

MEMBERS PRESENT

Chairman Dini  
Mr. Harmon  
Mrs. Westall  
Mr. Getto  
Mr. Craddock  
Mr. Robinson  
Mr. Bedrosian  
Mr. Bergevin  
Mr. Fitzpatrick  
Mr. Jeffrey  
Mr. Marvel

GUESTS PRESENT

See Guest List attached

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Chairman Dini called the meeting to order at 8:00 A.M. He stated that a quorum was present and the purpose of the meeting was to hear AB 9, 10, 20, 92 and 106. He called the first witnesses to testify in regard to AB 106.

AB 106 - Changes Certain Statutory Definitions of "Local Govt."

WILLIAM F. LYNCH, Lincoln County P.D. #1, Pioche, and ASSEMBLYMAN JOHN POLISH (Jointly)

Mr. Lynch outlined to the Committee the difficulties in making a Budget, having received notification last year from the Dept. of Taxation that his District would have to file one. He stated that none of the Power Districts receive ad valroem taxes; that their revenue all came from the sales of power. He stated that a lot of work would be involved in preparation of a Budget and could see no benefit which would be derived from preparing one. He said his organization was a wholesaler and not a distributor. He cited an example of last year when they were allocated a certain amount of kilowatt hours. He stated that last spring there was so much rainfall in Southern California, and down below Hoover Dam, that all the reservoirs were filled up and they did not turn the water through the Dam, through the generator, that came back on their powerhouse by about 12,000,000 hours. And, he stated, this is what makes it difficult to make the Budget and why he would like to get out from under having to make one.

Chairman Dini then asked for questions or comments from the Committee. Mr. Getto asked the witness (Mr. Lynch) if they had the power to sell revenue bonds that could obligate the county. The witness replied that when they first created the district they did sell revenue bonds but they were repaid back through the sale of power. The revenue bonds are all paid off. He stated that if, under this same Act, they go to borrow money from the REA they have to take it to the Bonding Commission of the County, who, he stated, are unaware of what is going on as far as the district is concerned. He stated the district is governed by elected directors and they control the district. He said it would not place an obligation on the County.

Mr. Getto asked if they had the power to levy taxes and Chairman Dini replied that they did. Mr. Getto said it was still his belief that they could place an obligation on the county if such a company went broke, which seemed unlikely, but it could obligate the county under its tax structure.

Chairman Dini stated that it seemed to him what was being done in drafting the Bill was opening up the definition of local government and all the chapters are listed in the Bill. He stated they were not organizing under 354 which was the Local Government Budget Act. Mr. Jeffrey then stated that it seemed to him the requirement for the Budget would still be there if they did choose to levy or receive money from the ad valorem tax.

MARVIN LEAVITT, Director of Financial Management, City of Las Vegas

Mr. Leavitt stated his concern in connection with the Bill was the fact that it opens up and goes far beyond the simple power districts. He said it opens up to some rather substantial districts in the state that have large bond obligations that needed to be reported upon. He stated it was his thought some other way could be found so that the small companies need not file budgets. He said some of the districts were huge and he stated that if you haven't filed budgets for prior years it would be very difficult to analyse.

JEANNE HANNAFIN, Dept. of Taxation

Mrs. Hannafin stated that her Dept. sees it as simply exempting certain local governments from their Act. She

said she had brought the Local Government Red Book which outlined the ad valorem tax rates to leave with the Committee to look at.

Mr. Robinson asked Mrs. Hannafin to whom the Budgets go when they are prepared and she responded that they are sent to the local government section of the Dept. of Taxation and the districts are required to prepare a tentative budget and they are, in turn, reviewed for compliance with the law. She stated that after the final budgets are submitted the combined tax rates are certified; that is done to the Board of County Commissioners. Mr. Robinson asked what other purpose are the Budgets other than compliance with the law. He wanted to know what they accomplish for these small districts. Mrs. Hannafin stated that at the present time they don't levy any ad valorem taxes so their Budget would really be a blank. She stated they have a right to do that. She stated that the points brought out by Mr. Leavitt were applicable. Mr. Getto asked Mrs. Hannafin if she saw any particular problem with this Bill if just the small power districts were exempt. Mrs. Hannafin replied, "No". He then asked her if she would support what Mr. Leavitt said that if several of the districts were to grow that it might not give us a true picture of the tax base of the state. She replied that she thought it was a possibility. Mr. Bedrosian asked Mrs. Hannafin if the Budgets were open to the public and she replied that they were.

