

SENATE FINANCE COMMITTEE
MINUTES OF MEETING
APRIL 20, 1977

The meeting was called to order at 8:00 A. M.

Senator Floyd R. Lamb was in the chair.

PRESENT: Senator Floyd R. Lamb, Chairman
Senator James I. Gibson, Vice-Chairman
Senator Eugene V. Echols
Senator Norman D. Glaser
Senator Norman Ty Hilbrecht
Senator Thomas R. C. Wilson
Senator C. Clifton Young

OTHERS: Ronald W. Sparks, Chief Deputy, Fiscal Analysis
Howard Barrett, Budget Director
Cy Ryan, UPI

Senator Lamb referred the Committee's attention to A. B. 623.

A. B. 623: Removes certain restrictions on interim finance committee allocations.

Mr. Sparks said that normally as shown in line 13, page 2, the Committee has historically waived paragraph "b" of subsection 2. This time the Committee decided to go ahead and remove paragraph "b" of subsection 2 and that is what this bill does. This paragraph "b" makes interim finance committee just about totally inoperative the way it is written.

Senator Gibson moved the Committee do pass; Senator Echols seconded and the motion passed unanimously.

A.B. 512: Makes additional and supplemental appropriation to office of Lieutenant Governor to pay residence per diem expense allowance of Lieutenant Governor during period legislature is in session.

Senator Gibson moved that the Committee do pass; Senator Young seconded and the motion passed unanimously.

A. B. 185: Provides for expiration of fishing licenses one year after date of issuance.

Senator Young moved that the Committee do pass. Senator Hilbrecht moved to amend and do pass by restoring the original hunting license fee.

Senator Gibson seconded, and the motion carried unanimously.

S. B. 169: Entitles employees under state personnel system to receive payment or retirement service credit for portion of unused sick leave.

Mr. Barrett said the cost of this, had it been effective last year with the \$2,500 and the 15 year ceiling for service, would have been \$53,981. He said that normally he would suggest that this be divided in half and half would be general fund and half would be other funds and to put half of it into the statutory contingency fund. But because of other changes which have been made to the retirement bill, he suspected many more people would retire next year after July 1, than normally would retire after July 1. Therefore he suggested that the

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Committee put \$50,000 into the statutory contingency fund to pay for this benefit. Senator Gibson asked if this would mean \$100,000 for the two years. Mr. Barrett said he thought \$75,000 would be enough for two years. He said the highway fund would take care of highway people and federal funds take care of those paid with federal funds, this is just general fund. Senator Echols moved to further amend and add \$75,000 in the bill to go into the statutory contingency fund. Senator Young seconded and the motion carried.

A. B. 661: Makes appropriation to state public works board for restoration of Morrill Hall on campus of University of Nevada, Reno. Mr. Barrett said that on this bill, yesterday at the hearing they said that the money had reverted. He said it had not reverted, but he assumed that it would revert, because they revert that on July first if they have not been able to match it with \$450,000 and they have not been able to do this. He said if the Committee wanted to be very technical, they should probably write into this bill that this \$50,000 reverts, however he didn't think there was really any problem.

Senator Young moved to amend and do pass, the amendment being to revert the \$50,000 which was previously appropriated; Senator Wilson seconded and the motion carried.

A. B. 28: Imposes duties on energy management division of Public Service Commission of Nevada.

Senator Hilbrecht moved the Committee do pass; Senator Wilson seconded and the motion carried.

A. B. 405: Establishes civil actions against state as specialized functions of district court and adds state-supported Judge in First District. Senator Gibson said he felt that perhaps they should wait until the Chairman returned before acting on this bill. He said he personally felt they should amend the formula that provides for this and not appropriate this money to the judges. Senator Wilson asked if the formula didn't provide for the judge. Senator Gibson said it would have to be modified from what it is at present, if there is not enough money there. He said they had not amended the formula at all and the formula right now would generate about \$60,000 in the first year. The Committee provided \$153,000 and this amount would have to be on top of that. He said he had worked out the original formula; they decided that they wanted to come up with something that would give them, at that time, about \$100,000 a year and not allow other counties in. Senator Hilbrecht said he was not sure that they could not just set a fixed amount. He said he had talked with Senator Sheerin and he had suggested 14.3%, which would keep Lincoln County out. He felt they might arrive at a formula that would accomplish what they wanted to do; namely to utilize the lowest percentage that would exclude all other counties aside from the seat of government. This would be flexible; then as Carson City's population grows with respect to the rest of the state, and the amount of state involvement in Carson City grows as it does in the rest of the state, there would be an automatic adjustment kind of situation. The Committee discussed a general appropriation or adjusting the formula. Senator Gibson asked Mr. Barrett if the formula had been a problem. Mr. Barrett said it really was not a problem, except this time, it will be a problem because of the property reevaluation. Senator Gibson said he felt it was the Legislature's responsibility to fund the costs of a second judge because the extra workload was definitely the result of state cases. Senator Gibson asked if there was anyone on the Committee who wanted to appropriate the money to the court. There was no one. He asked if there was anyone who felt that the additional judgeship was not justified. There was no one. Mr. Sparks said he had talked with Frank Daykin,

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there has to be written in the appropriation act the exclusion of the formula for the next year. Mr. Daykin would rather not write that in to the session laws which in effect reflect action on statutes. He would prefer that the Committee take the bill on Carson City taxes and write the exclusion in that bill, if that is what the Committee decides to do.

Senator Hilbrecht moved that the bill do pass; Senator Wilson seconded and the motion carried.

