

LEGISLATIVE FUNCTIONS COMMITTEE
MAY 2, 1977

MEMBERS PRESENT: Chairman Glover
Mr. Bennett
Mr. Coulter
Mr. Murphy
Mrs. Wagner

MEMBERS ABSENT: Mrs. Brookman
Mr. Bremner

GUESTS PRESENT: James C. Breitlow, Nevada Environmental Protection
Services
Bruce Scott, Vasey-Scott Engineering
Jim Costa, Department of Education
Lou Paley, Nevada State AFL-CIO
Wallie Warren, Labor and Management Committee, NIC
Rowland Oakes, Association of General Contractors
Robert Quinn, Nevada Motor Transport
Pat Gothburg, Common Cause

Chairman Glover called the meeting to order at 12:45 p.m.

SCR 38: Directs legislative commission to study feasibility of
establishing state home for veterans in Nevada.

Mr. Bennett moved a DO PASS on SCR 38, seconded by Mr. Murphy and
unanimously carried by the members present.

SCR 36: Directs legislative commission to conduct study to recodify
Nevada's education laws.

Mr. Costa, State Department of Education, stated that the first codifi-
cation of Nevada Education Laws was done in 1956 and has not been done
since. He added that many amendments have been made to the law and
appear in the wrong section of the bill. He said that this study would
bring things in order where they could most easily be found.

Mr. Bennett moved a DO PASS on SCR 36, seconded by Mr. Murphy and
unanimously carried by members present.

SCR 37: Directs legislative commission to study liability insurance
and employee group insurance available to local governments.

Mr. Murphy moved a DO PASS on SCR 37, seconded by Mr. Bennett and
unanimously carried by members present.

SCR 12: Directs appointment of legislative committee to study present medical liability insurance problem and submit recommendations to the 59th legislative session and study by legislative commission of ongoing problems of medical malpractice insurance.

Mr. Glover explained that this is a monitoring committee of malpractice in all professions and will only be set up when needed. Mr. Murphy moved a DO PASS on SCR 12, seconded by Mr. Bennett and unanimously carried by the members present.

SCR 14: Directs legislative commission to study and make recommendations on subject of pupil achievement.

Mr. Costa, State Board of Education, stated that they supported this resolution, but because of the passage of AB 400, competency testing, that sections 8, 9 and 10 were no longer necessary and that lines 6 through 15 should be deleted.

Mrs. Wagner felt that when working with competency standards for the examinations, this other information might be needed. Mr. Costa explained that much of this information was already available. He added that 35 teachers were already developing proficiency standards and that a pilot program was being developed so that a report could be made to the 60th session.

Mrs. Wagner asked if this would not be an appropriate study for the State Department of Education to make and Mr. Costa agreed but added that funds were not available to them.

The committee agreed to amend the resolution by deleting lines 6 through 15 on page 2. Mr. Bennett moved a DO PASS AS AMENDED on SCR 14, seconded by Mr. Murphy and carried by a vote of four to one with Mrs. Wagner voting no.

AJR 50: Urges Congress to enact tax credit for employers of handicapped persons.

Mr. Murphy moved a DO PASS on AJR 50, seconded by Mr. Bennett and unanimously carried by the members present.

ACR 56: Directs Legislative Commission to study Nevada water pollution laws and regulations.

Jim Breitlow, Environmental Planner with the Nevada Environmental Protection Services, read his prepared statement supporting ACR 56 (Exhibit A). The committee also received copies of a statement of support by the League of Women Voters of Nevada (Exhibit B).

Mr. Breitlow stated the Assoc. of County Commissioners and the Board of the Walker River Irrigation District support this resolution. Assembly

Mr. Murphy moved a DO PASS on ACR 56, seconded by Mrs. Wagner and carried unanimously by the members present.

SB 445: Makes various amendments to law regulating lobbyists.

