

MEMBERS PRESENT

Chairman Dini
Mr. Marvel
Mr. Fitzpatrick
Mrs. Westall
Mr. Harmon (Excused)
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 8:00 A.M.

AB 634^{*} - AUTHORIZES BOARDS OF ADJUSTMENT TO ACT BY MAJORITY

RUSSELL McDONALD, Nev. Assn. of Counties

Mr. McDonald advised the Committee the Bill points to only one substantial amendment with respect to the vote of a Zoning Board of Adjustment, and proposes to amend Chapter 278, section 300, which has to do with the powers of the Board of Adjustment. He further advised the Committee that under the statutes Boards of Adjustment consist of 5 members and before anything can be done there must be a unanimous concurring vote of those five members which makes getting certain matters taken care of in a timely manner restrictive. He further advised the Committee in 1973 four or five sections were added to the Code which enabled cities and counties to utilize Hearing Examiners as an attempt to speed up the administrative process in planning and zoning. He stated it was contemplated that by the addition of the words "full time" or "part time", Hearing Examiners could be acquired on a case basis and the procedure could then actually be utilized.

Chairman Dini inquired as to a fiscal impact, and Mr. McDonald responded there would be.

* See Exhibit

RONALD JACK, Deputy City Manager, City of Las Vegas

Mr. Jack advised the Committee the City of Las Vegas is the only governmental entity in Southern Nevada that does have a Board of Zoning Adjustment. Mr. Jack stated the amendment offered by Mr. McDonald was very good and it makes sense in regard to a Hearing Officer. He stated he did not think the fiscal impact would be that severe because most entities having use for the Hearing Officer would use it sporadically. He advised the Committee it would facilitate citizens being able to have a better hearing, and would recommend passage of the Bill and amendment.

TOM YOUNG, Executive Mgr., Nev. Environmental Action Trust

Mr. Young stated he was present to speak in favor of AB 634. He advised the Committee the Washoe County Regional Planning Commission reviewed a proposal made for a Hearings Officer and found it acceptable if done on a part time basis until the benefits, pros and cons of the program, could all be reviewed. He stated in regard to the fiscal impact it had been suggested that the fees for variances that would come before a Hearings Officer could be assessed for those permits and the persons directly involved with the time related to a Hearings Officer would be paying for that burden not the whole community and, therefore, the fiscal impact would not be that great.

Mrs. Westall inquired how the Hearings Officer would work and Mr. Young responded he would make recommendation to the Board and only handle minor items before the Regional Planning Commission.

The testimony was concluded on AB 634.

AB 641 - AUTHORIZES COUNTY ASSESSORS TO APPRAISE OPERATING MINES IN CERTAIN CIRCUMSTANCES

No one having appeared to testify on the Bill, Chairman Dini stated it would be carried over to Tuesday, April 10th, 1979, at 6:00 P.M.

AB 649 - REQUIRES COUNTIES AND CERTAIN CITIES TO
ESTABLISH ALCOHOL AND DRUG ABUSE PROGRAM

ASSEMBLYMAN ROBERT F. RUSK

DICK HAM, Chief, Bureau of Alcohol & Drug Abuse

Mr. Rusk read his opening remarks on the Bill into the record from the text of the "FINAL REPORT OF THE WASHOE COUNTY TASK FORCE ON ALCOHOL AND OTHER DRUGS", pages 18-21, a copy of which is attached hereto and made a part hereof. Mr. Rusk then advised they had substantial amendments prepared and copies of same were handed out to the Committee members. Mr. Rusk proceeded to go through the amendments during which time discussion ensued between Mr. Rusk and Committee members.

Chairman Dini pointed out in one of the amendments relating to the Board of Alcohol and Drug Abuse, under the county, nowhere does it specify there would be any representation from the cities on the Board and they are providing the money in Washoe and Clark. Mr. Ham responded this amendment gives the responsibility to the counties to appoint the Board and he stated they would have no objection to mandate city participation.

Mr. Rusk stated he felt the time has come in the Washoe and Clark County areas there needs to be a physical facility to help deal with the drug and alcohol problems.