Senator Gibson said, subject to the ruling of the Chairman in accordance with the bill drafters desire, he would entertain a motion to reconsider this bill, A. B. 480, with the idea that all the new language will be knocked out and they put in the exclusion for the first year and add in \$100,000 in the second year for the support of the new judge. Senator Young so moved; Senator Wilson seconded and the motion carried with 6 votes. Senator Lamb was not present.

Senator Hilbrecht moved that the Committee delete all italics and amend in the bill a separate and additional appropriation of \$100,000 in the second year of the biennium for the support of the first judicial district judge with the exclusion written in for the first year. Senator Wilson seconded and the motion carried.

Senator Gibson asked the Committee to consider A. B. 612.

A. B. 612: Regulates distribution of slot machine tax money in excess of \$10 million per year; specifies construction projects for universities. Senator Hilbrecht said maybe they should just look at the increase. He said he would not be reluctant to dedicate that. He said he would be opposed to changing the portion that they already have. Senator Gibson referred to the other sports complex being planned for downtown Las Vegas and said he couldn't see the justification for building two 18,000 seat pavilions in Las Vegas.

Senator Gibson said the portion going up from 80 to 95% is not presently obligated to anything. Senator Hilbrecht said he felt they could adopt a formula for that. Senator Gibson said there were several things that bothered him about the project. One is that it has never come through the regular channels at all. He suggested putting that extra slot money into the higher education construction fund and just take that action. Senator Hilbrecht said that was what he was saying, too. Senator Gibson said if it could work its way into their priorities, that would be fine. This would also help with Congressman Santini's and Senator Cannon's requests in Washington

Senator Hilbrecht said they could come back in two years and decide if it was inequitable and readjust it then. But for the time being he would agree. Senator Gibson said this way you could remove the opposition to the present program which could find its way back to Washington, too. Senator Lamb said the whole thing is being sold in Washington around educational construction and this action would not change that at all.

Senator Gibson moved that the Committee amend the bill that all the extra slot machine money which may come, over 80%, be dedicated to the higher education construction fund. Senator Echols seconded and the motion carried unanimously. Senator Gibson moved that the bill pass as amended; Senator Echols seconded and the motion carried unanimously.

A. B. 121: Senator Hilbrecht said he had some amendments which he believed would meet those specific objections which had been raised, copy attached. He read the amendments in parts and there was discussion on them. Senator Lamb said the Committee did not want, in any sense, to put out a bill here that is going to allow the Board to say, "all right, it's all right to sell this drug or that drug," whether they are mentioning it or not here. Senator Hilbrecht continued discussing the amendment. Senator Lamb asked if when he talked of substance, could he name it? Senator Hilbrecht said it would be the substance which was under investigation by the State Board of Health pursuant to an application. Senator Lamb asked if he was talking about both laetrile and gerovital? Discussion as to whether the bill as written mandated the sale of laetrile and gerovital; if the separation of the licensure function and regulatory functions should be included and followed. Senator Lamb asked Senator Young if he had an amendment. Senator Young said that Mr. Sparks had it; one that would separate gerovital and put laetrile in a separate bill somewhat like the existing bill; the other mechanisms would be there, but it would separate the two drugs.

Senator Wilson asked if he could pose a basic question. He said the Committee is in essence crossing the threshold and going into the substance of the bill. Whether you want to provide jurisdiction to license other substances upon application is the question. He said the bill does that and neither of the amendments, as he understood them, would change that. Senator Young's amendment is making it, for laetrile, singular for licensure only. He said he felt the first thing the Committee should decide was whether they were going to allow licensure and regulation of other unnamed substances, and that the next step would be mandating licensure of one or both of these.

Senator Lamb asked how Senator Young felt. Senator Young said when you got down to the bottom line he was opposed to licensing any or either one of these with any mechanism. There is the amendment which would be the same as 121 but it would license only laetrile but would still have the mechanism for the other there, which he would oppose but it is better than the existing bill which also constitutes a finding that gerovital should be licensed. Senator Wilson said what he was suggesting is if they are simply going to talk about the fiscal note, that is one thing. If the Committee is going to cross the bridge they should go all the way. Senator Lamb said he agreed that the Committee should zero in on one drug and clean it up to where if that's what they are talking about and that's all they are talking about.

Senator Wilson asked them to resolve whether they wanted to get into the licensure and regulation of any other substance other than what is named in the bill. Senator Lamb said "No." Senator Hilbrecht said that perhaps the chairman did not, but he felt if there was a revealing virtue in this bill it is that it would give the state the ability to license other substances, and he had in mind saccharin, cyclamate, etc., which he felt the majority of the people of the state feel are appropriate for inclusion in food products and cosmetics and one thing or another and they are excluded at the federal level only by virtue of their present apparent carcinogenic effect on animals. His interest in the legislation was that. As far as specifying any particular substance for licensure, he was not particularly enamored of the idea and he was very disenchanted with the idea of the Legislature trying to make determination.

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Senator Wilson suggested that they start at the other end and not mandate the licensure of any substance. Senator Hilbrecht said he could buy that but he felt a state procedure was necessary which gives expertise and he felt it was unfair to limit it to one or two substances. He did not think the legislature should decide this, it should be the experts.

