancy

Ex 12

NEVADA SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS

Mailing Address:

OFFICE OF EXECUTIVE SECRETARY  
290 SOUTH ARLINGTON AVENUE • RENO, NEVADA 89501  
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EXECUTIVE SECRETARY:  
Marguerite M. Callahan

February 23, 1977

The Committee on Government Affairs  
Nevada State Assembly  
Carson City, Nevada

Re: 1977 Legislature  
A. B. 278

Dear Sirs:

The Nevada State Board of Accountancy sets standards and requirements for issuing certificates as certified public accountants and regulates the professional practice of those licensed by that Board.

There is no support to the Nevada State Board of Accountancy by the general fund of the State of Nevada. Not only is there no monetary support of the Board, but no free rent is given, not even is there any free legal work done by the Attorney General's office for the Board. All support of the Board's operations comes from the fees paid by the licensees, the CPA's and PA's who practice public accounting.

The present NRS 628.055 provides for staggered terms for the Board members. This allows for continuity of the actions of the Board and is a good thing.

A.B. 278 section 3, para. 1, page 1 would eliminate this. So would A.B. 278 section 375 para. 1. (w), page 120. We recommend both of those items be eliminated from A.B. 278.

The Nevada State Board of Accountancy is a working board and is over-burdened in terms of the number of members of the Board. A.B. 278 sections 263 and 264 would help to solve this somewhat by adding two members to the Board.

However, those sections do not call for the additional members of the Board to have demonstrated any knowledge or technical competency with which to perform their duties as board members.

The Board of Directors of the Nevada Society of Certified Public Accountants, through its Committee on Legislation, has proposed an answer to the need for increasing the number of members of the Nevada State Board of Accountancy.

Our proposal is embodied in Senate Bill 126 and was delivered on January 24, 1977 to the Senate Committee on Commerce and Labor. It would provide for an additional two members (to bring the total to seven) of the Nevada State Board of Accountancy and it would provide that those additional members should demonstrate their qualifications by being certified public accountants engaged in active practice as a certified public accountant.

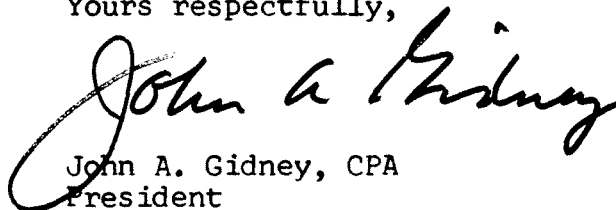
We recommend the elimination of A.B. 278 section sections 263 and 264, pages 84 and 85.

The present NRS 628.075 provides that our society, the Nevada Society of Certified Public Accountants should give to the governor three recommendations to fill a CPA vacancy on the Board. It further provides that the governor shall make his appointment from one of those three. This provides a modicum of independence to the members of the Board and has, on at least one occasion, served a very useful purpose of showing to the public the independence of the Board.

A.B. 278, section 371, page 120 and 121 would delete NRS sections 628.055 and 628.075 which provide for the above. We recommend that A.B. 278, section 371, page 120 and 121 should have deleted from them the reference to NRS sections 628.055 and 628.075.

In conclusion, we recommend to you the deletion of the specific sections mentioned above of the A. B. 278 which relate to NRS Chapter 628 and the passage of the Senate Bill 126 which will provide the desired results.

Yours respectfully,



John A. Gidney, CPA  
President  
Nevada Society of Certified  
Public Accountants



ex 13



# STATE OF NEVADA PUBLIC WORKS BOARD

WILLIAM E. HANCOCK, A.I.A.  
SECRETARY AND  
MANAGER

Kinhead Building, Room 400  
Capitol Complex  
CARSON CITY, NEVADA 89710  
(702) 885-4870

Assemblyman Patrick M. Murphy, Chairman  
Assembly Government Affairs Committee  
Nevada State Legislature  
Legislative Building  
Carson City, Nevada 89710

February 11, 1977

IN REPLY REFER TO SUBJECT

RE

1977 Legislation  
Assembly Bill 278

Dear Mr. Murphy:


Assembly Bill 278 would make certain changes in the State Public Works Board. These proposals were carefully reviewed by the State Public Works Board in their November 5th meeting and the Board, by motion, made the following recommendations:

1. Oppose the Report recommendation requiring the Manager to be appointed by the Governor rather than by the Board. It was the opinion of the Board that as long as it remains an Executive Board, it should retain the authority to hire and fire the Manager.
2. Oppose the Report recommendation that members be appointed for three-year terms with a limit of two consecutive terms and recommend that the membership be appointed for four-year terms with no limitation on the number of consecutive terms except as may be desired by the Governor in making appointments to the Board.
3. The Board supports the Report recommendation of assigning the functions of the Regional Plumbing Boards to the State Public Works Board and has no objection to the June 30th termination date for memberships.

In making these recommendations, it was the position of the Board that a "Board" concept is preferable to a "departmental" concept as far as public works design and construction programs are concerned. It is felt that the Board concept affords the State a greater amount of protection from problems involving the award and implementation of contracts involving large sums of money.

The Board will, of course, want to testify on this bill when the hearings are scheduled.

Very truly yours,

  
William E. Hancock, AIA  
Manager

WEH:km  
cc: All State Public Works Board Members

# STATE BOARD OF NURSING

1201 Terminal Way, Rm. 203, Reno, Nevada 89502



## STATEMENT ON A.B. 278

I am Jean T. Peavy, Executive Secretary, Nevada State Board of Nursing.

*NRS 632*

*Licenses RN's & LPN's  
Approves schools preparing RN's & LPN's*

The Board of Nursing will not contest the majority of

amendments to Title 18 of NRS or to NRS 632. It already has a consumer member and a limit of two consecutive terms.

A three year time is short, as it seems to take most board members at least two years to learn their boardsmanship.

The change which most concerns the Board of Nursing is the expiration of the terms of all Board members at one time. There is no assurance that any would be reappointed. I do not think that this is the best way to serve the public - that is decisions being made by perhaps seven persons who are newly appointed and do not know the law or laws under which they must function.

Presentation for Employment Security Board of Review by Stanley Miller,  
Employment Security Chief Appeals Referee  
784-4785

Chairmen and Committee Members: As Chief Appeals Referee, I act in some matters for the Employment Security Board of Review, and I have been authorized by the Board to appear today, since the Board had scheduled very heavy public meeting days at this time. The Board members share the opinion of the Employment Security Council that the Board of Review should be exempt from the provisions of AB 278, in the same manner and perhaps for the same reasons that the Nevada Industrial Commission and the Parole Board have been exempt.

I should like to emphasize that the Board of Review is not an advisory or policy board. The Nevada Supreme Court recognized in Barnum vs. Williams, No. 5163, that the Board is "the highest administrative appeal body." As such, particularly in this time of dissent, the Board is very much a working board. It disposes of roughly 100 cases monthly. Members must master highly complex state and federal programs so that they can manage this workload in keeping with administrative and court precedent. To handle this remedial legislation expeditiously requires hours of daily work, reading transcripts to prepare for day-long public meetings in Las Vegas and Reno, so that parties may appear and present argument based on referees' evidentiary hearings. Decisions must then be written. The required knowledge, obtained through study and research, is not rapidly or easily acquired. In addition, the Board has overall responsibility for appointing and overseeing seven referees, plus a clerical staff of about ten. The members remain on call at their offices and homes when they are not in session.

It is noted that Governors have often not only held over their own appointees but have reappointed the appointees of their predecessors. This, I believe, shows recognition of the waste and impairment to the program which results from turnover of board members who have obtained the background which is so crucial to the continuity of the program and to the disposition of a very burdensome and growing workload. It is in keeping with the historical justification for the creation of such quasi-judicial bodies, that they acquire bodies of specialized, close-to-the-public knowledge which courts tend to lack.

On behalf of the Employment Security Board of Review and myself, I thank you for this opportunity to appear before you.

Joe McClain  
Joe McClain,  
Chairman

Edmond McGoldrick  
Edmond McGoldrick,  
Labor Member

Tom Panos  
Thomas Panos,  
Business Member



**NEVADA  
STATE  
BOARD  
OF  
LANDSCAPE  
ARCHITECTURE**

<sup>EX 16</sup>  
CHARLES S. SALADINO II  
PRESIDENT, RENO

RONALD E. BLAKEMORE  
SECRETARY, CARSON CITY

MARJORIE B. IVARY  
MEMBER, HENDERSON

1395 HASKELL STREET, SUITE C, RENO, NEVADA 89502, (702) 786-2581

February 22, 1977

Re: AB 278, Fifty-Ninth Session of Nevada Legislature, Government Affairs  
Committees of the Senate and Assembly

Dear Legislator:

The Nevada State Board of Landscape Architecture is in opposition to the recommendation of the State Planning Coordinator for abolition of the Board of Landscape Architecture, NRS 623A.010 to 623A.370.

This Board was formed during the last session and has operated in an efficient and productive manner since that time and we feel that sufficient time has not elapsed to make a valued judgment of this Board.

The State Planning Coordinator recommended the legislation creating the Board be repealed because, "the link with public health, safety or welfare has not been sufficiently established to warrant statutory authority". To counteract this statement, we would like to provide the following information to show the professional Landscape Architect's role in the protection of the public health, safety and welfare and the magnitude of this professional need throughout the State of Nevada. The legislative declaration noted in NRS 623A.010:

**623A.010 Legislative declaration.** The practice of landscape architecture affects the public welfare and is charged with the public interest and therefore subject to protection and regulation by the state.  
(Added to NRS by 1975, 1464)

brings the area of public welfare and public interest directly within the practice of landscape architecture. Probably the strongest public interests are those that directly affect health and safety, which the landscape architect deals with on a daily basis, while working to find solutions for a citizen's use of the land.

"The concept of the public welfare is broad and inclusive. The values it represents are spiritual as well as physical, aesthetic as well as healthy, spacious as well as clean, well-balanced as well as carefully patrolled" ...Supreme Court of the U.S. (Justice Douglas in *Berman vs. Parker* 348 U.S. 26, 1954)

**623A.060 "Practice of landscape architecture" defined.** The "practice of landscape architecture" consists of holding out to the public, and rendering, services for consultation, investigation, reconnaissance, research, design, preparation of drawings and specifications and supervision where the dominant purpose of the services is for the:

1. Preservation, enhancement or determination of proper land uses, natural land features, ground cover and planting, naturalistic and esthetic values, natural drainage, and the settings and approaches to buildings, structures, facilities and other improvements; and

2. Consideration and determination of inherent problems of the land relating to erosion, wear and tear, lighting characteristics, and design of landscape irrigation, lighting and grading.

"Practice of landscape architecture" includes the location and arrangement of such tangible objects and features as are incidental and necessary to this dominant purpose, but does not include the design of structures or facilities with separate and self-contained purposes for habitation or industry, whose design is normally included in the practice of architecture or professional engineering.

(Added to NRS by 1975, 1465)

This definition within the state statute brings into account associated professions dealing with the land and recognition of landscape architecture's broad base in the natural and applied sciences.

Landscape architecture has been a recognized profession for a hundred years. It is a professional course in some 37 of the nation's major universities. To demonstrate the public interest in the competent practice of landscape architecture, we believe it important to briefly tell you what landscape architects do.

Our name itself has helped obscure our function. Most people think of our work as being advice as to where to plant the petunias. The knowledge of plants, their cultural requirements and their placement are but some of the tools for our basic function. There are those who suggest we call ourselves "architects of the landscape" and others urge "land architects".

The major function in the practice of landscape architecture is the use of land and the concern of landscape architecture is with the design and adaptation of man's environment to his appropriate use. We are thus immediately separated from our related disciplines of the civil engineer and the architect. The landscape architect's function is to design the land use, to control the surface. The architect designs the buildings and the civil engineer plans the sub-surface and structural strength.

There are many definitions of our scope, but perhaps the United States government states it as clearly as any in its Civil Service Qualification Standards:

#### "DESCRIPTION OF WORK

Landscape architects perform professional work in physical land planning and design. Based on analysis of land characteristics, operational requirements, land-use densities, and commensurate land values, they produce both overall plans and project designs for integrated land development.

The work may include: investigation, selection, and allocation of land and water areas for appropriate uses; feasibility studies; formulation of graphic and written criteria to govern land planning and construction programs; preparation, review, and analysis of master plans for land use and development; production of graphic area plans; preparation of working drawings such as site plans, grading and drainage plans, planting plans and construction details

specifications; cost estimates; and reports for land development; collaboration in the design of roads, bridges, and structures with respect to the functional and esthetic requirements of the areas on which they are to be placed; negotiation and arrangement for execution of land area projects; field supervision or inspection of land area construction, restoration, and maintenance.

These services are typically performed for national parks and parkways, national forests, highways, recreational and resort areas, airports, multiuse reservoirs, public buildings and institutions, land subdivisions, housing developments, communities, national cemeteries, military installation, and their component areas and facilities."

(Excerpts from the Landscape Architecture Series, GS-807)

All Federal government work done by landscape architects falls within these standards. The U.S. Department of Labor also provides its definition of a landscape architect:

"LANDSCAPE ARCHITECTURE (profess. & Kin.) 019.C81. community planner: land planner; site planner. Plans and designs development of land areas for such projects as parks and other recreational facilities, airports, highways, parkways, hospitals, schools, land subdivisions and commercial, industrial and residential sites. Confers with clients, engineering personnel, and Architects on overall program. Compiles and analyzes data on such site conditions as geographic location; soil, vegetation, and rock features, drainage; and location of structures. Prepares site plans, working drawings, specifications and cost estimates for land development showing ground contours, vegetation, location of structures, and such facilities as roads, walks, parking areas, fences, walls, and utilities, coordinating arrangement of existing and proposed land features and structures. Inspects construction work in progress to insure compliance with landscape specifications to approve quality of materials and work and to advise client and construction personnel of landscape features. May be designated according to project as HIGHWAY-LANDSCAPE ARCHITECT, PARK-LANDSCAPE ARCHITECT"

(Dictionary of Occupational Titles, p. 411, U.S. Department of Labor)

These federal standards for Landscape Architects are noted because Nevada is 87% under federal agency jurisdiction. The magnitude of the problem here is to provide multiple use characteristics and still maintain water conservation, natural resource development and conservation, review energy use land demand and provide recreational space for the public. The Landscape Architect is an essential member of this resource review team.

Our surrounding states of Oregon, California, Arizona, Utah and Idaho maintain professional registration statues for Landscape Architects. Within the 35 states with registration laws, representing over 85% of the total population in the United States, all are based on the protection of the public health, safety and welfare.

In the interest of public health, safety, and welfare, it has been necessary for government...municipal, state and federal...to have adequate assurance that some types of work are not done by untrained or incompetent persons. Untrained persons cannot be permitted to design large buildings, which could fall and endanger lives and property; therefore architects must be registered before they can design. Incompetent persons cannot be permitted to design and construct bridges, which might collapse and endanger lives and property; therefore, civil engineers must be licensed or registered to practice their profession.

The public is just as intimately involved with the consequences of the incompetent practice of some landscape architects. For example, untrained persons must be prevented from designing land areas which are not drained properly, for poor design could result in sanitary and health dangers to an entire community. An incompetent person could impair the usefulness of an entire area...not to mention his client's investment...by not anticipating and preventing erosion of land, controlling excess surface water run off and guarding against pollution of water. Also, the untrained person may not be aware of the need for collaboration with other disciplines (such as engineering and architecture) in solving the total problem.

Registration and regulation of landscape architecture does promote the public health, safety and welfare in the following ways (and must continue to do so):

A. HEALTH

1. Skillful arrangement of structures and open spaces...together with the proper sloping and modeling of the earth surfaces...results in adequate and healthful provisions for proper drainage, erosion control, light, air and space in general.
2. Proper arrangement of planting can provide measurable insulation from ...and control from...and control of...noise, heat, and dust.
3. Trees and other plants...absorbing carbon dioxide and other pollutants, and at the same time giving off oxygen...tend to filter and purify the air around them, an extremely desirable factor in our congested metropolitan areas.
4. Mental as well as physical health must be kept in mind. Properly designed and oriented parks and playgrounds provide respite and sanctuary from the tensions and frustrations of modern city existence... in passive as well as active recreation. The out-of-doors should be refreshing to the mind in contrast to the indoor work-a-day life.

B. SAFETY

1. Landscape Architects are trained in the proper design and arrangement of use areas which handle both pedestrian and vehicular traffic; safety in playground design and the design of areas involving the shift of pedestrian to motor traffic, or combinations and conflicts of both. The design of such areas involves elements such as steps,

walks, ramps, pools, fences, play areas and equipment, parking, service areas, points of vehicular and pedestrian access, relation of land to water areas. Because these are all points of latent accident and injury, they must be planned knowledgeably.

2. In highways, Landscape Architects can provide shielding from oncoming headlight glare by means of planting; the provision of adequate rest areas for tired drivers; the selection of structurally sound tree species in areas frequented by pedestrians and vehicles, avoiding trees which..though fast growing...are of weak and brittle wood, which drop limbs, and which, because of shallow root systems, are susceptible to blowing over in high winds.
3. The proper selection of plant species...avoiding the use of plants with poisonous or injurious parts...can prevent serious injury, even death of people.

#### C. PUBLIC WELFARE

1. By registration laws, the public is protected against the fraudulent operations of those who claim to be landscape architects, and who charge for, but are unable to perform, the services involved in the proper practice of the profession.
2. By skillful design, tree and vegetative cover tends to be conserved, soil areas stabilized and properly drained, and damaging erosion checked and controlled, thereby conserving the land and promoting economy.
3. In the rapidly diminishing inventory of open land still available in metropolitan areas, adequate planning becomes of increasing importance and urgency in order to meet optimum human requirements of utility and beauty in the land remaining. In arranging these areas with dexterity, care and imagination, the Landscape Architect creates a more relaxing, refreshing, and rewarding environment...a valuable antidote for the daily hustle and bustle of modern life.

