

Committee in session at 7:45 a.m. Senator Floyd R. Lamb was in the Chair.

PRESENT: Senator Floyd R. Lamb, Chairman  
Senator James I. Gibson, Vice Chairman  
Senator Eugene V. Echols  
Senator Thomas R. C. Wilson (absent for some votes)  
Senator Lawrence E. Jacobsen  
Senator Clifford E. McCorkle

ABSENT: Senator Norman D. Glaser

OTHERS PRESENT Mr. Ronald W. Sparks, Chief Fiscal Analyst  
Mr. Eugene Pieretti, Deputy Fiscal Analyst  
Mr. Howard Barrett, Budget Director  
Mr. Harry O'Nan, Deputy Auditor, Legislative Counsel Bureau  
Mr. John Meder, Administrator, Division of State Parks  
Mr. Lowell Smith, State Forester, Division of Forestry  
Mr. Roy Trenoweth, Division of Forestry  
Mr. William C. Wood, Assistant Administrator, Division of State Parks  
Mr. Peter G. Morros, Assistant Director, Department of Conservation and Natural Resources  
Mr. Roy Nickson, Executive Director, Department of Taxation  
Mr. Bruce Smith, Tax Administrator, Department of Taxation  
Mr. Pat Murphy, Southern Area Forester, Division of Forestry  
Mr. Charles Wolff, Warden, Department of Prisons  
Mr. Michael Medema, Department of Prisons  
Mr. Larry Brown, Chief of Revenue, Department of Taxation  
Mr. Richard Bryan, State Attorney General  
Mr. Ralph Handelman, All-Kee Associates  
Ms. Arline Fisher, Press, The Native Nevadan  
Mr. John Rice, Associated Press  
Mr. Cy Ryan, United Press International

S.B. 139 - Changes amount in Services to the Blind revolving fund.

Senator Lamb submitted an amendment to S.B. 139, which adds \$15,000 for Services to the Blind, for approval by the Committee.

Senator Gibson moved that the amendment be approved.

Seconded by Senator Lamb.

Motion carried.

Senator Glaser absent.

Senator Lamb requested Committee members to read a letter from the Department of Administration (see Attachment A) regarding Printing. He suggested that the Committee ask the State Printer to meet with them before the budgets involved are closed. Mr. Sparks said he would schedule a meeting.

BDR 23-437 Introduction by Senate Finance Committee

Senator Lamb introduced a bill regarding reimbursements to public employees for their deductible auto insurance costs when their private automobiles are involved in accidents, while they are on public business.

Senator Gibson moved that the Finance Committee introduce this bill.

Seconded by Senator Wilson.

Motion carried.

Senator Glaser absent.

### Predatory Animal Control

Mr. Harry O'Nan, Audit Division, Legislative Counsel Bureau, reported the findings of an audit he made of the above agency at the request of the Committee.

Senator Lamb asked Mr. O'Nan who stated that September to February were the prime fur months. Mr. O'Nan answered that it was Joe Minor who made the statement.

Senator Lamb noted that 515 pelts were sold for \$12,000. He commented that even poor pelts bring between \$30 and \$40. He said the figures reported for pelts do not add up. Mr. O'Nan replied that the figures were for the prior fiscal year. Senator Lamb said the take for this year is almost the same as last year.

Mr. Sparks asked if the \$12,760 is for pelts after commission. Mr. O'Nan answered that it is. Mr. Sparks commented that comes to a net of \$24.78 per pelt.

Senator Lamb said he based his evaluation of pelt prices on what private trappers are getting; good pelts bring \$65.

Mr. Sparks explained that Mr. O'Nan went through Predatory Animal Control Agency's records on sales and kills (see Attachment B). Senator Lamb remarked that out of 4,356 pelts, they picked up only 515. Mr. O'Nan responded that there is always a problem with aerial kills; the aircraft cannot always land to pick up all the animals. He said that when kills are made from a helicopter, the agency does pick them up.

Senator Echols asked who would be the best person to talk to about this situation. Senator Lamb suggested a commercial trapper.

### Tax on Cigarettes

Mr. Richard Bryan, Attorney General; Mr. Ernest Adler, Deputy Attorney General; and Mr. Roy Nickson, Executive Director, Department of Taxation were introduced. Senator Lamb explained that there is a problem with the tax on cigarettes being sold in Indian smoke shops, which involves in excess of \$3,000,000.

Mr. Bryan submitted a copy of the "Law and Order Code Regarding Tax on Cigarettes" (see Attachment C). Mr. Bryan testified that the Attorney General's records show that the following reservations have imposed the tax which the Legislature authorized them to impose on themselves in lieu of the payment of the 10 cents a pack collected by the State. The reservations are: the Reno-Sparks Colony, the Las Vegas Colony, the Moapa Indian Reservation, the Fallon Reservation, and the Yerington Colony.