Senator Glaser said if the Legislature did not mandate the licensing of laetrile, with four out of five members of the State Board of Health against laetrile, its use will never be authorized. Senator Lamb said he would like to state his position. He would like to name the drug the Legislature is talking about, give them the right to license it and put some controls on it. He would like the Committee to decide which drug they are talking about, not just throw the door open and say that any drug in this area could be licensed. Senator Hilbrecht asked if he thought they should specify things like saccharin.

Senator Young asked if this was not a federal problem? He understood that the so called Delaney amendment to the FDA provides if there are any carcinogenic tendencies, then there has to be a ban. He felt they were spending millions with the FDA; they have the expertise and the Legislature ought to memorialize Congress to reconsider the Delaney amendment rather than set up a mini FDA here which is simply beyond the capacity of the state to do it and to do it properly. Anything the state does by way of testing is going to be a Mickey Mouse, Rube Goldberg thing which he felt was catering or pandering to this unusual interest in public health that emanates in Clark County. That is where the drive comes from. These people haven't been up here supporting the county health programs, or the immunization program, or anything for the disadvantaged and the poor and inflicted. Senator Young said it had an economic genesis. They are trying to use the state to provide a mechanism to manufacture and sell this stuff.

Senator Lamb asked that they stick to the issue and get the problem resolved. He asked if they were going to pass laetrile or not. He asked them to zero in on a drug they knew and understood.

Senator Wilson said he had a point of inquiry. He asked if the Committee was going to sit here on their tower and decide that because they want to license something, they are going to do it as a Legislature? Is that the way they are going to conduct business in these halls? They all decide they want to license something and come here and pass a law. That's not an institutional way to conduct business.

Senator Hilbrecht said, speaking as one who believed that laetrile should be licensed, based on articles he had read, he still believed that there should be somebody prescribing how much of the stuff you can take, because he felt it could be toxic - it could be fatal if too much is used, and the manner in which it is used. There needs to be a regulatory agency. You can't just license it and forget about it. Somebody has to look over this for the state.

Discussion followed as to how the bill should be amended, what products should be specified in the bill. Senator Young asked if they were talking about laetrile and saccharin subject to regulation, etc. by the Board of Health; no other items, no other mechanisms.

Senator Lamb asked them to do what they were going to do. Senator Echols said that this bill was sent to the Finance Committee with reservations, and if they didn't include all the elements of the bill or where they are going to separate them, then they will have a bigger problem. He said they may address both substances and give each person in this Legislature an opportunity to vote on both or separate them and treat them equally but separately.

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Senator Glaser moved that the Committee amend and do pass with the understanding that it would take out reference to the licensure of any other drugs other than laetrile and saccharin and regulatory and licensing provisions would remain as stated in the bill. Senator Young seconded and the motion carried 6 - 1, with Senator Echols dissenting. Senator Wilson asked that the record show that he was voting for the amendment because it improved the bill but he was not enamored with the bill. Senator Young said he might not support the bill, but he was improving it now. Senator Lamb asked if he would not support the bill on the floor and Senator Wilson said that would depend on how the debate went; he was not sure he would support the bill finally. Senator Young said he might not either, depending on what he had to say, after he listened to himself.

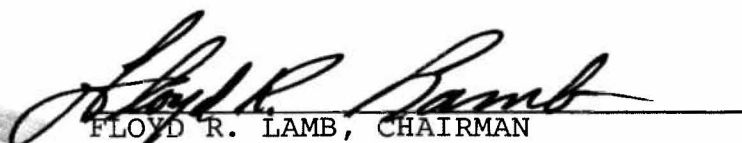
The meeting adjourned at 9:20 A. M.

RESPECTFULLY SUBMITTED:



MURIEL P. MOONEY, SECRETARY

APPROVED:



FLOYD R. LAMB, CHAIRMAN

A. B. 623

ASSEMBLY BILL NO. 623—COMMITTEE ON
WAYS AND MEANS

APRIL 6, 1977

Referred to Committee on Ways and Means

SUMMARY—Removes certain restrictions on interim finance committee allocations. (BDR 31-1553)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to state financial administration; removing certain restrictions on interim finance committee allocations; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 353.269 is hereby amended to read as follows:
2 353.269 1. The recommendation of the state board of examiners
3 for an allocation from the contingency fund shall be transmitted to the
4 director of the legislative counsel bureau, who shall notify the chairman
5 of the interim finance committee. The chairman shall call a meeting of
6 the committee to consider the recommendation.
7 2. No allocation from the contingency fund may be made by the
8 interim finance committee [:
9 (a) To] to effect salary increases for state officers and employees.
10 [; or
11 (b) Subject to the provisions of subsection 4, to provide supplementary
12 funds for the support of a state agency or officer, or for any program,
13 when during the preceding session of the legislature the assembly stand-
14 ing committee on ways and means or the senate standing committee on
15 finance, or both such committees, by deliberate consideration and action
16 approved the program, rejected the proposed program or reduced the
17 requested amount of money for any existing or proposed program.
18 However, if it is demonstrated to the interim finance committee that the
19 preceding legislature made no appropriation for an agency or a program
20 or reduced the amount of the requested appropriation or a new program
21 requiring state financial participation and an Act of Congress, a regula-
22 tion promulgated by the President or by an executive department of the
23 Federal Government, or a decision of a court of the United States or of

1 this state, enacted, promulgated or made after adjournment sine die of
2 the preceding legislature requires an expenditure of money for which
3 legislative authority is lacking, either absolutely or in the alternative of
4 forfeiting a grant or grants of money or other thing of value, the interim
5 finance committee may proceed to make an allocation therefor in the
6 manner prescribed in subsection 3.]

