

GOVERNMENT AFFAIRS COMMITTEE

Minutes of Meeting - January 28, 1977

Present: Chairman Gibson
Senator Foote
Senator Faiss
Senator Gojack
Senator Hilbrecht
Senator Raggio
Senator Schofield

Also Present: See Attached List

Chairman Gibson opened the fourth meeting of the Government Affairs Committee at 1:30 p.m. indicating that the amendments to SB-30 had been prepared. Chairman Gibson noted that this bill should be amended and re-referred back to the committee.

Motion to "Amend and Re-Refer" by Senator Foote, seconded by Senator Gojack. Motion carried unanimously.

AJR-16

Memorializes against premature closing of Nevada atomic test site.

Assemblyman Price spoke to the committee on this bill indicating that there are many who are concerned with "instant and complete" stopping of all nuclear testing at this time.

He went over the bill for the committee and it was the decision of the committee to amend the bill on line 21 to read, "Resolved, That the Executive Department should present a practical plan to".

Motion to "Amend and Do Pass" by Senator Hilbrecht, seconded by Senator Faiss. Motion carried unanimously.

SB-86

Repeals obsolete planning authority of state public works board.
(BDR 28-199)

Mr. John Crossly, Chief Deputy Auditor, Legislative Counsel Bureau, indicated that this authority belongs in the Governor's office and not with the State Public Works Board.

Mr. Bill Hancock, State Public Works Board, reiterated Mr. Crossley's statement and added that the need for this authority in the State Public Works Board is no longer necessary and therefore should be deleted.

Motion of "Do Pass" by Senator Hilbrecht, seconded by Senator Gojack. Motion carried unanimously.

SB-28

Authorizes sale of Fallon state fairgrounds in Churchill County and directs that proceeds be used to improve other real property for public use. (BDR S-456) Senate

Senator Dodge spoke to the committee on this bill and indicated that the people of Churchill county must get permission to sell this land by the State. Senator Dodge introduced the people who were here from Churchill County to the committee.

Mr. Selinder informed the committee of the problems they are now having with the present fairground site and indicated that they would like to begin developing a site that was purchased by the county in 1974. They wish permission from the state to sell the land and use the proceeds to develop this new fairground site.

Mr. Bill Hancock, State Public Works Board, stated that the State was considering part of this parcel of land for developing a community college, although nothing has been done about it at this time.

Mr. Selinder indicated that there is a problem of access on this land and did not feel that it would be a good place to have a community college.

Assemblyman John Serpa spoke to the committee at this time about the possibilities of the State considering a trade or portion of the land being used for a community college. He felt that the reason they were here was to clear up the cloud the State has on the county's land. He does not feel the State had any decision in the matter of what was to be done with the land.

Action on this bill was withheld until Monday when more information could be obtained regarding the State's involvement.

SB-26

Authorizes the City of Carlin to sell or lease the city-owned electric light and power system.

Senator Glazer spoke to the committee briefly regarding this bill and introduced Mayor Wanda Borden who would give the details on why this bill is necessary.

Mayor Wanda Borden indicated that Carlin can no longer produce its own electricity at an affordable price to the people of Carlin. Mrs. Borden stated that most of the residents of Carlin are either retired or on a fixed income.

Mrs. Borden stated that Carlin is between Sierra Pacific and Wells Rural Electric Company. They need to amend their Charter so that they can sell their electric facilities and get their electricity from Wells Rural Electric Company at a much better price.

Frank Daykin, Legislative Counsel Bureau, informed the committee on the type of Charter that Carlin had and felt there was no problem with the passage of this bill.

Motion of "Do Pass" by Senator Schofield, seconded by Senator Hilbrecht. Motion Carried unanimously.

Senate

SB-15

Prohibits scheduling of personnel hearings or examinations in conflict with certain religious holidays. (BDR 23-549)

Senator Hernstadt introduced this bill and felt that there were certain holidays that were of great importance and the State should have them so noted in order to keep from having important examinations scheduled on those days. He gave an example of a dental examination being scheduled on Yom Kippur. If a Jewish person were to keep with his faith he would have to be absent from the dental examinations. This, of course, would be bad for his profession.

Senator Hilbrecht felt that the bill was too loose and asked if specific holidays could be listed in order to keep the matter from being abused.

Fred Bartlett, State Personnel, reiterated Senator Hilbrecht's comments and hoped that this bill would be much more specific before being passed.