Robert Quinn, representing Nevada Motor Transport Association and the Nevada Franchise Auto Dealers as a lobbyist, stated that the bill embodies suggestions made by William Swackhamer, Secretary of State, not by lobbyists. He added that the Senate had amended the bill to strengthen the language dealing with what the news media can do with respect to not lobbying and to except the registration of the elected officers of political subdivisions. He further explained that new language was added on line 9, page 2 which excepted an individual from registering who contacted a member from his legislative district. He said that the language on the top of page 3 was important, that there was a great deal of confusion as to who should be considered a lobbyist but that the law stated quite clearly that if you lobby for yourself or if you lobby for someone else but identify yourself before a committee, you do not have to register. He added that many people registered unnecessarily and now had to file a monthly expenditure report. He said that Mr. Swackhamer had problems with the handling of all these monthly reports and the fine of \$5 per day for not filing. He added that the Senate had added the language which stated that if you do not spend more than \$50, you need not file a report. He also stated that new language had been added which required an alphabetical list of lobbyists including addresses and the names and addresses of those represented.

Mr. Quinn continued by saying that there might be a problem with line 12, page 4 which excludes a member of the legislative or executive branch or an elected officer or employee of the state from compensation. Mr. Glover suggested deleting this section but Mr. Murphy said that sometimes these individuals were lobbying for all bills not just for the governmental bodies that they represent.

Pat Gothberg, Common Cause, stated that they felt strongly about this bill being passed to ease the burden of the individuals who were paying \$5 per day fines for not filing a monthly report when all they were trying to do was become a little involved in the legislative process.

Mrs. Wagner asked how many lobbyists would fall into this category of spending under \$50 per month and Ms. Gothberg answered that the number would be approximately seven out of ten. She added that Nevada has more lobbyists registered than California or New York because of the way it is presently set up.

Mr. Murphy moved a DO PASS on SB 445, seconded by Mrs. Wagner. Mr. Coulter stated that someone working as a city councilman was not the same as someone who was getting a full salary from the state. Mr. Bennett felt the language should be changed and would not vote for the bill in its present form.

Mr. Glover suggested and the committee agreed that Mr. Daykin should be consulted for proper language.

Wallie Warren stated that he felt by dropping the reporting system to under \$50, a tool of enforcement was lost. Mr. Paley stated that when postcard registration was being considered, many state and county people were opposed and lobbied against it which he felt was wrong.

Mr. Glover stated that he would work on some amendments and bring it back on Wednesday to the committee.

SCR 19: Requests study of labor-management relations in private enterprise.

Lou Paley, representing Nevada State AFL-CIO, stated that he opposed this resolution as amended, that the original resolution contained the language as set forth by the Governor on January 18. He said that he and Mr. Warren appeared before the Senate Legislative Functions Committee and Mr. Raggio had stated that he felt an Assemblyman or a Senator should be included. He added that they had no objection to this but did not feel the public sector should be involved in any way. He stated that it was their understanding that either an assemblyman or a senator would be appointed as chairman and vice chairman to set up meetings and participate but not have a vote.

Rowland Oakes, representing the Associated General Contractors, supported SCR 19 as originally written but not the amended portion including public members. He added that he felt a new way must be found to settle labor disputes and this resolution could be helpful.

Mrs. Wagner asked Mr. Oakes if he would support the resolution if they replaced public members with an assemblyman and a senator. He said he would agree with this as long as they were ad hoc members and he felt they would be very helpful during the study and for future legislation.

Wallie Warren said he had no objection to legislators being a part of this study and he felt the labor and management members should be drawn from the advisory boards.

Mr. Glover suggested amending SCR 19 to provide that three members be appointed from each of the Labor and Management Advisory Boards of NIC and the Employment Security Department along with two members of the legislature chosen by the Legislative Commission as Chairman and Vice Chairman. The committee agreed to these amendments and Mr. Coulter moved a DO PASS AS AMENDED, seconded by Mrs. Wagner and unanimously carried by the members present.

Mr. Glover stated that the committee would meet on afternoon adjournment on Wednesday, May 4, and then adjourned the meeting at 1:30 P.M.

Respectfully submitted,

Patricia Hatch
Patricia Hatch, Assembly Attache

59th NEVADA LEGISLATURE

LEGISLATIVE FUNCTIONS COMMITTEE
LEGISLATION ACTION

DATE MAY 2, 1977

SUBJECT SCR 38: Directs legislative commission to study feasibility of
establishing state home for veterans in Nevada.

