

SENATE

Government Affairs Committee

Minutes of Meeting - March 23, 1977

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

Also Present: See Attached Guest Register

Chairman Gibson opened the twenty-fifth meeting of the Government Affairs Committee at 2:00 p.m. with all members present.

SB-102

Repeals certain session laws relating to local government.
(BDR S-298)

Frank Daykin, Legislative Counsel, stated that this is to remove from the statutes those bills that were held to be unconstitutional in the County of Clark vs. Las Vegas. Even though they are unconstitutional and therefore ineffective it doesn't give the counsel burea an automatic warrant to take them out of the next supplement of the N.R.S.

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

SB-180

Defines application of provisions for unincorporated towns. (BDR 21-661)

SB-181

Sets petition requirements for annexation by cities in certain counties. (BDR 21-662)

Chairman Gibson informed the committee and those present that he was going to reschedule a hearing for SB-180 and SB-181 as there will be a couple more bills and the committee should hear them all together. This was agreeable to those present.

Tom Moore, Clark County, wanted to testify on SB-180. He indicated that Clark County currently had two alternatives to the annexation law in amendment form in the ill drafting office. We also prefer to have all of the bills at the same time for a hearing. With regards to SB-180 the thrust is to allow additional services to the unincorporated towns. It deletes the term "volunteer" so that fire protection can be provided to the unincorporated towns. It also provides that urban level police protection will be provided. It does not deal with annexation.

Senator Hilbrecht asked if some of the unincorporated towns couldn't be protected under the Fire District section. Senator Hilbrecht expressed concern that many of the unincorporated towns didn't want to be incorporated just for fire protection.

Senator Gojack was concerned that along with all the services that they would get they might not be able to come up with the money to finance it.

After considerable discussion by the committee it was felt that this bill should be set aside until more information could be obtained from Mr. Moore regarding the reasons behind this bill.

Bob Warren, Nevada League of Cities, stated that this bill does permit towns to get into the activity of providing services. He doesn't know if the legislature wants to get into this because in the past this has been discouraged by the legislature.

SB-230

Establishes method of selecting members of fair and recreation boards in certain counties. (BDR 20-960)

Senator Raggio stated that the situation in Washoe County at the present time is that the Fair and Recreation Board has appointed four advisory members who do not have a vote. Over the years there have been discussions about enlarging the board to add other than elected members to the board or elected officials to the board. It is his understanding that the problems over this have been resolved, feels that there isn't any objection from the people on this board about their being made voting members. This bill is identical to the existing law used in Clark County.

Senator Hilbrecht asked if this would satisfy the problems that are being felt by Incline? Senator Raggio said, no, they probably want to create a Fair and Recreation Board of their own.

Lorraine Arms, representing the Greater Reno Chamber of Commerce, read her testimony to the committee. (See Attachment #1)

Russ McDonald, Washoe County, had some suggested amendments to this bill that he drafted. (See Attachment #2). Mr. McDonald went over the amendment suggestions for the committee.

Senator Raggio asked who would the recognized trades be. Where do you decide to go for these nominations? Couldn't this be opened up to an enormous amount of nominations coming in. Feels like the bill is too open with regard to the places where the nominations could come from.

Russ McDonald continued by stating that the amendments are prepared by way of a secondary position of the convention authority.

As they requested the legislation originally to be drafted, absent the introduction of this bill, the convention authority suggested that the first three categories be selected by the elected members. One member would be selected from a list of nominees from the Chamber of Commerce. After the bill was introduced it was felt that the approach suggested by the amendments would be a better way to handle the situation as the convention authority didn't want to dictate the choice of members to serve on the board.

Mr. Bart Schuweiler, Counsel to the Reno, Sparks Convention Authority, testified that it was the choice of the Chamber of Commerce to allow four members. In order to get the people who are in the community and willing to serve, we thought we would go to the Northern Nevada Gaming Association. They submitted three names. They also went to the Nevada Bankers Association and out of the three categories they chose one to sit on the board. If we change the structure we want to be sure that these same individuals will be seated. We want to give these men who have worked for so long the voting status that they haven't had in the past.

Senator Raggio reiterated some of his earlier statements and concluded by stating that they should be talking about a single list for each of the three people.

Chairman Gibson asked Mr. Schuweiler if he was able to meet the worry he had with the first four and if he was able to retain those already appointed then would he object to the nominees, to their successors, coming from the Chamber of Commerce.

Mrs. Arms stated that the Chamber of Commerce will work with the board and has been happy with the work they have done in the past.....
Mr. Schuweiler felt that this really should have been in writing and not left as a verbal agreement.

Mr. Bill Harrison, Executive Director of Reno, Sparks Convention Authority, was involved with the appointment of the Advisory people. They also copied the law now used by Clark County. The board is primarily concerned that there should be something to keep these board members protected so they can continue to work in the same capacity. They have two appointed for one year terms and two appointed for two year terms. This staggering helps to keep qualified people on the board at all times.

Senator Raggio asked Mr. Harrison if the committee added the language as suggested by Mr. McDonald would his concerns with the bill be taken care of. He agreed that they would. At that point Chairman assigned Senators Hilbrecht and Raggio to work with Russ McDonald and Mr. Schuweiler in order to get the agreed upon amendment.

