

MEMBERS PRESENT

Chairman Westall
Vice Chairman Mello
Mr. Barengo
Mr. Glover
Mr. Harmon
Mr. Vergiels
Mr. Rusk
Mr. Tanner
Mr. Weise

GUESTS PRESENT

See Guest List attached.

The meeting was called to order at 4:00 p.m. by Chairman Westall. She called for testimony on behalf of S.C.R. 45.

SENATE CONCURRENT RESOLUTION 45

Senator Jean Ford, Clark County District 3, stated that S.C.R. 45 was the result of requests from quite a number of legislators regarding the question of special and local acts which are part of legislative deliberations and which are a hidden body of law. They are dealt with in bills but are recorded only in the session law of that particular session and are not found referenced anywhere in the N.R.S. They may be amended in a later session, but the act is usually not codified so if you are interested in a particular act, you have to look at all of the various session laws in which the various sections were enacted. An example given was the law that created the Mineral County Power System in 1921. It was amended from that point nineteen different times, and for anyone to see the Mineral County Power System Act in it's entirety, they would have to go to nineteen different volumes of session law. The only special laws codified at this time are the city charters and the Las Vegas Valley Water District. These are up to date in the Counsel Bureau Library. All the other laws are not codified unless someone does it for their own purposes. In this session the Assembly has introduced 77 different bills relating to special acts, 30 of which are appropriations, and the Senate introduced 65 bills or resolutions dealing with special acts. None of these are in the N.R.S., but many directly relate to N.R.S. so it is difficult to know what is in these acts that affects on going agencies of the state government. This is the reason that it is felt to be necessary to have these acts codified. It would give guidance on where to go. An index and cross reference would be prepared. This would be carried out by the staff under the direction of the Legislative Commission.

In response to a question by Mr. Glover, Senator Ford said that it would not take any extra staff to implement the system, and then after 1981 it would be decided how much it would cost to keep up.

Chairman Westall asked if this would hamper the usual studies of the Commission. Andy Grose said that it would not because it would be handled by the legal division in the interim.

Senator Gibson said that the Government Affairs Committees would use this system because so much of their work relates to local governments and special districts. It would be a worthwhile project as the committees would not have to rely on a clerical accounting.

Testimony was concluded on S.C.R. 45.

SENATE CONCURRENT RESOLUTION 46

Senator Gibson testified on S.C.R. 46, stating that the major advantage to this proposal is that the committees would be instituted to be more effective in the interim to the end that the length of the sessions could be reduced. He urged adoption of the resolution. He explained that a committee he was on was able to go into their problem in much more detail and over a longer time and, therefore, was able to come up with more comprehensive conclusions and which resulted in more comprehensive bills. However, when the legislature convened, none of the members of the interim committee were on the committee which heard the bills and, therefore, much time was lost while they were studied and analyzed by new people, which probably lengthened the session. It would have been more appropriate to have members of the study committees who would be on the standing committee having to do with that subject at the following session. This could also help lessen the need for annual sessions.

Mrs. Westall stated that there did not seem to be much appetite for this resolution on the Assembly side as many times members do not want to be on the interim committees which related to their previously assigned committees, but would want a change. They would like to be able to take advantage of the input in the area of the interim committee even if they could not take part in that study. Also, if the members of the interim committee were on the session committee having to do with that study, it would be like being both judge and jury, and the members could have tunnel vision and could have a built in prejudice against anyone not for that bill or study. They would not have the same perspective of those who were not on the study committee.

Senator Gibson did not agree. He felt that there is not enough time during the session go delve deeply enough into most issues to gain expertise in that area and the study committees would take care of that. If the studies are assigned to someone who will not be on that committee in the next session much of that knowledge will be lost.

Mrs. Westall felt that those people could testify before the committees involved, and it could be handled that way. And a new outlook could

be presented by the other members of the legislative committee. Also, bills are not always heard in the same committee on the different sides of the legislature, which gives a different slant to their interpretation.