7 3. If the interim finance committee, after independent determination,
8 finds that an allocation recommended by the state board of examiners
9 should and may lawfully be made, the committee shall by resolution
10 establish the amount and purpose of the allocation, and direct the state
11 controller to transfer [such] *that* amount to the appropriate fund and
12 account. The state controller shall thereupon make [such] *the* transfer.

13 [4. The provisions of paragraph (b) of subsection 2 shall not be
14 effective between July 1, 1973, and June 30, 1977, inclusive.]

30

Original bill is on file at
the Research Library.

A. B. 512

**ASSEMBLY BILL NO. 512—COMMITTEE ON
WAYS AND MEANS**

MARCH 22, 1977

Referred to Committee on Ways and Means

SUMMARY—Makes additional and supplemental appropriation to office of lieutenant governor to pay residence per diem expense allowance of lieutenant governor during period legislature is in session. (BDR S-1439)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: Contains Appropriation.

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

AN ACT making an additional and supplemental appropriation to the office of the lieutenant governor to pay the residence per diem expense allowance of the lieutenant governor during the period the legislature is in session; and providing other matters properly relating thereto.

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

- 1 SECTION 1. There is hereby appropriated from the state general
2 fund to the office of the lieutenant governor the sum of \$3,600 to pay
3 the per diem expense allowance of the lieutenant governor for the period
4 of his temporary residence in the vicinity of the capital while the legis-
5 lature is in session, pursuant to NRS 224.050, as an additional and
6 supplemental appropriation to that allowed and made by section 3 of
7 chapter 679, Statutes of Nevada 1975.
8 SEC. 2. After June 30, 1977, the unencumbered balance of the
9 appropriation made in section 1 shall not be encumbered and shall revert
10 to the state general fund.
11 SEC. 3. This act shall become effective upon passage and approval.

29

Original bill is on file at
the Research Library.

(REPRINTED WITH ADOPTED AMENDMENTS)

THIRD REPRINT

A. B. 185

ASSEMBLY BILL NO. 185—ASSEMBLYMEN SENA, JEFFREY,
HORN, MANN, DREYER, BANNER, ROBINSON, PRICE,
MAY, HAYES, CRADDOCK, DEMERS AND SCHOFIELD

JANUARY 28, 1977

Referred to Committee on Environment and Public Resources

SUMMARY—Provides for expiration of fishing licenses 1 year after the date
of issuance. (BDR 45-547)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to fish and game; providing for the expiration of fishing licenses
on December 31 of each year; changing license and permit fees; and providing
other matters properly relating thereto.

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

- 1 SECTION 1. NRS 502.090 is hereby amended to read as follows:
2 502.090 1. All licenses issued as provided in this chapter [shall be]
3 are valid, and [shall] authorize the person to whom issued to hunt, to
4 fish or to trap during open seasons only on and from the date of issuance
5 of the license until the date of expiration printed thereon.
6 2. *Each fishing license is valid until December 31 of the year of*
7 *issuance.*
8 SEC. 2. NRS 502.110 is hereby amended to read as follows:
9 502.110 [Not] 1. *Except as provided in subsection 2, not more*
10 *than one license of each class shall be issued to any one person during*
11 *each license period. [, except upon an affidavit by the applicant that the*
12 *license issued has been lost or destroyed and upon payment of a fee of*
13 *\$4 or a fee equal to the original license fee, whichever is less. The per-*
14 *son issuing the license pursuant to this section may delay issuance for a*
15 *period not to exceed 48 hours to confirm that a valid license has been*
16 *previously issued during the current license period.]*
17 2. *If an unexpired license is lost or stolen, the person to whom the*
18 *license was issued may receive another license of the same class by mak-*
19 *ing application and certifying under oath that the license was lost or*
20 *stolen and by paying:*

1 (a) If the application is made to an authorized agent, the annual license
2 fee; or

3 (b) If the application is made to the department, a fee of \$1.

4 SEC. 3. NRS 502.240 is hereby amended to read as follows:

5 502.240 Annual licenses [for the term of 1 year] and limited per-
6 mits shall be issued: [at the following prices:]

7 1. To any citizen of the United States who has attained his 12th
8 birthday but who has not attained his 16th birthday and who has been a
9 bona fide resident of the State of Nevada for 6 months [.] immediately
10 preceding his application for a license, upon the payment of [\$2.50]
11 \$2 for an annual fishing or hunting license. [, or upon the payment of
12 \$4 for an annual combination hunting and fishing license.]

13 2. To any citizen of the United States who has attained his 65th birth-
14 day and who has been a bona fide resident of the State of Nevada for 10
15 years [.] immediately preceding his application for a license, upon the
16 payment of [\$2.50] \$1.25 for an annual [combination] hunting [and]
17 or fishing license.

18 3. Except as provided in subsection 2, to any citizen of the United
19 States who has attained his 16th birthday and who has been a resident of
20 the State of Nevada for 6 months [.] immediately preceding his applica-
21 tion for a license, upon the payment of:

22 For a fishing license.....	\$10.00
23 For a 10-day permit to fish.....	7.50
24 For a [2-day] 3-day permit to fish.....	5.00
25 For a hunting license.....	[10.00] 7.00
26 [For a combination hunting and fishing license.....	17.00]
27 For a trapping license.....	7.50
28 For a fur dealer's license.....	5.00
29 For an annual master guide's license.....	100.00
30 For an annual subguide's license.....	50.00

31 4. To any alien or to any citizen of the United States who has attained
32 his 12th birthday but who has not attained his 16th birthday, not a bona
33 fide resident of the State of Nevada, upon the payment of \$5 for an annual
34 fishing license (except for a fishing license to fish in the reciprocal waters
35 of the Colorado River and Lake Mead, which annual license shall cost a
36 sum agreed upon by the commission and the Arizona Game and Fish
37 Commission, but not to exceed \$10).