Chairman Dini then stated he was going to appoint a sub-committee to try to work the situation out - to get more depth on it. He then appointed Mr. Robinson and Mr. Getto as the sub-committee to go down to the Counsel Bureau and the attorneys and see if the Bill could be worked out a bit differently and restrict it just to that group of power companies or whatever their recommendation might be. The testimony on AB 106 was concluded.

Chairman Dini then announced that the next order of business was AB 9.

AB 9 - Changes Qualification of County Engineer

SAM MAMET, Management Analyst, Clark County

Mr. Mamet stated that Clark County was in the process of trying to recruit for a new Public Works Director,

County Engineer. He said they were trying to recruit nationally as well as locally, and that statute 254.020 has three qualifications. He said the third section was the cause of the problem, namely, have a prior residency within the county of six months prior to the appointment. Mr. Mamet said if they are trying to recruit someone nationally, and the person has to have a prior six month residency requirement, it will be impossible to bring someone in from out of state. Mr. Mamet stated initially the Bill was drafted to waive the six month residency requirement prior to appointment and change it so that the person can obtain registration as a professional engineer within the state after six months - within six months after appointment. He said that after discussion with committee members he was advised that there is a problem in section three. He stated that if the committee was to report the Bill out as provided for they might have a situation where they hire someone from out of state, who is not registered with the state, signs some maps, plots, contracts, etc., and if for some reason fails the various examinations of the state, that individual would be liable under another statute (N.R.S. 625.520, sub-section 5) for gross misdemeanor charges. That statute provides that anyone who practices as a professional engineer who is not a professional engineer in Nevada because he is not registered is subject to gross misdemeanor charges. He therefore stated what he would like to propose as an amendment to AB 9 is that they simply delete sub-section three (residency requirement). He stated that lines 6, 7, and 8 be deleted so that the county engineer qualifications only become a qualified and competent civil engineer and registered as a professional engineer registered by the State Board of Registered Professional Engineers.

A discussion ensued between Chairman Dini and Mr. Mamet as to the requirements of the Board of Engineers. Mr. Fitzpatrick questioned Mr. Mamet as to reciprocity and Mr. Mamet said he would check into it.

Chairman Dini then stated that the testimony on AB 9 was concluded. Mr. Dini then stated AB 10 would be the next Bill.

AB 10 - Authorizes County Recorders to Use Electronic Methods of Indexing.

SAM MAMET, Management Analyst, Clark County

Mr. Mamet stated that AB 10 would allow County Recorders to microfilm information. He said presently most of the Recorders throughout the state are doing this but it is the opinion of the County Counsel that it isn't clear that they have this specific authority. He stated they wished to amend N.R.S. 247.150 to allow the Recorders the authority to microfilm information.

Chairman Dini then announced they would take up AB 20.

AB 20 - Transfers the Recording of Licensees of Certain Professions from the County Clerk to the County RecorderSAM MAMET, Management Analyst, Clark County

Mr. Mamet stated the Bill is being introduced basically for uniformity sake. Under the present statutes, he went on, if you practice aquapuncture, or you are a chiropractor, a medical surgeon, or practice obstetrics, you have to receive a certificate from the County Recorder. If you are an optometrist, a dentist, a podiatrist, or osteopath, you have to go to the County Clerk for certification. He stated they would like to put it all in one place and proposed to put everything over in the Recorder's Office. He said the Clerk wants to get rid of it and the Recorder is more than happy to take it - she has the staff to do this. He said there does not seem to be any opposition of other Recorders spoken to concerning the Bill.

A discussion ensued between the members of the Committee and the explanation seemed to be unanimously that the procedure as it stands now is clumsy and the Bill would tend to simplify the situation.

Chairman Dini then stated the next Bill would be AB 92.

AB 92 - Allows Employees of Legislative Counsel Bureau to Transfer to Positions in Classified Service of State

Chairman Dini declared a five minute recess.

(AB 92)

ASSEMBLYMAN GETTO

Mr. Getto stated it was brought to his attention a short while back that there are certain groups of employees that are working for the State but not under the State Employee Act or not under the Personnel Dept., and if they wished to transfer from the Legislative Counsel Bureau as a state employee they cannot take their seniority with them. They have to apply, in other words, with no experience. He stated he concurred it was unfair and the people working in the Justice Dept. and in gaming, and those working for the Legislature cannot transfer.