Mr. Bob Felt, State Employers Association, told the committee that he believed in the concepts of the bill but also wanted it to be more specific.

Mike Melnor, representing the Reno Jewish group, also wanted this bill to become law, as there is little recognition in our State of the Jewish holidays.

Chairman Gibson felt that the committee should study this bill and possibly come up with a list of holidays that could be amended into the bill.

SB-87

Provides for disposition of local government records. (BDR 19-80)

Andrew P. Grose, Research, Legislative Counsel Bureau, spoke to the committee on his trip to the counties in Nevada and study on their record retention procedures. Mr. Grose passed around the committee pictures of the various county offices and their system of retaining records. (Attached is a report)

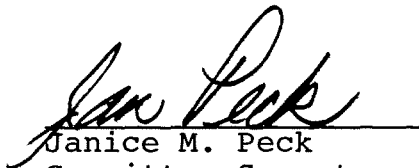
Mr. Gale feels that when the statutes are changed he will be better able to help these counties keep more accurate records and help them with microfilming. Mr. Gale also indicated that this bill would increase their staffing and increase their budget. (See Attached)

Due to the fiscal impact this bill would have, the motion went as follows, "Motion for, Do Pass and refer to Finance Committee" by Senator Foote, seconded by Senator Schofield. Motion carried unanimously.

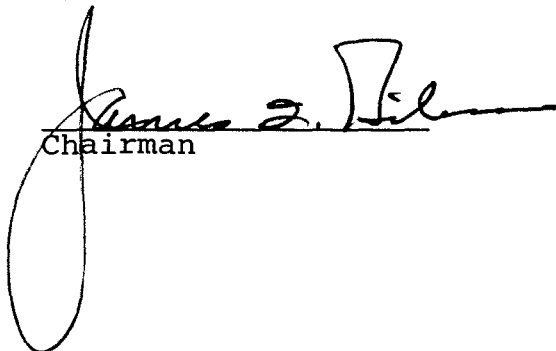
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As there was no further business the meeting was adjourned at
3:00 P.M.

Respectfully submitted


Janice M. Peck
Committee Secretary

Approved:


Chairman

PRESENTATION TO
SENATE GOVERNMENT AFFAIRS COMMITTEE

S.B. 87

THIS COMMITTEE, AT THE 1975 SESSION, INTRODUCED S.C.R. 30 WHICH DIRECTED A STUDY OF LOCAL GOVERNMENT RECORDS RETENTION POLICY AND A REVIEW OF CHAPTER 239 OF NRS. S.B. 87 IS THE RESULT OF THAT STUDY. BULLETIN 77-19 IS THE REPORT OF THE STUDY.

THE S.C.R. 30 STUDY WAS A STAFF STUDY THAT WAS MY RESPONSIBILITY BUT ONE THAT I WOULD HAVE HAD A VERY DIFFICULT TIME CARRYING OUT HAD IT NOT BEEN FOR THE TECHNICAL EXPERTISE AND EFFORTS BY MR. FRED GALE, THE STATE ARCHIVIST. MR. GALE IS PRESENT TODAY IN CASE YOU HAVE QUESTIONS REQUIRING HIS PROFESSIONAL KNOWLEDGE.

FRED AND I CONCLUDED AT THE OUTSET THAT WE WOULD HAVE TO GET OUT AND SEE THE PHYSICAL SITUATION IN EACH LOCALITY AND FIND OUT FROM THE LOCAL OFFICIALS WHAT THEIR RECORDS PROBLEMS WERE. MR. GALE SET UP MEETINGS IN EVERY COUNTY, MOST OF WHICH I ATTENDED TOO. AT EACH MEETING, WE EXPLAINED THE PURPOSE OF THE STUDY, EXPLAINED THE 1975 LEGISLATION ON THE SUBJECT, EXPLAINED

THE SERVICES OF THE ARCHIVES AND THEN SOLICITED THEIR
OPINIONS AS TO THE PROBLEMS AND POSSIBLE SOLUTIONS.

AFTER TOURING THE STATE, WE COMPILED ALL THE SUGGESTIONS
AND REPORTED THE INTERIM RESULTS TO THE LOCAL GOVERNMENT
ADVISORY COMMITTEE OF THE DEPARTMENT OF TAXATION. AFTER
THAT, WE COMPILED A QUESTIONNAIRE THAT INCLUDED ALL THE
RECOMMENDATIONS RECEIVED AND SENT IT TO EVERY PERSON THAT
ATTENDED ANY OF OUR MEETINGS. WE GOT A GOOD RETURN--58
LOCAL OFFICIALS FROM ALL PARTS OF THE STATE. ALL OF THE
ITEMS RECOMMENDED IN THE STUDY AND IN S.B. 87 HAD THE STRONG
SUPPORT OF THOSE LOCAL OFFICIALS.

