

SENATE FINANCE COMMITTEE
MINUTES OF MEETING
APRIL 30, 1977

The meeting was called to order at 8:15 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
Assemblyman Don Mello
Jay Milligan, City Manager, Sparks
Bob Warren, President, Nevada League of Cities
Warren Kochmond, Desert Research Institute
Dr. Warburton, Desert Research Institute
Dr. George Linkletter, DRI

Senator Lamb asked Senator Gibson to speak on A. B. 335.

A.B. 335: Clarifies coverage of certain public employees subject to both federal and state retirement systems.

Senator Gibson reminded the Committee that they had amended this bill the previous day, to limit the combined retirement to 95% of the salary earned at the time of retirement.

Assemblyman Dini had brought him an amendment, that he had had prepared, as he was not aware that the Senate Finance Committee would be considering the bill. Mr. Dini's amendment writes in a limitation of the years of simultaneous service and the effect of that would be to allow them to accumulate a total combined benefit of 99.75%.

What it does is amend Section 1, page 1, line 2, to delete the words "so long as they are" and insert "until they respectively complete 23 years of simultaneous service while". Amend the bill as a whole by adding new sections, designate Sections 2 and 3 following Section 1 to read: Section 2: Section 52 of S.B. 173, the 59th session, is hereby repealed. Section 3: Section 2 of this act shall become effective only if S.B. 173 is enacted into law.

Senator Gibson recommended that the Committee accept this as a substitute for the amendment the Senate Finance Committee had proposed the previous day. Senator Hilbrecht so moved; Senator Gibson seconded and the motion carried.

A.B. 335 had already been approved by the Committee.

A.B. 591: Makes appropriation to City of Sparks, Nevada, to reimburse it for the expense of developing Stempeck Park.

Senator Young reported to the Chairman the results of his conversation with Dr. O'Bryan, which he had reported to the Committee the previous day.

Mr. Mello introduced Mr. Milligan to give the background of this bill.

Mr. Milligan showed the Committee a map showing the property in question. He said the City of Sparks' contention was that this land was given to the City of Sparks separately and independently from the acquisition of Stempeck. He listed the three pieces of property as the same as reported by Senator Young but said all

three were separate and away from Stempeck Park and although they are not, even if they were connected in some way, their contention would be that it still would not be a very good trade because what they had would not compensate them for a park of this size; much of it was street right-of-ways that they have to improve and maintain. He said that Fisherman's Park really is directly across from the State Hospital and if any benefit were derived it would be primarily for the State Hospital. Senator Lamb asked if they had spent money on this park and Mr. Milligan said they had, they were in the process now of developing it. Senator Lamb asked who would benefit besides the State Hospital. Mr. Milligan said this would benefit all of the citizens in the Truckee Meadows because it is part of the Truckee River Green Belt.

Mr. Mello said he wanted to give a little background on this, because he was involved in it. He said this was all negotiated long before they knew what was going to happen to Stempeck Park. He showed an area on the map that he said the state wanted to get rid of because they were afraid they were going to get sued. So the state gave it to the City of Sparks so if anyone was going to be sued it would be the city. That was figured out long before Stempeck Park was brought into the picture. He showed the different pieces of property that were under discussion.

He said the state made money on the whole deal and the City of Sparks lost \$65,000. The bill originally was for \$70,000, but the city was able to salvage equipment worth \$5,000, so the bill request was reduced to \$65,000.

In answer to Senator Lamb's question, he said the City of Sparks had lost \$65,000 by losing the Stempeck Park.

They answered questions from the Committee and said the original negotiation had been made by the former council and mayor. Mr. Mello said he did not see why the people of the City of Sparks should be penalized because of the ignorance of local officials at that time, who put improvements into a park which they had on a 99 year lease, with a six months cancellation on the lease.

Mr. Mello said there was a new administration there now and the report that he and Mr. Milligan were giving was factual.

Before Mr. Mello left, he asked if he could refer to the Committee's attention an error in A.B. 563. One page 1, Section 1, line 9, the bill refers to nine members; on page 2, Section 9, line 49, reference is made to the Governor appointing 7 members.

Mr. Mello explained that the Committee on Government Affairs was given a list of committees and commissions and the size of them. The majority of the boards and commissions in the State of Nevada, and there are approximately 150 of them, the average size of the boards and commissions is less than 7.