MOTION: DO PASS

Do Pass X Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Bennett Seconded By Mr. Murphy

AMENDMENT:

Moved By _____ Seconded By _____

AMENDMENT:

Moved BY _____ Seconded By _____

VOTE:	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
BROOKMAN	_____	_____	_____	_____	_____	_____
BENNETT	<u>X</u>	_____	_____	_____	_____	_____
BREMNER	_____	_____	_____	_____	_____	_____
COULTER	<u>X</u>	_____	_____	_____	_____	_____
MURPHY	<u>X</u>	_____	_____	_____	_____	_____
WAGNER	<u>X</u>	_____	_____	_____	_____	_____
GLOVER	<u>X</u>	_____	_____	_____	_____	_____
TALLY:	5	0				

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

59th NEVADA LEGISLATURE

LEGISLATIVE FUNCTIONS COMMITTEE
LEGISLATION ACTION

DATE MAY 2, 1977

SUBJECT SCR 36: Directs legislative commission to conduct study to
recodify Nevada's education laws.

MOTION: DO PASS

Do Pass X Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Bennett Seconded By Mr. Murphy

AMENDMENT:

Moved By _____ Seconded By _____

AMENDMENT:

Moved BY _____ Seconded By _____

MOTION

AMEND

AMEND

VOTE:

Yes

No

Yes

No

Yes

No

BROOKMAN

X

BENNETT

BREMNER

X

COULTER

X

MURPHY

X

WAGNER

X

GLOVER

TALLY:

5

0

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes May 2, 1977

59th NEVADA LEGISLATURE

LEGISLATIVE FUNCTIONS COMMITTEE
LEGISLATION ACTION

DATE MAY 2, 1977

SUBJECT SCR 37: Directs legislative commission to study liability insurance and employee group insurance available to local governments.

MOTION: DO PASS

Do Pass X Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Murphy Seconded By Mr. Bennett

AMENDMENT:

Moved By _____ Seconded By _____

AMENDMENT:

Moved BY _____ Seconded By _____

VOTE:	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
BROOKMAN	_____	_____	_____	_____	_____	_____
BENNETT	<u>X</u>	_____	_____	_____	_____	_____
BREMNER	_____	_____	_____	_____	_____	_____
COULTER	<u>X</u>	_____	_____	_____	_____	_____
MURPHY	<u>X</u>	_____	_____	_____	_____	_____
WAGNER	<u>X</u>	_____	_____	_____	_____	_____
GLOVER	<u>X</u>	_____	_____	_____	_____	_____
TALLY:	5	0				

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

59th NEVADA LEGISLATURE

LEGISLATIVE FUNCTIONS COMMITTEE
LEGISLATION ACTION

DATE MAY 2, 1977

SUBJECT SCR 12: Directs appointment of legislative committee to study present medical liability insurance problem and submit recommendations to the 59th legislative session and study by legislative commission of ongoing problems of medical malpractice insurance.

MOTION: DO PASS AS AMENDED
Do Pass X Amend X Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Bennett Seconded By Mr. Murphy

AMENDMENT: Delete lines 6 through 15 on page 2.

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved BY _____ Seconded By _____

VOTE:	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
BROOKMAN	_____	_____	_____	_____	_____	_____
BENNETT	<u>X</u>	_____	_____	_____	_____	_____
BREMNER	_____	_____	_____	_____	_____	_____
COULTER	<u>X</u>	_____	_____	_____	_____	_____
MURPHY	<u>X</u>	_____	_____	_____	_____	_____
WAGNER	_____	<u>X</u>	_____	_____	_____	_____
GLOVER	<u>X</u>	_____	_____	_____	_____	_____
TALLY:	4	1				

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

59th NEVADA LEGISLATURE

LEGISLATIVE FUNCTIONS COMMITTEE
LEGISLATION ACTION

DATE MAY 2, 1977

SUBJECT AJR 50: Urges Congress to enact tax credit for employers of
handicapped persons.

MOTION: DO PASS

Do Pass X Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Murphy Seconded By Mr. Bennett

AMENDMENT: _____

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved BY _____ Seconded By _____

VOTE:	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
BROOKMAN	_____	_____	_____	_____	_____	_____
BENNETT	<u>X</u>	_____	_____	_____	_____	_____
BREMNER	_____	_____	_____	_____	_____	_____
COULTER	<u>X</u>	_____	_____	_____	_____	_____
MURPHY	<u>X</u>	_____	_____	_____	_____	_____
WAGNER	<u>X</u>	_____	_____	_____	_____	_____
GLOVER	<u>X</u>	_____	_____	_____	_____	_____
TALLY:	5	0				

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

59th NEVADA LEGISLATURE

LEGISLATIVE FUNCTIONS COMMITTEE
LEGISLATION ACTION

DATE MAY 2, 1977

SUBJECT ACR 56: Directs Legislative Commission to study Nevada water pollution laws and regulations.

