

MINUTES

WAYS AND MEANS COMMITTEE

NEVADA STATE LEGISLATURE - 59TH SESSION

March 17, 1977

The meeting was called to order by Chairman Mello at 8:40 a.m.

PRESENT: Chairman Mello, Mr. Bremner, Mrs. Brookman, Mr. Glover, Mr. Hickey, Mr. Kosinski, Mr. Rhoads, Mr. Serpa, and Mr. Vergiels. Mr. Bode Howard was absent due to illness.

ALSO PRESENT: Mr. John Dolan, Assembly Fiscal Analyst, and Mr. Bill Bible of the Budget Division.

Mr. Mello directed the Committee's attention to A.B. 82, which makes appropriations to Water Resources for legal and other expenses. A motion was made by Mr. Bremner and seconded by Mr. Rhoads for a DO PASS on A.B. 82. Mr. Kosinski commented that the Department of Water Resources had requested another legal staff person, and there was some question as to whether or not they would need this amount of money if the Committee approved that legal staff person. He added that he was not sure what the substantial impact would be. Mr. Dolan referred the Committee members to the budget closing memo he had distributed on March 7 and the attached letter from the Attorney General.

Quoting from the letter, "the additional Water Resources Deputy would concentrate his services on the adjudication of state water appropriation applications from private claimants and also appeal those adjudications as well as appeals of water permit decisions. The additional Deputy will allow the present Water Resources Deputy to assume even more of the work load in the federal and state water rights area. However, the present contract with private counsel for representation of the State's interest in U.S. vs. TCID et al will continue because of the necessity for continuity of their services which extend back to October, 1972, and can be expected to continue into 1980 at the very least. Therefore, no reduction in the \$300,000 requested by the State Engineer in A.B. 82 can readily be expected."

The motion for a DO PASS on A.B. 82 was approved.

Proposed \$5 Million Park Bond Issue (Page 795)

John Vergiels and John Dolan explained the Subcommittee's recommendations. The report is attached. Mr. Hickey made a motion that the Committee accept the report and begin with the appropriate legislation. The motion was seconded by Mr. Rhoads and was approved.

BUDGET CLOSINGS

Consumer Affairs Division (Page 580)

A motion was made by Mr. Kosinski, and seconded by Mr. Hickey to accept the Governor's recommendation. The motion was approved.

Private Detective (Page 24)

A motion was made by Mr. Bremner, and seconded by Mrs. Brookman to accept the Governor's recommendation. The motion was approved.

Department of Taxation (Page 99)

Mr. Glover commented that he thought the Committee should go along with Mr. Sheerin's recommendations to reduce the property appraiser by one position, and add the examiner. He then made a motion that the Property Appraiser II be deleted, the Tax Examiner be added, and the salaries adjusted. Also, that the Tax Administrator III be made Deputy Director, unclassified. The motion was seconded by Mr. Bremner and was approved.

Mr. Mello added Mr. Bremner to the Subcommittee on Community Services.

State Communications Board (Page 81)

A motion was made by Mr. Hickey, and seconded by Mrs. Brookman to adopt the Governor's recommendation. The motion was approved.

Attorney General (Page 18)

Chairman Mello informed the Committee that Senate Finance had closed this budget by adopting the Governor's recommendation. Mr. Kosinski made a motion to adopt the Governor's recommendation, which was seconded by Mr. Hickey. The motion was approved.

Mr. Mello asked if there was a Public Relations Officer in this budget, and Mr. Bible explained that the Administrative Assistant functions partially in that capacity. Mr. Mello asked why, and Mr. Bible said he thought this individual was also involved in the budgetary activity of that office. Mr. Mello went on to say that he could understand the need for a public relations officer in some areas of the budget, but it irritated him to see it in this case. Mr. Kosinski asked Mr. Bible if he had any idea what portion of this person's time is spent in this activity, and Mr. Bible said he was not familiar with the specific job duties of the position. Mr. Mello added that it might be a good idea to write a letter of intent that this individual cease being a PR officer and get back to his original duties. Mr. Kosinski commented that either this should be done or he should be cut out. Mr. Mello suggested cutting him now and then writing a letter.