Mrs. Westall pointed out one of the paragraphs indicated 25% of the general fund of the state, and Mr. Rusk responded clarification should be 25% of the general fund monies of the liquor use tax.

HENRY ETCHEMENDY, City Manager, City of Reno

DICK KIRKLAND, Reno Police Dept.

Mr. Etchemendy advised the Committee it was their recommendation in counties in excess of 100,000 there would be seven people on the Commission and two of those would be members of the County Commission itself, and the other five would be persons appointed by the other governing bodies. He advised in regard to the financial impact the City of Reno collected about \$427,000 and the City of Sparks approximately \$142,000 liquor tax. He stated they suggested the cities would fund the program by committing up to 25% of the money that they receive from the alcohol tax and then go to the Federal Government for any federal programs, and

ask that the State fund a portion of it from their alcohol taxes that they collect.

Mr. Bergevin inquired of Mr. Etchemendy if they were going to take monies from the liquor tax presently budgeted for something else to put into this program, and Mr. Etchemendy responded as far as the City of Reno was concerned the \$427,000 now being received just goes into the General Fund and utilized for all expenditures including police services.

JOE BRASWELL, Governor's Advisory Board
Alcohol & Drug Abuse

Mr. Brasell stated his Board supports the Bill based on the various studies made with the proposed amendments. Mr. Braswell advised the Committee he didn't feel there was an iota of justification for saying that the Bill should not be passed because it places a stigma on the producers and sellers of alcohol. He stated the stigma is on the consumer and the consumer should pay for the problems created by consumer consumption.

CARLA LAUER, Greater Nevada Health Systems Agency

Miss Lauer advised the Committee she would speak in support of the Bill and proposed amendments. Miss Lauer read from a prepared text into the record, a copy of which is attached hereto and made a part hereof.

DICK HAM, Chief, Bureau of Alcohol & Drug Abuse for the
State of Nevada, Chairman of Washoe County
Task Force on Alcohol and other drugs

Mr. Ham advised the Committee that on behalf of the Bureau and Task Force he favors the concept as proposed in AB 649 and the amendments. He stated it would be enabling legislation.

CHARLIE ZOBELL, City of Las Vegas

Mr. Zobell advised the Committee the City of Las Vegas is in full support of the purpose of the Bill and the amendments and stated they felt it should be permissive legislation by giving them the authority if they wished, and if they did want to do it, it could not be done with only the money derived from the liquor tax. He also advised if the cities of Las Vegas intended to go ahead with the program they would want representation on the Board that governs such a program.

Mr. Craddock stated the Bill has stimulated enough interest to necessitate some action and also seems as though the merit is there and he, for one, feels something should be done.

BILL WOLLITZ, Director, Northern Area Substance Abuse Council, Reno

Mr. Wollitz elaborated on the seriousness of alcoholism at the local level. He stated they have found over 90 to 100 persons a month are being screened and referred to substance abuse programs, and about 80% of the people they are seeing are Washoe County residents. He advised alcoholism is a growing problem related to crime, violence, medical and social problems. He advised the Committee the 16 bed facility they have doesn't begin to scratch the surface. He stated he urged passage of the Bill.

JACK SHEEHAN, Minden, Nevada, Wine & Spirits Wholesalers

Mr. Sheehan advised the Committee he would give them a short resume on the mechanics of how the liquor tax is collected and went on to elaborate. He stated the Wine & Spirits Wholesalers are not opposed to the Bill, not opposed to detoxification centers, and not opposed to the philosophy and concept. He stated further they are not opposed to additional revenue going back to the local entities. He pointed out they are saying they want 25% of the approximate eight million dollars that the state receives. He advised the Committee they are asking for more money from the State General Fund in addition to the 5/19ths fraction that they are now receiving. He stated their objection lies in the fact that when the State and counties are receiving money from a joint source that it should be returned back to the local entities the same way the real property transfer tax is returned. He stated what is being done is earmarking money for a particular cause rather than giving it back to the local entities so they can distribute it to their particular cause and that is where he finds the problem. He stated Chapter 369 is being amended which is a revenue law and implanting a very technical tax law referenced to social problems, and did not feel it was good legislative draftsmanship to intermingle taxes, the distribution thereof, the allocation of tax revenue to various entities, with a social problem. Mr. Sheehan recommended making an appropriation in the Drug & Alcohol section of the law which is Chapter 458.