Senator Glaser referred back to the conversation on Stempeck Park and said he was not really happy with the bill and suspected that the state was being ripped off a little, but he felt under the circumstances of it being late in the session and everyone was trying to get home and this was probably a sensitive bill, he would move that the Committee do pass; Senator Wilson seconded and the motion carried.

A.B. 563: Changes number of members of Nevada State Council on the Arts and provides for their compensation.

Senator Hilbrecht moved to amend A.B. 563 to correct a technical defect on page 2, line 49 and also insert \$2600 and do pass; Senator Wilson seconded and the motion carried. Senator Young was not present.

A.B. 524: Requires division of state parks of state department of conservation and natural resources to purchase, under prescribed conditions, certain real property located in Lyon County, Nevada, for state park system.

Senator Hilbrecht said he did not believe that the state should acquire this ranch until they upgrade about 6 or 7 other parks that they have been unable to bring up to useful recreational capacity at this stage.

Senator Gibson said Mr. Meder had come to see him on this bill. Mr. Meder asked him to bring to the Committee's attention, in relation to this Ghiglia property, a piece of property near Dayton that is owned by the State Highway Department, and his suggestion was that the Committee consider transferring this property to the Park Commission. It could be immediately developed for about \$100,000 and with a budget of about \$27,000 in the first year and \$19,000 in the second year.

Senator Gibson said he felt the Ghiglia Ranch was too huge an undertaking and doesn't fit in really. The thought was that this highway property would fit in with the development along the river and might be considered an alternative to looking at the Ghiglia Ranch.

They recommend that \$100,000 be authorized for expenditure for park improvements. This could be spent initially for master plan and site development such as water system and roads. Senator Gibson said he was proposing this as an alternative with a saving of \$2.9 million.

Senator Wilson asked if the Committee was going to authorize them to complete acquisition, for example, at Lahontan?

Senator Gibson said there is money in the '75 acquisition; Mr. Sparks had brought it to their attention to see if they wouldn't resolve that before they left here, which they agreed they should do.

Mr. Meder had said they could get \$90,000 in federal funds to match the \$100,000 and they could have a park in use there in a short time.

Senator Gibson moved that this substitution of the Dayton property for the Ghiglia Ranch be made in A.B. 524; Senator Wilson seconded and the motion carried. Senator Lamb asked Mr. Sparks to have the bill rewritten to cover this change. Senator Gibson said that Mr. Meder would help with the rewriting.

A.B. 547: Establishes committee to study local government finances and makes appropriation.

Mr. Warren spoke on this bill. He said they were requesting authority and \$50,000 in funding to provide for a legislative and public sector committee which would oversee the conduct and implementation of a study to determine the fiscal conditions of cities and counties in Nevada.

He described the work which had been done at the local level during the past six months. He said preliminary studies made by cities and counties discovered that over a period of four years from '73-'74 fiscal budgets to the current '76-'77 budgets that there will be by the end of this July a 71% drop in ending fund balances for those cities and counties that were participating.

All cities participated in the study, 7 of the counties of the larger counties and a couple of the smaller ones; a cross section participated in the study. There were a few like Eureka and Lander that did not have the staff to provide the information that was needed, but it was felt that that would not substantially change the result.

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This study also discovered that over this period there has been an increase in expenditures for these entities, accumulative increase and expenditures for that four year period of 54%. The revenues are increasing at the rate of about 41% or a 13% enwidening gap between revenues and expenditures.

It was also learned that at the time of the study that only one city and no counties were considering going into general obligation debt to finance sewer, water or other major projects that are necessary and he felt this was poor management. If they failed to take care of these problems now, the problems of sewer or water will not go away, they will compound and the public will have to pay a substantially greater cost at a later date to finance these projects. But these entities are so nervous about the quality of their income and the quantity of the income over the next decade that they are afraid to enter into these types of long term management practices, which are necessary for the preservation of the health, safety, and welfare of the people.

This study has been reviewed by the Governor and by the Nevada Tax Commission. Mr. Lien, of the Tax Commission, analyzed the study and came to the general conclusion that it was probably valid, that it does look as though there are some serious fiscal conditions or trends that show a deteriorating fiscal condition.