SB-320

Permits board of examiners to grant exceptions to certain salary limitations. (BDR 23-1066)

Senator Raggio explained the thrust of this bill to the committee. He indicated it is to provide the mechanism to make these situations where employees at both state and local levels are under the 95% compaction. In order to solve the situation the department head could make an application with the Board of Examiners and present his problem to them. They would make the necessary steps to solve the problem if they felt the situation warranted it.

Senator Raggio concluded by stating that he talked with the Governor about this and it was the Governor's concern that the Board of Examiners are quite busy and did not feel that this responsibility should fall in their hands.

Howard Barrett, representing clerk of the Board of Examiners, he was against this bill, with regard to the authority being vested with them. He also agreed that the workload was immense and they couldn't handle the additional responsibilities. He told the committee that there were sixty-three people that would be coming to them for review that are currently affected by the 95% limitation. He suggested that this might be placed with county commissioners.

Russ McDonald suggested that this authority and review board might be placed with the Department of Taxation. Mr. McDonald did not go along with Mr. Barrett's suggestion.

Roger Trounday, Human Resources Director, testified again on the problem of impaction. He felt that there must be some review board set up to alleviate the problem that is created by this compaction. Supports the bill.

Senator Hilbrecht stated that there is a bill in the Assembly that should handle all the problems that are experienced in the department of Human Resources. Mr. Trounday stated that SB-320 did exactly what he felt was needed. The problem was in getting the right department to handle the reviewing of the people affected by the 95% limitation on salary.

Chairman Gibson suggested to Mr. Trounday placing these people in the area of the unclassified services.

Mr. Trounday stated that they have run into problems because of the requirements from the Federal Government when these people deal with federal monies. The laws might have changed since we last looked into this possibility and I will check into it again and report back to the committee.

Chairman Gibson thought that this information may help them in the Finance committee as they will be setting some salaries in the near future and would like to have some guidelines to go by.

Fred Hillerby, Nevada Hospital Association, supported the bill. He also went over some testimony that was given at another hearing for a similar bill on the compaction problem that they have to deal with. Mr. Hillerby did not offer any suggestions on where this reviewing authority should be place.

Senator Hilbrecht suggested the review authority rest with interim Finance.

Chairman then concluded testimony and stated that he would check with the counsel bureau and get a legal opinion on the use of the interim Finance committee.

SB-360

Requires county officers and employees to deposit funds belonging to others with county treasurer. (BDR 31-1270)

Nadine Reid, State Treasurer's Office, read her testimony to the committee. (See Attachment #3). Mrs. Reid further stated that they are obligated to keep a certain amount on hand and the excess is invested to earn interest for the State. If an agency deposits a half million dollars and we don't know about it until the end of the month we don't feel we are doing the best with the money for the State. Most of the agencies do notify us but there are some that aren't cooperating. We feel this law will give us some leverage to make those agencies comply with the law for the good of the State.

Earl Oliver, Chief Auditor, L.C.B, was in support of the bill also.

Senator Hilbrecht and Chairman Gibson both felt that the means of notifying is not clear in the bill. Chairman asked if Mr. Oliver would look into this and help with the amendment to do what the intent of the Treasurer's office wants. Mr. Oliver agreed to this.

SB-361

Abolishes election filing fee for member of State Board of Education. (BDR 24-535)

Jim Costa, representing State Board of Education, testified on this bill, reading his written testimony. (See Attachment #4)

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

AB-360

Requires county officers and employees to deposit funds belonging to other county treasurer. (BDR 20-956)

Assemblyman Jack Schofield, stated that this bill was initially requested by the county treasurer in Clark County. The purpose is that some departments, even though in the 58th session there was a bill passed to mandate departments turn in all monies

collected by the various departments daily, a problem was created in two areas. After the bill was drafted we found out that the County Clerk did, in fact, have a fund acting as the clerk of the court on funds directly deposited by the courts into her funds. This is what the amendment no. 433.A was supposed to address itself to. However, the verbage in the bill doesn't do that. Washoe County clerk has a problem with this also.

Russ McDonald, Washoe County, stated that he had a letter from the District Attorney's Office of Washoe County objecting to AB-360. (See Attachment #5) They feel that we should exclude Washoe County to preserve the ability in which they conduct their finances.

Assemblyman Schofield asked if the committee might consider amending the language on the recommendation of the District Attorney in Clark County. The recommended amendment as it was originally worded is as follows, "County Financing Law, Section 1 of 354.140 to 354.626 inclusive, hereby amending by adding thereto a new section 354.605 funds maintained by a county government. Each of the funds listed in NRS 53.604 which are maintained by a county government shall be held, maintained and managed by the treasurer of that county, except for those funds directed to be deposited by a court order with the clerk of the court."

Stated that he would like to get with the bill drafter and work out the problems with the amendment as it came out and check with Russ McDonald before coming back to the committee for consideration.

Chairman Gibson agreed with this and asked Senator Schofield to work with Mr. McDonald and Assemblyman Schofield on the amendments.

AJR-19

Proposes annual sessions of the legislature. (BDR C-379)

Assemblywoman Brookman testified to the committee on this bill indicating the studies that she has conducted in other states who are on the annual session. (See Attachments #6) The suggestions in the bill are to have two, sixty day, sessions every two years.

Ms. Brookman indicated that since 1967 our budget has grown considerably and with the increase in population the problems that must be dealt with have grown. The bill is not intended to be placed on the ballot but will appear again before the legislature next session to be voted on again. It won't be going to the voters until the 1980's. She went over the problem of having to live with some laws that were passed that are unconstitutional for two years. Also felt that the interim committees are really representative of the entire house and this is not always good.