Chairman Dini stated there were a lot of flaws in the amendments, and it needed a good deal of work. He appointed a sub-committee consisting of Mr. Bedrosian, Mr. Craddock, and Mr. Getto as Chairman.

The testimony was then concluded on AB 649.

COMMITTEE ACTION:

AB 127 - Mr. Marvel moved INDEFINITE POSTPONEMENT; seconded by Mr. Fitzpatrick, and unanimously carried.

AB 221 - Mr. Craddock moved INDEFINITE POSTPONEMENT; seconded by Mr. Marvel, and unanimously carried.

AB 162 - Dr. Robinson moved INDEFINITE POSTPONEMENT; seconded by Mr. Marvel, and unanimously carried.

AB 634 - Mr. Marvel moved AMEND and DO PASS; seconded by Mrs. Westall, and unanimously carried.

AB 588^{*} - Dr. Robinson moved AMEND and DO PASS; seconded by Mr. Getto, and unanimously carried.

AB 506 - Mr. Marvel moved INDEFINITE POSTPONEMENT; seconded by Mr. Fitzgerald, and unanimously carried.

Chairman Dini appointed Mrs. Westall to report back on AB 103 on Monday, April 9, 1979.

Chairman Dini appointed Mr. Marvel and Mr. Bergevin to obtain the amendment on AB 641 and return with it on Monday, April 9, 1979.

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

Respectfully submitted,

Sandra Shatzman
Assembly Attache

* See Exhibit

Amendment to AB 634

Amend Section 1, Page 1, by deleting line 1 and inserting in lieu thereof the following:

" Section 1. NRS 278.262 is hereby amended to read as follows:

~~278.262. Hearing examiners: Power of governing body to appoint.~~
The governing body of any county or city may appoint as many full-time hearing examiners as are necessary or appropriate to assist the planning commission and the governing body in acting upon proposals for changes in zoning classification, zoning districts, special use permits, variances and other matters affecting zoning.

~~(Added to NRS by 1973, 337 A 1977, 1017)~~

or part-time

Sec. 2. NRS 278.302 is hereby amended to read as follows: "

Amend the title of the bill by deleting the title in its entirety and inserting in lieu thereof the following:

" An Act relating to planning and zoning; authorizing governing bodies of counties and cities to appoint part-time hearing examiners; authorizing boards of adjustment to act by majority vote; and providing other matters properly relating thereto. "

Approved

4-5-1979

OVERVIEW OF THE ALCOHOL ABUSE PROBLEM
IN WASHOE COUNTY

Washoe County is experiencing rapid development and urbanization due to the expansion of the casino and warehousing industries. The 1970 Census reported the population to be 121,068; the Federal government estimates a possible population increase to 171,612 for 1979. This 42 percent increase has occurred simultaneously with an increase in the estimated number of alcoholics. Washoe County has the highest percentage per capita of alcoholism compared with other counties in the State, and alcohol continues to be the primary drug of abuse in this County.

In 1976, Washoe County had an estimated 8,702 alcoholics who were 15 years of age or older--or approximately six percent of that population. In 1977, the rate had jumped to nine percent, with a total of 14,376 persons 15 years or older considered alcoholic.

The Coroner's Office reported that in 1977, 80 percent of all drug and alcohol deaths in Washoe County were due to alcohol, while another four percent were due to a combination of drugs and alcohol. This closely approximates the state-wide figures.

The National Institute of Alcohol Abuse and Alcoholism estimated that the national cost of alcoholism in 1975 was \$42.75 billion. If this estimate is projected to Washoe County's 1975 population on a per capita basis, the economic impact of

alcoholism for Washoe County was \$29,016,283 in 1975.

