

MEMBERS PRESENT

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

GUESTS PRESENT

See Guest List attached

* * * * *

Chairman Dini called the meeting to order at 8 A.M.

SB 316 - ENTITLING AGGRIEVED EMPLOYEES TO HAVE CERTAIN
DECISIONS OF CHIEF OF PERSONNEL DEPT. OF
ADMINISTRATION REVIEWED BY ADVISORY PERSONNEL
COMMISSION

BOB GAGNIER, Executive Director, SNEA

Mr. Gagnier advised the Committee the Bill was introduced to correct a problem that arose out of an appeal to a District Court. He stated the Personnel Advisory Commission has provided by rule that employees who are dissatisfied with their classification may appeal to the Commission after they are heard by the Chief of the Personnel Division. He advised that a local Court in Carson City ruled that the P.A.C. never had the legal right to adopt that rule, and hearings ended at the Chief of the Personnel Division for classifications. Mr. Gagnier stated they feel the law in their opinion does say that he has it, but in order to avoid a Supreme Court appeal and the problems attendant to that they introduced this corrective legislation. He advised that at a regular meeting of the Commission last year they endorsed the concept of making this appealable to them, and the corrected language is line 20-21, page 1, and the last section on page 2.

MITCH BRUST, State Personnel Division

Mr. Brust advised the Committee the Bill provides for third party review which they think is reasonable and which they support.

DICK HAM, Chief, Alcohol & Drug Abuse

Mr. Ham advised the Committee he was present on behalf of the Administrator of the Rehabilitation Division and the Division supports the Bill.

Testimony was concluded on the Bill.

SB 265 - PROHIBITS PROVISION FOR UNEMPLOYMENT COMPENSA-
TION COVERAGE IN STATE CONTRACTS FOR SERVICES
OF INDEPENDENT CONTRACTORS

GEORGE PARTEE, Employment Security Dept.

Mr. Partee advised the Committee he was present on behalf of Lawrence McCracken, Executive Director, Employment Security Dept., and they expressed no objections to the Bill as it is now written.

Chairman Dini asked Mr. Partee where the Bill came from and Mr. Partee responded the Dept. of Administration initiated the Bill.

Mr. Craddock inquired what coverage is provided under 612.085 and Mr. Partee responded there were three conditions that must be met in order to be considered an independent contractor.

Mrs. Westall inquired if state employees were covered and Mr. Partee responded as of January 1978.

SB 285 - REQUIRES PERIODIC REVIEW BY ADMINISTRATIVE
AGENCIES OF THEIR RULES OF PRACTICE

No one present to testify

SB 72 - DEFINES POPULATION AND CHANGES POPULATION

RUSSELL McDONALD

Mr. McDonald explained the Bill contains a review

by the Legislative Counsel of every existing N.R.S. section that either uses population as a base, or a few isolated situations, other people or votes cast, as a measure to classify, on a reasonable basis, as to why certain laws apply in certain counties but not in others. Mr. McDonald provided each member with a work sheet he had prepared and proceeded to go through the sections to enlighten the Committee as to whether the section really applies or if the classification be changed to apply to a county of lesser population; a sample of the work sheet is attached hereto and made a part hereof. Mr. McDonald advised the Committee if they failed to take action on the Bill, and the 1980 census figures anticipated to be received and certified under the Federal law, then without this measure, those laws that have been in effect, based upon a valid classification, would automatically apply to Washoe County because their population will have exceeded the 200,000.

HENRY ETCEMENDY, City Manager, City of Reno

Mr. Etchemendy advised the Committee the only aspects of the Bill the City of Reno is concerned with are with respect to the population limits which currently would trigger certain actions when the 200,000 population is reached. He stated they felt in the City of Reno and the Washoe County area none of the conditions exist which caused the specific legislation to be enacted when the population is reached. He stated since the population will reach 200,000 in the 1980's census those sections would automatically apply in Washoe County, and certain prerogatives would have to be taken which they feel would be severely detrimental to the City of Reno, and, for that reason, they would urge the Bill be carried through the process and be enacted as expeditiously as possible.

JIM HARTSHORNE, Reno Police Protective Assn.

Mr. Hartshorne advised he was present to ask the Committee to pass the Bill as is because his Association does not wish to become a Metropolitan Police Dept. within the County of Washoe. He stated all documentation he has found on metropolitan policing proves it is nothing but an aggravated sore within the community.

LARRY KATZENBERGER, Las Vegas Metro Police Dept.

Mr. Katzenberger advised Metro would request an amendment to the Bill, and the primary purpose of the amendment is

to resolve a problem relating to special legislation brought up in a lawsuit filed by the City of Las Vegas against Clark County challenging the constitutionality of the Metropolitan Police Dept. He read the language to be removed and advised if the language is taken out perhaps it would move the court suit now pending.

Chairman Dini asked the witness if the thought it was ethical for the lawsuit to be handled in Committee, and the witness responded not to handle the lawsuit but at least remove the argument that the statute is now unconstitutional.

Chairman Dini advised the Committee he had a proposed amendment by the Humboldt County District Attorney's office, a copy of which is attached hereto and made a part hereof.

Mr. Bergevin commented that Metro made a proposal for an amendment and he wanted to know if it was concurred in by Clark County and the City of Las Vegas. Mr. Charles Zobell, representing the City of Las Vegas, responded he would suggest the Committee give serious consideration to not making the amendment proposed by the Police Dept. and they had an amendment of their own; delete sections 75 and 76 where the Bill Drafter, without any instruction from the Legislature, has removed the infirmities with the Metropolitan Merger Law.