As stated in Paterson vs. University of the State of New York, 14 N.Y.2d 432

"The testimony at the trial established that the regulation of and practice of landscape architecture was clearly related to the public health and welfare and, as such, constituted a substantial basis for the declared public policy."

The highest court of New York in upholding New York's practice act for landscape architects said:

"The practice of landscape architecture is recognized as the practice of a profession in this state...and elsewhere...as a profession embracing a field of highly technical and specialized knowledge and activities 'between the professions of architecture and engineering.' Such a determination 'is in line with the necessity for recognizing in the law, as in our universities, new professions which have been called into being to take care of modern requirements of our expanding civilization'...."



It must be kept in mind that, for its proper practice, the discipline of Landscape Architecture demands specialized skills and training. Thirty-seven accredited colleges and universities throughout the country offer degrees at the undergraduate or graduate level in Landscape Architecture, generally demanding a minimum of four years of specialized training in Landscape Architecture. Included in the curriculum are required courses in geography, art, architecture, humanities and sciences, civil engineering, horticulture, city and regional planning and design.

As in many professions, however, theoretical training is not sufficient to make the professional man. Thus, most of the 35 states which regulate Landscape Architects require a period of actual work experience...analogous to an internship or residency in the medical profession...before permitting the licensing of a Landscape Architect.

It should be further emphasized that substantial amounts of public monies presently are being expended pursuant to plans and proposals of engineers, architects, and landscape architects. In Nevada, large amounts of public funds are more and more being used in accordance with plans developed by Landscape Architects in the following areas:

1. Park and recreation open space and development programs.
2. State highway planting and rest area design programs.
3. State programs for the development of beaches and parks.
4. All state public buildings.
5. Educational institutions, including the university and community college program.
6. Primary and secondary schools of the State Department of Education.

The State of Nevada has recognized the nature of the Landscape Architectural profession in protecting the public health, safety and welfare because it employs professional Landscape Architects at state, county, and municipal levels of government.

A similar situation exists in connection with private developments. Thus, there are shopping centers, subdivisions, and various industrial and commercial developments in which substantial monies are involved, following plans developed by Landscape Architects, or their involvement as a member of the design team.

The American public, including Nevadans, is greatly concerned about two vital issues:

The first is consumer protection. Through the work of such controversial and widely-publicized figures as Ralph Nadar...and perhaps the more important and more effective of ad hoc committees and organizations to protect the consumer...the American public, including Nevada citizens, has made known its feelings: they resent being cheated by services that aren't what they are

purported to be. They are equally resentful of incompetents who falsely present themselves as qualified to practice professions that have neither the education nor the experience to practice.

The second vital issue is our environment. Suddenly America, including Nevada, has awakened...gasping for breath, thirsting for pure water, mired in man-made erosion. Realizing that a continued rape of our air, our water, our land can result in nothing but mass genocide, the public is crying out...in no uncertain words...for the purification and preservation of our natural environment.

To implement the conservation of our environment, the State of Nevada needs the expertise of all trained professionals who have been educated to apply their specialized knowledge to the skillful development of land, water, and air for the public health, safety and welfare.

It is vital that when the state, a municipality, or any segment of the Nevada public retains the services of a Landscape Architect, that there be assurance that this person is a professional Landscape Architect...that he can meet the rigid requirements of education, experience, training, testing, and professional competence. There must be consumer protection, and there must be environmental protection..for the state, for municipalities, for the general public. Legislation to protect the public without the available professionals to implement this legislation would not be in the best interest of the citizens of Nevada.

It is for the above reasons that we hereby request that NRS 623A remain in effect and not be repealed pursuant to AB 278.

Sincerely,



CHARLES S. SALADINO II, ASLA \*

President

NEVADA STATE BOARD OF LANDSCAPE ARCHITECTURE

CSS/al

\* (ASLA) The American Society of Landscape Architects, a national organization of professional landscape architects founded in 1899 for the advancement of education and skill in the professional practice of landscape architecture as an instrument of service in the public welfare.

x 17

# NEVADA JUNIOR LIVESTOCK SHOW BOARD

UNIVERSITY OF NEVADA - COLLEGE OF AGRICULTURE  
RENO, NEVADA 89507

December 3, 1976

Honorable Mike O'Callaghan  
Governor  
State of Nevada  
Capitol Building  
Carson City, Nevada 89701

Dear Governor O'Callaghan:

This letter is being written with regard to the Nevada Junior Livestock Show board and State appropriation (NRS 563).

In the recent study made by the Planning Coordinator, recommendation was made that the function of the Nevada Junior Livestock Show Board be transferred to Agriculture Extension here at the University. It was felt by the Board that this warranted an explanation to you and that a letter be written explaining the whole concept of the duties of the Nevada Junior Livestock Show Board.

As you know, the Nevada Junior Livestock Show Board is appointed by the Governor from representatives of the various segments of the industry and the University of Nevada. The original intent of the Law was to conduct the Nevada Junior Livestock Show and Sale for market animals only. Since that time, the Board has expanded its responsibilities to include breeding projects, horse programs, judging events and other educational functions pertaining to animal agriculture.

As a State Board, it should be listed as educational in nature. The State appropriation is the only money ear-marked for all youth in Nevada to support educational activities conducted by the Board. Without funding, such activities cannot be conducted.

The Nevada Junior Livestock Show Board has the following responsibilities which involve 4-H, FFA and other youth in the State of Nevada:

- Nevada Junior Livestock Show and Sale
- State Horse Show events
- State Fair (Dairy, beef, swine & sheep breeding)
- Educational trips-awards for livestock, horse and meats judging teams

The Nevada Junior Livestock Show has increased around 300% in the last 20 years in the number of exhibitors participating, and also in sales proceeds. In recent years, the Board has accepted

Honorable Mike O'Callaghan  
Page Two

December 3, 1976

the need and request from the other areas of youth education. They have been gaining responsibility for the growing need for expanded youth programs and, at the same time, have been capable of assuming these responsibilities.

The Nevada Junior Livestock Show Board supports and develops guidelines for the State Horse Program, which is the fastest growing project in the State. Breeding projects, including Dairy, have been included in the program through the Nevada State Fair. Financial support for educational trips and other educational activities has been assumed by the Board, after support from other sources were no longer available.

The University and the Nevada Junior Livestock Show Board have a dual responsibility in the education of youth as related to animal agriculture. Under the present Law, with State supporting money, the program has been quite effective and successful. The characteristics of the Board enhance its operation versus any other structure that may be offered.

The Nevada Junior Livestock Show Board is in a position to accept gifts and collect money from sales and events. It has established a revolving fund to take care of bad debts, or losses of animals, or spoiled meat, and, at times, it has borrowed money for earlier sale payments. The Board is in a position to set and enforce policies and rules according to the trend of commercial agriculture.

The development of livestock facilities at the Washoe County Fairgrounds has been a continuing project by the Board. Wash racks and portable equipment have been built and paid for from Board money. This equipment is used for all livestock events, but maintained by the Board.

For these reasons, it is felt that the Nevada Junior Livestock Show Board is the most efficient means of managing the outlined agricultural youth activities in Nevada. Members of the Board would be glad to discuss this with you personally should you feel that it merits consideration.

Thank you for your consideration.

Sincerely,

Dr. Earl Drake, President

W. C. Behrens, Secretary-Treasurer

Frederick Dressler, Board Member

February 23, 1977

As a former officer and member of the Nevada State Council on the Arts I am appearing today with suggestions for reorganization of the council as outlined in AB 278.

Since its creation in 1967, the Nevada State Council on the Arts has been allotting federal funds to non-profit groups and organizations throughout Nevada in an effort to provide arts education, entertainment, and employment to Nevadans statewide.

Nevada State Council on the Arts is one of the few boards and commissions considered in this bill whose primary purpose is to allocate funds for projects.

Because of the growth of arts programs in the state, the increasing demands placed on the small staff by the federal government, and the necessity of all members of the council to be actively involved in the granting of funds and the monitoring of their use, I request that AB 278 be amended as follows to insure a board of manageable size, all of whose members will actively participate:

Amend Section 375, subsection 3.

Terms of office for all present members of the Nevada state council on the arts will expire July 1, 1977.

Amend Section 27.

NRS 233C.030. The Nevada state council on the arts, consisting of five (5) members appointed by the governor, is hereby created.

Amend Section 29.

NRS 233C.030. 1. Meetings of the council shall be held annually or at the discretion of the chairman or executive director.

Amend NRS 233C.030 to include provision for removal of a member for unexcused absences from meetings of the council or unexcused non-performance of his duties as a member of the council.

\_\_\_\_\_  
Barbara J. Mello

2590 Oppio Street  
Sparks, NV 89431  
February 25, 1977

Assemblyman Patrick Murphy  
Chairman, Government Affairs  
Legislative Building  
Carson City, NV 89710

Dear Pat:

Enclosed is another copy of the statement I had prepared for the public hearing on AB 278 last Wednesday.

Although speaking primarily for myself, I have consulted with present and former members of the Arts Council, people who have been active in the program since the council was formed some 10 years ago. As you are aware, the council has been one of the Governor's more controversial boards, at least as far as the press coverage is concerned in northern Nevada during the past two or three years. It is with this controversy in mind and with the hope of improving the workings of the entire council for the benefit of all Nevadans, not just artists, that I make these recommendations.

I think that basically most of us agree with the recommendations for reorganization that Bruce Arkell has proposed. A few minor changes are needed however, and if you feel that AB 278 will not see the light of day because of the larger problems faced with dealing with the barbers, etc., I would appreciate your considering introducing the arts council reorganization as a separate bill. The council needs to be realigned and cleaned up before it totally destroys itself with infighting and petty jealousies.

It is with the knowledge that the sole purpose of the council is to allocate funds and monitor their use that I make these recommendations to you.

Starting on page 7, Section 25 of AB 278, would you consider a bill proposing:

1. Following line 37: the executive director will have certain qualifications such as a background in business administration as well as a basic knowledge of the arts.

This job description is available at State Personnel. What we are afraid of is some future governor appointing a political hack who is more concerned with his/her own ego than for the program he/she is supposed to be directing. I have no objection to the governor appointing the executive director, this makes for a good system of checks and balance, and if the governor has to take the heat because of actions of the director, he should have some control over the individual.

2. Page 8, line 4: consisting of 5 members.

Rather than the 9 suggested by Arkel, five would be a more workable figure and a lot cheaper for the state to support in terms of travel and per diem. It is necessary for the council to meet several times a year and for more than one day at a time to accomplish the granting sessions, review the programs already funded, make the annual plan for the federal government, and draw up new policy statements for the general running of the council.

With the present 17 member council problems exist with members who never attend meetings or show up for token appearances when the meeting is held in their area. Meanwhile, a small number of the present membership is carrying all the work load because the remaining people who appear do so with unread mail, no knowledge or preparation for the meetings, and their only concern is pushing for their favorite programs with no regard for suitability, past performances, ethics, correctness of the applications, or even, in more than one case, concern about the possible illegality of an application.

However, if you and the committee feel that a 5 member board is giving a select few too much power, please don't go over 7 members. The cost of meetings alone makes a larger board uncomfortable.

3. Page 8, line 16. Meetings of the council shall be held annually or at the discretion of the chairman or executive director.

With the present executive director, give him that much power to be the one to call meetings and who knows what would happen. Also, there should be alternate method of calling a meeting so no one person has so much power.

4. Page 123, Subsection 3 (a): terms of office of all present members of the Nevada state council on the arts will expire July 1, 1977.

At the present time the only way to remove anyone from the council is by expiration of term, resignation, or death. With the few troublemakers on the present council who are misrepresenting their positions, using their appointments for personal gain, and just plain mouthing off and making trouble, we really need this bill.

5. Amend NRS 233C.030 to include provision for removal of a member for non-performance of duties and unexcused absences.

I think the above statement explains this too.

Assemblyman Patrick Murphy  
February 25, 1977  
Page 3

Perhaps I took the coward's way out by resigning in January, but truthfully I feel I had to leave for my own sanity. I found working with an executive director who ignored direct orders from his board as recorded in the minutes, or chose to act contrary to the orders because he didn't agree, was more than I could take. Especially when certain members of the council would come to his defense at meetings because he "is a man and shouldn't be supervised or receive directions from women!" or other members would complain to the chairman and vice chairman in private and not utter one word at a meeting and then take their complaints to the press. Additionally, there are presently members who are using their positions for personal financial gain and there is not a single way to remove them even if proof of their actions was documentable. Except for the thoughts of horror about what would happen if they all resigned and left the program in the hands of the zanies, the several good, honest, hardworking, concerned members would have left with me. Please note I have not included any names as yet, but will supply them verbally to you if you wish.

I have discussed these proposals with Bruce Arkell and briefly with the governor and have their support. If you need me to testify, please call me at the house, 358-0736 evenings and weekends, or at the office, 784-6573, weekdays. I can be in Carson in less than an hour and faster if the smokies aren't looking.

Also, please don't hesitate to contact the present chairman of the council, Howard Hickson. He can be reached weekdays at the Northeastern Nevada Museum, Elko, phone 738-3418. Howard and I have discussed the problems that exist and are in basic agreement. He is level-headed and can give you even more background about the troubles and what is needed. If you require, he will come down to testify-- he needs a few hours travel time, but please don't hesitate to call.

Thanks for any help you can give. At this point the future of the Arts Council rests squarely in your hands.

Sincerely,



Mrs. Barbara J. Mello



Ex 19

NEVADA STATE MUSEUM BOARD OF TRUSTEES  
POSITION

RE: Proposed change of NRS 381

The Nevada State Museum is a unique State institution in that it has private endowments and Trust funds and receives grants and funds from private donors. These funds have been given to the Museum and must remain inviolate. Control and management of these funds must be in the hands of a board that has more than an advisory capacity. The Board is responsible for maintaining these funds which are private donations and not legislative appropriations. The Museum Board must be able to set and be responsible for policy, yet allow the professional, the director, be responsible for all administrative areas.

1. The Board opposes the recommendation that the Governor should appoint the Director. We feel that the Board of Trustees is the most familiar with the needs of the Museum and is therefore in the best position to determine qualifications that will fit the needs of the Museum. Selection of the Director should be completely non political. The Board must maintain the ability to hire and fire the Director in order to establish the relationship of Director responsibility to the Board. The position of the Director of the State Museum should not be subject to change each time a new administration comes into office. It has been suggested that selection of the Director through political appointment could jeopardize the Museum's accreditation.

2. The Board is in favor of establishing a maximum of nine (9) members but does not favor the governor's appointment of board members. The Board of Trustees of a Museum cannot be likened to Trustees of other State agencies. The Museum Board should represent many community interests and geographical areas throughout the State. Service on the Board of Trustees is an important means of developing citizen interest in the Museum and to encourage financial and volunteer contributions. More active involvement of citizens should be encouraged not less. The appointments should be non-political. The current method of allowing members to elect Trustees encourages the election of citizens who are actively involved in Museum activities.

Changes to AB 278

Sec. 89 shall now read

Sec. 89. NRS 381.030 is hereby amended to read as follows:

381.030 1. The Nevada state museum shall be managed by a board of trustees. 1. The Nevada state museum board of trustees, consisting of nine members appointed by the governor, is hereby created.

2. The governor may appoint trustees from a list submitted by a committee from the membership at large.

3. Trustees shall be a member of the Nevada state museum and possess a demonstrated interest in museum programs.

Sec 93. shall now read

Sec 93. NRS 381.100 is hereby amended to read as follows:

381.100 The board of trustees shall have the power and duty to manage and contral the museum offices and establish policies and adopt regulations in non-administrative areas for the Nevada state museum so as to attain and carry out the purposes and objects of NRS 381.010 to 381.190 inclusive.

Sec. 96 shall now read

Sec. 96. NRS 381.120 is hereby amended to read as follows:

318.120 1. The governor shall appoint the director of the Nevada State Museum chosen from a list of qualified applicants previously screened in accordance with the American Association of Museums criteria. This list to be prepared by the Board of Trustees and the persons so listed shall have an advanced degree in one of the sciences or history and have at least three years of high level museum management experience.



Capitol Complex  
Carson City, Nevada 89710  
Telephone (702) 885-4490



- Robley E. Burns, Jr., Chairman*  
Elko County School District
- Dr. Donald G. Potter, Vice Chairman*  
University of Nevada, Reno
- John R. Gamble, Member*  
State Department of Education
- Helen C. Cannon, Member*  
Clark County School District
- Dr. Robert McQueen, Member*  
Washoe County School District

- Jack A. Lemen*  
Executive Director
- Bernard R. Vidmar*  
Telecommunications Coordinator
- Patricia G. Stephens*  
Office Manager

M E M O R A N D U M

TO: Bruce D. Arkell, State Planning Coordinator

FROM: Jack A. Lemen, Executive Director

SUBJECT: Commission Recommendation For Repeal

DATE: December 13, 1976

First of all, we would like to thank you for your concern, suggestions, and criticism concerning the NECC and the proposed television network. The Commission and staff have spent a great deal of time considering your recommendation for repeal and its ramifications on the future of telecommunications development in Nevada. Obviously, we don't agree with the recommendations for many reasons, some of which you may not be familiar with.

The study was designed to combine common program goals to achieve centralization on some boards, to combine where duplicative activities exist, to tighten responsibilities and authority, and to eliminate unneeded boards and those not active.

The central theme to the study seems to apply to most of the boards listed, with the exception of the NECC. We can only assume that in your memo heading the study, the statement on page two at the bottom, "the responsibilities of the Board could be assumed by a line agency or another existing board," is the criteria by which the NECC recommendation was made. This obviously ties in with the recommendation underneath the repeal recommendation, which states that we should become part of the Department of Education if our funding for the network is successful. We are confused by this recommendation, because obviously if the network is funded by the Legislature and we follow your recommendation, bills designed to set up an ECC type statute at the State Department of Education level would have to be submitted in January of 1977, not after we find out what happens with the network. As you know, the Department of Education has been extremely supportive of the television network, and for that matter, the ECC and the Satellite project.

Memorandum to Bruce D. Arkell  
Page 2  
December 13, 1976

To suggest that the Board of Education statutes and mandates should be changed in order to absorb the activities of this office is an extremely major problem and one that we feel is next to impossible to attempt.