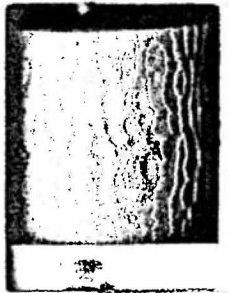
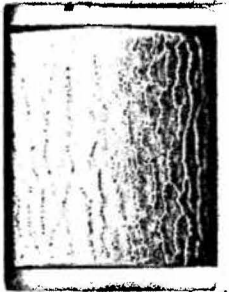
38 5. Except as provided in subsection 4, to any alien or to any citizen
39 of the United States, not a bona fide resident of the State of Nevada, upon
40 the payment of:

41 For a fishing license (except for a fishing license to fish 42 in the reciprocal waters of the Colorado River and 43 Lake Mead, which license shall cost a sum agreed 44 upon by the commission and the Arizona Game 45 and Fish Commission, but not to exceed \$10).....	\$20.00
46 For a 10-day permit to fish.....	[\$7.50] 10.00
47 For a [2-day] 3-day permit to fish.....	[5.00] 7.50
48 For a hunting license.....	40.00
49 For an annual trapper's license.....	35.00
50 For a fur dealer's license.....	35.00

1	For an annual master guide's license.....	\$200.00
2	For an annual subguide's license.....	100.00
3	6. To any person, without regard to residence, upon the payment of:	
4	For a noncommercial breeding ground.....	\$5.00
5	For a commercial or private shooting preserve.....	35.00
6	For a commercial breeding ground.....	35.00
7	For a commercial fish hatchery.....	35.00
8	For a private noncommercial fish hatchery.....	5.00
9	For a trained animal act license.....	10.00
10	For a live bait dealer's permit.....	50.00
11	For a competitive field trials permit.....	5.00
12	For a falconry license.....	15.00
13	For an importation permit.....	2.00
14	For an import eligibility permit.....	25.00
15	For a tropical fish dealer's permit.....	25.00
16	For a live bait seining and transporting permit.....	2.00

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Original bill is on file at
the Research Library.



(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 28

ASSEMBLY BILL NO. 28—ASSEMBLYMEN DEMERS,
MELLO, HARMON, DINI AND WEISE

JANUARY 18, 1977

Referred to Committee on Commerce

SUMMARY—Imposes duties on energy management division of public
service commission of Nevada. (BDR 58-79)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: Yes.

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

AN ACT imposing duties on the energy management division of the public service
commission of Nevada; making an appropriation; and providing other matters
properly relating thereto.

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

- 1 SECTION 1. NRS 703.260 is hereby amended to read as follows:
2 703.260 The chairman, acting through the division, **[may:]** *shall:*
3 1. Prepare, subject to the approval of the governor, petroleum allo-
4 cation and rationing plans for possible energy contingencies. The plans
5 shall be carried out only by executive order by the governor.
6 2. Cooperate, through the commission's member on the state energy
7 resources advisory board, in coordinating energy programs and activities
8 within the state.
9 3. **[Analyze]** *Collect* and evaluate present and prospective energy
10 demand and supply alternatives within the state.
11 4. Develop and carry out projects and programs to encourage maxi-
12 mum utilization of existing energy resources in the private and public
13 sectors of this state.
14 5. Encourage development of existing and alternate energy resources
15 that will benefit the state.
16 6. Carry out and administer any federal programs that authorize
17 state participation in fuel allocation programs, *conservation programs*
18 *or other programs related to energy if such participation is directed by*
19 *the governor.*
20 7. Coordinate the energy activities of appropriate state agencies.
21 **[8.** Serve as a central depository for the state government to collect

1 and store any data and information relating to energy and related
2 subjects.]

3 SEC. 2. NRS 703.280 is hereby amended to read as follows:

4 703.280 1. The chairman, acting through the division, may receive
5 and administer any gifts, grants or funds which are available from public
6 or private sources.

7 2. Any funds so received shall be deposited with the state treasurer to
8 the credit of the public service commission regulatory fund.

9 3. Except as limited by subsection 4, any moneys necessary for the
10 purpose of carrying out the provisions of NRS 703.250 to 703.280,
11 inclusive, shall be paid from the fund as other claims against the state
12 are paid.

13 4. [No more than \$75,000 may be expended in any fiscal year unless
14 the interim finance committee concurs.

15 5.] Moneys expended in carrying out the provisions of NRS 703.250
16 to 703.280, inclusive, shall be reimbursed by funds available from the
17 Federal Government or by legislative appropriations.

18 SEC. 3. 1. There is hereby appropriated from the state general fund
19 to the public service commission of Nevada for the energy management
20 division of the commission:

21 (a) For the fiscal year beginning July 1, 1977, and ending June 30,
22 1978, the sum of \$93,173.

23 (b) For the fiscal year beginning July 1, 1978, and ending June 30,
24 1979, the sum of \$89,463.

25 2. After June 30, 1979, the unencumbered balance of the appropria-
26 tion made by subsection 1 shall not be encumbered and shall revert to the
27 state general fund.

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Original bill is on file at
the Research Library.