Testimony was concluded.

COMMITTEE ACTION:

SB 316 - Mrs. Westall moved DO PASS; seconded by Mr. Fitzpatrick, and unanimously carried.

SB 265 - Mr. Fitzpatrick moved DO PASS; seconded by Mr. Marvel, and unanimously carried.

There being no further business to come before the meeting, the same was adjourned.

Respectfully submitted,

Sandra Shatzman
Assembly Attache

Sec. 2 NRS 4.020 Number and election of justices of the peace.

Four horizontal lines for text entry.

Sec. 3 NRS 6.045 Jury commissioner: designation by district court rule; administrative duties; selection of trial jurors.

Four horizontal lines for text entry.

Sec. 4 NRS 6.110 Grand juries in counties having population of 15,000 or more: Selection of jurors and alternate jurors; listing and summoning jurors.

Four horizontal lines for text entry.

Sec. 5 NRS 6.120 Grand juries in counties having population of less than 15,000: Selection of jurors and alternate jurors; listing and summoning jurors.

Four horizontal lines for text entry.

Sec. 6 NRS 62.040 Exclusive original jurisdiction of (juvenile) court.

Four horizontal lines for text entry.

Sec. 7 NRS 62.100 Probation committee in judicial district not including county of 200,000 or more: appointment; term of office; removal; duties.

Sec. 8 NRS 62.105 Probation committee in judicial district including county of 200,000 or more; appointment; term of office; removal; duties.

Sec. 9 NRS 62.110 Probation officers and employees in judicial district not including county of 200,000 or more: appointment; compensation.

Sec. 10. NRS 62.117 Probation officers and employees in judicial district including county of 200,000 or more: dismissal hearing; appeal.

Sec. 11 NRS 62.120 Duties and powers of probation officers in counties of less than 200,000.

Sec. 12 NRS 62.123 Director of juvenile services; appointment; duties; staff; compensation.

Five horizontal lines for notes or additional information.

Sec. 13 NRS 122.040 (Marriage) license; obtaining from county clerk; application; examination of applicants; consent of parent or guardian; public records.

Five horizontal lines for notes or additional information.

Sec. 14 NRS 213.280 State subsidy of special supervision programs; allocation of funds to juvenile courts.

Five horizontal lines for notes or additional information.

Sec. 15 NRS 218.084 (Apportionment of legislators) omitted areas; attachment to legislative districts.

Five horizontal lines for notes or additional information.

Sec. 16 NRS 220.167 Complete sets of NRS to be provided to district, justices, municipal courts; set of annotations, digest of cases to be provided to certain courts.

Five horizontal lines for notes or additional information.



HUMBOLDT COUNTY DISTRICT ATTORNEY

HUMBOLDT COUNTY COURT HOUSE
WINNEMUCCA, NEVADA 89435
(702) 623-5081

April 19, 1979

William Macdonald
District Attorney
County Counsel

Honorable Assembly Committee on Government Affairs

RE: SB 72 Population Classified Statutes .

I have belatedly noticed that there apparently presently exists an omission in NRS 244.645 (2)--see page 19, line 20 of SB 72.

Counties over 11,000 and under 100,000 with more than one incorporated city have the make up of the Fair and Recreation Board spelled out.

Counties under 11,000 have the make up of the Fair and Recreation Board spelled out. This applies to Humboldt County, White Pine County, etc.

There appears presently to be no provision for membership of the Fair and Recreation Board of a county over 11,000 with only one or no incorporated city except 244.645 (3) which provides that 1 county commissioner shall be on the board.

The over 11,000 and more than one city was designed for Elko County. The other small counties were all under 11,000 and now use that format.


But, it would seem to me that there may be a county or two in 1980 who might have 11,000 or more but only 1 or no city. If so they may not be able to have a Fair and Recreation Board except the 1 county commission member provided in 244.645 (3).

I, therefore, respectfully suggest the following amendment which would let Elko keep its present organization and let the other small counties keep their format even if they go over 11,000:

Amend the last sentence in 244.645 (2) to read as follows:

3. In *all other* counties having a population of less than 100,000, [11,000] any incorporated city which is the county seat shall be represented by one member, who shall be appointed and certified as provided in [this] section 2, and the Board of County Commissioners shall appoint three representatives as follows:

- (a) One member to represent the motel operators in the county
 - (b) One member to represent the hotel operators in the county
 - (c) One member to represent the other commercial interests in the county.
4. [3] In *all* counties having a population of less than 100,000, one member of the Board of County Commissioners shall be appointed by the County Commissioners to serve on the board for the remainder of his term of office.


WILLIAM MACDONALD

WM/kf

xc: Frank Daykin, Legislative Counsel Bureau

GUEST LIST

NAME	REPRESENTING	IF YOU WISH TO SPEAK	
		Pro	Con
(Please print)			
Henry Etchemendy	City of Reno	5B72 ✓	✓
Jim Hartshorne	Reno Police Active Assoc.	5B72 ✓	✓
G P ETCHERERRY	NED LEAGUE OF CITIES	NO 5B-72	
✓ Dick HAM	PUNISH ALCOHOL & DRUG ABUSE	5B316	
✓ Mitch BRUST	State Personnel Dir	5B316	
George Partee	Employment Sec. Dept.	5B265	
Larry Kertzenberger	LVIAPD	5B72	