On the same page as the repeal recommendation, you also recommend repeal of the three committees involved with planning and advice to the NECC. For the record, the Nevada Legislative Communications Council was deactivated in 1970. The Nevada Educational Community Development Council was deactivated in 1973. However, the Nevada Instructional Television Planning Council has been active as long as the agency has, and has provided a great deal of input over these past ten years. Your recommendation on these three councils is the first time we have seen any reference to the fact that statutory authority is not needed by the agency in order to set up these councils. As you know, we can only refer to the Nevada Revised Statutes in reference to these authority functions.

Although I have a great deal more information to provide, I think we should list some of the concerns involved with a possible absorption of the agency into the State Board and Department of Education.

The Board of Education has the mandate to serve K-12 in this State and special vocational and gifted needs. The network is designed to serve all individuals in the State, not just the K-12 students.

The Network Manager according to law (FCC and HEW) has to answer directly to the licensee. This works within the policies, procedures, and regulations of the NECC. However, at the State Board level, that person would have to answer to the Superintendent of Public Instruction, which would not meet the criteria of the federal agencies.

We have serious concerns over the possibility that the State Board of Education could not administer the network from the standpoint of construction, long-range ten-year equipment obligation, being able to conduct fund raising appeals, parties, etc., and of course, program insulation from the funding source.

Our agreement with the State Department of Education spells out the type of role that should be conducted in the operation of a television network in this country, whereby there is a certain amount of insulation in the funds and yet a great deal of involvement between the two parties to benefit the network and the State Department's activities.

The relation of the State Department with the network from the

Memorandum to Bruce D. Arkell  
Page 3  
December 13, 1976

standpoint of the partnership is that the Department of Education will be funding a biennium grant to operate, and for that matter, construct a television network in this State. Within five years of that point, approximately \$275,000 will be raised on the outside from public sources through fund raising, grants from Washington, grants from Nevada, and membership campaigns. We feel very frustrated from the standpoint that this information was not provided to the executive branch, as the State Department of Education is not funding all of the network operation. We would be selling out our community viewership if we attempted to fire up the television network for K-12 programming and not expect to provide programs to the community and the adult viewers.

I'd like to ask you to read the attachment, which is a list of activities that the Commission handles in the State and nationwide. The common executive branch thinking at the time during the budget process has been that we have worked so hard and spent so much time on the development of the television network, that this is really our only goal. It certainly is true that we have spent a great deal of time on this because we firmly believe that a lot of our activities cannot go forward without the network capability. But to suggest that it's our only activity simply implies ignorance.

The Educational Communications Commission is the only telecommunications planning agency in this State. A mandate was written in 1967 with honest, faithful intent by the Legislature and by the Governor at that time. Since then, we have provided video-tape programs to schools, seminars, workshops, Congressional hearings, advisory consultancy services, and of course, planning for the television network. Because we've spent such a long time on this process, and because we have considered a number of alternatives, we have always come back to the suggestion that the television network would provide us with the basis by which we could expand our services.

But let's not stop there. We were instrumental in the formation of many translator districts in this State. We formed the Nevada Translator District Association quite a few years ago. We programmed instructional programs for school districts on Channel 2 in Reno. We program Sesame Street. We testify in Congress on the Copyright Bill, long-range funding for the Corporation for Public Broadcasting, the future of the Office of Telecommunications policy in the White House, and the frequency battle which is going on next year in Geneva. We testified before HEW and FCC concerning the development of the small public radio station in Battle Mountain, Nevada. We testified and assisted with Board meetings and the development of the National Public Radio Station in Las Vegas. We've assisted KUNR-FM in their quest for more funds and grants from

Memorandum to Bruce D. Arkell  
Page 4  
December 13, 1976

Washington. We have discussed inequities in commercial broadcasting with commercial and cable broadcasters throughout the State. The list goes on and on.

If the agency is abolished, those activities will cease. There is really no agency in this State that can handle the activities that we've handled in the past, and that's the reason it was set up in the first place. We don't feel someone can simply pull our plans off the shelf three to four years from now and reactivate and file in Washington. It's an ongoing process. There is ongoing planning, and of course, there are changes which have to be made as we go along. Once again, the time is this year, the money is available, both State and Federal, and without the Commission, Nevada will probably slip ten years behind again.

Whether or not the agency and its programs continue, the need goes on. If the executive branch feels it's foolish to continue for support or for budget reasons, then where is planning's proposal to meet these needs? The NECC is the planning agency, and after ten years, it certainly deserves more than a cursory recommendation in the repeal document.

JAL/pgs

Enclosures

Ex 20



Capitol Complex  
Carson City, Nevada 89710  
Telephone (702) 885-4490



Jack A. Lemen  
Executive Director

- Robley E. Burns, Jr., *Chairman*  
Elko County School District
- Dr. Donald G. Potter, *Vice Chairman*  
University of Nevada, Reno
- John R. Gamble, *Member*  
State Department of Education
- Helen C. Cannon, *Member*  
Clark County School District
- Dr. Robert McQueen, *Member*  
Washoe County School District

MEMORANDUM

TO: Nevada State Legislators

FROM: Jack A. Lemen, Executive Director

SUBJECT: Governor's Agency Abolishment Recommendations

DATE: September 22, 1976

On September 18, 1976, the Governor and the State Planning Director announced their recommendations for abolishment of forty-three State boards and commissions which have outlived their usefulness. Included in this report is the Nevada Educational Communications Commission and its three mandated committees (NRS 398), two of which were de-activated in 1970 and 1973.

The report suggests that many boards and commissions have not met in several years and that the boards are filled with citizens, no State full-time workers.

The NECC has met sixty times since 1967, averaging six meetings a year, and the Commission staff has three full-time people. The Nevada Instructional Television Planning Council has met thirty-five times, averaging three meetings per year.

A brief review of the NECC's functions might help put our agency in perspective:

1. The NECC is the State's representative for educational telecommunications to the:
  - a. Federal Communications Commission
  - b. Department of Health, Education, and Welfare
  - c. Corporation for Public Broadcasting
  - d. Public Broadcasting Service
  - e. National Association of Educational Broadcasters
  - f. Joint Council for Educational Telecommunications
  - g. National Institute of Education



- h. Public Service Satellite Consortium
  - i. Federation of Rocky Mountain States
  - j. Western Educational Network
  - k. Western Educational Society for Telecommunications
  - l. United States Congress
2. The NECC is a clearinghouse for all Nevada educational media applications to HEW and FCC.
  3. The NECC is the license authority for educational broadcasting facilities to serve Nevada statewide.
  4. The NECC maintains an information flow and programming service for school districts, higher education, communities, and government.
  5. The NECC has programmed public instructional materials to Northern, Eastern, and Central Nevada for three years.
  6. The NECC contracts, assists with funding, acquisition, and programming of "Sesame Street" on KOLO-T.V. to Reno, Carson, and twenty-three Nevada communities.
  7. The NECC provides audio-visual acquisition, production, and distribution statewide.
  8. The NECC assisted in the formation of many local translator districts for commercial and educational television services.
  9. The NECC manages, funds, and coordinates the ATS-6 and CTS Satellite programs in Nevada.
  10. The NECC provides consultant services to governments, communities, schools, and individuals in all educational telecommunications matters.
  11. The NECC provides production and distribution services to the legislative sessions.
  12. The NECC, through its councils, provide research and development, curriculum planning and utilization of instructional materials.
  13. The NECC receives grants to carry out satellite activities, programming development, and telecommunications activities.
  14. The NECC represents Nevada before Congress in matters related to educational media.
  15. The NECC has developed engineering, contracted, and proposed the Nevada Educational Television Network for the purposes of meeting its mandate to provide telecommunications services statewide.

The Commission and staff are dedicated to improving the educational materials available to the State through broadcasting. After ten years of planning, proposal development, and submission, we think the agency should certainly continue and serious consideration be given to the NETN proposal.

If you need further information, please let us know.

The NECC has been in existence since 1967. It was created by the Governor and the Legislature to provide educational telecommunications to the people of the State of Nevada.

The NECC has expended \$570,000 to prepare the educational television network plan for federal and legislative submission.

The NECC has 5 Commissioners, 2 of which have served since 1967.

NECC filed their FCC-HEW application in 1971. The application has had 24 amendments and 6 deferments.

The NECC has met 60 times since 1967.

The Commission staff has 3 full-time people.

The NECC is the State's representative for educational telecommunications to the: Federal Communications Commission; Department of Health, Education, and Welfare; Corporation for Public Broadcasting; Public Broadcasting Service; National Association of Educational Broadcasters; Joint Council for Educational Telecommunications; National Institute of Education.

The NECC is the license authority for educational broadcasting facilities to serve Nevada statewide.

The NECC has programmed instructional materials to Northern, Eastern, and Central Nevada for 3 years.

The NECC contracts, assists with funding, acquisition, and programming of "Sesame Street" on KOLO-TV to Reno, Carson City, and 23 Nevada communities.

The NECC assisted in the formation of many local translator districts for commercial and educational television services.

The NECC manages, funds, and coordinates the ATS-6 and CTS Satellite programs in Nevada. The NECC-TV Satellite program is operating with 9 sites in Nevada; presently pending is a request for program user status with NASA-NIE.

The NECC provides production and distribution services to the legislative sessions.

The NECC represents Nevada before Congress in matters related to educational media.

The NETN has support from every educational and public entity in the State of Nevada.

The NECC has submitted 3 bills: 1. For the continuation of the NECC's activities; 2. For the continuation of the NECC-TV Satellite program's activities; and 3. For the construction of the Nevada Educational Television Network.

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# Nevada Nurses' Association

DISTRICT No. 1

P.O. BOX 5558

RENO, NEVADA 89505

February 2, 1976

PETITION

Whereas; Nevada Nurse's Association has in the past supported nurse representation on the State Board of Health and,

Whereas, The Governor of the State of Nevada has been notified of the wishes of the Nevada Nurse's Association on this matter, and

Whereas, the Governor has taken no affirmative action by either responding or appointing a nurse to the State Board of Health,

Therefore, be it resolved that the President of Nevada Nurse's Association direct the President of each district to circulate a petition to this effect at their earliest convenience and send it to the Governor.

RESOLUTION NO. 14      NEVADA NURSE'S ASSOCIATION CONVENTION  
NOVEMBER 1975

IF AGREED PLEASE SIGN:

1. Beverly Byars
2. Cherie L. Shelton
3. Susan Parnell
4. Janet Zintek
5. Wenona Blum RN
6. Shirley Marshall RN
7. Sylvia A. Hurst RN
8. Mary O. Kent RN
9. Judith Miller RN
10. Helen E. Williamson RN
11. Ed Dray RN
12. E. Byrge RN
13. Harrison, RN
14. D. Davis RN
15. L. Kelso RN
16. Maurie E. Adams RN

continued w/ 76 other signatures

EX 21

Assembly Bill No. 278; February 7, 1977

Recommended changes, additions, and deletions.

Page, Line

63, 35-40 The Nevada oil and gas conservation commission, consisting of the [state engineer] director of the department of energy conservation and management, the director of the Nevada bureau of mines and geology and one member who is a representative of the general public appointed by the governor, is hereby created.

64, 39-41 The state energy resources advisory board consisting of the chairman of the public service commission of Nevada, the director of the Nevada bureau of mines and geology and [six] five members appointed by the governor, is hereby created.

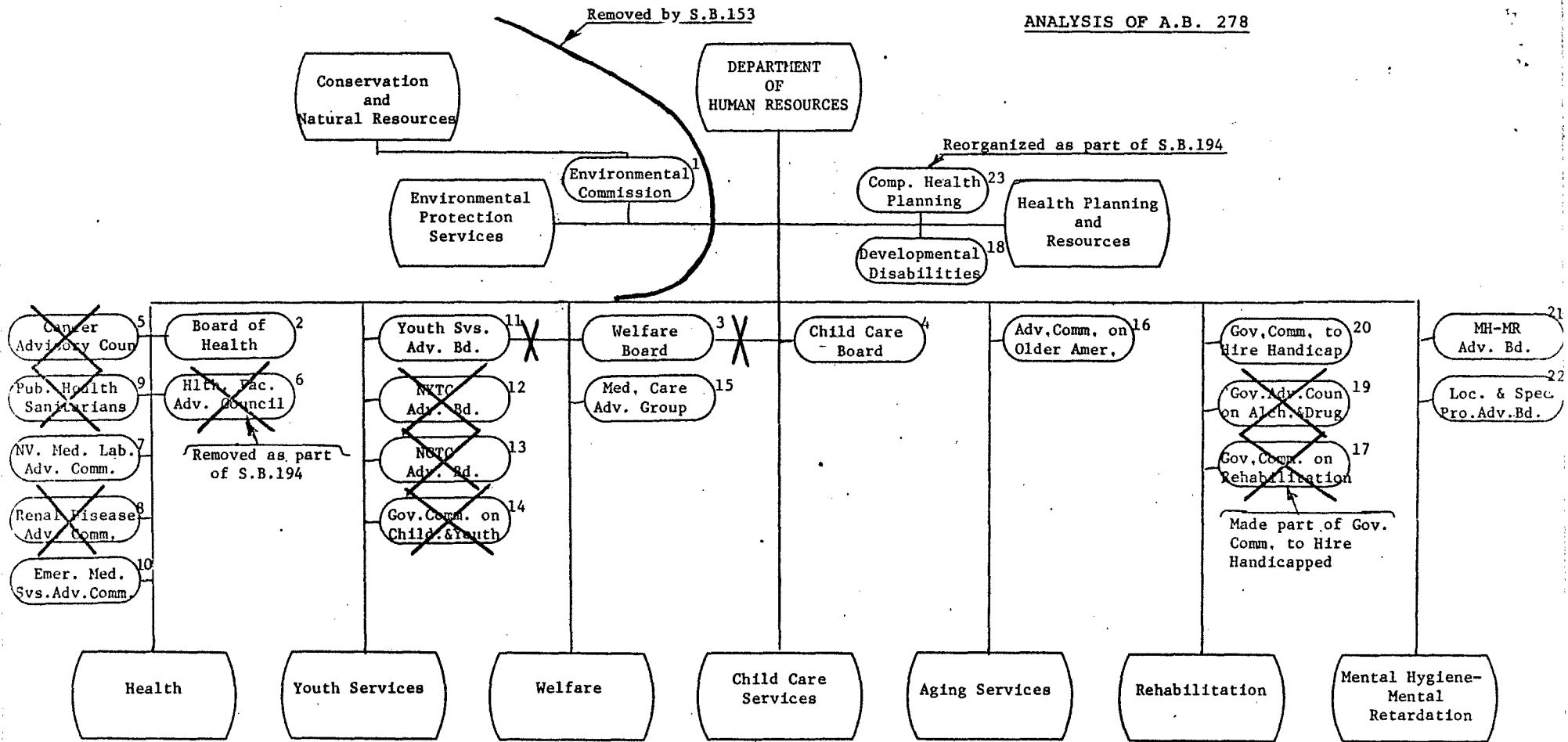
65, 10-11 The governor shall appoint to the board [six] five members who are representatives of the general public.

February 22, 1977

Respectfully submitted

*Vernon E. Scheid*  
Vernon E. Scheid

ANALYSIS OF A.B. 278



A.B.278's effect on Boards and Commissions of the Department of Human Resources. Additional actions affecting Boards and Commission have also been taken through pieces of legislation and administrative actions; these actions are noted on this chart.

KEY TO DEPARTMENT OF HUMAN RESOURCES  
BOARDS, COMMISSIONS AND COMMITTEES

Most of the boards and commissions remaining should A.B.278 be passed will be changed in some way; either the number of members, and in most cases, the staggering of membership. This is in compliance with the opening sections of A.B.278. Major changes in boards and commissions are as follows:

1. State Environmental Commission - S.B.153 removes Environmental Protection Services from the Department of Human Resources and the Commission's connection.
2. The Nevada Board of Health - no significant change.
3. The State Welfare Board - responsibility over the Children's Homes being transferred to Youth Services Advisory Board; their responsibility regarding Child Day Care being transferred to Child Care Board.
4. Child Care Services Policy Board - the policy powers of the Board being removed and given to administration.
5. Cancer Advisory Council - being repealed. The responsibilities to be transferred to State Health Division.
6. Health Facilities Advisory Council - being repealed in S.B.194.
7. Nevada Medical Laboratory Advisory Committee - no significant changes.
8. The Renal Disease Advisory Committee - being repealed. Responsibilities being transferred to the Board of Health.
9. Board of Registration for Public Health Sanitarians - being repealed.
10. Emergency Medical Services Advisory Committee - being retained per a federal grant; not in NRS.
11. Youth Services Agency Advisory Board - assuming the responsibility of NYTC Advisory Board, NGTC Advisory Board, Governor's Committee on Children and Youth, and the Children's Homes responsibilities formerly with the Welfare Board.
12. Youth Training Center Advisory Board - being repealed. Responsibilities being shifted to Youth Services Agency Advisory Board.
13. Nevada Girls Training Center Advisory Board - being repealed. Responsibilities being shifted to Youth Services Agency Advisory Board.
14. Governor's Committee on Children and Youth - being repealed. Responsibilities being shifted to Youth Services Agency Advisory Board.
15. Medical Care Advisory Group - no changes. Board required by Title XIX.
16. Advisory Committee on Older Americans - no significant changes.
17. Governor's Committee on Rehabilitation - has been administratively discontinued. Responsibilities transferred to Governor's Committee to Hire Handicapped; not in NRS.
18. Developmental Disabilities Council - no significant changes; not included in A.B.278; not found in NRS; required by federal grant.
19. Governor's Advisory Council on Alcohol and Drug Abuse - being repealed from NRS, but will be retained administratively in compliance with the requirements of a federal grant.
20. The Governor's Committee to Hire the Handicapped - no significant changes.
21. Mental Hygiene and Mental Retardation Advisory Board - no significant changes.
22. Local and Special Programs Advisory Boards - membership at the discretion of the administrators, no NRS. Each facility and/or program has developed a local advisory board.
23. Comprehensive Health Planning - being reorganized per federal legislation as part of S.B. 194.