Daisy Talvitie, League of Women Voters, urges passage of this bill. Ms. Talvitie read her testimony to the committee.
(See Attachment #7)

Ms. Talvitie concluded her comments by stating that it was their opinion the time has come to think seriously about annual sessions. By the time this will come to the voters our growth will be that much larger and the job taking that much more time to complete. She also felt that yearly sessions will put the legislature on a more equal footing with the executive branch. The question about the legislature becoming professional is not a worry of the League of Women Voters.

Senator Hilbrecht was interested in the polls taken during the interim by many assemblymen. Assemblywoman Brookman felt that the voters were ready to accept annual sessions.

Motion of "Do Pass" by Senator Gojack, seconded by Senator Hilbrecht. Voting went as follows: Yea's Senator Gojack and Senator Hilbrecht. Na's Senators Gibson, Faiss, Foote, Raggio and Schofield. Motion did not carry.

Another motion was made to "Indefinitely Postpone" by Senator Foote, seconded by Senator Raggio. Voting went as follows: Yea's Senators Foote, Raggio, Schofield, Faiss and Gibson. Na's Senator Gojack and Hilbrecht. Motion carried.

Due to a situation that has come up in the Las Vegas area the following bill was discussed:

AB-330

Makes various amendments to Las Vegas city charter.
(BDR S-879)

Richard Bunker, representing Las Vegas, testified that this bill brings the charter in Las Vegas up to date. On Page 1, line 10 through 19 it would change the method of describing districts. He went over the rest of the bill and concluded by asking the committee to consider an amendment to this bill that would allow the City Attorney to be appointed to his position rather than be elected by the people. The appointment would be made by the city council.

Senator Raggio stated that he was against that policy. The City Attorney should be representative of the people. Wonders what problems it would create if the City Attorney disagreed with the City Council.

Senator Hilbrecht expressed many of the same concerns. He also

questioned some of the language on page 8, lines 9 through 16. Feels that this language is to protect the civil service. Wants more information and assurance that this protection is not being taken away before moving on the bill.

Mr. Bunker felt that it was not the intent of AB-330 to take away any protection that the civil service now enjoys. (See Attachment #8 for details).

Chairman Gibson and Senator Hilbrecht wanted a poll of interest from the committee members before pursuing this bill any further. Through verbal approval of the committee it was decided that there was enough interest in the measure to pursue it further, although most members were against the suggested amendment of changing the City Attorney to an appointed position. (Five members against the amendment suggestion - two members in favor)

Senator Hilbrecht and Raggio would like to have an opportunity to check the current charter to be sure that the civil service would be protected before taking action on the bill. With that considered the following motion was made:

Motion of "Do Pass" by Senator Schofield, seconded by Senator Raggio. Motion carried unanimously. (This did not include the amendment sugg.)

SB-302

Provides for consolidation of reports of state agencies. (BDR 29-905)

Chairman Gibson read a letter from Jean Ford to the committee, (See Attachment #9) on the work that she had done with Bruce Arkell to amend the bill for further consideration by the committee.

Also entered into the minutes was a letter from Mr. Frost of the Rehabilitation Division on the costs incurred for their annual report. (See Attachment #10)

Senator Foote questioned preparing only one report annually. It could pose problems to some agencies that must have enough leverage to be able to put out another report if the necessity arises.

Senator Hilbrecht thought that we might put in "except as provided by law" in the bill to help those agencies that have to provide some other type of report in addition to the annual one.

Chairman Gibson asked the committee to hold action until Mrs. Ford could be present to listen to the additional changes the committee wanted to make in the bill.

SB-307

Provides for alternative method of electing county commissioners in certain counties. (BDR 20-994)

Chairman Gibson informed the committee that Senator Dodge was unable to be here to give further testimony on this problem that has come up in Virginia City.

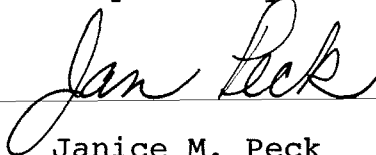
Senator Hilbrecht felt that he couldn't go along with the bill as it is general in nature to handle a very specific problem.

Seantor Raggio felt that we should consider reducing the percentage that is in the law from 35% to 25%. Most testifying didn't like it being as low at 15%. Mr. Daykin felt that it would be hard to defend the 35% figure. Senator Raggio felt that this might change the districting in the county.

The committee did not want to take action on this bill until Senator Dodge could be present.

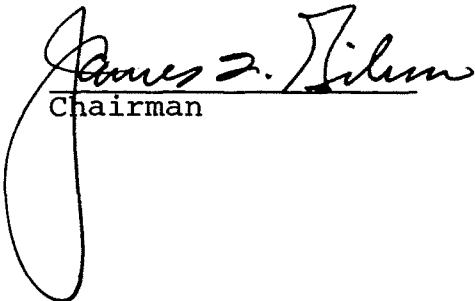
With no further business the meeting was adjourned at 5:30 p.m.

Respectfully submitted,



Janice M. Peck
Committee Secretary

Approved:



Chairman

SENATE GOVERNMENT AFFAIRS COMMITTEE

GUEST REGISTER

DATE 3-23-77

PLEASE SIGN - EVEN IF YOU ARE NOT HERE TO TESTIFY.....