Senator Jean Ford presented a proposed amendment to remove the Joint Committee on Finance because they are already constituted by law as the Interim Finance Committee, and to remove lines 31 through 33, because as they began to put the studies as they came in from the various committees into the category to which they might go they found that there were no studies for Legislative Functions, by the very nature of the committee. The Legislative Commission takes the place of Legislative Functions when they are not in session. A copy of the proposed amendment is attached hereto and marked Exhibit A. The makeup of the committees would be determined by the leadership. Legislators could request the committees they prefer. They would not be locked into a committee time after time. The Commission would assign the studies to the appropriate committee based on the subject matter. The Commission would control the budget. The Commission would establish a master calendar of meetings, probably six times in eighteen months, dividing the meeting dates between the committees and the Commission. For one travel expense, everyone would come together at one point in the state and have nine committee meetings in the course of three days. The staff is still assigned by the Director of the Counsel Bureau in connection with the Commission. The committees could study the audit reports of the governmental bodies they would be studying. There would be a core of people in the session remaining on the joint committee during the interim. There is value in senators and assemblymen from joint policy committees working together in the interim on problems they recognize during the session but did not have time to solve and then coming back at the next session and being the ones to process the legislation. Regarding the cost, the 1977-78 studies were budgeted at \$100,000 and there were 18 different study committees. This project, based on the idea of six three day meetings, would save \$15,000. It should also make the regular legislative sessions shorter. Rather than 18 subcommittees which met on 85 separate days in the last interim, there would be nine subcommittees meeting on 54 days, with the continuity of going from session to interim to session.

Mr. Mello felt that the Interim Finance should work on the budgets of the committees rather than the Commission.

Chairman Westall felt that this might put too much power in the hands of too few legislators.

Mr. Glover asked if this might not preclude minority chairmen and members if the committees were appointed by the leadership.

Senator Ford introduced a list of proposed studies and how they might be distributed among the committees. A copy is attached hereto and marked Exhibit B.

Assembly Speaker Paul May, District 19, Clark County, looked at S.C.R. 46 as an opportune experiment. He thought that the Assembly this session has some outstanding committees which should extend their expertise to the interim. He feels that the plan would save money, keeps legislators in contact with each other and their districts between sessions and even if it is quite different from how the divisions have been handled before, it would be worth a try.

Assemblyman Bob Price, District 17, testified in favor of S.C.R. 46 as he feels that the legislature is now moving in the direction of a good check and balance system that government is supposed to have. He feels that this system would give continuity between the sessions that there is not now. The Assembly Taxation Committee felt that it would be a good idea as they have found that there is not enough time during the session to explore all the options open in taxation. It would also help in followups. The way it is now, when the members of an interim study committee turn in their findings and recommendations, it is often too hard for new members of the legislative committees to go back over all the ground which had been covered in order to understand the reports and recommendations. If the same people are still on that committee, they already understand the problems and recommendations. It would save much time. Expertise in one area does not necessarily mean tunnel vision.

Testimony was concluded on S.C.R. 46.

ASSEMBLY CONCURRENT RESOLUTION 51

Assemblyman John Vergiels, District 10, Clark County, testified that A.C.R. 51 came out of the Human Resources Subcommittee on Ways and Means when they did not give a raise to the health care providers. The subcommittee heard testimony many times from the owners of the facilities stating why they needed a raise or the need for providing some kind of alternative living arrangements for people. They decided, in joint session with Senate Finance, not to provide additional funding on a per client per month basis and instead decided to go to an interim study to find out what the long range consequences would be relative to providing these services. The reason it is so inexpensive now is that these people own their facilities and they have no payments on them. However, as the population expands in Nevada and as some of the present facilities become too old and go out of service, then there will have to be some alternative methods. Cost analysis studies showed that it will cost much more than is being provided now. It could be done as a three person study committee as there are not too many in Nevada at this time. Rather than give a five to ten percent increase, which would not dent the problem, it was felt it should go to an interim study to investigate alternatives. The health care providers should have something. The money committees decided to keep things the way they were with the raise recommended by the Governor and conducting a study to see what can be done in the future. It is much more expensive for the state to run than for the private operators.

Testimony was concluded on A.C.R. 51.

ASSEMBLY CONCURRENT RESOLUTION 46

Gene Milligan, Nevada Association of Realtors, testified that the reason he is present is to try and clarify the problem they are faced with with these studies. It is difficult for them to compete with the government resources that are available with a study of this nature although they are not necessarily opposed to the study. The government can call on almost unlimited experts in any area, and since the study on water is so important, they are requesting that they be involved in whatever way possible so they can keep informed on everything and have some input in study plans.

Chairman Westall explained that the object of the studies is to get input from everyone interested.