*Commission Members*

MIKE O'CALLAGHAN, Governor

EXHIBIT 2

*Ex Officio Commission Members*

JOE FEADE, Chairman  
Yerington

ALE BOHMONT, Dean  
Max C. Fleischmann  
College of Agriculture

FRANK SOARES, Vice Chairman  
Fallon

THOMAS W. BALLOW, Executive Director  
State Department of Agriculture

FRED R. ZAGA  
Jiggs

EMERY CONAWAY  
Callente

TED P. BENDURE  
Administrator

KIYOSHI YAMASHITA  
Overton

VAN PETERSEN  
Preston

MRS. RILDA ERIKSEN  
Orovada



STATE OF NEVADA  
STATE CONSERVATION COMMISSION

Capitol Annex  
CARSON CITY, NEVADA 89710  
Phone 885-5414

STATE CONSERVATION COMMISSION  
COMMENTS CONCERNING A.B. 278  
FEBRUARY 23, 1977

The State Conservation Commission was created by statute in 1973 to serve as an agency of the State. The nine (9) member non-salaried commission is the administrative and coordinating body for Nevada's thirty-one (31) Conservation Districts who are charged with the responsibility to make the benefits of their resource practices, programs, and projects available to urban, suburban, and rural areas, and to give proper consideration to the conservation of the renewable natural resources of the State.

The purpose of the Commission is to assist and guide Conservation District Supervisors and their organizations, State and local agencies, and the citizenry in planning and implementing the necessary resource management systems to bring about an improvement in the quality of the resource base, environment, and life itself.

After extensive review, the State Conservation Commission's position concerning A.B. 278 is as follows:

(1) 3 YEAR TERM FOR MEMBERS

This should present no problems

(2) APPOINTMENTS MADE ON JUNE 30th -- STARTING IN 1978

This should make the administration of appointments in the various boards and committees involved in Natural Resources easier. Here again, the Commission believes this is necessary.

(3) CAN SERVE FOR 2 CONSECUTIVE TERMS ONLY

It is important to interject new ideas into any group to prevent stagnation. Here again, the Commission concurs.



(4) VACANCY FILLED BY GOVERNOR

The present structure allows the Nevada Association of Conservation Districts (NvACD) to provide a list of names from which the Governor fills a vacancy. It is important that the NvACD has input as to who will serve on the Commission. That which is suggested in A.B. 278 was done in California --- This has put the entire status of the district movement in jeopardy. The Commission recommends maintaining the present method of selection.

(5) EX-OFFICIO MEMBERS ELIMINATED

It is important that the lay members of the Commission have the expertise now available through the two (2) ex-officio members. Both members have provided invaluable input into the program. Therefore, the Commission requests that they be retained.

(6) DIRECTOR APPOINTS ADMINISTRATIVE OFFICER

It is imperative that the Commission have positive input into the selection of the Administrative Officer. The present system provides that the Commission select three (3) candidates from which the Director selects the Administrative Officer. The Commission recommends this be maintained as presently constituted.

February 23, 1977

To: Assemblyman Patrick Murphy

From: Anne Roberts

Subject: Sec. 15 (NRS 417.150) of AB 278

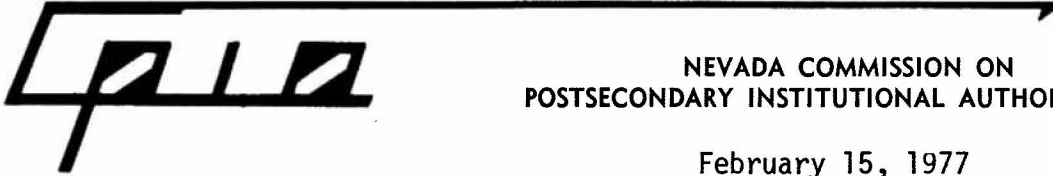
Although I am very much in favor of most of the provisions of AB 278 - dealing with the reorganization of boards and commissions in the executive department of state government, I do take exception to the proposed <sup>change in the</sup> make-up of the Nevada Veteran Advisory Commission. As the ~~the~~ Commission is now constituted there are 5 representatives of veterans' organizations and 2 members of the public. Under the proposed change the Board would consist of 5 members, appointed by the Governor, representing veterans' organizations, no representatives of the general

public, nor representative of veterans who are not members of veterans organizations. Both my husband and I are veterans, but belong to no veterans' organization.

I have no quarrel with the reduction in membership of the Board to 5, but I do feel some provision should be made for representation on the Board by unaffiliated veterans as well as the <sup>general</sup> public..

Ex 25

# MEMO



## NEVADA COMMISSION ON POSTSECONDARY INSTITUTIONAL AUTHORIZATION

February 15, 1977

TO: *MM* Assemblyman Pat Murphy  
FROM: *MM* Merlin D. Anderson, Administrator  
SUBJECT: AB 278

AB 278 proposes to place the schools of barbering and cosmetology under the regulatory oversight of the Commission on Postsecondary Institutional Authorization. Owners and directors of schools of Cosmetology, particularly, have expressed a desire for this change. The CPIA is on record as neither "pro" nor "con". If better and more effective governance is attainable through this action, then certainly we will be willing to support the change.

At this point however, the CPIA is concerned with the present language of the Bill. It most certainly will not provide for better and more effective governance as now written. The CPIA operates under the statutes of Chapter 394 N.R.S. This Bill would propose that in addition to the statutes and regulations of 394 the CPIA would also have to add additional and conflicting statutes under Chapters 643 and 644 N.R.S. To add another level of regulations and statutes is to create an impossible situation to administer. It is our proposal that these schools come under the statutes of 394 N.R.S. and its standards (copy enclosed). Additionally, we have developed regulations interpreting the statutory intent.

Most certainly the CPIA will have to develop additional regulations pertinent to barber and cosmetology schools, but it is preferred that these come as a result of hearings with the people involved rather than to have them specified in statute under other chapters.

Attached is a copy of our proposed amendments to certain specified sections of the Bill. Additionally, there is included a section numbered 131A which makes adjustments in the fee structure statute. This would allow for a smooth transition of license fee charges for all schools under CPIA oversight including barber and cosmetology schools.

MERLIN D. ANDERSON, Administrator • CYNTHIA W. CUNNINGHAM, Chairperson

Commission Members:

BERNIE LENZ, Vice Chairperson, NANCY CUMMINGS, PENNY MOEZZI, NORMAN SAHM, JIM SANFORD, WOODROW WILSON

Page 41, add an amendment after line 48.

Add a section 131A to read

SEC. 131A NRS 394.540 is hereby amended to read as follows:

394.540 All fees collected pursuant to the provisions of the Postsecondary Educational Authorization Act shall be deposited in the state treasury to the credit of the general fund, and no fees so collected are subject to refund. The fees to be collected by the Commission shall accompany an application for a license to operate or an agent's permit [, in accordance with the following schedule:

1. The initial application fee for postsecondary educational institutions is \$50.
2. The renewal fee for a postsecondary educational institution is \$50.
3. The initial fee for an agent's permit is \$5.
4. The renewal fee for an agent's permit is \$5.]

The schedule of fees for a license to operate or an agent's permit shall be set by the Commission after appropriate hearings and by regulation.

SEC. 313 be amended to read

SEC. 313 NRS 643.172 is hereby amended to read as follows:

643.172 Any person, firm or corporation that desires to operate a barber school is subject to the statutory provisions of the Postsecondary Educational Authorization Act (NRS Chapter 394) and the regulations of the Commission.

Repeal NRS 643.172 as written; add new statement above, 643.173, 643.174, 643.175, 643.176, 643.177, 643.178, and 643.179.

SEC. 345 be amended to read

SEC. 345 NRS 644.380 is hereby amended to read as follows:

644.380 Any person, firm or corporation that desires to operate a school of cosmetology in which any one or any combination of the occupations of a hairdresser and cosmetician are taught is subject to the statutory provisions of the Postsecondary Educational Authorization Act. (NRS Chapter 394) and the regulations of the Commission.

Repeal 644.380 as presently written, adding new statement above.

Repeal 644.383, 644.385, 644.390, 644.400, 644.403, and 644.405.

SEC. 351 be amended to read

Repeal 644.420 and 644.425

Nevada State Legislators  
 Committee of Senate and Assembly on  
 Government Affairs

Dear Legislators:

I am in favor of having the Beauty Colleges being put under the jurisdiction of the CPIA (Commission of Postsecondary Institutional Authorization), and the State of Health and Sanitation Department for the salons. I am also in favor of the Cosmetology Board being a advisory committee for the above two departments. But I am NOT in favor of the Cosmetology board being used as examiners for those taking exams to become hairdresser, manicurists or electrologists.

Enclosed are letters from students taking their exams this past January 23rd, 1977, with reference to the present Board of Cosmetology doing the examining.

Example #1 is a California licensed Hairdresser that has working experience. He took the exam on January 23rd and was disappointed enough in the action of some of the board members to prompt his letter and a follow-up. Reviewing this information you will see how he was graded in the practical examination by five examiners. He did not receive his Nevada license because he failed .00 of a point in HOT WORK. (the average has to be 75 in each area) He has explained the situation on the hot work examination in his letter. His alternative is now to go to Las Vegas on March 6th, taking a model and re-do the hot work portion, which he can not afford. Or, wait until April 17th to re-take his examination here in Reno. But in the mean time, he is out of work and debating about taking his Nevada exam again. We may lose another badly needed Hairdresser--due to the inconsistency of grading procedures of the board members. This isn't the first time this has happened.

Example #2 is the letter from a student that was approached by a relative of a board member asking her to go to a particular shop and apply for a job. The student said she was afraid she wouldn't get her license because she was sure she had failed in Permanent Waving and Hot Work. The relative told her not to worry because the board member checked the other examiners grades and marked her grade sheet up so she would pass. She received a letter from the board stating she passed, but, she had to have an affidavit notarized and returned to the Board prior to their sending her license.

Let us go back to the time the student filled out her application to take her examination and mailed it back to the board. The Executive Secretary, returned a letter stating the student had to fill out the affidavit, but had failed to send her the affidavit, so we called and asked the Exc. Sec. if we could use a mimeographed copy that she at one time let us use, and she agreed that it would be alright. After the student passes her exam, and received a letter stating she had passed, the Exc. Sec. is again asking for the same affidavit to be notarized again and returned. Holding up the student's license for another period of time. In the mean time while waiting the student takes her California exam in one day, receives her license for California in five days, while it took two days to take the

Nevada exam and a little over 3 weeks to get her Nevada license.

Example #3 My school is the only school in the state that the student is asked to fill out this affidavit, besides give 3 (three) notarized letters as proof of residency in the State of Nevada at the time they fill out their applications for examination. (this is the same affidavit we talk about above.) The board claims this is necessary because my school is the only school that contracts with a California Community College. The Cosmetology Board gave their approval of the program at the time I entered into this contract. Yet every time we send students to take the exams they are made to go through this same procedure of affidavit and 3 notarized residency letters. There is a Beauty College in Las Vegas that has its home base in Los Angeles, and a school here in Reno that is contracting with the same California Community College I do and their students only are required the notarized residency letter, and not the affidavit.

Example #4 is a copy of a application for a Hairdresser to take the exam showing a student examination fee of \$15.00, plus the additional fee, in parentheses, of \$5.00. # 644.220 #1-A states the fee is \$15.00, while 644.220 #2 refers to the additional pay to the board for supplies necessary to be used in the examination. We show you a envelope that shows the amount the student pays to rent the necessary supplies and wquipment for the examination. The original \$3.50 fee was to pay for the theory examination the student takes the day after the practical exam. In August 1976 the Board decided that the examinee would also pay the rent space of \$1.50 that they take their practical examination in. I have had numerous complaints that the \$5.00 in addition to the \$15.00 examination fee is unjust, and I dont think the rent space the Board has contracted should be considered as supplies.

I could go on, and I'm sure if you requested to see files in the Attorney Generals office on the Board of Cosmetology you could find some interesting reading. These are just recent reasons that I feel the board should not be used as examiners. I know in some states Cosmetology Boards hire professional examiners and it lets a student really show how well they know their professional practices, and is a much fairer procedure of examination.

I am not saying the Cosmetology Board is all bad, I think they have functioned well in some areas. But, I do think a closer look should be taken in handling our funds. I understand the Health and Sanitation would be taking care of the Cosmetology revenues if this goes thru, and this might be alright, but there are Cosmetologists that feel that our revenue should be put into the State Funds and budgeted for and a closer auditing of these funds be done, and that the Cosmetology Board could handle their own funds.

I hope I hav'nt bored you too much, and I appreciate your taking your time in going thru this material. I definitely feel that time is of essence in this matter and we need your upmost consideration on a "DO PASS". Thank you and

Sincerely,

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*Carolee Johns*

EXAMPLE

# 1

To Whom it may Concern

I attended the State board of examinations on the 23 & 24 of January 1977 at Ponces beauty school in Reno Nevada. And found the whole thing to be a farce, My reasons being.

- 1/ ~~One~~ One member of the State board appeared to be under the influence of Alcohol or drugs.
  - 2/ Another was so nasty and picky and stood behind you so you could not concentrate on what you were doing.
  - 3/ We were told to be on time at 8:30<sup>AM</sup> and to be neat and clean, and the examiners did not show up till about 9:10-~~or~~ 9:15<sup>AM</sup> and appeared sloppy and made poor examples as cosmetologists.
  - 4/ There was only 5 ovens for the Marcel irons, which was stuffed with 3 or 4 irons, they were so hot by the time my group got to use them, some people were burning their fingers and we only had 15 min to use them, which made it impossible to work with.
  - 5/ The room temperature must have been about 85<sup>+</sup>.
- I've held a license in another State for several years, and I don't mind being judged by my peers, but I did not consider these people my peers at all.



NEVADA STATE BOARD OF COSMETOLOGY

1700 EAST DESERT INN ROAD, SUITE 410

LAS VEGAS, NEVADA 89109

TELEPHONE 385-0155



February 16, 1977

Pursuant to your letter of February 15th, and for your information, the Privacy Act of 1974, Public Law 93-579 refers to the federal government only, not state government. It specifically prohibits the federal government from releasing information under certain conditions.

Each of your individual grades is listed in each phase of the examination on the enclosed sheet.

I realize that you are not interested in the other students' grades, however, it is for that reason, that other students' grades appear on each examiner's grading sheets, that I cannot send you copies of the board members' practical grading sheets.

If you have any further questions, please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in cursive script, reading "Beverly A. Carlino".

Beverly A. Carlino  
Executive Secretary

Enclosure

January 23, 1977 Practical Examination

		<u>Average</u>
Arching	78, 80, 78, 78, 78	<u>78.4%</u>
Facials	78, 77, 78, 80, 78	78.2%
Scalp Treatment	82, 77, 75, 85, 79	79.6%
Bleaching	82, 78, 78, 84, 79	80.2%
Tinting	82, 78, 78, 84, 79	80.2%
Shampooing	80, 80, 75, 83, 78	79.2%
Hair Cutting	79, 77, 78, 90, 78	80.4%
Permanent Waving	79, 76, 77, 78, 79	77.8%
Finger Waving	75, 75, 78, 78, 78	76.8
Skip-Waving	75, 75, 78, 78, 78	76.8%
Sculpture Curls	75, 75, 78, 78, 78	76.8%
Stand-up Curls	75, 76, 77, 74, 78	76%
Hand & Arm Massage	78, 76, 78, 80, 78	78%
Manicuring	78, 75, 78, 74, 78	76.6%
Hair Styling	77, 75, 77, 76, 78	76.6%
Hot Work	76, 70, 75, 72, 78	74.2%

Practical Average

*Example 2*

January 26, 1977

To Whom it May Concern:

This is in regard to the State Board of Cosmetology which was January 23 and 24, 1977.

I was very disappointed with the State Board in which I was the examinee of last week. First of all, it was supposed to have started at 8:30 A.M. and didn't get started until 9:30 because one of the Board Members was late. After we finally got started, we were allowed a certain time limit for each thing we did and they never did call the time. We always went over the time limit by about 15 minutes. In doing the permanent wave we were allowed 15 minutes and they made everybody nervous because they put us on the count down of the time and when time was up, they left us work for another 15 minutes. What was the idea of a count down in the first place?

Went out for lunch and had an hour. Had to be back at 1:30 to start again and one of the board members decided to go for lunch so we had to wait for him to come back before we started. So it was 2:00 before we got going again. We then had to do the hot irons and they had 10 irons to work with. The irons were not hot and the hair would not take to the irons. We only had 15 minutes for the irons.

There was around 40 students with their models taking the State board and I talked to quite a few of the students and they too were very disappointed at the way it was run. The examiners were very sarcastic, they knew the students were all up-tight and nervous about the board. They asked me about 25 questions that day. When I was doing the permanent waving, I had three of

the examiners there questioning me, one examiner said the rods were too loose, one said they were too tight and the other one asked me if I thought I blew it. Out of the 25 questions they asked me, there was only one question that I couldn't answer. After going to school for 1800 hours and taking the Baby Board and had no problems, I feel that if the examiners would not have put pressure and so much tension on us, we could have all done better.

The next day was the written test which was to start at 8:30, the Board members did not get there until 9:00 and she had to sort out the tests and we didn't get started until 9:30.

The students that took their State Board feel that Nevada could have better Board members than what they got.

I don't want to jeopardize my license so therefore I am withholding my name.