NAME	WILL YOU TESTIFY	NOTE	BILL NO	REPRESENTING - - - - -
Lorraine ARMS STEVEN STUCKER	yes	APR 2	230	Reno Chamber of Commerce
Jim Costa	YES		SB 181	NORTH LAS VEGAS
Roger Tronday	Yes		SB 361	Dept. of Education
Howard Bennett			SB 320	Dept. H/S.
Bob Warren	yes		SB 320	
Tom Moore	yes		SB 181	Nas League of Cities
Bookman	yes		SB 180 181 360	Clark County
Jalovite	yes		AJR 19	
	yes		AJR 19	LWUN

Chairman Gibson and members of the Government Affairs committee. My name is Lorraine Arms and I am here as a Vice President of the Greater Reno Chamber of Commerce to present their official testimony in support of Senate Bill 230.

Four years ago we supported this legislation; however, opponents of the Bill, at that time, contended the Chamber was self serving because it was under contract to the Convention Authority for promotional funding. During the last Session, our Board did not take a stand for the same reason.

Now, however, the Greater Reno Chamber of Commerce has no funding from the Convention Authority. This history is intended only to give you background.

Today we continue to believe, as we did four years ago, that SB 230 has merit because it will place four voting members with experience in tourism, finance and directly related fields among the five members who are appointed by the three governmental bodies elected from Reno, Sparks and Washoe County.

Since the Convention Authority determines which four of twelve nominees will serve they have control over both qualifications and performance of these four lay members.

By the same token, the lay members can contribute a wealth of practical experience in tourism, hotel, resort and finance fields since it is assumed the Convention Authority members will accept only willing and knowledgeable candidates as nominees.

As for those selecting the candidates to present to the Convention Authority, it is to their best interests to find the highest caliber of individuals to submit as nominees.

This bill indicated the Chamber of Commerce will select the twelve nominees from four different categories. I can assure you and the members of the Convention Authority that we would consider this not only an honor, but a trust. While there is little doubt some highly qualified candidates could be found who are non-members, we would contend that Chamber members are involved in community activity because of their desire to create a better community and to also give something back of their time and effort.

As stated in my opening remarks, the Chamber no longer receives funding from the Convention Authority, nor does it intend to in the future. Therefore, there is no area where our participation could be considered self serving. We currently have an advisory member on the Authority and at no time has he been instructed by the Chamber Board nor the staff as to what recommendations to make. He is there because he is capable of representing the best interest of the total community.

A similar Bill has been successfully in effect in Clark County for a number of years. The only fundamental difference between Clark County and Washoe County is that our Chamber does not receive funding which should make our situation even less objectionable.

Thank you.

ASSEMBLY Amendment _____ S.B./~~A.B.~~ 230 BDR 20-960
 SENATE Amendment XX _____ TO S.J.R./A.J.R. _____ BDR _____
 Proposed by Committee on Government Affairs
 Deliver to _____

Amend section 1, page 1, by deleting line 2 and inserting:

"thereto the provisions set forth as sections 2 and 3 of this act."

Amend section 1, page 1 by deleting line 3, and inserting:

"Sec. 2. 1. In any county having a population of 100,000 or more, and less".

Amend section 1, page 1, by deleting lines 13 to 21, inclusive, and inserting:

"(d) Three members, by the members appointed pursuant to paragraphs (a), (b) and (c), from lists of three nominees for each position submitted by [recognized business or trade organizations] existing in the county. The lists shall respectively include nominees who are actively engaged in:

- (1) Resort hotel business. *Resort Area*
- (2) Motel business. *Motel Area*
- (3) Banking or other financial occupations. *Banking Area*

(e) One member, by the members appointed pursuant to paragraphs (a), (b) and (c), from a list of three nominees who are actively engaged in general business or commerce submitted by the chamber of commerce of the largest incorporated city in the county."

Amend section 1, pages 1 and 2, by deleting lines 22 and 23 on page 1 and line 1 on page 2 and inserting:

"2. The terms of members appointed pursuant to paragraphs (a), (b) and (c) of subsection 1 shall be coterminous with their terms of office Of the members first appointed pursuant to paragraphs (d) and (e) of subsection 1, two members shall be appointed for terms of 1 year and two members shall be appointed for terms of 2 years. Thereafter such members shall be appointed for 2-year terms. Any vacancy occurring on the board shall be filled by the".

Amend sec. 2, page 2, by deleting line 10 and inserting:

"Sec. 3. Notwithstanding the provisions of any other section of NRS or special statute, members of a county fair and recreation board may

enter into contracts, leases, franchises and other transactions extending beyond their terms of office as members of the county fair and recreation board.

Sec. 4. NRS 244.335 is hereby amended to read as follows:".

Amend sec. 2, page 2, line 30, by deleting "section 1 of this act constitutes" and inserting "sections 2 and 3 of this act constitute".

Amend sec. 2, page 3, line 4, by deleting "section 1" and inserting "sections 2 and 3".

Amend sec. 3, page 3, line 9, by deleting "Sec. 3." and inserting "Sec. 5."

Amend sec. 3, page 3, line 12, by deleting "section 1" and inserting "sections 2 and 3".

Amend sec. 3, page 3, line 17, by deleting "section 1" and inserting "sections 2 and 3".

Amend sec. 3, page 3, line 30, by deleting "1" and inserting "2".

Amend the title of the bill by inserting after the semicolon in line two of the title: "authorizing members to enter into transactions beyond their terms of office;".