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 480

ASSEMBLY BILL NO. 480—ASSEMBLYMEN
GLOVER AND JACOBSEN

MARCH 17, 1977

Referred to Committee on Ways and Means

SUMMARY—Lowers threshold for payments by state in lieu of taxes on real property and changes applicable rate. (BDR 32-1457)

FISCAL NOTE: Local Government Impact: Yes.
State or Industrial Insurance Impact: Yes.

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

AN ACT relating to local governments; postponing the application of the formula for payments by the state in lieu of taxes on real property; making an appropriation for the support of an additional district judge in the first judicial district; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 361.055 is hereby amended to read as follows:
2 361.055 1. All lands and other property owned by the state are
3 exempt from taxation, except real property acquired by the Nevada
4 department of fish and game which is or was subject to taxation under the
5 provisions of this chapter at the time of acquisition and except as provided
6 in subsection 4.
7 2. In lieu of payment of taxes on each parcel of real property acquired
8 by it which is subject to assessment and taxation pursuant to subsection 1,
9 the Nevada department of fish and game shall make annual payment to
10 the county tax receiver of the county wherein each such parcel of real
11 property is located of an amount equal to the total taxes levied and
12 assessed against each such parcel of real property in the year in which title
13 to the same was acquired by the Nevada department of fish and game.
14 3. Such payments in lieu of taxes shall be collected and accounted
15 for in the same manner as taxes levied and assessed against real property
16 pursuant to this chapter are collected and accounted for.
17 4. **[All]** *After July 1, 1978, all* real estate owned by the State of
18 Nevada located in each county shall be listed in a separate tax list and
19 assessment roll book of that county at its full cash value. If the total value
20 of such real estate owned by the state in a county is greater than 17 per-
21 cent of the total value of all other real estate listed in the county's tax

1 list and assessment roll books, that portion of the value of the real estate
2 owned by the state which is in excess of such 17 percent may be taxed by
3 the county as other property is taxed.

4 5. ~~【Moneys】~~ *Money* received pursuant to this section shall be
5 apportioned each year to the counties, school districts and cities wherein
6 each such parcel of real property is located in the proportion that the
7 tax rate of each such political subdivision bears to the total combined
8 tax rate in effect for such year.

9 SEC. 2. There is hereby appropriated from the state general fund to
10 Carson City for the fiscal year beginning July 1, 1977, and ending June
11 30, 1978, the sum of \$115,000 and for the fiscal year beginning July 1,
12 1978, and ending June 30, 1979, the sum of \$100,000 for the support of
13 an additional district judge in the first judicial district.

Original bill is on file at
the Research Library.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 405

ASSEMBLY BILL NO. 405—ASSEMBLYMEN
GLOVER AND JACOBSEN

MARCH 7, 1977

Referred to Committee on Ways and Means

SUMMARY—Establishes civil actions against state as specialized functions of district court and adds state-supported judge in first district. (BDR 1-1126)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: Yes.

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

AN ACT relating to the district courts; providing an additional district judge for the first judicial district; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 3.010 is hereby amended to read as follows:
2 3.010 1. The state is hereby divided into nine judicial districts, as
3 follows:
4 First judicial district. The county of Storey and Carson City consti-
5 tute the first judicial district.
6 Second judicial district. The county of Washoe constitutes the second
7 judicial district.
8 Third judicial district. The counties of Churchill, Eureka and Lander
9 constitute the third judicial district.
10 Fourth judicial district. The county of Elko constitutes the fourth
11 judicial district.
12 Fifth judicial district. The counties of Mineral, Esmeralda and Nye
13 constitute the fifth judicial district.
14 Sixth judicial district. The counties of Pershing and Humboldt con-
15 stitute the sixth judicial district.
16 Seventh judicial district. The counties of White Pine and Lincoln
17 constitute the seventh judicial district.
18 Eighth judicial district. The county of Clark constitutes the eighth
19 judicial district.
20 Ninth judicial district. The counties of Douglas and Lyon constitute
21 the ninth judicial district.
22 2. For each of the judicial districts, except the *first*, second and eighth

1 judicial districts, there shall be one district judge. *For the first judicial dis-*
2 *trict there shall be two district judges.* For the second judicial district there
3 shall be seven district judges. For the eighth judicial district there shall be
4 11 district judges.

5 3. District judges shall be elected as provided in NRS 3.050. When-
6 ever a vacancy occurs in the office of any district judge it shall be filled as
7 provided in NRS 3.080.

8 SEC. 2. 1. Until the 1st Monday in January 1979, the number of dis-
9 trict judges in the first judicial district shall remain one unless there occurs
10 a vacancy in the office of district judge in the first judicial district, in which
11 event the number of district judges of the first judicial district shall be two
12 as of the date of such vacancy.

13 2. Whether or not a vacancy occurs in the office of district judge in
14 the first judicial district before January 1, 1978, the provisions of section
15 1 of this act shall become effective on January 1, 1978, for the purpose of
16 nominating and electing district judges, and on the 1st Monday in January
17 1979, for all other purposes.

18 SEC. 3. This act shall become effective upon passage and approval.

50

Original bill is on file at
the Research Library.