Mr. Warren answered questions from the Committee relative to the committee to be appointed, whether the study should be made in conjunction with staff at the University or whether it should be a completely independent study made by some firm outside the state.

Mr. Milligan said he would like to make a brief comment on this bill. He felt the suggestion to have an outside, independent consultant was a good one. He hoped they would include a section on collective bargaining mechanisms in Nevada. He said one of the reasons they found their costs were going up so much is because of the collective bargaining process they are burdened with in this state. Seventy-five percent of the cities' costs are tied up in personnel and if they get stuck with binding arbitration and other kinds of bills that handicap their effort on expenditures on salaries, it will drive the cost of government up much higher than has been previously seen. He felt the last best offer is the least offensive approach.

Mr. Milligan said that any state that had enacted any kind of a compulsory binding arbitration law has found their costs increased significantly. That was why he favored the last best offer approach, because it forces people to negotiate.

Mr. Lien said that in 1981 his department was going to have to be reallocating cigarette taxes, county city relief taxes, alcohol taxes etc., due to the 1980 census. The 1979 Legislature is going to have to be taking a hard look at how they are going to reallocate those population oriented revenues. This study will assist them tremendously in how they are going to reallocate those revenues.

He listed some of the problems that the counties are having presently. He said there had been several indicators on things that had occurred this particular session which show that local governments are going to have a continued problem as far as resources being available for the types of demands that are made upon their monies.

He spoke on the types of studies and said he did not believe that

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\$50,000 would be enough for a completely independent study. He felt if they stepped outside entirely they would have to add another \$25,000 or \$30,000 on to the bill in order to get a competent outside contractor. It could be even more if the independent contractor must go to each of the cities involved.

What would incur under the present proposed study, a lot of the material would be brought in to a central location. Independent contractors tend to want to do their own field work and go to the various entities themselves so additional time and travel money would have to be considered.

He said the services of the University would be available if the bill was written in such a manner as to say that the outside contractor would be working in cooperation with the University. He was just saying they needed to be cautious about how they provided to bring a group in. The expertise of the University would make the study cheaper and using the resources that are available which the University could draw upon, together with their familiarity with the problems in the state, would be adequate to handle the study. They are already aware of the kinds of problems in general. A completely outside consulting firm would have to acquaint themselves with the problems and the tax structure of Nevada before they could even start a study.

These suggestions were discussed by the Committee. Dr. Glen Atkinson from UNR discussed the categories as outlined in the bill and what they were intended to cover.

Senator Wilson said he felt the Legislature would have to tailor the design of the study and who performs it and supervises it.

Senator Hilbrecht felt that collective bargaining and personnel costs should be studied and also general expenditures, 7 categories to be studied in all.

Senator Gibson suggested that the Committee work on the language of the bill and amend it.

A.B. 746: Makes appropriation to Desert Research Institute of University of Nevada System for winter weather modification activities in Lake Tahoe and Walker River basins and Spring Mountains.

Warren Kochmond, Dr. Warburton and Dr. Linkletter from DRI spoke on this bill.

Mr. Kochmond reviewed what had been done in the seeding program up to the point of where the bill now stands. Some amendments had been made in the Assembly Ways and Means Committee.

He suggested that the severity of the present drought conditions of the state might be lessened in future years if they could embark upon a seeding program that might help augment the overall snowfall in the Sierra and also the Spring Mountain Range.

He detailed work that had been done with previous appropriations and the work they would continue to do if this bill were approved. Doctors Warburton and Linkletter answered questions on the program and the results that had been realized up to the present time.

Senator Lamb thanked them for appearing.

A.B. 406: Provides for extension of unemployment compensation benefits to certain public, agricultural and domestic employees.

Mr. McCracken and Mr. Gibbs appeared on this bill. They gave the Committee a memo giving a brief explanation of the bill and the amendments which have been made.

Mr. McCracken spoke on the bill and the federal mandates and discussed actions that had been taken in the Commerce Committee. He answered questions from the Finance Committee on the bill.

Senator Lamb thanked him for appearing.

S.B. 521: Makes appropriation to legislative fund.

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

S.B. 520: Permits retirement at age 50 or 55 for all public employees.

Senator Gibson moved that the bill be given no further consideration; Senator Echols seconded and the motion carried.