The economic costs of alcoholism are manifested in several ways. As part of the above national estimate the following factors were considered: lost production; increased costs of health care; motor vehicle accidents; violent crime; fires; and social response systems.

A questionable assumption in projecting national figures in Washoe County on a per capita basis is that the average national rate of alcoholism probably is not consistent with the Washoe County rate. However, if the relative rate of incidence were included in estimating the economic costs of alcoholism in Washoe County, the estimated amount of dollars would probably increase due to the high rate relative to other areas. For instance, relative to other sections of Nevada in 1977, Washoe County had an alcoholism rate of 8.8% as compared to Clark County's 5% and the remainder of the State at 2%. These estimates are from a formula based on liver cirrhosis deaths resulting from alcoholism. An additional concern with the rate estimates for 1977 is that Washoe County experienced the greatest increase in alcoholism rates from 1976 to 1977, as compared to Clark County and the balance of the State.

CITY OF RENO:
DRAIN ON POLICE SERVICES

The City of Reno has a public detoxification facility in the form of its jail facility. Fully half of its inmate population is composed of men and women detained under civil protective custody. This primitive, antiquated way of treating the public inebriate was abandoned in theory by the State Legislature when it passed the law decriminalizing alcoholism. However, without sufficient monies dedicated to the detoxification of public inebriates, Reno has been forced to treat the public inebriate as a criminal in every respect but trial for a criminal offense.

The alcoholic is picked up, searched, transported, booked, and processed into the Reno City Jail following the exact procedures in force when alcoholism was a criminal offense, and then placed in a cell with other inebriated persons without professional medical screening, treatment or counseling. ~~It is little wonder that the recidivism rate is appalling as~~ some persons are detained under Civil Protective Custody (CPC) nearly half of the month with this "swinging door" approach.

The drain on vital police manpower and resources, as well as the overcrowded conditions in the City Jail, can be traced to the CPC detention problem. At least 530 hours of potential patrol manhours a month are squandered on picking up and jailing public inebriates several times over because there are presently no alternatives. The erosion of our ability to

deliver police services, together with the communitywide costs in alcohol-related crimes, deaths and suffering, provides a compelling backdrop against which the Washoe Council of Governments is asked to consider remedial legislation.

Research of arrest and financial files indicates that the Reno Police Department expends in excess of \$500,000 a year in the enforcement and prosecution of alcohol induced or related crimes. The expense is primarily in salaries. However, a good deal of money is spent on equipment, maintenance, medical fees, evidence collection and processing, courts, and so forth.

These crimes involve, but are not limited to, DUI, intoxicated in or about a motor vehicle, drinking in public, offensive conduct on the street, disturbing the peace, violation of liquor laws, etc.

City of Reno
Civil Protective Custody (CPC)
Detentions
(Reno City Jail)

Detentions

| | |
|------------------------------|------------|
| CPC detentions | 5,290 |
| Average detentions per month | 529 |
| Average detentions per day | 18 |
| Average cost of detentions | 20 |
| Cost of detentions to date | \$ 130,000 |

COST.....\$ 150,600

Medical Costs

| | |
|---|-----------|
| Jail Physician | \$ 12,000 |
| 75% of his work is performed on CPCs..... | \$ 9,000 |

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Line 3, Section 2, Subsection 1. Delete "shall"

Insert: "may elect to"

Line 9, Section 2, Subsection 2. Delete "The counties and incorporated cities shall designate a portion of money received pursuant to NRS 369.173, which portion may not be more than 25 percent of the money received, to support the program and the required facilities personnel."

Insert: "Funds to carry out the provisions of this chapter shall be provided by direct legislative appropriations from a portion of the revenues derived pursuant to NRS 396.173, and made available to the state general fund. State monies used for this purpose shall be provided on a 3 to 1 basis as match to monies made available from participating counties and incorporated cities, which portion may not be more than 25 percent of the general fund monies received."

Line 13, Section 3, Subsection 1: Insert: "participating" between "each" and "county". Insert: "and incorporated city" between "county" and "shall".