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 612

ASSEMBLY BILL NO. 612—ASSEMBLYMEN MAY, HICKEY,
MANN, KISSAM, ROSS, PRICE, DREYER, BENNETT, SENA,
HAYES, BROOKMAN, HORN, BREMNER, CHANEY, ROB-
INSON AND HARMON

APRIL 5, 1977

Referred to Committee on Taxation

SUMMARY—Regulates distribution of slot machine tax money in excess of \$10 million per year; specifies construction projects for universities. (BDR 41-1731)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to public financial administration; providing for the distribution and use of certain proceeds of slot machine taxes; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 463.385 is hereby amended to read as follows:
2 463.385 1. In addition to any other license fees and taxes imposed
3 by this chapter, there is hereby imposed upon each slot machine operated
4 in this state a tax equal to the amount of any credit which may be allowed
5 against the tax imposed on slot machines by 26 U.S.C. § 4461 or other
6 federal statute for the payment of a state tax. If no [such] credit is
7 allowed, no tax is payable under this subsection.
8 2. The commission shall:
9 (a) Collect the tax annually on or before June 20, as a condition
10 precedent to the issuance of a state gaming license to operate any slot
11 machine.
12 (b) Include the proceeds of the tax in its reports of state gaming
13 taxes collected.
14 3. The commission shall pay over the tax as collected to the state
15 treasurer to be deposited to the credit of the state distributive school
16 fund and the higher education capital construction fund, hereby created
17 in the state treasury, in the amounts and to be expended only for the
18 purposes specified in subsections 4 and 5.
19 4. [During] *Except as provided in subsection 6, during each fiscal*

1 year the state treasurer shall deposit the first \$5 million of the tax paid
2 over to him by the commission in the higher education capital construction
3 fund. When requested by the board of regents of the University of Nevada,
4 **[moneys]** money in the higher education capital construction fund shall
5 be transferred by the state controller and the state treasurer to the state
6 public works board for the purpose only of constructing capital improve-
7 ment projects for the University of Nevada System, including but not
8 limited to capital improvement projects for the community college divi-
9 sion. As used in this subsection, "construction" includes but is not limited
10 to planning, design, site acquisition and development, construction, recon-
11 struction, furnishing, equipping, replacing, repairing, rehabilitating,
12 expanding and remodeling. Unless specifically directed by an act of the
13 legislature concerning priorities of construction of specific projects with
14 moneys in the higher education capital construction fund, the board of
15 regents of the University of Nevada shall determine the order of priority
16 and the needs of the University of Nevada System with respect to
17 expenditures of available moneys in the higher education capital con-
18 struction fund. Any moneys remaining in the higher education capital
19 construction fund at the end of a fiscal year shall not revert to the general
20 fund in the state treasury but shall remain in the higher education capital
21 construction fund for authorized expenditure.

22 5. **[During]** Except as provided in subsection 6 during each fiscal
23 year the state treasurer shall deposit all **[moneys]** money in excess of the
24 first \$5 million of the tax paid over to him by the commission in the state
25 distributive school fund to be apportioned as provided in NRS 387.030
26 among the several school districts of the state at the times and in the
27 manner provided by law.

28 6. *If the amount of any credit which is allowed against the tax*
29 *imposed on slot machines by 26 U.S.C. § 4461 or any other federal stat-*
30 *ute for the payment of a state tax is increased after July 1, 1977, the*
31 *amount of tax collected by the commission under this section which repre-*
32 *sents that increase shall be paid over to the state treasurer for deposit to*
33 *the credit of the special higher education capital construction fund, which*
34 *is hereby created in the state treasury, and expended only for the purposes*
35 *specified in subsection 7.*

36 7. *The board of regents of the University of Nevada may use any*
37 *money in the special higher education capital construction fund for the*
38 *payment of interest and amortization of principal on bonds issued to*
39 *defray costs of construction of specific projects.*

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

S. B. 169

SENATE BILL NO. 169—COMMITTEE ON
GOVERNMENT AFFAIRS

FEBRUARY 1, 1977

Referred to Committee on Government Affairs

SUMMARY—Entitles employees under state personnel system to receive payment or retirement service credit for portion of unused sick leave. (BDR 23-45)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: Yes.

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

AN ACT relating to the state personnel system; entitling an employee under the system or his beneficiaries to receive payment for certain unused sick leave; making an appropriation; and providing other matters properly relating thereto.

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

1 SECTION 1. NRS 284.355 is hereby amended to read as follows:
2 284.355 1. Except as provided in subsections 2 and 3, all employees
3 in the public service, whether in the classified or unclassified service,
4 are entitled to sick and disability leave with pay of 1¼ working days
5 for each month of service, which may be cumulative from year to year.
6 After an employee has accumulated 90 working days of sick leave, the
7 amount of additional unused sick leave which he is entitled to carry
8 forward from one year to the next is limited to one-half of the unused
9 sick leave accrued during that year, but the personnel division may by
10 regulation provide for subsequent use of unused sick leave accrued but
11 not carried forward by reason of this limitation in cases where the
12 employee is suffering from a long term or chronic illness and has used
13 all sick leave otherwise available to him. *Upon the retirement of an*
14 *employee who has 15 years or more of service under the public employees'*
15 *retirement system or the death of an employee who has such service while*
16 *in public employment, the employee or his beneficiaries are entitled to*
17 *payment of not more than \$2,500 for his unused sick leave in excess of*
18 *30 days, exclusive of any unused sick leave accrued but not carried for-*
19 *ward.* The personnel division may by regulation provide for additional
20 sick and disability leave for long term employees, and for prorated sick
21 and disability leave for part-time employees.

1 2. Officers and members of the faculty of the University of Nevada
2 System are entitled to sick and disability leave as provided by the rules
3 and regulations prescribed pursuant to subsection 2 of NRS 284.345.