A.B. 406: Provides for extension of unemployment compensation benefits to certain public, agricultural and domestic employees. Senator Gibson moved the bill be given a do pass; Senator Wilson seconded and the motion carried.

Senator Gibson suggested that Senators Hilbrecht and Young get together with him and work out some language on the cities and county study. The Committee agreed.

S.B. 469: Changes monetary limitation on tort liability of state and its political subdivisions.

This was discussed and consideration was given as to whether the \$25,000 was to be raised or not. Senator Hilbrecht said he thought it should be raised some, say about to \$35,000 and he would so move; Senator Echols seconded and the motion carried, 5-2, with Senators Lamb and Gibson dissenting.

A.B. 653: Establishes legislative committee to review federal administrative policies, rules, regulations and related laws.

Senator Glaser said he had problems with the bill even though he was in sympathy with what they were trying to accomplish. He felt it was going a little beyond the scope of the Legislative Commission. He suggested an amendment on Page 2, line 22, sub paragraph (d), delete the words "direct the legislative counsel to prosecute" and insert "request the Attorney General to". He felt this would get the Legislative Committee out of the prosecution end and would allow the Commission to study, which it does anyway.

Senator Hilbrecht said he did not believe they could "request" the Attorney General.

Senator Wilson said the whole theory of the state land office was to promulgate state policy on the federal use of federal lands, and to do whatever it had to do to advocate and assert the state's point of view, to protect their own people against federal sovereignty. That office ought to be an advocate. That office is the place to lay the money and support and the legislative mandates. The responsibility ought to go to the Executive Branch. That is the whole thesis of state land use planning. It is to put the sovereign in the position of standing up for its own people.

He felt that maybe the answer was a renewed mandate to the state planning office. Maybe an oversight committee under the Legislative Commission. He did not feel the bill should be killed, but it should be rewritten.

Senator Glaser asked if he could be given until Monday to get together with other members of the Committee and try to get the bill rewritten.

Senator Gibson said he should talk with the Governor and the Attorney General about the bill because they both were opposed to the bill as it is presently written. They are opposed to the Legislature's involvement.

A.B. 746: Makes appropriation to Desert Research Institute of University of Nevada System for winter weather modification activities in Lake Tahoe and Walker River basins and Spring Mountain.

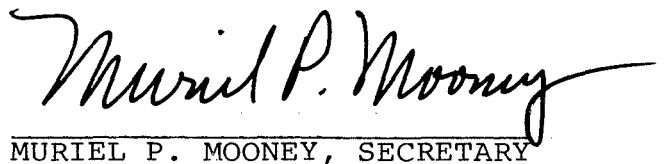
Senator Hilbrecht moved the bill do pass; Senator Glaser seconded, and the motion carried 5-2, with Senators Lamb and Echols dissenting.

A.B. 604: Senator Wilson moved the Committee reconsider the action taken on A.B. 604; Senator Hilbrecht seconded. The motion was defeated 4-3, with Senators Young, Glaser, Lamb and Gibson dissenting.

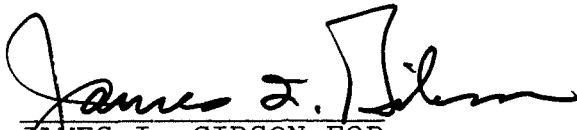
Senator Lamb said the Committee would meet at 8:30 a.m. Monday morning.

The meeting adjourned at 10:00 a.m.

RESPECTIVELY SUBMITTED:


MURIEL P. MOONEY, SECRETARY

APPROVED BY:


JAMES I. GIBSON FOR
FLOYD R. LAMB, CHAIRMAN

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 335

ASSEMBLY BILL NO. 335—ASSEMBLYMEN DINI
AND MELLO

FEBRUARY 23, 1977

Referred to Committee on Ways and Means

SUMMARY—Clarifies coverage of certain public employees subject to both federal and state retirement systems. (BDR 23-703)

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 employees' retirement; clarifying coverage of certain public employees subject to both federal and state retirement systems; and providing other matters properly relating thereto.

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

SECTION 1. NRS 286.310 is hereby amended to read as follows:

286.310 1. [An employee who is a member of, or eligible for membership in, a retirement system established by a public employer prior to July 1, 1948, may not become a member of the system established by this chapter until the previously established system is integrated with the system established by this chapter pursuant to the procedure provided by this chapter.