Mr. Milligan feels that too many government decisions are made on the basis of narrow government research that does not take both sides of a question into account. There sometimes is a built in bias that they would like to offset.

Testimony was concluded on A.C.R. 46.

Chairman Westall explained that there has been a request for a resolution raising the fee for the clergy who open the session meetings from \$7.00 to \$20.00. There was a general discussion on this matter.

Following discussion, it was moved by Mr. Tanner and seconded by Mr. Barengo that the payment remain at the present level. The motion carried with Mr. Mello, Mr. Vergiels and Mrs. Westall voting No.

ASSEMBLY CONCURRENT RESOLUTION 54

Bob Sullivan of the Carson River Basin Council of Governments, Counties of Carson City, Douglas, Lyon, Storey and Churchill. He explained that a private party, a corporation, a non-profit organization, government, etc., could probably enhance their future operations by purchasing development rights, more than likely on an adjacent or abutting piece of property. This was endorsed by the County Commissioners Association. The original bill did not turn out like they had submitted it, so they asked Government Affairs to make it into an interim study, because in Nevada there are not too many people aware of the potentials and the pitfalls of running into development rights situations. For example, if you want to have a particular type of parcel and develop it, and you do so, and to make sure that you are not infringed upon by some competing use next door you can buy a development right on adjacent property.

The landowner hasn't lost his property, the realtors have been a party of the situation by making the transfer possible, the landowner can still market his property, but in terms of the particular type of development, someone else owns the right. They feel that it is worth looking into for some types of property, such as that adjacent to airports. The study could help to develop a bill to present to Government Affairs at the next session.

Mrs. Westall asked what the need was for this study now.

Mr. Sullivan answered that Nevada does not now have the legal right to pursue development rights in Nevada. A study could bring out the pros and cons as they pertain to Nevada.

Gil Buck, Nevada Association of Realtors, spoke against A.C.R. 54. The concept of purchasing development rights came from a no-growth concept in the east. It is one means that has been brought on the scene to take away your rights without really fully paying for them. In a state with only 13 percent of the property not federally controlled it seems ludicrous to him that the legislature would want to study this concept. It has been successful in some of the highly urbanized areas and metropolitan areas where there are not properties reserved for public use and rights have to be purchased for the protection of the public for future use. We do not have that situation in Nevada.

Testimony was concluded on A.C.R. 54.

COMMITTEE ACTION

Assembly Concurrent Resolution 51

It was moved by Mr. Vergiels, seconded by Mr. Glover, that A.C.R. 51 be recommended Do Pass. The motion carried unanimously.

Assembly Concurrent Resolution 46

It was moved by Mr. Barengo, seconded by Mr. Vergiels, that A.C.R. 46 be recommended Do Pass. The motion carried unanimously.

Senate Concurrent Resolution 45

It was moved by Mr. Barengo, seconded by Mr. Vergiels, that S.C.R. 45 be recommended Do Pass. The motion carried with Mr. Glover voting No.

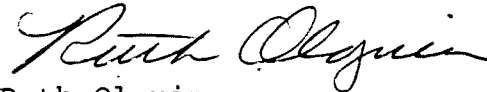
Assembly Concurrent Resolution 54

It was moved by Mr. Tanner, seconded by Mr. Mello, that A.C.R. 54 be Indefinitely Postponed. The motion carried unanimously.

Chairman Westall announced that amendments had been received for S.B. 263.

The meeting was adjourned by Chairman Westall at 6:30 p.m.

Respectfully submitted,



Ruth Olguin
Committee Secretary

GUEST LIST LEGISLATIVE FUNCTIONS
 May 17, 1979

<u>NAME</u>	<u>REPRESENTING</u>	<u>WISH TO SPEAK</u>	
(Please print)		Yes	No
Mr. John Faid	SCR 45 SCR 46	✓	
Dew Milligan	SCR 46 REALTORS	✓	
CHUCK BUCK	SCR 54 REALTORS	✓	
Andy Hesse	LCB	7	

1979 REGULAR SESSION (60TH)

ASSEMBLY ACTION		SENATE ACTION		Senate	AMENDMENT BLANK
Adopted	<input type="checkbox"/>	Adopted	<input type="checkbox"/>	AMENDMENTS to	Senate Concurrent
Lost	<input type="checkbox"/>	Lost	<input type="checkbox"/>		Joint
Date:		Date:		Bill No.	Resolution No. 46
Initial:		Initial:		BDR	1663
Concurred in	<input type="checkbox"/>	Concurred in	<input type="checkbox"/>	Proposed by	Committee on Legislative
Not concurred in	<input type="checkbox"/>	Not concurred in	<input type="checkbox"/>		Functions
Date:		Date:			
Initial:		Initial:			

Amendment N^o 1170



Amend the resolution, page 2, by deleting lines 7 and 8.