Title ok No--amended

Drafted by R. W. McDonald

Date 3-21-77

TESTIMONY GIVEN BY NADINE REID - TREASURER'S OFFICE

SB 360

WE HAVE REQUESTED THIS CHANGE IN DEPOSITING REQUIREMENTS AS A STEP IN THE EFFORT TO IMPROVE CONTROL OVER THE CASH FLOW INTO AND OUT OF THE STATE'S MAIN CHECKING ACCOUNT.

THE LEGISLATIVE AUDITOR'S PROGRAM OF ENCOURAGING AGENCIES TO DEPOSIT MORE OFTEN AND TO UTILIZE INTER-BRANCH DEPOSITING SEEMS TO BE WORKING VERY EFFECTIVELY. NOTICES OF INTER-BRANCH DEPOSITS WHICH ARE RECEIVED IN THE DAILY MAIL ARE MUCH HEAVIER THAN A YEAR OR 2 YEARS AGO.

THE FACT THAT THE AGENCIES HAVE DONE THIS, OF COURSE, SERVES TO REDUCE THE POSSIBILITY OF LOSS OR THEFT BUT IT DOES NOT HELP THE STATE EARN INTEREST ON ITS IDLE CASH IF THE TREASURER'S OFFICE DOES NOT KNOW THAT THIS HAS BEEN DONE.

IF WE CAN MAKE THE AGENCIES AWARE OF THIS NEED FOR INFORMATION AND HAVE A MEANS OF PERSUADING THEM TO CO-OPERATE, WE CAN UNDOUBTEDLY INCREASE THE AMOUNT OF ANNUAL INTEREST INCOME EARNED BY THE TREASURER'S OFFICE.

STATEMENT OF
THE DEPARTMENT OF EDUCATION
SENATE COMMITTEE ON GOVERNMENT AFFAIRS

Wednesday, March 23, 1977
Room 243, 2:00 p.m.

S.B. 361 -- Abolishes election filing fee for member of State Board of Education.

Prior to the 1975 Legislature, candidates for the office of member of the state board of education were not required to pay the election filing fee because the holder of the office received no compensation.

The 1975 Legislature amended NRS 385.050 to provide for state board members compensation of \$40 per day for attending meetings, not to exceed eight meetings in any calendar year. The granting of compensation subsequently subjected candidates for office on the state board to the election filing fee of \$100 required of candidates for state office other than Governor or Supreme Court Justice.

The state board members feel that there is a great difference between their offices compensated on a meeting basis and other state offices which are full-time positions paying annual salaries.

Because of the small compensation involved and the possibility that the election filing fee may discourage the candidacy of otherwise qualified persons, the State Board of Education petitions the 1977 Nevada Legislature to except candidates for membership on the state board of education from the required filing fee.

The amendment to subsection 2 of NRS 293.193 as proposed by S.B. 361 will accomplish this exception. The State Board of Education urges your favorable consideration.

JPC/mb
3/22/77



Washoe County District Attorney

Washoe County Courthouse
South Virginia and Court Streets

P.O. Box 11130 • Reno, Nevada 89510

LARRY R. HICKS
District Attorney

March 14, 1977

Russell W. McDonald, Esq.
Special Assistant to the
Washoe County Commissioners
3170 West Plumb Lane
Reno, Nevada 89509

Re: A. B. 360 (Requiring Deposit of Non-County Funds
with the County Treasurer)

Dear Russ:

In connection with the above Bill, this is to advise that the District Attorney's Office maintains a trust account in which is deposited monies belonging to other persons. In the Civil Division, our Office has deposited monies from defendants in consumer protection cases, which represent "restitution" to consumers who have lodged complaints with this Office. In addition, certain fines and restitution of expenses of other non-county agencies are also deposited in this trust account for eventual distribution to the proper party. It has also been discussed that in connection with tax collection suits brought under Chapter 361 of NRS property owners may negotiate a settlement with the District Attorney's Office, providing for periodic payments into the District Attorney's Trust Fund, until all delinquent taxes, penalties and interest have been paid. Once all taxes are collected, the money would then be transferred to the County Treasurer for payment of all back taxes, interest and penalties in conformance with applicable statutes. Under an applicable Attorney-General's Opinion, the Treasurer cannot accept delinquent taxes unless all back taxes are tendered in one lump sum.

In view of this arrangement, it would appear that A. B. 360 would drastically affect the use of the District Attorney's Trust Account. In fact, it may very well abolish the use of

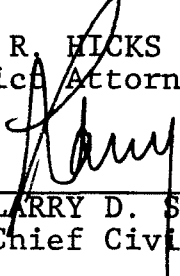
Russell W. McDonald, Esq.
March 14, 1977
Page Two

such an account by the Civil Division. Because of the diverse requirements of the various cases handled by this Office, it would seem advisable to permit a District Attorney to maintain a trust account. Accordingly, I would appreciate your observations and assistance in maintaining our flexibility in using this account. I doubt that the County Treasurer would like the chore of handling many of the situations involving the District Attorney's trust account.