2.] Employees of the [State of Nevada or a political subdivision of the State of Nevada] *state or any of its political subdivisions* who are required by federal law to participate in a federal retirement system may not become or remain members of the retirement system established by this chapter [.] , *except:*

(a) *Persons employed by the state or any of its political subdivisions before July 1, 1967, who:*

(1) *Were required to participate in both systems; and*

(2) *Filed a written statement with the board within 30 days after July 1, 1967, electing to retain their service credit in the retirement system established by this chapter.*

(b) *Employees of the agricultural extension service of the college of agriculture of the University of Nevada who were continued in dual membership in both systems after July 1, 1967. These employees:*

Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 591

ASSEMBLY BILL NO. 591—ASSEMBLYMEN MELLO,
KOSINSKI AND WESTALL

MARCH 31, 1977

Referred to Committee on Ways and Means

SUMMARY—Makes appropriation to City of Sparks, Nevada, to reimburse it for the expense of developing Stempeck Park. (BDR S-1745)

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 City of Sparks, Nevada, to reimburse it for the expense of developing Stempeck Park; and providing other matters properly relating thereto.

1 WHEREAS, The City of Sparks developed that certain tract of state-
2 owned land within its boundaries known and designated as Stempeck
3 Park for recreational purposes; and

4 WHEREAS, Exclusive use of Stempeck Park has been given to the
5 Nevada mental health institute; now, therefore,

6
7 *The People of the State of Nevada, represented in Senate and Assembly,*
8 *do enact as follows:*

9
10 SECTION 1. There is hereby appropriated from the state general
11 fund to the City of Sparks, Nevada, the sum of \$65,000, to reimburse it
12 for the expense of developing Stempeck Park.

13 SEC. 2. Money appropriated to the City of Sparks, Nevada, pur-
14 suant to section 1 may be used only for park development and it is the
15 intent of the legislature that such appropriation be used to further the
16 development of a certain tract of land located in the city containing 52
17 acres, more or less, and which is currently designated as "citywide park."

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

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Original bill is on file at
the Research Library.

753

(REPRINTED WITH ADOPTED AMENDMENTS)

THIRD REPRINT

A. B. 563

ASSEMBLY BILL NO. 563—ASSEMBLYMEN MELLO, HOWARD, MURPHY, HARMON, DEMERS, DINI, WAGNER, JEFFREY, HORN, SERPA, RHOADS, WEISE, MAY, HICKEY, MANN, KISSAM, KOSINSKI, PRICE, BREMNER, BROOKMAN, BARENGO, VERGIELS, ROSS AND WESTALL

MARCH 29, 1977

Referred to Committee on Ways and Means

SUMMARY—Changes number of members of Nevada state council on the arts and provides for their compensation. (BDR 18-1162)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: Effect less than \$2,000.

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

AN ACT relating to the Nevada state council on the arts; reducing the number of members; providing for their compensation; abolishing the office of chief executive officer and the executive board of the council; 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 233C.010 is hereby amended to read as follows:
2 233C.010 As used in this chapter, unless the context otherwise
3 requires, [:
4 1. "Council"] "*council*" means the Nevada state council on the arts.
5 [2. "Executive board" means the executive board of the council.]
6 SEC. 2. NRS 233C.030 is hereby amended to read as follows:
7 233C.030 [1.] The Nevada state council on the arts, [whose mem-
8 bers shall be broadly representative or have knowledge of all fields of the
9 performing and fine arts,] *consisting of nine members appointed by the*
10 *governor*, is hereby created.
11 [2. The council shall consist of not more than:
12 (a) Seventeen members during the biennium beginning July 1, 1975,
13 and ending June 30, 1977;
14 (b) Thirteen members during the biennium beginning July 1, 1977,
15 and ending June 30, 1979; and
16 (c) Eleven members on July 1, 1979, and thereafter.]
17 SEC. 3. NRS 233C.040 is hereby amended to read as follows:
18 233C.040 1. The governor shall appoint *the members of the council*

Original bill is 3 pages long.
Contact the Research Library for
a copy of the complete bill.