MOTION: DO PASS

Do Pass X Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Murphy Seconded By Mrs. Wagner

AMENDMENT:

Moved By _____ Seconded By _____

AMENDMENT:

Moved BY _____ Seconded By _____

VOTE:	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
BROOKMAN	_____	_____	_____	_____	_____	_____
BENNETT	<u>X</u>	_____	_____	_____	_____	_____
BREMNER	_____	_____	_____	_____	_____	_____
COULTER	<u>X</u>	_____	_____	_____	_____	_____
MURPHY	<u>X</u>	_____	_____	_____	_____	_____
WAGNER	<u>X</u>	_____	_____	_____	_____	_____
GLOVER	<u>X</u>	_____	_____	_____	_____	_____
TALLY:	5	0				

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

59th NEVADA LEGISLATURE

LEGISLATIVE FUNCTIONS COMMITTEE
LEGISLATION ACTION

DATE MAY 2, 1977

SUBJECT SCR 19: Requests study of labor-management relations in private enterprise.

MOTION: DO PASS AS AMENDED

Do Pass X Amend X Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Coulter Seconded By Mrs. Wagner

AMENDMENT: To provide that three members be appointed from each of the Labor and Management Advisory Boards of NIC and the Employment Security Department along with two members of the legislature chosen by the Legislative Commission as Chairman and Vice Chairman.

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved BY _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
BROCKMAN	_____	_____	_____	_____	_____	_____
BENNETT	<u>X</u>	_____	_____	_____	_____	_____
BREMNER	_____	_____	_____	_____	_____	_____
COULTER	<u>X</u>	_____	_____	_____	_____	_____
MURPHY	<u>X</u>	_____	_____	_____	_____	_____
WAGNER	<u>X</u>	_____	_____	_____	_____	_____
GLOVER	<u>X</u>	_____	_____	_____	_____	_____
TALLY:	5	0				

ORIGINAL MOTION: Passed X Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

ASSEMBLY COMMITTEE ON LEGISLATIVE FUNCTIONS

May 2, 1977 12:00 Noon

Room 222

TESTIMONY ON ACR 56

My name is Jim Breitlow, Environmental Planner with the Environmental Protection Services, Department of Human Resources.

As the principal water pollution control agency, we have been working with local governments on the so-called "208" water quality management planning program for the past two years. These efforts respond to both congressional and state legislative mandates to meet water quality goals and reduce pollution from all sources in Nevada. One of the first outputs of this work was proposed legislation pertaining to runoff and erosion. This legislation was drafted but, because of the controversy generated and the need for more review, it was not introduced.

Out of this realization came the bill which is before you now, ACR 56. This resolution is brief and to the point. It recognizes that water pollution control is vital in Nevada, but that control must be balanced against the continuation of activities which are important to the economy of the State. It also recognizes that our present program for water pollution control does not apply to all pollution sources, and that for some sources the permit program presently authorized in Nevada Statutes may not be the most appropriate or workable.

Since, under federal and state mandate, we have already begun work in this area, this resolution means that the Legislative Commission and the state water pollution control agency will be examining water pollution laws together. The result will be to provide the next session of the Legislature with the most effective, reasonable and acceptable water pollution program recommendations.

The value of this resolution is three-fold. First, it is a written expression of the Legislature's real interest in these matters. Second, the resolution will provide a legislative direction to studying these matters and developing program recommendations instead of a study directed just by an executive agency. Third, it demonstrates to the Federal Government that the State of Nevada is not ignoring the problems and is in fact moving constructively to resolve these issues.

I respectfully request your favorable consideration of ACR 56.

Exhibit A

May 2, 1977

To: Assembly Committee on Legislative Functions
From: League of Women Voters of Nevada
Re: ACR 56

The League of Women Voters of Nevada supports the interim study of water pollution laws and regulations of Nevada and the United States as called for in ACR 56.

As recognized in the resolution, a balance in water pollution programs is vital and the study would offer an important vehicle through which comprehensive and workable water pollution programs can be rendered.

Therefore, we ask for your favorable passage of ACR 56.