Very truly yours,

LARRY R. HICKS
District Attorney

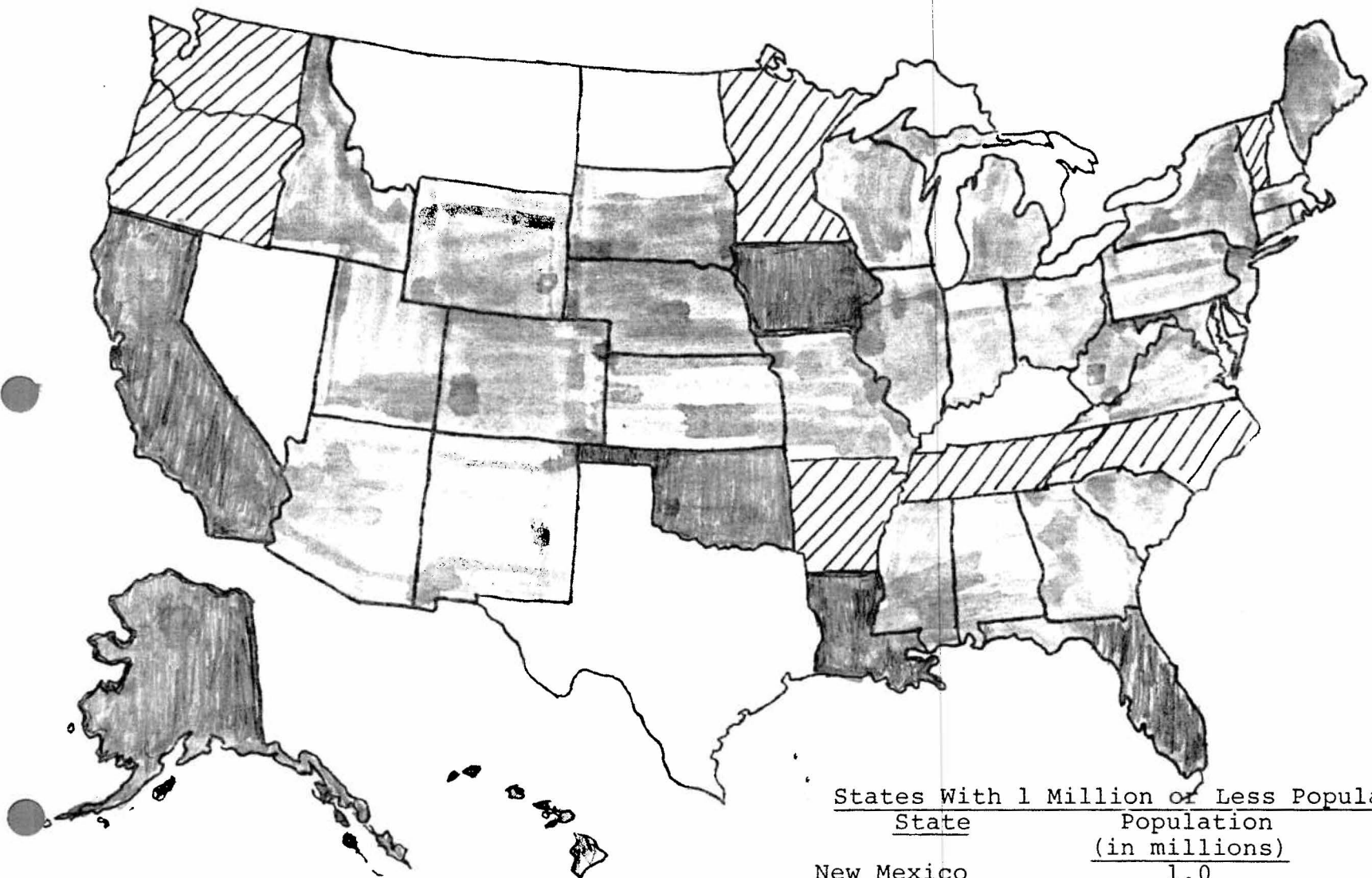
By



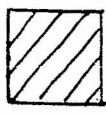
LARRY D. STRUVE
Chief Civil Deputy

LDS:ph

cc: Gary S. Simpson
Washoe County Treasurer



ANNUAL SESSION



BIENNIAL SESSION
SPLIT INTO BOTH YEARS

States With 1 Million or Less Population (1970)

<u>State</u>	<u>Population</u> (in millions)	<u>Session</u>
New Mexico	1.0	Annual
Maine	1.0	Annual
Rhode Island	1.0	Annual
Hawaii	.8	Annual
New Hampshire	.7	Biennial
Idaho	.7	Annual
Montana	.7	Biennial
South Dakota	.7	Annual
North Dakota	.6	Biennial
Delaware	.5	Annual
Nevada	.5	Biennial
Vermont	.4	Biennial
Wyoming	.3	Annual
Alaska	.3	Annual

Statement of all Votes Polled at the General Election Held November 5, 1974

824 6

ELECTION PRECINCTS	Total Registered	Total Voted	STATE ASSEMBLY	COMMISSIONER (A)		County Commissioner (B)		COUNTY ASSESSOR	COUNTY CLERK and TREASURER	DISTRICT ATTORNEY
			D	D	E	D	E	D	D	
			DINI, JOSEPH E., JR.	BERRY, ROBERT E.	ROSSO, MARTIN	DEL CARLO, LORA M.	JACOBSEN, RUTH E.	FLANAGAN, JACK A.	ANDREASEN, SHIRLEY	BUOCHIANERI, VIRGIL A. Ind.
1st PRECINCT	287	224	156	122	89	157	58	171	177	180
2nd PRECINCT	271	218	147	120	89	156	53	183	181	171
3rd PRECINCT	306	185	138	(125)	42	125	40	160	158	144
(TRUCKEE-RIVER)	864	627	441	367	220	438	151	514	516	495

Summary of Storey County Commissioner election results.