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 524

ASSEMBLY BILL NO. 524—ASSEMBLYMEN DINI, MELLO,
GLOVER, JACOBSEN, DEMERS, HARMON, MURPHY,
BARENGO AND BREMNER

MARCH 23, 1977

Referred to Committee on Ways and Means

SUMMARY—Requires division of state parks of state department of conservation and natural resources to purchase, under prescribed conditions, certain real property located in Lyon County, Nevada, for state park system. (BDR S-512)

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 the state park system; authorizing and directing the department of highways to convey to the state land registrar for use as a state park certain real property located in Lyon County, 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. The department of highways is hereby authorized and
2 directed to convey by quitclaim deed to the state land registrar for use
3 as a state park that certain real property owned by the department in
4 the SE 1/4 of section 14, T. 16 N., R. 21 E., M.D.B. & M., in Lyon
5 County, Nevada, subject to easements of record and exclusive of its
6 highway rights of way.
- 7 SEC. 2. The sum of \$100,000 is appropriated to the state park system
8 from the proceeds of bonds authorized and sold under the provisions
9 of "An Act relating to natural resources; directing the submission of a
10 proposal to issue state general obligation bonds for park purposes and
11 fish and game habitat acquisition to a vote of the people; providing for
12 use of the proceeds if such issue is approved; and providing other matters
13 properly relating thereto," being chapter 660, Statutes of Nevada 1975,
14 at page 1303, for the planning and development of the property described
15 in section 1 of this act as part of the state park system.
- 16 SEC. 3. There is hereby appropriated from the state general fund to
17 the state park system for the operation and maintenance of the property
18 described in section 1 of this act as part of the state park system:
- 19 1. For fiscal year 1977-78, the sum of \$26,897.
 - 20 2. For fiscal year 1978-79, the sum of \$18,925.

Original bill is on file at
the Research Library.

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 406

ASSEMBLY BILL NO. 406—ASSEMBLYMAN BANNER

MARCH 7, 1977

Referred to Committee on Labor and Management

SUMMARY—Provides for extension of unemployment compensation benefits to certain public, agricultural and domestic employees. (BDR 53-692)

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 unemployment compensation; providing for extension of unemployment compensation to certain public, agricultural and domestic employees; 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 612.045 is hereby amended to read as follows:
2 612.045 "Contributions" means the money payments to the unem-
3 ployment compensation fund required by this chapter, but does not
4 include reimbursement payments [of nonprofit organizations.] in lieu
5 of contributions [.] as provided in NRS 612.553.
6 SEC. 2. NRS 612.055 is hereby amended to read as follows:
7 612.055 "Employer" means:
8 1. Any employing unit which for any calendar quarter has paid or is
9 liable to pay wages of \$225 or more, and which employs during such
10 period one or more persons in an employment subject to this chapter.
11 2. Any [individual] person or employing unit which acquired the
12 organization, trade or business, or substantially all the assets thereof, of
13 another which at the time of such acquisition was an employer subject
14 to this chapter.
15 3. Any [individual] person or employing unit which acquired the
16 organization, trade or business, or substantially all of the assets thereof,
17 of another employing unit if the employment record of such [individual]
18 person or employing unit subsequent to such acquisition, together with
19 the employment record of the acquired unit, prior to such acquisition,
20 both within the same calendar quarter, would be sufficient to constitute
21 such employing unit as an employer subject to this chapter under sub-
22 section 1. [of this section.]
23 4. Any employing unit not an employer by reason of any other sub-
24 section of this section, for which within either the current or preceding

Original bill is 17 pages long.
Contact the Research Library for
a copy of the complete bill.

ASSEMBLY BILL NO. 746—COMMITTEE ON
WAYS AND MEANS

APRIL 21, 1977

Referred to Committee on Ways and Means

SUMMARY—Makes appropriation to desert research institute of University of Nevada System for winter weather modification activities in Lake Tahoe and Walker River basins and Spring Mountains. (BDR S-1927)

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 desert research institute of the University of Nevada System for winter weather modification activities for the Lake Tahoe and Walker River basins and Spring Mountains; 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. 1. There is hereby appropriated from the state general
2 fund to the desert research institute of the University of Nevada System:
3 (a) The sum of \$215,699 for the fiscal year beginning July 1, 1977,
4 and ending June 30, 1978; and
5 (b) The sum of \$221,559 for the fiscal year beginning July 1, 1978,
6 and ending June 30, 1979,
7 for the purpose of carrying out winter weather modification activities and
8 associated research for the Lake Tahoe and Walker River basins and for
9 the Spring Mountains.
10 2. After June 30, 1979, the unencumbered balance of the appropria-
11 tion made in subsection 1 shall not be encumbered and shall revert to the
12 state general fund.
13 SEC. 2. This act shall become effective upon passage and approval.