IF THE COMMITTEE DESIRES, WE CAN GO THROUGH THE BILL WITH
BRIEF EXPLANATIONS OF THE CHANGES RECOMMENDED IN THE LAW.

SECTION 1 -- THIS CORRECTS AN OVERSIGHT IN THE PRESENT
LAW IN THAT THERE IS NO DEFINITION OF THE "ARCHIVES."

SECTION 2 -- IN SEVERAL OF THE SMALL COUNTIES, COST OF
MICROFILMING IS A HEAVY BURDEN. IN MOST CASES, THEY ARE
ONLY DOING THE MINIMUM REQUIRED BY LAW WITH NO ATTEMPT
TO FILM OLDER RECORDS. THERE WAS STRONG INTEREST IN HAVING

A SELF-SUPPORTING STATE MICROFILMING CAPABILITY THAT COULD HANDLE LOCAL GOVERNMENT MATERIALS. THIS WOULD ALLOW A LOCAL GOVERNMENT TO SHIP OLD BUT VALUABLE RECORDS TO CARSON CITY FOR STORAGE. BEFORE STORING, THEY COULD BE MICROFILMED. THE RECORDS WOULD GO INTO ARCHIVES AND THE FILMS WOULD BE RETURNED TO THE LOCAL GOVERNMENT.

MR. O'BRIEN OF THE RECORDS MANAGEMENT DIVISION HAS THE ABILITY TO EXPAND HIS MICROFILMING OPERATION TO MEET INCREASED DEMAND.

SECTION 3 -- THERE ARE TWO SUBSTANTIVE PROVISIONS. THE FIRST IS AT LINE 22 OF PAGE 2. UNDER THE LAW NOW, THE ARCHIVES IS ALLOWED NO DISCRETION IN WHAT IT ACCEPTS. THE COUNTY THAT NOW HAS ALL CHECK STUBS SINCE 1910 COULD SEND THEM TO MR. GALE AND HE'D HAVE TO TAKE THEM. THE SUGGESTED CHANGE WOULD ALLOW HIM TO REFUSE MATERIALS THAT HAVE NO VALUE. IF THE LOCAL GOVERNMENT STILL WANTS TO KEEP SUCH RECORDS, THEY CAN BUT THE ARCHIVES WILL NOT HAVE TO KEEP THEM.

THE OTHER PROVISION IN THIS SECTION IS A LEGAL ASSURANCE THAT MATERIALS DEPOSITED IN THE ARCHIVES REMAIN THE PROPERTY OF THE DEPOSITING AGENCY. THIS IS MR. GALE'S POLICY BUT SEVERAL LOCAL ENTITIES ARE RELUCTANT TO DEPOSIT MATERIALS UNLESS THEY CAN BE CERTAIN THAT THEY CAN GET THEM BACK.

SECTION 4 -- THE MAIN INTENT HERE IS TO PUT SOME FLEXIBILITY INTO THE QUESTION OF WHAT IS OR IS NOT AN "OLD RECORD." NOW, ANYTHING MORE THAN 2 YEARS OLD IS "OLD." FOR SOME RECORDS, THIS IS TOO SHORT, FOR OTHERS MAYBE TOO LONG. THIS CHANGE WOULD ALLOW THE DEFINITION TO DEPEND UPON THE RECORDS MANAGEMENT CATEGORIES ESTABLISHED BY REGULATION.

SECTION 5 -- THIS IS STATUTORY REVISION FOR CONSISTENCY OF LANGUAGE.

SECTION 6 -- THIS PROPOSAL WILL ALLOW THE ARCHIVES TO ESTABLISH CATEGORIES OF RECORDS AND MINIMUM RETENTION SCHEDULES FOR EACH CATEGORY. THESE REGULATION WILL BE SUBMITTED TO THE LOCAL GOVERNMENT ADVISORY COMMITTEE FOR THE DEPARTMENT OF TAXATION. THIS WILL PROVIDE THE GUIDANCE WHICH THE LOCAL OFFICIALS FEEL IS LACKING NOW BUT HAVE GREATER FLEXIBILITY THAN PUTTING IT INTO THE LAW. THE

ADVISORY COMMITTEE HAS LOCAL GOVERNMENT EXPERTISE TO
GUIDE THE ARCHIVES.