CAROL C. KNUTSON

January 23, 1977 Practical Examination

		<u>Average</u>
Arching	90, 78, 78, 80, 79	81%
Facials	95, 78, 78, 80, 79	82%
Scalp Treatment	98, 79, 75, 80, 78	82%
Bleaching	78, 80, 78, 78, 95	81.8%
Tinting	94, 78, 78, 80, 78	81.6%
Shampooing	80, 80, 75, 78, 80	78.6%
Hair Cutting	85, 78, 78, 80, 78	79.8%
Permanent Waving	80, 77.5, 75, 80, 77	77.9%
Finger Waving	77, 80, 78, 78, 80	78.6%
Skip-Waving	80, 78, 77, 80, 77	78.4%
Sculpture Curls	77, 82, 77, 78, 80	78.8%
Stand-up Curls	74, 78, 78, 82, 77	77.8%
Hand & Arm Massage	80, 78, 77, 80, 76	78.2%
Manicuring	74, 78, 77, 80, 75	76.8%
Hair Styling	78, 79, 79, 80, 77	78.6%
Hot Work	74, 78, 75, 78, 75	76%

A F F I D A V I T

STATE OF NEVADA )  
 ) SS.  
COUNTY OF WASHOE )

COMES NOW, your affiant XXXXXXXXXXXXXXXXXXXX, having been duly sworn, and states as follows:

1. That I am a former student of Prater Way College of Beauty in Sparks, Nevada.
2. That at the time I enrolled in the Prater Way College of Beauty, I resided at XXXXXXXXXXXX Street in XXXXXXXXXX, Nevada, and lived in Nevada for approximately XXXXXX years immediately preceding my enrollment.
3. That at no time immediately preceding my enrollment in Prater Way College of Beauty, or during any other period in which I was a student in Prater Way College of Beauty, was I physically present in the State of California with the intent to make California my residence or domicile.
4. That I believe an individual acting for and on behalf of Prater Way College of Beauty, but without my knowledge or approval, represented that I was a resident of the State of California in order to enroll me in the Prater Way College of Beauty through an extension program being conducted by Lassen Community College of Susanville, California.
5. That while I was aware that I was being enrolled in the Prater Way College of Beauty through the Lassen Community College extension program, I was unaware that in order to participate in this program it was necessary to be a resident of the State of California; and, at no time have I knowingly or willingly represented my residence to be in any location other than the State of Nevada for any period since my enrollment in Prater

Alpenb 100d 30 s 11400000 feut 500

Example  
# 4

STATE OF NEVADA  
STATE BOARD OF COSMETOLOGY

1700 EAST DESERT INN ROAD, SUITE 410  
LAS VEGAS, NEVADA 89109  
TELEPHONE 385-0155

Application for Examination/or by Reciprocity

# Hairdresser and Cosmetician

### APPLICATION FEE — NONREFUNDABLE

Send cashier's check or money order only with application. Cash or personal checks not accepted.

Application for *Student* examination must be accompanied by a fee of fifteen (\$15.00) dollars (plus ~~\$3.50~~ <sup>\$5.00</sup> examination fee).

Application for reciprocity must be accompanied by a fee of forty (\$40.00) dollars.

Two (2) photographs must be filed with this application, size 1½ x 1½ inches.

~~A certificate of health must be filed with this application.~~

Before starting to fill out application, read the entire form carefully.

*I hereby make application for certificate of registration and license to engage in the practice of the occupation of hairdresser and cosmetician and pursuant to the provisions of the laws of Nevada, Chapter 218, Statutes of 1931, request admission to examination to determine my fitness to receive such registration and license. I herewith enclose the prescribed fee and submit the following statements and answers to questions, as to my qualifications, verified by my oath:*

- 1 — Full name (print or typewrite) \_\_\_\_\_ S.S. No. \_\_\_\_\_
- 2 — Street and Number \_\_\_\_\_ City of \_\_\_\_\_  
County of \_\_\_\_\_, State of Nevada, Zip \_\_\_\_\_ Telephone No. \_\_\_\_\_
- 3 — Date of birth: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ Place of birth: \_\_\_\_\_  
(MONTH) (DAY) (YEAR)
- 4 — If born outside of United States, are you a citizen of U.S.? (Answer "yes" or "no") \_\_\_\_\_
- 5 — I completed the \_\_\_\_\_ in grade school \_\_\_\_\_ in high school (Photocopy attached)
- 6 — Period of residence in Nevada (indicate years and months) \_\_\_\_\_
- 7 — I have resided in the following Nevada cities, during the years named: \_\_\_\_\_

### EXPERIENCE

8 — I have actually engaged in the practice of the occupation of hairdresser and cosmetician for a period of \_\_\_\_\_ year or years prior to the date of making this application and have practiced the following branches of cosmetology:

(CHECK EACH OF THE BRANCHES WHICH YOU HAVE PRACTICED)

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Hairdressing     | <input type="checkbox"/> Hair Cutting     | <input type="checkbox"/> Hair coloring  |
| <input type="checkbox"/> Curling          | <input type="checkbox"/> Shampooing       | <input type="checkbox"/> Facial massage |
| <input type="checkbox"/> Styling          | <input type="checkbox"/> Scalp massage    | <input type="checkbox"/> Wigs           |
| <input type="checkbox"/> Permanent waving | <input type="checkbox"/> Hair bleaching   | <input type="checkbox"/> Manicuring     |
| <input type="checkbox"/> Finger waving    | <input type="checkbox"/> Hair tinting     | <input type="checkbox"/> Sanitation     |
| <input type="checkbox"/> Pedicuring       | <input type="checkbox"/> Beautifying hair | <input type="checkbox"/> Sterilization  |

4. Has completed the 10th grade in school or its equivalent.

5. Has had any one of the following:

(a) Practical training of at least 350 hours extending over a period of not less than 3 months under the immediate supervision of a licensed instructor in a licensed school in which the practice is taught.

(b) Practice in manicuring for a period of 1 year outside the State of Nevada.

(Added to NRS by 1960, 312; A 1963, 271)

#### **644.210 Applications for examination.**

1. Every application for admission to examination, and every application for registration as a hairdresser and cosmetician, or in any branch of cosmetology, shall be in writing on forms prepared and furnished by the board.

2. Each application shall be accompanied by the required fee, and shall contain proof of the qualifications of the applicant for examination for registration. It shall be verified by the oath of the applicant.

(7:218:1931; 1931 NCL § 1862.06)

#### **644.220 Examination fees and charges.**

1. The amounts of the examination fees and re-examination fees required by this chapter are those fixed by the following schedule:

(a) The fee for examination as a hairdresser and cosmetician is \$15. The fee for each reexamination (other than a second examination, for which no fee shall be charged) is \$5.

(b) The fee for examination as an electrologist is \$15. The fee for each reexamination (other than a

second examination, for which no fee shall be charged) is \$7.50.

(c) The fee for examination as a manicurist is \$10. The fee for each reexamination (other than a second examination, for which no fee shall be charged) is \$2.50.

2. Each applicant referred to in subsection 1 shall, in addition to the fees specified therein, pay to the board the reasonable value of all supplies necessary to be used in the examination or examinations.

(Part 13:218:1931; A 1933, 237; 1939, 242; 1953, 150)-(NRS A 1960, 312)

#### **644.230 Examinations: Subjects and conduct of examinations.** All examinations of applicants:

1. Shall include both practical demonstrations and written or oral tests, except where otherwise provided in this chapter.

2. Shall not be confined to any special system or method.

3. Shall be consistent in both practical and technical requirements and of sufficient thoroughness to satisfy the board as to the applicant's skill in, and knowledge of, the practice of the occupation or occupations for which a certificate of registration is sought.

(Part 8:218:1931; A 1933, 237; 1937, 80; 1931 NCL § 1862.07)

#### **644.240 Hairdressers and cosmeticians: Scope of examination.**

1. Examinations for certificates of registration as hairdressers and cosmeticians shall include:

(a) Practical demonstrations in shampooing the



EX 27



# NEVADA STATE BOARD OF OPTOMETRY

3201 ~~1230~~ MARYLAND PARKWAY LAS VEGAS, NEVADA ~~89104~~ 89109

ROBERT T. MYERS, O.D.  
PRESIDENT

JOEL G. ADLER, O.D.  
VICE PRESIDENT

MARVIN M. SEDWAY, O.D.  
SECRETARY-TREASURER

February 24, 1977

Mr. Pat Murphy  
Chairman  
Government Affairs Committee  
Nevada State Assembly  
State Capitol Building  
Carson City, Nevada

Dear Mr. Murphy,

As Secretary of the Nevada State Board of Optometry, I have been instructed by the board and its officers to write to you regarding the board's position on Assembly Bill # 278, said bill to reorganize all State Boards and Commissions.

During the last several months of 1976, our board was in communication and met personally with Mr. Bruce Arkell, who had been charged by Governor Mike O'Callaghan to institute a study for the reorganization of all boards and commissions. We personally met with Mr. Arkell in the State Capitol in the month of December, 1976. Our meeting with him indicated no opposition by the State Optometry Board to the inclusion of a lay person on the board. Because of the professional nature and the amount of work of the board, it was the considered opinion by Mr. Arkell and the Board that it was necessary to retain three professional members of the Board. Mr. Arkell suggested the inclusion of one lay person with which the Board concurred. When AB 278 was entered on the floor of the Assembly and referred to your committee, the printed version of the bill as shown on page 90 indicated that two members of the general public be appointed to the Board.

Upon receipt of the bill, I contacted Mr. Arkell who told me that the inclusion of the second person was a mistake and he would ask the Government Affairs Committee to amend the bill to include only one lay person. This is in line with the proportion of lay persons who will be appointed to other health care and professional boards.



# NEVADA STATE BOARD OF OPTOMETRY

3201 ~~1230~~MARYLAND PARKWAY LAS VEGAS, NEVADA ~~89102~~ 89109

ROBERT T. MYERS, O.D.  
PRESIDENT

JOEL G. ADLER, O.D.  
VICE PRESIDENT

MARVIN M. SEDWAY, O.D.  
SECRETARY-TREASURER

page 2

The Nevada State Board of Optometry recognizes the necessity for consumer representation and concurs with the action and recommendations of Mr. Arkell with the exception of the inclusion of the two lay persons instead of one, which was an error on his part.

I hope this letter will clarify our position and show us to be in agreement with the study promulgated by Governor O'Callaghan.

Respectfully,

A handwritten signature in cursive script that reads "Marvin M. Sedway O.D.".

Marvin M. Sedway, O. D.  
Secretary-Treasurer  
Nevada State Board of Optometry

MS:tj

E+28

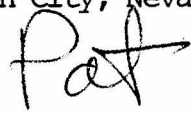
# THOMAS C. WILSON Advertising Agency

RENO AND LAS VEGAS, NEVADA

February 23, 1977

REPLY TO  
P. O. Box 1011  
One East First Street  
Reno, Nevada 89504  
Phone (702) 322-7011  
FAX 910-395-7073  
New Telephone  
(702) 329-3173

Assemblyman Patrick M. Murphy  
Assembly Chambers  
Carson City, Nevada 89710



Re: AB 278. The Nevada State Museum

Dear Mr. Murphy;

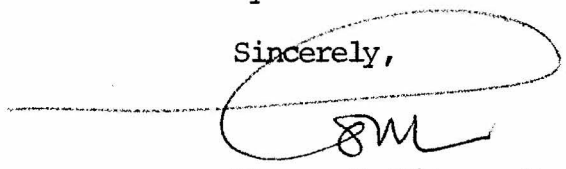
I am writing you as a member of the present Museum Board of Trustees and its immediate-past Chairman. I am deeply concerned over the effect of some of the provisions of AB 278 on the quality of the state museum. Although small in size it now has an excellent reputation nationally, and attracts over 500,000 people annually. It has also received important grants and endowments. Many thousands of students visit the museum, in classes or individually. The museum receives several thousand research information requests from scholars. The museum initiated and participates in jointly conducted classes on museum operation with UNR, and it has many other valuable projects.

Based on my own experience, and much thought, I sincerely believe it is extremely important that the museum Board be a policy making board, and not be reduced to the level of an advisory group. The Board should be appointed by the governor, with staggered terms, and should represent the population distribution of the state. It has followed this population policy for the past six years with excellent results.

The museum is an educational and cultural institution, and its Director should be appointed and removed by the Board, subject to approval of the Governor. The success of the museum hinges on having a capable, professional, non-political Director, with ample museum experience.

It appears, now, that I will be undergoing a physical checkup at the time of your hearing. My absence certainly does not indicate any lack of interest.

Sincerely,



Thomas C. Wilson, Sr.

TCW/djl



STATE OF NEVADA  
DEPARTMENT OF HUMAN RESOURCES

ROGER S. TROUNDAY, DIRECTOR

MIKE O'CALLAGHAN, GOVERNOR

DEL FROST, ADMINISTRATOR

REHABILITATION DIVISION  
ADMINISTRATIVE OFFICE  
KINKEAD BUILDING, FIFTH FLOOR  
505 EAST KING STREET  
STATE CAPITOL COMPLEX  
CARSON CITY, NEVADA 89710

Assemblyman Patrick Murphy  
Nevada State Assembly  
Committee on Government Affairs  
State Legislature Building  
Carson City, NV 89710

ASSEMBLY BILL 278

The Rehabilitation Division of the Department of Human Resources supports the intention of Assembly Bill 278. The Bureau of Alcohol and Drug Abuse is the only bureau within this division that will be directly affected by this bill. A.B. 278 will cause the Alcohol and Drug Abuse Advisory Board to be diminished in size and put under the control of the Division. This action will also bring about a cost savings of \$800 in travel expenses for board members. A change in the placement of this board will have no effect on the federal dollars which help support this program. In closing we would like to reaffirm our support of this bill.

  
DEL FROST, ADMINISTRATOR

DF/CL/1kf

3795 June Ave.  
Reno NV 89512

February 23, 1977

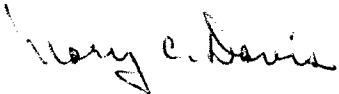
Assemblyman Pat Murphy  
Chairman of Assembly Committee on Government Affairs  
Nevada State Legislature  
Carson City NV 89701

RE: A.B. 278

Dear Assemblyman Pat Murphy:

As an individual consumer, I wish to add my voice in favor of the Governor's desire to reorganize boards, etc., in the executive department of the state government. I am particularly referring to the addition of public persons serving along with the professional/business persons on all state boards to give representation to the consumer.

Sincerely,



(Mrs.) Mary C. Davis



GRANT BASTIAN  
STATE HIGHWAY ENGINEER

STATE OF NEVADA  
DEPARTMENT OF HIGHWAYS  
CARSON CITY, NEVADA 89712

February 23, 1977

Ex 31  
DIRECTORS  
MIKE O'CALLAGHAN, GOVERNOR, CHAIRMAN  
ROBERT LIST, ATTORNEY GENERAL  
WILSON MCGOWAN, STATE CONTROLLER

IN REPLY REFER TO

Honorable Patrick M. Murphy, Chairman  
Assembly Government Affairs Committee  
Room 214, Legislative Building  
Carson City, Nevada 89701

Dear Mr. Murphy:

On this date, I attended a hearing on Assembly Bill 278 relative to the reorganization of Boards, Commissions, and similar bodies in the Executive Department of State Government.

The State Highway Department supports the measure in principle. However, we are concerned with Section 144 through 149, pages 44 and 45, relative to the Department's advanced right of way acquisition program. The wording in this bill is exactly the same as Assembly Bill 282, heard February 22, 1977 before the Assembly Transportation Committee. The Department sponsored this particular legislation, it being necessary for us to utilize federal funds presently available for the advanced right of way for construction of major federal-aid highway projects.

At our appearance before the Assembly Transportation Committee we requested an amendment to the last sentence of Section 49 (409.160). Present wording states:

"Unless such retention is authorized as to such property by specific description by a concurrent resolution of the Legislature."

We request the wording be amended as follows:

"Unless such retention is authorized as to such property by specific description by a resolution of the Board.

Major highway projects such as the North/South freeway in Reno and the Las Vegas Expressway in Clark County will require that rights of ways be acquired many years in advance. It is indeed probable the ten year limit will not be sufficient. It would be awkward and time consuming for us to seek a concurrent resolution of the State Legislature. Since the State Highway Board is composed of elected officials,

357

Honorable Patrick M. Murphy

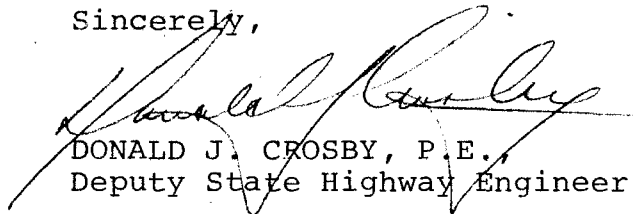
-2-

February 23, 1977

the Governor, Attorney General and State Controller, it would be much easier to obtain a resolution of that Board for an extension of time to allow the Department to hold such property prior to construction. Our principal source of funding for this program will be from the Federal Revolving Advanced Right of Way Fund administered by the Federal Highway Administration. The proposed ten year limit in the State law is the same as exists in the Federal law. Under the Federal law, we can obtain an extension of time through the FHWA Regional Administrator in San Francisco. A resolution of the Highway Board would seem an appropriate level of authorization to grant such an extension.

We request you consider this amendment. We will appear at subsequent hearings of the Senate Transportation Committee, the Assembly Government Affairs Committee and the Senate Government Affairs Committee.

Sincerely,



DONALD J. CROSBY, P.E.  
Deputy State Highway Engineer

DJC:jj

EX 32

LAS  
VEGAS

# **R** *VIEW* **J** *OURNAL*

1111 W. BONANZA ROAD

P.O. BOX 70, LAS VEGAS, NEVADA 89101 . . . . PHONE 385-4241

*Nevada's largest daily newspaper.  
More than half a century of service  
to America's most exciting city.*

February 17, 1977

Assemblyman Patrick Murphy  
Legislative Building  
Capitol Complex  
401 South Carson Street  
Carson City, Nevada 89701

Dear Assemblyman Murphy:

I would like to draw your attention to several problem areas that bill number AB 278, (February 23rd, 2:00 P.M.) will create for the Nevada State Museum.

Firstly and most importantly, I strongly feel that the Nevada State Museum board should remain a policy making board and not be relegated to the status of a advisory board. The policy status is in keeping with the standards set by the American Association of Museums.