1970-76

	<u>Candidates</u>	<u>Prec. #1 & 2 V.S. + Gold Hill</u>	<u>Prec. #3 River</u>	<u>Total</u>
1976	N. Bolander	31	12	43
<u>Primary</u>	J. Reinholder	76	13	89
1976	L. Del Carlo	206	158	364
<u>General</u>	J. Reinholder	225	37	262
1974	L. Del Carlo	303	125	428
<u>General</u>	R. Jacobsen	111	40	151
	R. Berry	242	125	367
	M. Rosso	178	42	220
1972	R. Downing	143	16	159
<u>Primary</u>	J. Gunn	27	130	157
	Notes: Upon challenge 28 River votes for Gunn were thrown out reducing Gunn vote to 138			
1972	R. Downing	259	46	305
<u>General</u>	E. Del Carlo	228	207	435
	H. Bland	273	70	343
	J. Peri	201	58	259
1970	C. Salmon	140	3	143
<u>Primary</u>	C. Maxwell	66	69	135
1970	M. Rosso	167	25	192
<u>General</u>	C. Salmon	234	123	357
	H. Bland	149	122	271
	L. Goodman	234	26	260

Govt Affairs, Room 243, 2 PM

AJR 19 League of Women Voters by
Daisy J. Falotie, President

Since 1967, the League of Women Voters has supported annual sessions for the Nevada Legislature. We have observed the legislative operation for many years and know all too well how difficult your task is and the dedication to public service required for you to serve and we have real sympathy for you when you suffer so much criticism by those who do not understand the difficulties you face in trying to make just determination in writing laws on so many diverse subjects. It must be remembered that only the Legislature has the authority to deal with even the most minor problems in statutory law that governs the State — what some people may consider trivial is to another group of people a serious problem and only you, as a legislative body, can develop the solution. And as this State continues to grow in population — to become more urbanized — those problems will multiply. And with an ever increasing budget of millions of dollars, it is foolish to think that we can continue to give adequate supervision with sessions only every two years. Should AJR 19 be approved at this session — & with the
The necessity to get 2nd approval in 1977, it is

obvious that by the time of passage we
will be into the 80's - The time to begin
is now. The League urges your vote
yes on AJR 19-

SUMMARY: Makes the Las Vegas City Attorney position appointive rather than elective (BDR _____)

Fiscal Note: Local Government Impact - No
State of Industrial Insurance Impact - No

AN ACT amending the Charter of the City of Las Vegas, Nevada, to eliminate the provisions providing for an elective city attorney.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Article I, Section 1.050 of the Charter of the City of Las Vegas, Nevada, is hereby amended to read as follows:

Sec. 1.050 Elective offices.

1. The elective officers of the city consist of:

- (a) A mayor
- (b) Four commissioners.
- (c) Municipal judges, the number to be determined by the board of commissioners.
- [(d) A city attorney.]

2. Such officers shall be elected as provided by this charter.

Section 2. Article I, Section 1.070 of the Charter of the City of Las Vegas, Nevada, is hereby amended to read as follows:

Section 1.070 Elective offices: Vacancies

1. A vacancy in the board of commissioners or in the office of mayor, [city attorney] or municipal judge shall be filled by a majority vote of the members of the board of commissioners, or the remaining members in the case of a vacancy in the board of commissioners, within 30 days after the occurrence of such vacancy. The appointee shall have the same qualifications as are required of the elective official.

2. No such appointment shall extend beyond the next regularly scheduled meeting of the board of commissioners following the next municipal general election, at which election the office shall be filled for the remaining unexpired term.

Section 3. Article 3, Section 3.060 of the Charter of the City of Las Vegas, Nevada, is hereby amended to read as follows:

Section 3.060 City attorney: Qualifications; duties.

1. The city attorney shall be:

(a) A duly licensed member of the State Bar of Nevada.

(b) The legal officer of the city and shall perform such duties as may be designated by ordinance.

(c) At least 25 years of age.

(d) A citizen of the United States.

[(e) A registered voter, for at least 2 years immediately prior to the year in which the election is held, within the territory established by the boundaries of the city on the last day of filing an affidavit of candidacy.]

[2. On and after July 1, 1975, the city attorney shall receive a salary of \$29,000 per annum.]

[3.] 2. The city attorney shall not engage in the private practice of law after July 1, 1975.

[4.] 3. Deputy city attorneys shall not engage in the private practice of law after July 1, 1977.

Section 4. Article 5, Section 5.010 of the Charter of the City of Las Vegas, Nevada, is hereby amended to read as follows:

Section 5.010 Primary municipal elections.

1. On the Tuesday after the 1st Monday in May, 1975, and at each successive interval of 4 years, there shall be held a primary municipal election, at which time there shall be nominated candidates for mayor and two offices of commissioner.

2. On the Tuesday after the 1st Monday in May, 1977, and at each successive interval of 4 years, there shall be held a primary municipal election, at which time there shall be nominated candidates for [city attorney] two offices of commissioner and municipal judge, department 2. On the same date, there shall be nominated candidates for municipal judge, department 1, who shall be elected for two years.

3. On the Tuesday after the 1st Monday in May, 1979, and at each successive interval of 4 years, there shall be held a primary municipal election, at which time there shall be nominated candidates for mayor, two offices of commissioner and municipal judge, department 1.

4. The candidates for commissioner to be nominated as provided in subsections 1 and 2 shall be voted for and nominated separately. The candidates from wards 1 and 3 shall be nominated as provided in subsection 1 and candidates for wards 2 and 4 nominated as provided in subsection 2.