Line 14, Section 3, Subsection 1: Delete: "county". Insert: "jurisdiction".

Line 15, Section 3, Subsection 1: Insert new sentences after "act".
"Counties under 100,000 in population may enter into interlocal cooperative agreements for the purpose of providing services pursuant to this act. Where interlocal agreements are entered into by two such counties a single board of alcohol and drug abuse shall coordinate services and be comprised of members from both counties."

Line 17, Section 3, Subsection 2: Delete "." Insert: "in each participating county and/or incorporated city. In counties over 100,000 population,"

Line 17, Section 3, Subsection 2: Delete "T" of Two, Insert: "t" of two.
Line 19, Section 3, Subsection 2: Insert: Sentence between "county." and "The". "In counties under 100,000 population, the members of the board of alcohol and drug abuse must be county commissioners or their designees."

April 6, 1979

Mr. Chairman, Legislators of the Government
Affairs Committee

My name is Carla Lane. I am a staff
member of the Greater Nevada Health
Systems Agency. Today I am speaking
in support of the proposed
Amendments to AB 649.

The Greater Nevada Health Systems Agency
is a private, non-profit organization
whose major purpose is the achievement
of quality health care at a reasonable
cost for persons living in Northern
Nevada Counties.

Our Agency has actively participated
in the proceedings of the Washoe
County Task Force on Alcohol + Drug
Abuse. The Task Force has
carefully analyzed the Substance Abuse
problem in our area and has
concluded, with the publication of
the Final Report, that the amended
AB 649 represents the best alternative
to resolving the alcoholism problem.

The Greater Nevada Health Systems Agency has been actively studying alcohol treatment + rehabilitation services available in Northern Nevada and have concluded that existing services are small in size, underfunded, and varied in type of program + services offered. And yet it is known that alcoholism is one of the most serious health problems in Nevada. Amended Bill 649 is an attempt to resolve this problem.

Substance Abuse, + alcoholism is specific, is a serious community problem that can be resolved most satisfactorily by ^{both} government and private enterprise working together in an active + shared partnership.

Greater Nevada Health Systems Agency is requesting a positive response from the Legislature on this proposal.

Thank you for the opportunity to testify here today.

Carla J. Lauer

Amendment to A.B. 588, page 2, lines 15 through 27:

3. The agreement may also provide that the hospital [administrator] may, with the approval of the governing body of the hospital, purchase supplies, materials and equipment [without] after complying with the requirements for competitive bidding of chapter 332 of NRS if the [administrator] hospital finds that similar merchandise is available, at a reasonable savings below the [market cost] lowest bid, through the purchasing contracts of the hospital management company or through another group purchasing arrangement among hospitals. The prices available to the hospital management company or to other hospital purchasing groups must be submitted at the time of the bid opening. ^{whether bids are made under NRS 332} The documents pertaining to each proposed purchase or acquisition must be summarized in writing for presentation at the next regularly scheduled meeting of the governing body of the hospital. The summary must include a justification for making the purchase or acquisition without competitive bidding based on the savings involved. After reviewing the summary the governing body shall approve or disapprove the proposed purchase or acquisition.

GUEST LIST

4-6-79

IF YOU
WISH TO SPEAK

NAME

REPRESENTING

Pro Con

(Please print)

| (Please print) | <u>REPRESENTING</u> | Pro | Con |
|------------------|--|-------|-----|
| ✓ Tom Young | Nev. Environmental Action Trust | r | |
| Joe Braswell | Gov's Advisory Board on Alcohol & Drug Abuse | AB649 | |
| Jack Ham | Beverly Hills & Drug Abuse | AB649 | |
| | | | |
| Dennis [unclear] | Nevada [unclear] | AB649 | |
| X Dick Kirkland | | | |
| Dr. Bill Wallitz | | | |
| Dr. Ken Sheng | | | |
| Ron Jack | City of Las Vegas | AB634 | |
| Charlie Zobel | " " " " | AB649 | |
| Jack Sheehan | Minden, Nev | 649 | |
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