Secondly, I think that the Board of Trustees should maintain the responsibility of hiring the Director of the Nevada State Museum. We surely don't want to regress to the level of making the selection of the director a political appointment. Perhaps a compromise would be that the selection should be made by the trustees with the final approval of the Governor. The Governor does not appoint the President of the University nor do I think that he should appoint the Director of the Museum, which is a educational and cultural institution similar to the University.

Thirdly, I suggest that the membership of the Nevada State Museum elect the trustees as they presently do. Once again a compromise on this would be that the Governor appoint half and the members elect the remaining half.





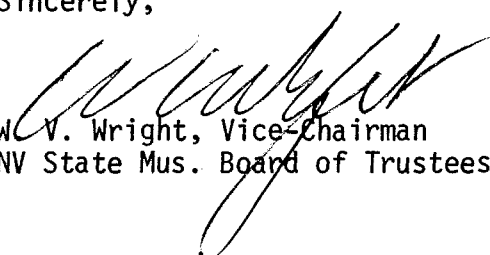
Assemblyman Patrick Murphy

-2-

February 17, 1977

I hope that you will realize that I am offering these suggestions with the goal of continuing the progress that we have been making at the Nevada State Museum, and trying to make sure that our Museum continues to be recognized professionally and with full accreditation.

Sincerely,

  
W. V. Wright, Vice-Chairman  
NV State Mus. Board of Trustees

WVW:jd

OUT OF CONSIDERATION FOR MR ARKELL, PLEASE TAKE ANY  
REFERENCE TO HIM TO MEAN STATE PLANNING Ex 3E  
TESTIMONY OF ABZTS  
REF NRS 643  
Gentlemen: COORDINATOR

In a memorandum dated September 16, 1976, Mr. Bruce Arkell, working as planning co-ordinator for the Governor's office, sent a memorandum to Governor O'Callaghan entitled "Boards and Commission Studies." In this study, 150 statutory boards and commissions. In his first findings, Mr. Arkell elected to repeal NRS 643, which is Barbers Health and Sanitation Board. Repeal, according to Webster's definition, is to rescind as a law, revoke, nulify, to summon back. We of the Barber Industry were very upset at this action of Mr. Arkell. If his study had of been more thorough and complete, he would have found that the Barber's Health and Sanitation Board was very much needed to protect the general public. There were three (3) categories Mr. Arkell could have chosen, i.e., retain, repeal, or change. I am sure he did not have the proper information, time or the funds to finance a feasible research. Consequently, he chose repeal. This to the Barber's of Nevada, meant that we would have no control over our industry and moreover no control over sanitation or health to protect the consumer. This would make Nevada a dumping ground for any barber or would-be barber, not needing a license in this State under Mr. Arkell's recommendation. Mr. Arkell did send a questionnaire to the State Barber Board requesting information on their activities, but the questionnaire was very vague and there was no way he could determine the importance of this body, that was set up in 1929 by the great State of Nevada - your predecessors. Surely these men could foresee the harm in having unlicensed, unclean barbers and shops in a profession that deals with the public. We now have good laws that protect the consumer against all unhealthy environments that may or could be found in a barber shop, and thanks to a legislature, it saw fit to pass the laws. We have good practitioners in our trade and good laws to protect the consumer.

In trying to modify his original proposal, Mr. Arkell has made numerous mistakes and miscalculations and has, in fact, in our opinion, not read in depth laws governing our Board or how it operates or its responsibilities to the public.

As suggested by Bruce Arkell:

First action: to repeal NRS 643 (all laws governing barbering);  
Second action: amend 643 as follows:

Problems with the laws and boards as Mr. Arkell determined:

1. No adequate involvement in decision-making by those the Board was created to protect, the consumer;
2. State board of health responsible for all non-administrative health matters in the State. NRS 439.150 created in 1911, system is not accountable;
3. Under existing statutes, boards do not have legal authority to perform inspections of barber shops.

After discussing the problems Mr. Arkell decided that he would amend NRS 643 as found in BDR 18-200.

RECOMMENDATIONS:

1. Health division will assume all responsibilities including inspections, establishing standards, issuing licenses, and other administrative duties;
2. Composition of board. Drop present health officer and not add a member of the general public;
3. Board will examine applicants and recommend to the health division approval or denial for license;
4. Board will be advisory to health board on licensee revocation matters;

5. Board will recommend establishment or modification of license standards. This will be a more cost effective program while still maintaining the current level of service.

REBUTTAL: The recommendations stated before were made after Mr. Arkell has tried to figure a budget that would be adequate for the funds available. Also in the budgeting, Mr. Arkell made numerous mistakes.

CAUSE: To this act are stated because of problems 1, 2, & 3.

1. No involvement by general public. Yet Mr. Arkell recommends no public member be added to the board;
2. System is not accountable. Refer NRS 643.020, section 5. The governor may remove a member of the board for cause;
3. No authority to inspect. Refer NRS 643.050, section 3. Any member of the board or its agents or assistants shall have the authority to enter and inspect any barber shop or barber school at any time when the practice of barbering or instruction in such practice is being carried on.

RECOMMENDATION:

1. The board does have legal authority to inspect barber shops, and to issue citations or to take any other legal action as defined in our law as passed by our legislatures. We do not want another State agency, other than the state legislature to establish standards for our profession. We are capable and have been since created in 1929, of administering our board. We also have been a self-supporting board since our inception. We do not object to having a General Public on our Board, as long as there are revenues to pay them. We think the health official should be left on the board also, as he does represent the health department of the State.
2. We have no objection to the limitation of our board members in the time they serve on the board.
3. As for removing requirements and recommendations to the governor, as to whom the barbers of Nevada would like to represent them on the health and sanitation board, how else is the governor to know who would do the best job in which he is appointed?
4. In this day and age, when everyone is talking less government, and less bureaucracy, we feel that this is putting more bureaucracy in our profession and that the general public would be best served leaving our board and laws as they are now on the books. Remember that this is a self-supporting board. It now puts no burden on the treasury of the State of Nevada. And there is no way that Mr. Arkell in all his proposals for saving the State money can beat the system we now have.

MIKE O'CALLAGHAN  
Governor



STATE OF NEVADA  
STATE MULTIPLE USE ADVISORY COMMITTEE ON FEDERAL LANDS  
201 S. FALL STREET, ROOM 213  
CAPITOL COMPLEX  
CARSON CITY, NEVADA 89710

*Committee Members*

- JULIAN C. SMITH, Jr., *Chairman*  
Nevada Association of County  
Commissioners
- WAYNE T. MILLER, *Vice Chairman*  
Railroads and Utilities
- FRED D. GIBSON, Jr.  
Advisory Mining Board
- FRED FULSTONE, Jr.  
Central Committee of Nevada State  
Grazing Board
- FRANK MCGOWAN  
Nevada League of Cities
- JOHN RAETZ  
State Board of Agriculture
- MARVIN A. EINERWOLD  
State Board of Fish and Game  
Commissioners
- FRED R. ZAGA  
State Conservation Commission
- WENDELL TOBLER  
State Environmental Commission
- MES E. CONNOR  
State Land Use Planning Advisory  
Council
- (Mrs.) ANNE ANDERSON  
State Park Advisory Commission
- PAUL A. RICHARDS  
Sportsmen
- JOE McDONALD  
Off-road Vehicle Enthusiasts
- NORMAN HALL, *Secretary*  
Telephone: (702) 885-4360

February 24, 1977

Members of the Nevada State Legislature:

Attached is a Resolution adopted by the  
State Multiple Use Advisory Committee on Federal  
Lands at their meeting on February 11 - 12, 1977,  
concerning A.B. 278.

Very truly yours,

Julian C. Smith, Jr.  
Chairman

State Multiple Use Advisory Committee on Federal Lands

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the State Multiple Use Advisory Committee on Federal Lands, provides an objective and impartial forum for federal land managing agencies, various state agencies and federal land users to discuss, clarify and resolve conflicts and misunderstandings; and

WHEREAS, the State Multiple Use Advisory Committee urges by resolution, possible equitable solutions to conflicts through both administrative and political influence; and

WHEREAS, the testimony of experts appearing before this Committee and the subsequent findings of this Committee are transmitted to the Governor, Congressional Delegation, federal agency directors, state agencies and legislators for consideration and implementation; and

WHEREAS, various administering agencies having jurisdiction over the federal lands in the State of Nevada, as well as the University of Nevada System and various other state agencies utilize these committee findings and expert testimony; and

WHEREAS, the record shows consistently excellent participation and attendance of the committee members and representatives of federal and state agencies at a minimal cost to the State of Nevada thereby providing the State with great and useful benefits.

NOW, THEREFORE, BE IT RESOLVED, that this Committee recommends that:

1. The Committee not be abolished or combined with other committees as proposed in AB 278.
2. Staff support and administration of the Committee budget continue to be furnished by the Department of Conservation and Natural Resources.

NEVADA CHILD CARE SERVICES DIVISION POLICY BOARD

February 25, 1977

Dear Sir:

I have become aware that you are considering whether or not to continue the Nevada Child Care Services Division Policy Board. As a part of the State structure, and for that reason, I would like to furnish you with the following information.

I have served on the Board for three years, and presently am Chairperson of the Board. The Board has been concerned with improving the quality of day care for all children in Nevada and for finding day-care resources for children of low-income families.

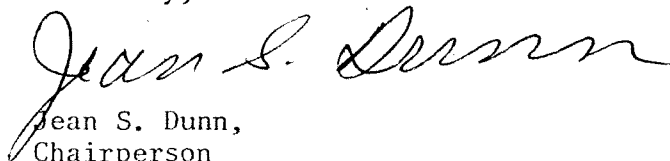
Through the efforts of this Board in behalf of low-income families, the Economic Opportunity Board is presently providing (through Title XX) free day care for thirty eligible children of families who have low-income jobs, are in training and/or education.

Two years ago, during the last legislative session, the Division hosted a conference entitled "Nevada Conference on Children," in Reno. This conference provided a forum for very low-income families and priorities in the area of day care.

I am confident that you will take these facts into consideration in favor of the continuation of the Nevada Child Care Service Division Policy Board.

Thank you.

Sincerely,



Jean S. Dunn,  
Chairperson  
Nevada Child Care Services Division  
Policy Board

EX 36

# NEVADA STATE BOARD OF CHIROPRACTIC EXAMINERS



FRED STONER, D.C.  
PRESIDENT  
1204 DESERT INN ROAD  
LAS VEGAS, NEVADA 89109

## BOARD MEMBERS

JOSEPH M. KIRKLAND, D.C.  
P. O. BOX 808  
FALLON, NEVADA 89406

EUGENE SCRIVNER, D.C.  
VICE PRESIDENT  
301 W. WASHINGTON STREET  
CARSON CITY, NEVADA 89701

HERBERT J. ROWE, D.C.  
SECRETARY-TREASURER  
518 E. ST. LOUIS AVENUE  
LAS VEGAS, NEVADA 89104

IRVING KLINE, D.C.  
1111-A LAS VEGAS BLVD. SO.  
LAS VEGAS, NEVADA 89104

February 25, 1977

Assemblyman Patrick Murphy  
Committee on Governmental Affairs  
Nevada State Legislature  
Carson City, Nev. 89710

Dear Assemblyman Murphy:

On behalf of the Nevada State Board of Chiropractic Examiners I would like to make the following comments regarding proposed changes in Boards and Commissions:

1. Provide a limit of two consecutive terms on our Board:

At this time in Nevada there are approximately 275 licensed Chiropractors, of which only 50 reside and actively practice in the State of Nevada. For this reason we believe special consideration should be given to our Board, and we are a self-sustaining Board.

According to the Statutes there can be no more than two doctors from one chiropractic college, and there are not enough chiropractors practicing in the State to choose from in order to make the suggested change.

We would be forced to place inexperienced doctors on the Board, which would not benefit either the public or our profession.

The change in the office of the Secretary would necessitate special instruction to the new secretary which are complex. In addition, there are numerous files, equipment, and furniture to be moved which would involve additional expense moving from one office to another.

2. Add one lay person and remove one Chiropractor:

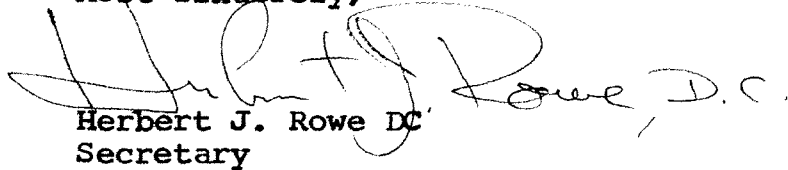
In our opinion, this would accomplish absolutely nothing for our benefit. This Board needs all of the Chiropractors we presently have on the Board in order to give the complete examinations to prospective candidates, which are very extensive. In order to maintain our reputation in licensing only the most qualified practitioners for the people of the State of Nevada, this is most important.

I fail to see what purpose a lay person would serve on our Board. Our administrative work is strictly chiropractic. It would be strictly a waste of money to have

a lay person sitting at meetings with nothing to do for lack of information on the licentiates involved.

We would appreciate your consideration to our thoughts on this matter.

Most Sincerely,

  
Herbert J. Rowe DC  
Secretary

HJR/pw

cc All Board members





STATE OF NEVADA  
PUBLIC WORKS BOARD

Ex 37

WILLIAM E. HANCOCK, A.I.A.  
SECRETARY AND  
MANAGER

Kinkead Building, Room 400  
Capitol Complex  
CARSON CITY, NEVADA 89710  
(702) 885-4870

Assemblyman Patrick M. Murphy, Chairman  
Assembly Government Affairs Committee  
Nevada State Legislature  
Legislative Building  
Carson City, Nevada 89710

February 28, 1977

IN REPLY REFER TO SUBJECT

RE  
1977 Legislation  
Assembly Bill 278

Dear Mr. Murphy:

Vice-Chairman Sandorf has requested that the attached Staff Analysis of the State Planning Coordinator's proposal, as it affects the State Public Works Board, and the Public Works Board's official position, as represented on Page 7 of the Capital Improvements Program, be made available to you.

Basically, the Board is opposed to the appointment of the Manager by the Governor as long as the Board has the executive and administrative responsibilities set forth in NRS 341 and it does not recommend abandoning the Board concept for public works. The Board is also opposed to shortening the terms of the members from four years to three years and to limiting the membership to two consecutive terms.

The provisions of the bill, which would make the Board responsible for the existing duties of the Regional Plumbing Boards and providing for the termination of Board memberships on July 30th, are satisfactory and acceptable to the Board.

I would be happy to provide you with any further information you may need on this.

Very truly yours,

William E. Hancock, AIA  
Manager

WEH:km  
Encl.

STAFF ANALYSIS  
on the September 1976  
REPORT OF THE GOVERNOR'S OFFICE OF PLANNING COORDINATION  
for  
RECOMMENDATIONS FOR CHANGE IN BOARDS AND COMMISSIONS

Report Recommendation #1: "The Governor appoint the Director" (Secretary-Manager).

Comment: Since no man can serve two masters, a decision of whether the Director (Secretary-Manager) should be appointed by the Governor rather than the current procedure of appointment by the Board, requires a determination of whether the responsibilities set forth in NRS 341 can best be met under a Department concept or the current Executive Board concept.

Of the following statutory responsibilities, (1) Development of a Recommended Capital Improvements Program, (2) The design and construction of authorized Capital Improvements, (3) School Plan Checking, (4) Architectural and Engineering Services, (5) Inspection of State Buildings, and (6) The State Insulation Code, all but Items 1 and 2 could be accomplished under a Department concept. These two items, the major responsibility and work load under NRS 341, could not, in my opinion, be adequately performed under a Departmental concept.

NRS 341 requires that a Recommended Program of Capital Improvements be submitted independently to both the Governor and the Legislature. Under this concept, the Governor can include in the Executive Budget only those Recommended Capital Improvement projects he supports, while the Legislature still is advised of all of the recommended projects and can, consequently, better evaluate the need for essential programs and projects. This procedure can only be accomplished under a Board organizational concept. Under a Departmental concept, the Legislature would only receive those projects supported by the Governor.

The design and construction for public works involves large sums of money and, consequently, has a high potential for mismanagement. For continued success, the process of the award of contracts for both design and construction has to be kept free of political influence. Bad experiences in other states have shown that when politics get involved in the award and administration of such contracts, serious financial and ethical problems result. The best way of insuring that contract problems do not happen in Nevada is to maintain the Executive Board concept wherein such decisions are made not by one political appointee but by consensus of a ten member Board.

The history of the State Public Works Board, since 1955, is adequate evidence that the Board concept for public works has worked satisfactorily in Nevada

Conclusion: The Board organizational concept is preferable to the Departmental concept for the accomplishment of public works and, consequently, the Director (Secretary-Manager) should be appointed by the Board rather than by the Governor.

Staff Recommendation: Oppose the Report recommendation to change NRS 341 to require that the Director be appointed by the Governor.

Report Recommendation #2: "The functions of the Northern and Southern Regional Plumbing Boards be incorporated into this Board."

Comment: NRS 444.340 adopts the Uniform Plumbing Code as a State standard. Under the provisions of NRS 444.420, the responsibilities of the Regional Plumbing Boards are to:

1. Review all proposed adoptions of the Uniform Plumbing Code by any city or county within its jurisdiction and any proposed changes to the Uniform Plumbing Code, and advise such city or county on whether or not such change is deemed warranted by geographic, topographic or climatic conditions.
2. Submit a copy of the Uniform Plumbing Code adopted by any city or county within its jurisdiction to the Health Division of the Department of Human Resources.

The Board regularly adopts as one of its standards of design and construction for State and school buildings the latest edition of the Uniform Plumbing Code. Under its procedures, the Board solicits comments and recommendations from the northern and southern chapters of the American Institute of Architects, Nevada Society of Professional Engineers, and Associated General Contractors.

Conclusion: The Board obtains much of the same information that the Regional Plumbing Boards are required to obtain. The dissemination of this information to cities, counties and the Health Division would not substantially increase the Board's work load.

Staff Recommendation: Support the Report recommendation that the Board assume the existing responsibilities of the Regional Plumbing Advisory Boards.

Report Recommendation #3: "Provisions be made for staggered 3 year terms (expiring on October 31) with a limit of 2 consecutive terms except for the State Planning Coordinator who shall serve a term concurrent with his position."