Mr. Vergiels made a motion to re-open the budget. The motion was seconded by Mr. Glover and was approved. Mr. Vergiels then made a motion to delete the Administrative Assistant, and the motion was seconded by Mr. Glover. Mr. Kosinski spoke in opposition to the motion saying that he thought the Committee should wait until the letter had been sent and received. Mr. Mello commented that they could delete the position and add it later if necessary. The motion failed. Voting against it were Mr. Bremner, Mrs. Brookman, Mr. Hickey, Mr. Kosinski, and Mr. Rhoads.

State Treasurer (Page 31)

A motion was made by Mr. Kosinski and seconded by Mr. Rhoads to adopt the Governor's recommendation. The motion was approved.

State Board of Finance (Page 34)

A motion was made by Mr. Bremner and seconded by Mrs. Brookman to adopt the Governor's recommendation. The motion was approved.

Commodity Food Program (Page 72)

A motion was made by Mrs. Brookman and seconded by Mr. Kosinski to adopt the Governor's recommendation. The motion was approved.

Supreme Court (Page 120)

Mr. Kosinski pointed out that he would like to see a Subcommittee look at this and that he would like to serve on it. He said he was busy with DLEA and Human Resources but would still be interested in making time for this. Mr. Mello appointed Mr. Kosinski and Mr. Glover to this Subcommittee.

Highway Department (Page 712)

A motion was made by Mr. Glover and seconded by Mrs. Brookman to adopt the Governor's recommendation. The motion was approved.

Office of Traffic Safety (Page 720)

A motion was made by Mrs. Brookman and seconded by Mr. Bremner to adopt the Governor's recommendation. The motion was approved.

Traffic Safety Federal Grants (Page 723)

A motion was made by Mrs. Brookman and seconded by Mr. Hickey to adopt the Governor's recommendation. The motion was approved.

Photo Drivers License (Page 734)

A motion was made by Mrs. Brookman and seconded by Mr. Bremner to adopt the Governor's recommendation. The motion was approved.

Motor Carrier Section (Page 736)

A motion was made by Mr. Glover and seconded by Mrs. Brookman to adopt the Governor's recommendation. The motion was approved.

Motor Vehicle Pollution Control (Page 744)

A motion was made by Mr. Hickey and seconded by Mr. Kosinski to adopt the Governor's recommendation. The motion was approved.

Law Enforcement Highway Patrol (Page 746)

A motion was made by Mr. Kosinski and seconded by Mr. Serpa to adopt the Governor's recommendation. The motion was approved.

Highway Patrol Special Fund (Page 751)

A motion was made by Mrs. Brookman and seconded by Mr. Glover to adopt the Governor's recommendation. The motion was approved.

Automation DMV (Page 753)

A motion was made by Mr. Bremner and seconded by Mr. Kosinski to adopt the Governor's recommendation. The motion was approved.

A.B. 19

Jim Kosinski said this bill related to the Nevada Industrial Commission is one that was re-referred to the Committee whose interest is in increasing the number of appeals officers, and more specifically providing the compensation for the appeals officer. As provided in the bill, there is a salary of \$27,500 with annual increments that would bring the present officer's salary to \$37,500. The Committee agreed to an amendment which would provide by law an annual salary for unclassified employees of the state.

Mr. Kosinski also referred to an existing amendment with this bill that Mr. Robinson already testified on, and Mr. Mello added that this was up to what happened on the Floor and reminded the Committee that the speaker at the hearing had requested an additional change in this law. He had asked the Committee to sponsor it, and the change was to require the appeals officer to render his final decision within a specified number of days. Mr. Mello then requested an amendment, and the suggested language is "an appeals officer shall render his final decision on a contested claim within 120 days after the hearing." He said this amendment 327A then again goes on to bring in all of the changes that were put into law by S.B. 63.