ARTHUR PALMER, Director, Legislative Counsel Bureau

He stated that the Bill came about when an employee of the Legislative Counsel Bureau found that all of his experience and training couldn't be recognized in any other branch of the state government, it wasn't transferable, nor could it be recognized. Mr. Palmer stated he thought it was possibly a weakness within our system. He stated he felt for those trained people in gaming and judicial branch, and Legislative Counsel Bureau, other agencies not being able to make use of all their training if one of the persons desires to transfer over into most of the state agencies which would be under personnel can't be done at the moment. He felt it would be beneficial to make the reservoir of experience available to other state agencies instead of rolling the individual back to zero.

A discussion ensued between committee members concerning reciprocity and retroactiveness. Mr. Palmer responded accordingly and outlined what the situation would be in each instance. Mr. Fitzpatrick pointed that he felt in support of the Bill with the new cutbacks and rearrangements in budget some positions might be eliminated and if anyone is in service to the state they should have the opportunity to transfer that experience and knowledge that they have received. Mr. Bedrosian inquired of Mr. Palmer how recruitment was done at the present time and Mr. Palmer explained he relied on the Personnel Division when they may have requirements of a position and they don't know anyone themselves who meet same. He said they are not required to go through Personnel to do any recruiting.

MIKE PRESTI, Employee, Legislative Counsel Bureau

Mr. Presti stated he felt this Bill would be an economic advantage for the State Personnel System. He stated he was fortunate enough to receive training far above and beyond some of the agencies that it is desirable to transfer to. He stated he felt that by saving an agency some training money and being able to step right in without tying up the salary for time to train and the training expense itself would be an advantage to the agency and the employee.

ROBERT GAGNIER, SNEA

He said the problem is in going from one branch of State government to another. He said if the Bill is intended to be amended, it can be done simply by adding that an employee of the Legislative or Judicial Branch of government. He stated that the people that are unclassified now in the Executive Branch of government are taken care of in another section of the current rules. He said if the Bill is going to be amended to include the Judicial Branch of government he said simply add "two years or more of continuous service". He said he would make it clear that it is "continuous".

Chairman Dini stated that the testimony was concluded now on the Bills.

Chairman Dini then stated he had before him AB 14 and that Assemblyman Hickey would like to have this Bill re-referred to the Committee on Agriculture. He stated the Bill adds member to state board of agriculture who is engaged in specified agricultural activity. Chairman Dini entertained a motion to have the Bill be re-referred to Committee on Agriculture.

COMMITTEE ACTION

AB 14-Mr. Getto moved the Bill be re-referred to the Committee on Agriculture, seconded by Mr. Jeffrey. Motion carried unanimously.

Chairman Dini then asked Mr. Robinson to explain BDR-8-854\* for possible Committee introduction.

A.B. 209

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Mr. Robinson stated that the Bill came about because of a problem that came to his attention in Las Vegas when arresting illegal aliens. He said the Bill shortly states that a claim by the state or any of its political subdivisions for any money due to it by an alien whose living or working in the state illegally has priority over all other claims against the alien except as may be provided otherwise by Federal law, and the illegal alien shall satisfy that claim before leaving the state. The purpose he said was to make them clean up their tax obligations before they left. He said a lot of the aliens when they are deported back to where they came from take a substantial amount of money with them but leave a lot of debts behind and this is an attempt to try to collect some of the monies due from them.

#### COMMITTEE ACTION

BDR 8-854 Mr. Robinson moved to introduce the Bill; Mr. Jeffrey seconded the same. Motion carried unanimously.

AB 10: Mr. Robinson moved DO PASS; seconded by Mr. Fitzpatrick. Motion carried unanimously.

AB 20: Mr. Fitzpatrick moved DO PASS; seconded by Mr. Craddock. Motion carried unanimously.

AB 106: Committee assigned to study the Bill.

AB 92: Chairman Dini stated that the amendment proposed by Mr. Gagnier would be appropriate, namely, "two years or more of continuous service". Mr. Robinson stated that he thought it should be "judicial branches" - our state government - not Federal government, California, etc. Mr. Marvel moved DO PASS; seconded by Mr. Bergevin. Motion carried unanimously.

AB 9: To be held in abeyance. Mr. Mamet to submit material on questions asked by Committee. Chairman Dini appointed sub-committee of Mr. Harmon and Mr. Fitzpatrick to discuss with the State Board of Engineers and try to straighten out what it intended to be done as far as intent of Bill is concerned.

There being no further business to come before the meeting, Mr. Robinson moved that same be adjourned; seconded by Mr. Craddock. Motion carried unanimously.

Respectfully submitted,

*Sandra Shatzman*

Sandra Shatzman, Assembly Attache