Comment: The Planning Coordinator has advised that a "staggered 3 year term" would mean that three Board member terms would expire every year on October 31. The Report recommends termination dates of May 30 or October 31 for all Boards.

On even years, the October 31 date for terminating the membership of three members could adversely affect the development of the Recommended Capital Improvements Program. The May 30 date would approximate the beginning of the design and construction program authorized by the Legislature.

It is conceivable that under the 3 year staggered term concept that in a given year there would be three new members and three members with one year's experience. Consequently, a quorum of the Board would have no more than one year's experience.

The development of capital improvements is time consuming. At least 6 months is required to develop the Recommended Capital Improvements Program, 12 months is required for the design, bidding and award of the average project, and construction of the average project takes 16 to 20 months.

Most Board members have indicated that it takes at least a year to develop a working knowledge of Board responsibilities and to become familiar with State institutions.

Under the current 4 year terms, many Board members have served with distinction for much more than two terms. Their experience has been of value to other members, the staff and the Legislature. It is also apparently becoming more difficult to find people to take memberships on appointed Executive Boards.

Conclusion: A May 30 termination date would be preferable to the recommended October 31 date. Three year terms are too short for effective capital improvements programing and development. A two term limit could deprive the State of the experience of many qualified and dedicated Nevadans.

Staff Recommendation: Oppose the Report recommendation for 3 year staggered terms, expiring on October 31, with a limit of 2 consecutive terms. Recommend that if a standard termination date for all Board terms is effected, that it be May 30 rather than October 31.

3. Board recommendations on proposed Board changes recommended by the Governor's Office of Planning Coordination:

In September 1976, the Governor's Office of Planning Coordination recommended the following changes to be made to the Public Works Board:

Recommendation: That

- (1) the Governor appoint the Director,
- (2) the functions of the Northern and Southern Regional Plumbing Boards be incorporated into this board,
- (3) provisions be made for staggered 3 year terms with a limit of 2 consecutive terms except for the State Planning Coordinator who shall serve a term concurrent with his position, and
- (4) membership terms shall terminate on October 31.

The Board, in its November 5, 1976 meeting, moved as follows concerning these recommendations:

- (1) Oppose the Report recommendation to require that the Director be appointed by the Governor and strongly recommends that the Director (Secretary-Manager) continue to be appointed by the Board.
- (2) Support the Report recommendation that the Board assume the existing responsibilities of the Regional Plumbing Boards.
- (3) Oppose the Report recommendation that members should be appointed for three year terms, with a limit of two terms. Members should be appointed for four year terms with no limitation of numbers of consecutive terms as determined by the Governor.
- (4) Recommend that Members' terms terminate on May 30 rather than October 31.

Ex 38

LARRY D. STRUVE, ESQ.  
P.O. BOX 2008  
RENO, NEVADA 89505  
785-6225

February 14, 1977

Assemblyman Patrick Murphy  
Chairman, Assembly Government  
Affairs Committee  
Room 212, Nevada Legislative Building  
Capitol Complex  
Carson City, Nevada 89710

Re: A. B. 278

Dear Pat:

As you know, the above statute, if enacted, would represent a major overhaul and reorganization of various boards, commissions, and similar bodies in the executive department of Nevada state government. Included in the boards that would be reorganized by this statute is the Nevada State Public Works Board. In Section 84 of this proposed legislation, it is recommended that the manager and technical supervisor of the Public Works Board be appointed by the Governor rather than the Public Works Board, as is now the case. You will note that no other major changes are proposed to Chapter 341 of the Nevada Revised Statutes, except to provide for certain limitations on the length of service of members appointed to the Public Works Board.

As you may know, I am a member of the State Public Works Board and have had occasion to become familiar with many of the provisions in Chapter 341 of the Nevada Revised Statutes, pertaining to the planning and implementation of State Public Works projects. In my opinion, it would be a mistake to enact Section 84 of A. B. 278 without also amending or revising many other sections in Chapter 341 of the Nevada Revised Statutes, which now require the Public Works Board to perform numerous executive functions on the part of the State of Nevada. Under current law, the Public Works Board has the legal authority to award construction contracts, negotiate and award architectural agreements, and disperse funds from the State Treasury appropriated by the State Legislature for designated public works projects. As you would expect, most of these functions are actually implemented by the manager and technical supervisor employed by the State Public Works Board, who work under Board directives.

Assemblyman Patrick Murphy  
February 14, 1977  
Page Two

If the Legislature enacted Section 84 of A. B. 278 in its current form, the manager and technical supervisor of the State Public Works Board would serve at the pleasure of the Governor. However, the Public Works Board would still continue to function as an "Executive" board, respecting its many functions in implementing the State Public Works program, including those mentioned above. This would put the manager and technical supervisor of the Public Works Board in the position of having to account to or answer for two masters. Such a situation could lead to potential dilemmas and impasses, in the event the Governor desired to build a particular project one way and the Board determined it would be best to design and build it another way. To whom would the manager and technical supervisor be accountable?

It would be my suggestion that if the Legislature desires to make any changes to Chapter 341 of the Nevada Revised Statutes that it decide whether it wants an Executive Department concept or an Executive Board concept, with respect to State Public Works projects. As now proposed, A. B. 278 would attempt to institute both concepts, which would most likely become unworkable. The Public Works Board itself is on record as opposing the Executive Department concept.

Though not discussed by my Board, it seems to me certain compromises are possible if the Legislature desires to retain an "executive" Public Works Board but still provide "accountability" to the Governor's Office.

Such compromises could include: a requirement that the Governor ratify or approve the Public Works Board's appointment of the manager and technical supervisor of said Board; the establishment of a set term of appointment for the manager and technical supervisor of the Board, subject to reappointments by the Board upon ratification and approval by the Governor; and clarification in Chapter 341 of the Nevada Revised Statutes that during a manager's and technical supervisor's term of appointment by the Public Works Board that said manager and technical supervisor are under the direct supervision and control of the Public Works Board for the purpose of carrying out said Board's executive functions.

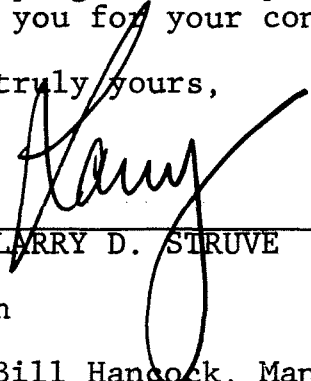
Whatever decision is ultimately made with those portions of A. B. 278 affecting the State Public Works Board, I sincerely hope that the unworkable provisions of Section 84 can be amended or modified, to prevent an unworkable situation from

Assemblyman Patrick Murphy  
February 14, 1977  
Page Three

developing with respect to State Public Works projects.  
Thank you for your consideration.

Very truly yours,

By

  
LARRY D. STRUVE

LDS:ph

cc: Bill Hancock, Manager  
State Public Works Board

Bruce Arkell, State  
Planning Coordinator



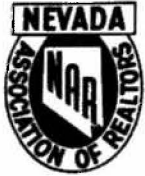
Ex 39



# NEVADA ASSOCIATION OF REALTORS®

*William E. Cozart*  
Executive Vice President  
Director of Education

1135 TERMINAL WAY, SUITE 209 / POST OFFICE BOX 7338 / RENO, NEVADA 89510 / (702) 329-6648



## TESTIMONY RELATIVE TO A.B. 278

*Office of the President*  
811 So. Decatur Blvd.  
Las Vegas, Nevada 89107  
702-870-6262

NRS 645.050

*President*  
JESSIE EMMETT

Page 115, lines 1 and 2 omission of the following  
[The governor shall obtain and consider a list  
of nominees from the Nevada Association of REALTORS®.]

*President Elect*  
WILLIAM E. CREER

*Regional Vice President*  
HAZEL HEDGES

*Regional Vice President*  
WILLIAM MYERS

*Regional Vice President*  
RAIG ROBINSON

*Treasurer*  
THOMAS M. LEWIS, II

The Association is opposed to the deletion of this section. In no way do we wish to make the Governor accountable to the Association or real estate industry, but we do feel that counsel is very beneficial. The Association, in many cases, is more aware of qualified people to serve on the Commission simply by direct association with people in the industry.

*Directors*  
WAYNE ALEXANDER  
JERRY FRANSDEN  
WES HOWELL  
JOHN KAVINSKY  
WILLIAM KIMMEL  
DUANE LAUBACH  
J. R. "DICK" LaMAY  
JACK MATTHEWS  
GENE MILLIGAN  
VINCENT VASSALLO  
JAMES WADE

Certainly, the Governor does not have to make his appointments from the list provided, but we do feel that the input is valuable and can perhaps help the Governor in his selection.

*Immediate Past President*  
PAUL ARGERES

The Real Estate Advisory Commission has much more power, authority and responsibility in many cases than do other boards and commissions in that they adopt regulations, act on license applications and conduct hearings that can result in suspension or revocation of licenses. It is therefore very important that the Commission be composed of fair, knowledgeable persons who will enforce NRS 645 to its fullest.

*National Directors*  
PAUL ARGERES  
WILLIAM MYERS  
JOE NOLAN  
CHARLES L. RUTHE  
GILBERT SCHWARTZ

NRS 645.090

Page 115, lines 13 through 17

The amendments to this section would change the structure of the Real Estate Advisory Commission by replacing two licensed brokers with two representatives of the general public.

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The Nevada Association of REALTORS® is strongly opposed to this change in structure, not because we are against consumers and consumerism, but because of the function and responsibility of the Commission.

The Association supports strong enforcement of NRS 645 and the Rules and Regulations thereto and is of the opinion that "judgement by one's competitors" provides for this type of enforcement. Placing lay people on the Commission would not achieve the same end result. The Dairy Commission is a prime example.

Licensed Brokers who have been actively engaged in the business for a long period of time have a familiarity with the proper and ethical practices and procedures in the real estate industry that a lay person could never hope to obtain.

Commissions and Boards consisting of only members from the industry are often accused or suspect to promulgating regulations and making other decisions that are self-serving. The history of the Real Estate Advisory Commission as it first existed and as it now exists refutes that argument. All the actions of the Commission have reflected and still reflect a commitment to the protection of the general public and to increasing the knowledge, proficiencies and ethics of the practitioners within the industry.

It should be pointed out that before the Advisory Commission was made a part of the statutes and of the government, that the real estate industry formed its own commission, supported by the industry, to police itself.

In conclusion, the addition of lay people to the Real Estate Advisory Commission would not add to the effectiveness, fairness, or accountability of that body. In fact, it would only serve to hamper its effectiveness in its attempt to strongly enforce the law, to professionalize the industry, and to protect the general public.



STATE OF NEVADA

STATE FIRE MARSHAL DIVISION

KINKEAD BUILDING (CAPITOL COMPLEX)  
505 EAST KING STREET, ROOM 302  
CARSON CITY, NEVADA 89710  
February 14, 1977

MICHAEL L. MELNER, DIRECTOR  
DEPARTMENT OF COMMERCE  
DAN J. QUINAN, FIRE MARSHAL  
STATE FIRE MARSHAL DIVISION  
(702) 885-4290

MIKE O'CALLAGHAN  
GOVERNOR

FIRE PROTECTION SECTION  
(702) 885-4290

The Honorable Patrick M. Murphy, Assemblyman  
Chairman of the Assembly Government Affairs Committee  
Legislative Building  
401 South Carson Street  
Carson City, Nevada 89710

RE: A. B. 278--ASSEMBLY GOVERNMENT AFFAIRS  
COMMITTEE HEARING, FEBRUARY 23, 1977

Dear Mr. Murphy:

Due to a scheduled fire and life safety conference in Atlanta, Georgia (with 50 State Fire Marshals and the U. S. Department of Commerce, National Fire Prevention and Control Administration) I will not be able to attend the above captioned hearing as planned.

With your indulgence, I would like to submit the following comments:

Department of Commerce legislation will be introduced to remove the Mobile Home and Travel Trailer Section from the Fire Marshal Division, page 57, line 17. To properly identify my division's fire protection activities, I would recommend amending page 57, line 17 as follows:

2. The division consists of the fire protection section, the (factory-built housing section and the mobile home and travel trailer section.) *fire extinguisher firm licensing section, the investigation section, and the public information section.*

The most important legal functions of the State Fire Marshal's Advisory Board are to conduct hearings on behalf of persons denied a license to sell and/or service fire extinguishers, and to assist me in the promulgation and adoption of regulations pursuant to NRS 477.030 and .033.

Unless some means are provided for in the Department of Commerce to perform these functions (as provided for in administrative procedures) I would be unable to legally perform my duties prescribed in NRS 477.030 and .033. For this reason I recommend leaving in the language on page 58, lines 6 and 7.

The Honorable Patrick M. Murphy, Assemblyman  
Chairman of the Assembly Government Affairs Committee  
February 11, 1977  
Page 2

I am aware that an effort will be made during this session of the legislature to place my position in the unclassified service. There will be strong objections to this from the fire service and the fire protection industry field. My intuition tells me that A.B. 278, page 57, lines 23 and 24 may be used as a vehicle to make my position unclassified and as such, an amendment would not offer persons opposed to this action a chance to voice their opinions.

In conclusion, page 58, line 23 and any following references to the State Fire Marshal in the administering of NRS 489 will possibly be amended in a Department of Commerce bill, forthcoming.

Respectfully submitted,



DAN J. QUINAN  
Nevada State Fire Marshal

DJQ:kr

Ex 41



NEVADA STATE RURAL HOUSING AUTHORITY  
201 W. TELEGRAPH STREET, ROOM 205  
CARSON CITY, NEVADA 89710  
TELEPHONE (702) 885-4420

February 23, 1977

RAY TENNANT  
CHAIRMAN  
RAY D. LEGARZA  
VICE CHAIRMAN  
MEMBERS:  
HERBERT GERSON  
RICHARD B. ROWE  
SCOTT PROBERT

JAMES E. BAKER  
SECRETARY AND  
EXECUTIVE DIRECTOR

TO: Assemblyman Patrick Murphy, Chairman  
Assembly Government Affairs Committee  
FROM: James E. Baker, Secretary/Executive Director  
Nevada State Rural Housing Authority  
SUBJECT: Transfer of Rural Housing Authority to  
State Department of Commerce AB 278

My name is James E. Baker. I am employed as a Housing Specialist for the State Office of Community Services. I also act as Secretary and Executive Director of the Nevada State Rural Housing Authority. Mr. Chairman and members of the Committee, I appreciate the opportunity to come before you and testify on AB 278, Section 34 through Section 55. I am not against reorganization of boards and commissions per se, however, if this portion of AB 278 is passed, I can foresee some real problems, both for the State of Nevada and the Rural Housing Authority.

My concern is unanimously shared by all the members of our Rural Housing Authority, and it is based on the following:

First of all, if our Rural Housing Authority is transferred by this law into the Commerce Department, we loose our status as a corporate body which constitutes a real shield of protection to the State.

Assemblyman Patrick Murphy, Chairman  
Assembly Government Affairs Committee  
February 23, 1977

I am reliably informed by your Legislative Counsel, Mr. Frank Daykin, that any debt, presently incurred by the Rural Housing Authority or any future debt incurred, becomes a debt of the Commerce Department and therefore, a debt of the State of Nevada.

As a part of our application to HUD for our elderly project in Carson City, we hired an architect and have agreed to pay him a fee of \$83,860.00 to produce suitable drawings and supervision. This fee will likewise be an obligation of the State of Nevada, if we are transferred to the Commerce Department.

We have also obligated our Authority for \$3,500 in application fees to HUD, plus we have obligated ourselves for soil tests in the amount of \$1,500 and another \$1,000 for a mets and bounds survey of the project site. All of these fees and obligations we expect to pay out of the proceeds of the mortgage. Here again, all fees, debts and obligations will be a debt of the State of Nevada, if we are transferred to the Commerce Department. As you can readily see, the corporate structure, now a part of the Rural Housing Authority, is a real protection to the State of Nevada in that it limits its obligations and debts to that corporate structure known as the Nevada State Rural Housing Authority.

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Our Rural Housing Authority has subsidized the rents for some 400 low income citizens of rural Nevada living in some 200

Assemblyman Patrick Murphy, Chairman  
Assembly Government Affairs Committee  
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apartments or rental units. As a part of this subsidy program, we inspect the rental unit and warrant to the prospective renter that the unit is safe, sanitary and has no physical deficiencies. Let us suppose, for purposes of liability discussion, that one of our subsidized renters falls off the second story balcony of his apartment and seriously injures himself, let us further suppose that he claims his fall was due to a faulty railing and he sues the Rural Housing Authority. If we are transferred to the Commerce Department, this liability claim of the tenant becomes a liability of the Commerce Department and therefore, a liability of the State of Nevada.

I do not have to tell you gentlemen how extensive or how expensive this liability exposure could conceivably be to the State of Nevada. As now constituted, the corporate structure of the Rural Housing Authority limits the liability to the Rural Housing Authority and not the State.

Aside from the increased debt burden to be assumed by the State and additional liability exposure, there is a real problem with administration of the Rural Housing Authority caused by the proposed transfer to the Commerce Department. AB 278 provides that the Rural Housing Authority will be transferred to the Housing Division of the Commerce Department. Further, it provides that the Director of the Commerce Department will appoint the Executive Director of the Rural Housing Authority. In effect, this means that the Executive Director of the Rural Housing Authority has

Assemblyman Patrick Murphy, Chairman  
Assembly Government Affairs Committee  
February 23, 1977

three bosses, the Director of the Commerce Departments Housing Division, the Director of the Commerce Department and the five members of the Rural Housing Authority. If you were Executive Director of the Rural Housing Authority, how would you react to this three way direction?

In this same vein gentlemen, I want each one of you to assume, for the moment, you are the Chairman of the Rural Housing Authority. You know you do not control the management because the Commerce Department Director appoints the Executive Director of the Rural Authority, of which you are the Chairman. Seriously, would you as Chairman want to sign for a \$1,800,000 mortgage over which you would not have any control other than advisory on the repayment of said mortgage? My Chairman, Mr. Ray Tennant, has real concern about his lack of effective control. I am sure he is not fully convinced that he should sign on the \$1,800,000 mortgage now proposed for the Carson City project. Suppose he decides not to sign, what happens at this point in time?