Mr. Mello said the bill was already passed out as amended, so all the Committee needs to do is bring it back to accept that amendment. Any problem about the passage and approval is also in that motion to amend 327A. A motion to this effect was made by Mr. Vergiels, seconded by Mr. Kosinski, and the motion was approved. Mr. Rhoads made a motion DO PASS on A.B. 19 as amended. The motion was seconded by Mr. Vergiels and was approved.

The meeting adjourned at 10:00 a.m.

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March 16, 1977

3/17
Hickey (1)
Rhoads (2)
accept
Report &
Request
Legislation

MEMORANDUM

TO: Assemblyman Don Mello, Chairman
Assembly Ways and Means Committee

FROM: Assemblyman Melvin "Bode" Howard
Assemblyman John M. Vergiels

SUBJECT: Subcommittee Recommendation for the Proposed \$5 Million
Park Bond Issue--Executive Budget, Page 795

Your subcommittee reports the following recommendations:

1. The funds are to be used for both land acquisition and construction. Frank Daykin has advised this is permissible under the original act and can be further defined in legislation this session.
2. The \$5 million would be allocated among districts and the State Parks, Historic Preservation and Bicycle Paths for the purposes displayed in the table below:

	<u>Acquisition/ Construction</u>	<u>Bicycle Paths</u>	<u>Historic Preservation</u>	<u>Total</u>
<u>District 1</u> (Washoe, Carson City, Douglas, Churchill, Lyon & Storey)	\$ 502,500	\$167,500	\$ - -	\$ 670,000
<u>District 2</u> (Esmeralda, Mineral & Nye)	30,000	10,000	- -	40,000
<u>District 3</u> (Clark)	867,000	289,000	- -	1,156,000
<u>District 4</u> (Lincoln, White Pine & Eureka)	30,000	10,000	- -	40,000
<u>District 5</u> (Elko)	40,500	13,500	- -	54,000
<u>District 6</u> (Humboldt, Pershing & Lander)	30,000	10,000	- -	40,000
<u>State Parks</u>	1,500,000	- -	- -	1,500,000
<u>Fish & Game</u>	1,000,000	- -	- -	1,000,000
<u>Historic Preservation</u>	- -	- -	500,000	500,000
<u>Total</u>	<u>\$4,000,000</u>	<u>\$500,000</u>	<u>\$500,000</u>	<u>\$5,000,000</u>

MEMORANDUM

Assemblyman Don Mello
March 16, 1977
Page 2

3. If a district does not use their allotted amounts within an 18 month period, the funds will become available for redistribution among the other districts.
4. The bond funds allocated to State Parks shall be matched with federal funds.
5. The bond funds allocated to the districts shall be matched on a 50-50 basis with local district funds. For every dollar of bond funds allocated, the district will also contribute a dollar.

If the Committee agrees with the subcommittee's recommendations, appropriate legislation can be drafted to clarify the intent and spell out the distribution in recommendation 2.

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December 13, 1976

Senator Carl F. Dodge
P. O. Drawer 31
Fallon, Nevada 89406

LCO 37

Meaning of "acquisition"
in ch. 660, Statutes of
Nevada 1975

Dear Carl:

You have asked whether the word "acquisition" as used in chapter 660, Statutes of Nevada 1975, includes the improvement of land already owned. The statute provides, upon approval by the voters, for the issuance of bonds "for real or personal property acquisition * * * under the statewide outdoor recreation plan * * *." In subsection 4 of section 3 it further provides: "The provisions of the State Securities Law, contained in chapter 349 of NRS, apply to the issuance of bonds and the acquisition of property under this act."

The State Securities Law in turn provides, in NRS 349.156: "Acquisition * * * includes the * * * purchase, construction, * * * reconstruction, * * * or any combination thereof, of any properties * * *." Thus it seems clear that the word "acquisition" in chapter 660 has the meaning provided in NRS 349.156, and therefore includes the construction (or reconstruction, if appropriate) of improvements upon land already owned, as well as the purchase of land or other real or personal property.

Very truly yours,

Frank W. Daykin
Frank W. Daykin
Legislative Counsel

FWD:jll