4 3. The personnel division may by regulation provide policies con-
5 cerning employees with mental or emotional disorders which will:

6 (a) Utilize a liberal approach to the granting of sick leave or leave
7 without pay when it is necessary for them to be absent for treatment or
8 temporary hospitalization.

9 (b) Retain their jobs for reasonable periods of absence, and where
10 extended absence necessitates separation or retirement, reemploy them
11 if at all possible after recovery.

12 (c) Protect employee benefits such as retirement, life insurance and
13 health benefits.

14 4. The personnel division may investigate any instance in which it
15 believes that an employee has taken sick or disability leave to which he
16 was not entitled. If, after notice to the employee and a hearing, the com-
17 mission determines that an employee has in fact taken sick or disability
18 leave to which he was not entitled, the commission may order the for-
19 feiture of all or part of the accrued sick leave of such employee.

20 SEC. 2. NRS 353.262 is hereby amended to read as follows:

21 353.262 When the state board of examiners finds, after diligent
22 inquiry and examination, that:

23 1. As a result of the payment of terminal leave pay, [or] sick leave
24 pay or unused sick leave pay to any state officer or employee [,] or his
25 beneficiary, sufficient appropriated money does not remain available to
26 permit the payment of salaries when due to a person to be appointed or
27 employed to replace the officer or employee [who is on sick leave or
28 whose employment has been terminated]; and

29 2. The appointment or employment of such replacement is necessary
30 in the best interests of the state,
31 the state board of examiners may authorize the expenditure of sums not
32 exceeding [\$2,000] \$2,500 from the reserve for statutory contingency
33 fund for payment of salaries when due to each person so appointed or
34 employed as a replacement for the person to whom such terminal leave
35 pay or sick leave pay was paid or is payable.

36 3. The clerk of the state board of examiners shall, before September
37 1 of each year, file a report with the legislative auditor delineating each
38 transfer from the fund pursuant to this section for the payment of salaries
39 for the fiscal year ending June 30 of such year.

40 SEC. 3. There is hereby appropriated from the state general fund to
41 the reserve for statutory contingency fund created pursuant to NRS 353.-
42 264 the sum of \$75,000 to pay for those payments for unused sick leave
43 under NRS 284.355 for which the state may be obligated as a general
44 charge.

45 SEC. 4. 1. Section 3 of this act shall become effective upon passage
46 and approval.

47 2. The remaining sections of this act shall become effective on July
48 1, 1977.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 661

ASSEMBLY BILL NO. 661—ASSEMBLYMEN MELLO, WEISE, MURPHY, BARENGO, ROSS, BREMNER, GLOVER, KOSINSKI, HOWARD, VERGIELS, DINI, POLISH, ROBINSON, WESTALL, HICKEY, DEMERS, HARMON, HAYES, BROOKMAN, JACOBSEN, SERPA, RHOADS, WAGNER, JEFFREY AND CHANEY

APRIL 7, 1977

Referred to Committee on Ways and Means

SUMMARY—Makes appropriation to state public works board for restoration of Morrill Hall on campus of University of Nevada, Reno. (BDR S-1744)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: Contains Appropriation.

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

AN ACT making an appropriation to the state public works board as a contribution for the restoration of Morrill Hall on the campus of the University of Nevada, Reno; and providing other matters properly relating thereto.

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

1 SECTION 1. There is hereby appropriated from the state general
2 fund to the state public works board the sum of \$100,000 for the purpose
3 of contributing to the project of restoring Morrill Hall on the campus
4 of the University of Nevada, Reno.

5 SEC. 2. The state public works board is authorized to give final
6 approval to the plans and specifications necessary for the restoration of
7 Morrill Hall, which have been prepared in accordance with an existing
8 agreement between the board of regents of the University of Nevada,
9 the University of Nevada Alumni Association, Inc., and the state public
10 works board.

11 SEC. 3. All work performed pursuant to section 1 of this act shall be
12 approved by the state public works board, and each contract document
13 shall be approved by the attorney general.

14 SEC. 4. Except as provided in section 5 of this act, the state public
15 works board shall advertise for sealed bids for the project or each phase
16 of the project in a newspaper of general circulation in the State of
17 Nevada. Approved plans and specifications shall be filed at a place and

1 time stated in the advertisement for inspection by interested persons. The
2 board may accept bids on the whole project or on one or more phases of
3 the project, and may let separate contracts or combination of contracts
4 for structural, mechanical and electrical construction as needed. Any or
5 all bids may be rejected for any good reason.

6 SEC. 5. The state public works board may, without advertising,
7 solicit bids from two or more contractors doing business in the area of
8 the project if the estimated cost for the phase of the project to be bid is
9 estimated to be less than \$5,000 and may award the contract to the lowest
10 bidder or reject all bids.

11 SEC. 6. Section 3 of chapter 448, Statutes of Nevada 1975, at page
12 668, is hereby amended to read as follows:

13 SEC. 3. [If this appropriation is not so made available on or
14 before July 1, 1977, or if any part of it is not required for the pur-
15 poses stated, the appropriation or part not required shall revert to
16 the general fund in the state treasury on July 1, 1977, or completion
17 of the work, as the case may be.] *The unexpended balance of the*
18 *appropriation made under section 1 of this act shall revert to the*
19 *state general fund on the effective date of A.B. 661 of the 59th*
20 *session of the Nevada legislature.*

21 SEC. 7. This act shall become effective upon passage and approval.

Original bill is on file at
the Research Library.