Amend the resolution, page 2, by deleting lines 31 through 33.

To: E & E
LCB File
Journal
Engrossment
Bill

Date 5-15-79 Drafted by JW:smc

INTERIM FINANCE

- S.B. 255 - Substantially increases legislative control over state financial administration.
- S.C.R. 14 - Directs legislative commission to study use of federal money in state and local programs.

JUDICIARY

- A.C.R. 57 - Directs legislative commission to study problems of medical malpractice insurance.
- A.C.R. 41 &
S.C.R. 52 - Directs legislative commission to study Nevada prison system and alternatives to incarceration.
- S.C.R. 17 - Directs legislative commission to study child abuse and state and local efforts to prevent it and protect children.
- S.C.R. 19 - Directs legislative commission to study alternatives for organization and financing of judicial services involving juveniles.
- S.C.R. 44 - Directs legislative commission to study desirability of limiting liability of manufacturers and sellers for defective products.
- S.C.R. 49 - Directs legislative commission to study gaming industry.
- S.C.R. 50 - Directs legislative commission to study proposals for full state funding and unitary budgeting for the court system of the state.
- A.C.R. 53 - Directs legislative commission to study grand jury system in Nevada.

HUMAN RESOURCES

- A.C.R. 42 - Directs legislative commission to conduct interim study of means of employing continuous recipients of welfare.
- S.C.R. 26 - Directs legislative commission to study libraries and other systems for storing information.
- S.C.R. 32 - Directs study of services for youth.
- S.C.R. 51 - Directs legislative commission to study problems of solid wastes.

NATURAL RESOURCES

- A.C.R. 46 - Directs legislative commission to study water problems in the state.

COMMERCE

- † A.C.R. 3 - Directs legislative commission to study problems of owners and renters of mobile homes.
- A.C.R. 22 - Directs legislative commission to study public service commission of Nevada.
- > A.C.R. 29 - Directs legislative commission to study motor vehicle insurance rates and rating practices.
- S.C.R. 39 - Directs legislative commission to conduct study of organizational structure and administrative practices of Nevada industrial commission.
- S.C.R. 53 - Directs legislative commission to prepare legislation allowing employers' choice of three methods of obtaining industrial insurance coverage.

GOVERNMENT AFFAIRS

- † A.C.R. 21 - Directs legislative commission to study data processing by Nevada state government.
- < A.C.R. 32 - Directs legislative commission to study matters preparatory to 1981 reapportionment.
- S.C.R. 23 - Directs legislative commission to study and develop statewide master plan for fire protection and control.
- S.C.R. 30 & - Directs legislative commission to study need for and feasibility of state assistance for local traffic management.
- S.C.R. 36 - Directs legislative commission to study feasibility of consideration by local governments of future energy demands in land use planning.
- S.C.R. 40 - Directs legislative commission to study means of obtaining greater efficiency and economy in state public works.
- S.C.R. 54 - Directs legislative commission to study Nevada's laws relating to local government bonding.
- S.C.R. ? - Metro funding - formula

TAXATION

- S.C.R. 42 - Directs legislative commission to study effects of tax relief measures passed by 60th session of legislature.

TRANSPORTATION

- S.C.R. 30 - Directs legislative commission to study need for and feasibility of state assistance for local traffic management (could be part of SCR-36).
- S.C.R. 31 - Directs legislative commission to study ways to encourage bicycle transportation.
- † A.C.R. 30 - Directs legislative commission to study maintenance of state highways as administered by department of highways.

LEGISLATIVE COMMISSION

- S.C.R. 45 - Directs legislative commission to make compilation of special and local acts.
- A.B. 523 - Directs legislative commission to appoint joint review committee to implement "sunset" process on 3 agencies of executive branch:
Real estate division of Department of Commerce
Community health services of Division of Health
Racing Commission