5. All candidates for municipal offices as provided in subsections 1, 2, 3, and 4 shall file an affidavit of candidacy with the city clerk not less than 30 days nor

more than 40 days before the primary election. If the last day limited for filing an affidavit of candidacy shall fall on a Saturday, Sunday, legal holiday or any holiday proclaimed by the governor, or the President of the United States, then the period so limited shall expire on the preceding business day at 5 p.m. The filing fee for each office shall be established by ordinance by the board of commissioners.

6. If in the primary election no candidate receives a majority of votes cast in that election for the office for which he is a candidate, the names of the two candidates receiving the highest number of votes shall be placed on the ballot for the general election. If in the primary election, regardless of the number of candidates for an office, one candidate receives a majority of votes cast in that election for the office for which he is a candidate, he shall be declared elected and no general election need be held for that office.

Section 5. This act shall become effective upon passage and approval.

Jean Ford
3511 Pueblo Way
Las Vegas, Nevada 89109

March 18, 1977

Senator James Gibson, Chm.
Senate Government Affairs Committee
Legislative Bldg.
Carson City, Nevada

Dear Jim:

Thank you so much for the opportunity last Monday to testify in Government Affairs on the merits of SB 302 relating to the preparation and annual & Biennial reports. In response to the interest shown by members of your Committee, and after extensive conversation with Bruce Arkell, I submit the following specific recommendations for amendment of SB 302:

Page 1, line 8&9: Delete "agency except the legislature" and substitute "department and other selected units of the executive branch of state government"

(this allows some flexibility rather than imply that all 300+ "agencies" in the broadest sense) must be included)

Page 1, line 10: Delete "A directory of public officials" and substitute "Significant historical events relating to the State of Nevada occurring during the pertinent biennium."

Page 1, line 18: Insert the word "selected" after "of" and before "publications"

Page 1, line 19&20: Place a period after the word "biennium" and delete the remainder of the sentence.

Page 1; following line 10: Add the following:

"(e) An index to the Biennial report"

Page 1, following line 13: Add the following:

"(b) A listing of major administrators within the department or agency" and renumber the following four items

Page 2, line 12: Delete the words "director of the"

Page 2, line 13: Add to the sentence "and the Nevada state library."

Page 2, lines 14-22: Delete and substitute: "Sec. 5. 1. Each state agency which is required by law to prepare and submit an annual or biennial report to the governor or the legislature shall comply by preparing the report in a form prescribed by the state planning coordinator. No additional copies of the report may be prepared or distributed."

Page 2, following line 25: Insert the following new section:

"Sec. 7. Distribution of each of the documents required to be prepared pursuant to Sec. 2 through 5, inclusive, of this act shall be without charge to the following:

- (a) The governor;
- (b) Each elected state officer, including members of the legislature;
- (c) Each state agency;
- (d) The clerk of each city & county and Carson City;
- (e) The legislative counsel bureau;
- (f) Each public library in the state; and
- (g) Each library in the University of Nevada System.

Page 2, line 26: Change Sec. 7 to Sec. 8.

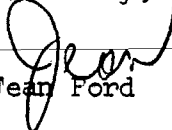
Page 2, line 23: Add at the beginning: "Except as provided in Sec. 7,"

Bruce has indicated to me that he plans to talk with members of the Committee, particularly Senators Hilbrecht & Raggio regarding alternative proposals for addressing the broader question of a state publications policy. I feel it is significant enough that it should be handled in a separate bill.

I hope that these suggestions will help the committee along in its deliberations. I plan to be in Carson City most of the week of March 28 and will be happy to do some work on the bill at that time.

Please let me know if I can be of further assistance between now and then.

Sincerely,


Jean Ford

cc.: Senator Norman Hilbrecht
Senator William Raggio
Bruce Arkell, Governor's Planning Coordinator
Joe Anderson, Nevada State Librarian

STATE OF NEVADA
DEPARTMENT OF HUMAN RESOURCES

ROGER S. TROUNDAY, DIRECTOR

MIKE O'CALLAGHAN, GOVERNOR

DEL FROST, ADMINISTRATOR

REHABILITATION DIVISION
ADMINISTRATIVE OFFICE
KINKEAD BUILDING, FIFTH FLOOR
505 EAST KING STREET
STATE CAPITOL COMPLEX
CARSON CITY, NEVADA 89710

March 21, 1977

To: Honorable James Gibson
Senate Government Affairs Committee
State Legislative Building
Carson City, Nevada 89710

From: Del Frost, Administrator

REHABILITATION BIENNIAL REPORT - S.B. 302

In response to your request for information, we have determined the following facts regarding the fiscal year 1974-1975 Biennial Report:

1,400 reports were printed by State Printer (billing claim number 905833) at a cost of \$497.82.

1,400 report jackets cost \$82.85.

Total cost - \$580.67.

In addition, the 1,500 envelopes for the report cost \$81.52 - approximately the amount letterhead envelopes usually cost State agencies, so we have not included the cost in the total.

The design and format were furnished at no charge to the agency by the Department of Human Resources along the most economical and useful parameters possible. It should also be noted that this report partially meets the Federal requirement that we inform the public about the services we provide through our programs. Of the 1,400 reports printed at that time, all but 200 have been distributed. As per your request, we have already delivered your additional copies.

DF/JP/1kf

DF
D.F.
[Signature]