THERE IS ALSO A FISCAL NOTE BASED UPON RECOMMENDATIONS
IN THE STUDY. THE MAIN ELEMENTS ARE INCREASED TRAVEL
MONEY AND A NEW ARCHIVES POSITION. UNLESS THERE ARE
QUESTIONS, I WON'T GO INTO THE FISCAL NOTE AT THIS TIME.



Re. SB-87

SECRETARY OF STATE
DIVISION OF STATE, COUNTY AND MUNICIPAL ARCHIVES
CAPITOL COMPLEX
1807 N. CARSON STREET
CARSON CITY, NEVADA 89710

WM. D. SWACKHAMER
SECRETARY OF STATE
FREDERICK C. GALE
~~ADMINISTRATIVE~~
Director of Archives
TELEPHONE: (702) 885-5210

For: LEGISLATIVE COMMISSION
SEPTEMBER MEETING, 1976

PLAN OF ACTION BY THE STATE ARCHIVES TO ASSIST COUNTY AND CITY AGENCIES, DIVISIONS AND SUB-DIVISIONS IN ESTABLISHING A RECORDS PROGRAM.

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UPON INVITATION:

- STEP 1. The Director of Archives will first evaluate the current record situation of an Agency, Division or Sub-division and, in consultation with the Head of the Agency or Division, prepare a "Record Retention and Disposal Schedule" unique to the specific operation.
- STEP 2. With the aid of the "Retention and Disposal Schedule", the Archives Assistant would supervise: The destruction of obsolete and useless records; prepare a "first preliminary inventory" on the spot; oversee the boxing of loose and file-folded records by the depositing Staff or County Prison Trustees, and the safe removal of such records to the Archives in Carson City.
- STEP 3. The Director of Archives will prepare a plan for the final inventory and specific location for the safe storage of the deposited records.
- STEP 4. A copy of the final inventory, together with a "Record Retention and Disposal Schedule" for future use, will be handed to the Head of the depositing Agency or Division.

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Prepared By: Frederick C. Gale
Director of Archives

GUEST REGISTER

GOVERNMENT AFFAIRS COMMITTEE

DATE: 1-28-77

THOSE WISHING TO TESTIFY SHOULD IDENTIFY THEMSELVES BEFORE GIVING TESTIMONY.....

NAME	DO YOU WISH TO TESTIFY	BILL NO.	REPRESENTING
<i>William</i>	✓	28486	SPWB
John Crossley	IL over	F6	LCB - Club
Bob PRICE	YES	AJR 16	SPONSOR
Bob Boushert	?	28	Co. Commissioners
Robert Fobell	no		Review - Journal
Bob Feltner	Yes	SB-15	SNEA
Ryan Rutt	no		CARLIN, NEV.
London Cronenberg	No	SB-15	Dept. Human Resources - Div. Off
Lyla Mares	No		
Virginia Wallace	no		Dept. of Education
Evelyn Mackis	yes	SB 87	Dept of Taxation
inda	yes	SB-15	
Manuel Saldas	No	S. B-29	Churchill County
Bill Lee	No	SB 28	Churchill County
John Hampden	no	SB 28	Interested Citizen
Brian Schider	Yes	SP 28	Churchill County
Debi Shisler	?	SP 28	Churchill Co
Fred Matney	yes	SB-15	State Personnel
BILL HERNSTADT	yes	SB-15	SPONSOR

1-27-77 AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS

Date Jan. 28, 1977 Time 1:30 p.m. Room 243

Bills or Resolutions
to be considered

Subject

Counsel
requested*

SB-26

Authorized the City of Carlin to sell or lease the city-owned electric light and power system. (BDR-S-381)

SB-28

Authorizes sale of Fallon state fairgrounds in Churchill County and directs that proceeds be used to improve other real property for public use. (BDR S-456)

SB-15

Prohibits scheduling of personnel hearings or examinations in conflict with certain religious holidays. (BDR 23-549)

AJR-16

TIME - 1:30 p.m.

Memorializes against premature closing of Nevada Atomic Test Site. (BDR 1074)

SB-86

TIME - 1:45 p.m.

Repeals obsolete planning authority of State Public Works Board. (BDR-28-199)

SB-87

TIME - At End of
Agenda

Provides disposition of local government records (BDR-19-80)