30

Original bill is on file at
the Research Library.

S. B. 521

SENATE BILL NO. 521—COMMITTEE ON FINANCE

APRIL 28, 1977

Referred to Committee on Finance

SUMMARY—Makes appropriation to legislative fund. (BDR S-1942)

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 from the state general fund to the legislative fund; 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 fund
- 2 to the legislative fund the sum of \$300,000.
- 3 SEC. 2. This act shall become effective upon passage and approval.

50

Original bill is on file at
the Research Library.

SENATE BILL NO. 469—SENATOR RAGGIO

APRIL 11, 1977

Referred to Committee on Judiciary

SUMMARY—Changes monetary limitation on tort liability of state and its political subdivisions. (BDR 3-1317)

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 the tort liability of the state and its political subdivisions; raising the monetary limitation on damages; 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 41.035 is hereby amended to read as follows:
2 41.035 1. [No] An award for damages in an action sounding in
3 tort brought under NRS 41.031 may *not* exceed the sum of [\$25,000,
4 \$35,000, exclusive of interest computed from the date of judgment, to
5 or for the benefit of any claimant. [No such] An award may *not* include
6 any amount as exemplary or punitive damages.
7 2. The limitations of subsection 1 upon the amount and nature of
8 damages which may be awarded apply also to any action sounding in
9 tort and arising from any recreational activity or recreational use of land
10 or water which is brought against:
11 (a) Any public or quasi-municipal corporation organized under the
12 laws of this state.
13 (b) Any person with respect to any land or water leased or otherwise
14 made available by [such] *that* person to any public agency.
15 (c) Any Indian tribe, band or community whether or not a fee is
16 charged for such activity or use. The provisions of this paragraph shall
17 not impair or modify any immunity from liability or action existing on
18 February 26, 1968, or arising after February 26, 1968, in favor of any
19 Indian tribe, band or community.
20 The legislature declares that the purpose of this subsection is to effectuate
21 the public policy of the State of Nevada by encouraging the recreational
22 use of land, lakes, reservoirs and other waters owned or controlled by
23 any public or quasi-municipal agency or corporation of this state, wher-
24 ever such land or water may be situated.

20

Original bill is on file at
the Research Library.

SENATE BILL NO. 520—SENATOR FAISS

APRIL 28, 1977

Referred to Committee on Finance

SUMMARY—Permits retirement at age 50 or 55 for all public employees.
(BDR 23-1769)

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 public employees' retirement; providing retirement eligibility for all employees at certain ages; prohibiting certain types of employment while retired; 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 286.190 is hereby amended to read as follows:
2 286.190 The board:
3 1. Has the powers and privileges of a body corporate and, subject to
4 the limitations of this chapter, is responsible for managing the system.
5 2. Shall:
6 (a) Arrange for an annual actuarial report or review of the actuarial
7 soundness of the system to be prepared by an independent actuary based
8 upon data compiled and supplied by employees of the system, and shall
9 adopt actuarial tables and formulas prepared and recommended by the
10 actuary.
11 (b) Provide for an annual audit of the system, including the adminis-
12 trative fund, by an independent certified public accountant.
13 (c) Provide an annual report to the members and participating public
14 employers of the system. Such report shall contain a review of the
15 actuarial valuation required by paragraph (a).
16 [(d) On and after July 1, 1975, create a police and firemen's retire-
17 ment fund advisory committee and appoint its members.]
18 3. May:
19 (a) Adjust service and make any correction of member, retiree or
20 beneficiary records and benefits after an error or inequity has been deter-
21 mined.
22 (b) Adopt an optional annuity program for members which has been
23 designed and recommended by the actuary. This program shall be a trust,
24 qualified under section 401(a) of the Internal Revenue Code, to invest
25 contributions of voluntarily deferred employee compensation. The plan

Original bill is 12 pages long.
Contact the Research Library for
a copy of the complete bill.