It has been said, or it will be said, that an attorney at HUD in San Francisco has stated that our Rural Housing Authority could function as an effective Authority within the framework of the Commerce Department. This is true, provided the State wants to accept the increased possibility of debt obligation and the additional liability exposure.



Assemblyman Patrick Murphy, Chairman  
Assembly Government Affairs Committee  
February 23, 1977

John Kavanaugh, Regional Attorney for HUD in San Francisco, stated to me on the phone that HUD acknowledges that the housing program could be administered out of the Commerce Department. However, he did not recommend it and he realized serious problems which could develop from such action.

I have talked to Russell McDonald, your former Legislative Counsel, he likewise expressed serious concerns that this move is proper or desirable.

Mike Melner, Director, State Department of Commerce, does not view this move as good legislation. I suggest you hear from him personally, as to his objections and also to his Housing Division Director, Bud Gubelman.

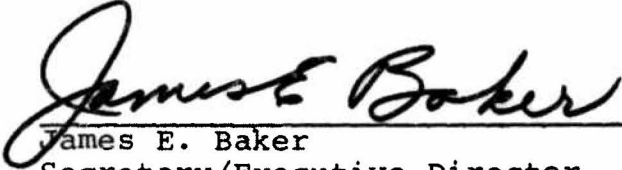
Our Rural Housing Authority can point to some good solid housing accomplishments. First of all, we have applied for and received some \$800,000.00 in subsidy funds from HUD to subsidize the rents of low income citizens of Nevada, to be paid out over the period 1976 to 1984. During the period, July 1976 to January 1977, we have helped 400 low income citizens of rural Nevada with their rent payments. We have been successful in having 13 counties of Nevada request our assistance. We have been deeded 6.89 acres of prime ground in Carson City by the State Highway Department for the development of a 100 unit elderly housing project. We have

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Assemblyman Patrick Murphy, Chairman  
Assembly Government Affairs Committee  
February 23, 1977

made application to HUD for a \$1,800,000 insured mortgage to build said project. We have been granted an allotment of subsidy funds for the new project, where the 100 tenants will not pay more than 25% of their income for rent, including utilities.

For the sake of good legislation, I suggest to this committee that you amend AB 278 by striking paragraphs 34 through Section 55 out of the Bill. Thank You.

  
James E. Baker  
Secretary/Executive Director  
Nevada State Rural Housing Authority

EQUAL OPPORTUNITY EMPLOYER

STATE OF NEVADA  
DEPARTMENT OF HUMAN RESOURCES  
ROGER S. TROUNDAY, DIRECTOR  
DIVISION FOR AGING SERVICES  
JOHN B. MCSWEENEY, ADMINISTRATOR  
ADMINISTRATIVE OFFICE  
KINKEAD BUILDING, ROOM 101  
505 EAST KING STREET  
CAPITOL COMPLEX  
CARSON CITY, NEVADA 89710



MIKE O'CALLAGHAN  
GOVERNOR

February 9, 1977

The Honorable Patrick M. Murphy  
Chairman of Government Affairs Committee  
Nevada State Legislature  
Carson City, Nevada

Dear Assemblyman Murphy:

I would like to make reference to A.B. 278, page 116, line 32.

Since the Nevada State Board of Examiners means licensing both skilled and intermediate care facilities and with the distinct possibility of licensing all administrators of nursing facilities, I would suggest that on line 32 the word "skilled" be removed and thus, in part, the statement would read "The Nevada state board of examiners for nursing facility administrators,...". By making this amendment the board will be relieved of any possible conflict concerning its authority to license nursing home facility administrators.

Thank you in advance.

Sincerely,

John B. McSweeney  
Board Member  
NEVADA STATE BOARD OF EXAMINERS FOR  
LICENSING NURSING HOME ADMINISTRATORS

JBM/1v  
cc: Stan Pariso

P.S...The attached is for your further information.



STATE OF NEVADA  
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING  
CAPITOL COMPLEX  
CARSON CITY, NEVADA 89710



ARTHUR J. PALMER, *Director*  
(702) 885-5627

LEGISLATIVE COMMISSION (702) 885-5627

JAMES I. GIBSON, *Senator, Chairman*  
Arthur J. Palmer, *Director, Secretary*

INTERIM FINANCE COMMITTEE (702) 885-5640

DONALD R. MELLO, *Assemblyman, Chairman*  
Ronald W. Sparks, *Senate Fiscal Analyst*  
John F. Dolan, *Assembly Fiscal Analyst*

FRANK W. DAYKIN, *Legislative Counsel* (702) 885-5627  
EARL T. OLIVER, *Legislative Auditor* (702) 885-5620  
ANDREW P. GROSE, *Research Director* (702) 885-5637

February 11, 1977

The Honorable Patrick M. Murphy  
Chairman  
Assembly Government Affairs  
Legislative Building  
Carson City, Nevada 89710

Dear Assemblyman Murphy:

AB 278 is currently before your committee. Among other things, it abolishes two professional boards and transfers the inspection duties of two other professional boards to the Health Division.

The bill does not provide for the disposition of the assets of the two abolished boards. Neither does it provide for the disposition of the assets of the two boards transferred, and the future accounting of the fees paid by practitioners of these two boards.

Accordingly, we would like to propose the following amendments to AB 278.

1. "Within six months after the effective date of this act, all money of the Board of Landscape Architects and the Board of Registration for Public Health Sanitarians shall be deposited in the State Treasury to the credit of the General Fund. All equipment or other property of those two boards shall be transferred to the Department of General Services."
2. "On the effective date of this act, the balance of the amount withdrawn from the Contingency Fund in accordance with the provisions of NRS 644.180, shall be reverted to the Contingency Fund."

If it is the intent of the bill to have all of the administration cost of carrying out the provisions of NRS Chapter 643 and 644 financed from the Health Division's administration budget, we suggest the following amendments:

3. "All amounts received by the Health Division for examinations, licenses, restorations, fines, penalties, etc., paid in accordance with the provisions of chapter 643 and 644, shall be deposited in the State Treasury for credit to the General Fund."

4. "On the effective date of this act, all money belonging to the Barbers Health and Sanitation Board and the Board of Cosmetology shall be deposited in the State Treasury for credit to the General Fund."

If, however, it is the intent of the bill to continue to have the administrative costs of carrying out the provisions of NRS Chapters 643 and 644 financed from the revenue generated by those statutes, we suggest the following amendments:

5. "The Barbers' Health and Sanitation Fund is hereby created as a special revenue fund. All amounts received by the Health Division under the provisions of Chapter 643 shall be deposited in the State Treasury for credit to the Barbers' Health and Sanitation Fund. All expenses necessary to carry out the provisions of Chapter 643 shall be paid out of the Barbers' Health and Sanitation Fund on claims approved by the administrator of the Health Division or his designee as other claims against the State are paid."
6. "On the effective date of this act, all money belonging to the Barbers' Health and Sanitation Board shall be deposited in the State Treasury for credit to the Barbers' Health and Sanitation Fund."
7. "The Cosmetology Fund is hereby created as a special revenue fund. All amounts received by the Health Division under the provisions of Chapter 644 shall be deposited in the State Treasury for credit to the Cosmetology Fund. All expenses necessary to carry out the provisions of Chapter 644 shall be paid out of the Cosmetology Fund on claims approved by the administrator of the Health Division or his designee as other claims against the State are paid."
8. "On the effective date of this act, all money belonging to the Board of Cosmetology shall be deposited in the State Treasury for credit to the Cosmetology Fund."

The last amendment we would like to suggest affects NRS 218.825:

9. "Chapters 643 and 644 are excluded from the provisions of section 218.825 of the NRS."

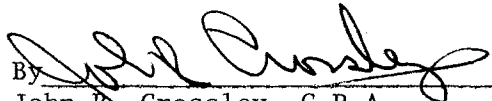
Our purpose in suggesting these amendments is to provide in the bill direction as to how the accounting will be accomplished when boards and commissions are either abolished or the administrative responsibility is shifted. We have experienced problems, auditwise, when this direction has not been set forth.

The Honorable Patrick M. Murphy  
Page 3

We are available to discuss these proposed amendments with you at your convenience.

Sincerely yours,

EARL T. OLIVER, C.P.A.  
LEGISLATIVE AUDITOR

By   
John R. Crossley, C.P.A.  
Chief Deputy Legislative Auditor

ETO:JRC:mr  
cc: Senator James I. Gibson  
Frank Daykin

SENATE GOVERNMENT AFFAIRS COMMITTEE

GUEST REGISTER

DATE \_\_\_\_\_

PLEASE SIGN - EVEN IF YOU ARE NOT HERE TO TESTIFY.....

NAME	WILL YOU TESTIFY	BILL NO	REPRESENTING - - - - -
W. H. Winn	NO	AB278	Nevada Mining Ass.
Louis BERGEMAN	Yes (D)	1	Nevada Cattlemen Assoc
Frederick W. Anderson	yes (S)		New Jr. Inventors Assoc
Bob Albert	No		Kennecott Copper Corp
JAMES Threet (B)	yes	278	New State Barbers Assoc
Lawrence D Hunt (B)	yes	278	Legislative Rep for Nevada
JOHN A. GIDNEY	YES	AB278	NEVADA SOCIETY OF CPA'S
ELVIN BRUNETTI	YES	AB278	NEVADA STATE BOARD OF ACCOUNTANTS
Mary J. Salzman	Yes (D)	AB278	League Women Voters of Nevada
Jamell C. Bernard	yes	AB278	NEV. STATE BOARD OF ACCOUNTANCY
William J. ...	yes	AB278	NEV. STATE BOARD OF ACCOUNTANCY
Barbara Mello	Yes	AB278	Nev. State Arts Council
Helma Calhoun	No	✓	✓ ✓ ✓ ✓
Vernon Scheid	yes	AB278	Self
JACK LEHMAN	yes	AB-278	Chairman, Colo. River Ad Comm
DOM PAFF	NO	-	Div. of Colo River Res.
Stelton Andersen	yes		L V Hairdressers Assoc.
PAMELA WILCOX	YES		Nv Assoc of Conservation District
Ruby A Garland	yes		Cosmetique Inc.
Dorothy Wells	yes		Moulis House Bldg Solan
Bill Stafford	Yes		National Interstate Comm
Marathy Jensen	yes		State Board of Counties
Clayton Lann	yes		State Board of Counties
Ed HOLLINGSWORTH	YES		NEV MINERS & Prop Assoc



SENATE GOVERNMENT AFFAIRS COMMITTEE

GUEST REGISTER

DATE Jan

PLEASE SIGN - EVEN IF YOU ARE NOT HERE TO TESTIFY.....

NAME	WILL YOU TESTIFY	BILL NO	REPRESENTING - - - - -
Gary Vause	yes	278	Child Care Policy Board
Raymond S. Wenzel	"		" " " "
John D. Beer	"	233C	State Arts Council
Roger Stepha		278	upland Game Committee
Carla Williams			Cosmetology
Mimi Rodden	yes		Quada. State Museum
Shirley Wedem	yes	278	Inv. Adv. Council on <sup>Children &amp;</sup> Youth
Buck Smith	YES (11)	278	Boomers Act on Alcohol Abuse
JERRY KIRK	YES	278	" Council <sup>of</sup> <del>Doctors</del> CHILDREN
MERLIN D. ANDERSON	YES	278	Comm. on Post. Sec. Inst. Auth.
BRYCE RHODES	YES	278	BRD. MED. EXAM.
KENNETH MACLEERAN	YES	278	" " "
Frank Holzhauser	yes	278	Dept of Human Resour
W E Hancock	yes	278	Public Works Board.
BERNARD DEHL	YES (9)	278	CRIME COMMISSION
F. Hammann	yes (10)	278	<del>Civil Commission</del>
Jim B. Edmanney	no	277	Communications Board
Ann Lynch	yes	278	Quada P.T.A.
Donald G. Tetter	yes	278	NECC.
JACK A. JEMEN	yes	278	NECC
Cleon Griffith	yes	278	Dept. of Fish & Game
James F. Edmondson	yes		Health Division
Wm. W. Edmondson MD	yes		Bd of Mental Medicine
Don Crosby	yes		Quay Dept " 392

SENATE GOVERNMENT AFFAIRS COMMITTEE

GUEST REGISTER

DATE 2-23-77

PLEASE SIGN - EVEN IF YOU ARE NOT HERE TO TESTIFY.....

NAME	WILL YOU TESTIFY	BILL NO	REPRESENTING
Carol Tickey	yes		
Ronald R. Short	no		
GEORGE BENVINETT	yes		STATE BD OF PHARMACY
DAVID T. PURCELL	yes		OSMOTIC ASSOC
LINA PURCELL	no		L 2
Ann M. Hobb	yes		Nev Nurses Assoc
CHARLES SALADINO	YES		ST. BD LANDSCAPE ARCHITECTURE
JAMES E. BAKER	YES		NEV. RURAL HOUSING <sup>74</sup>
Mary F. Stevens	yes (B)		Kingston Family Trk + Ed Comm
George Conant	yes		NEV. State Board/contract
Jerry Powell			" " "
ARTURO CAMBERO	YES		NEV STATE BOARD ARCHITECTURE
BOB SIMPSON	YES		NORTHERN NEV. AIA
I. J. SANDORF	yes		STATE PUB WKS BD.
ROBT. L. STOKER	yes		STATE CONTRACTORS B
TOM COOKE	yes		" " "
Myrtle Andersen	no appear		CP/A
Lorella Sebbas			CP/A - Owns Beauty school
Heber Hardy			PSC -
Tom Cooke			State Contractors
Fred Folsome Jr.	appear sheep head		Wool Grower
Carol Tickey			Barbers - in favor of
Glen Griffin			Prof Eng Reg. Board

P 83 Lin 40

SENATE GOVERNMENT AFFAIRS COMMITTEE

GUEST REGISTER

DATE \_\_\_\_\_

PLEASE SIGN - EVEN IF YOU ARE NOT HERE TO TESTIFY.....

NAME	WILL YOU TESTIFY	BILL NO	REPRESENTING - - - - -
<i>M. Scoville</i>			<i>Municipal Employees CPAs - 90126 State Board CPA</i>
<i>Sunday letter P. 7</i>			<i>New Public Works Board</i>
<i>Dr. Edwards</i>	<i>conflict</i>	<i>54-484</i>	<i>Health / Occupations Nursing Board</i>
<i>Jean Pevee</i>			<i>New Employment Security</i>
<i>Stanley Miller</i>		<i>Term Limits</i>	<i>landscape Arch.</i>
<i>Chuck Salvarino</i>		<i>NY</i>	<i>Rural Housing</i>
<i>James Baker</i>	<i>no</i>	<i>into Commerce</i>	<i>New Invest Show</i>
<i>Fred Dressler, Jr.</i>	<i>Leave alone</i>		<i>New Arts Council</i>
<i>Barbara Mello</i>	<i>5 Member Council</i>	<i>instead of 9</i>	<i>New Museum -</i>
<i>Mimi Rollin</i>			<i>Child Care Policy to advise - NO!</i>
<i>Dorothy Voss</i>	<i>Child Care</i>	<i>(6) P. 48 in 38</i>	<i>Ed. Con. Dir.</i>
<i>Jack Lewer</i>	<i>Oppose</i>		<i>New P.T.A.</i>
<i>Ann Lynch</i>		<i>Written Testimony</i>	<i>New Nurse Assoc. / Rep on Board of Health</i>
<i>Ann Hibbs</i>			<i>LP Nurses</i>
<i>Ellen Pope</i>			<i>Tronday -</i>
<i>Frank Holykosta</i>	<i>Chart</i>		<i>Oil + Gas Consumer Comms</i>
<i>Vernon White</i>			<i>State Bd Agric</i>
<i>John Rice</i>			<i>New, Ass Conservation District</i>
<i>Dann McLeon</i>			
<i>Jim Roberts</i>	<i>He likes it!</i>	<i>He's crazy</i>	
<i>Bryce Rhoaders</i>	<i>See 3 Sub sec 4</i>	<i>4B P. 4</i>	<i>Med. Examiners</i>
<i>Deb. Bennett</i>	<i>opposed</i>		<i>State Bd Pharmacy</i>

AB-278

SENATE GOVERNMENT AFFAIRS COMMITTEE

GUEST REGISTER

DATE 2-23-77

PLEASE SIGN - EVEN IF YOU ARE NOT HERE TO TESTIFY.....

NAME	WILL YOU TESTIFY	BILL NO	REPRESENTING
Stanley Miller	yes	AB278	Employment Security Bd. of Review
Victor Isaacson	yes	AB278	Board of Dispensing Optics
Geo. F. Hamilton	no	AB278	" " " "
Frank Higdon	No	AB278	" " " "
Robert C. Smith	No.	AB278	Texas State College
Robert C. Wright	No	AB278	Aqueduct
John Ratz	No	AB278	Dept Agr
Harold Hill	No	AB278	Dep. of Agr.
Caul Santos	No	AB278	Lyon Co. Farm Bureau
Brent Eddings	Yes	AB278	agriculture
Ellen Pope	yes	AB278	Nev. LP Nurses Assoc.
Janet J. Peavy	yes	AB278	nev. Board of Nursing
Paul Gemmill	yes	AB278	Nevada Min. Ass'n Inc
Frank Lawson	No	AB	
Chas E. Lawton	yes	AP	Poo Mines
Kenneth E. Anderson	yes		Citizens for Mining
Richard E. ...			Citizens for Mining
J.M. Reynolds			Gov. Advisory Board
Mrs J.M. Reynolds			
M. Douglas Miller	yes (8)	AB-278	Chrm. adv. mining Bd. <sup>NRS513</sup>
Gertrude J. Debbas	yes		Prater Way College of Bty
Carol Kauter	yes		Prater Way College of Bty
W. H. Wolf	yes		" " " "