Senator Lamb asked who gets the tax. Attorney General Bryan replied that the Indians do. He reported that during the last legislative session, the Indians argued persuasively that if none of the revenue would ultimately be derived by them, the Legislature should provide some kind of mechanism so that if they decided to impose a tribal tax equal to or greater than the State tax on cigarettes, that the State would allow the tribe to keep the tax for their own purposes. He said that, technically, even these tribes have not complied with the new tax regulation; because under the provisions of the Statutes passed in the last Legislature, the tax is to be collected by the State and refunded to the tribes. What has been occurring is that the Indian reservations or colonies which have imposed the tax, are not actually disbursing any of those collected monies to the State. He said that the exact amount of tribal tax cannot be verified as there has been no audit. He commented that the McDermitt Reservation and the Death Valley Reservation do not have a cigarette tax ordinance. He went on that it is not clear



whether the Washoe Tribe, the Elko Indian Colony or the Walker River Reservation have the tax ordinance. Mr. Bryan said that his Office has obtained copies of the ordinances for the Finance Committee to consider. He said the Colonies and Reservations in the eastern part of the State are under a different administrative jurisdiction of the Bureau of Indian Affairs. Therefore, his Office cannot obtain copies of those ordinances.

Senator Wilson asked if two different taxes are being spoken of; one being the Indians' collection of a cigarette tax imposed by the State, and the other being a tribal tax. Mr. Bryan answered yes. He said one kind is imposed by Statute, and in the same Section there is provided an enabling tax provision.

Senator Wilson said then it is a credit against the State tax to the extent it is not equal to the State. He said the Indians are supposed to remit the difference between their tax and the State tax. Mr. Bryan said that is the theory.

Senator Wilson asked if they are also supposed to collect the State tax, in addition to that amount. Mr. Bryan said that he thinks that the Indians are supposed to collect it and disburse it to the State, and the State is to refund it to them.

Senator Wilson asked if the tax is only collectible against non-Indians. Mr. Bryan said that is the holding of the Moe Case which was the legal basis that was used to impose this tax. He said the tax, in theory, is imposed on cigarette sales on the Indian Colonies or reservations to non-Indians. He said there has been subsequent litigation on this matter. He said that in the State of Washington, a three-judge panel upheld that the states were pre-empted from imposing this tax. He said the Supreme Court granted certiorari on that case which means it will be argued sometime in October.

Mr. Bryan continued that if the tax is being collect by Statute, the State is not losing any revenue with respect to most of the colonies and reservations which impose the tax. He said that with respect to the tribal shop in Las Vegas which is involved in a lease with Mr. King, substantial revenues are involved: \$562,811 in back taxes, presently the subject of a suit. The Indians do not derive the revenue. They are paid a certain amount per pack, about 10 cents for each pack sold, and Mr. King gains the difference. The Indians do not derive a tax benefit under that arrangement, nor does the State. In this case, the State is not in an adverse position with the Indians; the Indians do not like the leasing arrangement with Mr. King. Mr. Bryan added that other reservations or colonies have been successful in cancelling leases with Mr. King.

Mr. Bryan said that the amount of revenues involved are substantial for the Las Vegas tribal shop: 967,198 cartons of cigarettes (or \$967,198). The tribes collect the 10 cents and use it for tribal purposes, so there is no loss of revenue.

Mr. Bryan continued that the King smoke shop involved 695,862 cartons (or \$695,862). He said that the Reno tribal smoke shop sold 924,826 cartons of cigarettes (or \$924,826) in 1978. He said the shop is also imposing and collecting the 10 cent tax, but there is no verification of this information.

Senator Lamb asked who is the wholesaler. Mr. Bryan said he thought that in the last legislative session they changed the law to allow local people to wholesale. Mr. Nickson remarked that he did not know whether the cigarettes came from a Nevada wholesaler or through interstate commerce. Mr. Bryan stated that the Indians used to get them from Oregon, because prior to last session it was illegal for Nevada to wholesale.

Senator Lamb asked Mr. Bryan if he had any other comments. Mr. Bryan said that he thought the litigation would be successful.



He said that the Washington litigation creates some doubt since the Supreme Court has granted certiorari, that is an indication that there is some uncertainty on their part whether the Washington interpretation is correct. He said he expects the decision in the Fall.

Senator Wilson asked if the tribes are remitting the difference between the tribal tax and the State tax. Mr. Nickson said to his knowledge, no. Mr. Nickson introduced Mr. Larry Brown, Chief of Revenue, Department of Taxation, and Mr. Bruce Smith, Tax Administrator in charge of cigarette taxes. Mr. Brown said that the State is not collecting this difference; and he said they are not sure the Indians are collecting the tax at all. He stated that right now all cigarettes are being purchased from Nevada wholesalers, and are tax-exempt; there are no tax stamps on these cigarettes. The Indians remit nothing to the Department of Taxation. The Indians will not allow the Department to audit their records, because of the sovereignty of their nation. He said he does not think they are collecting a tax because this amount is their profit margin.

Senator Lamb asked if the Indians are charging their own tax, how are they able to sell cigarettes at such low prices. Mr. Brown said he did not think they can, therefore his office does not think they are collecting the tax. Mr. Bryan stated that he does not think a situation exists where there is a tribal ordinance which purports to impose less than 10 cents; the ones Mr. Bryan itemized purport to impose the 10 cent tax. Therefore there is no differential.

Senator Gibson asked if there is a way to impose the tax at the wholesale level and then reimburse the Indians. Mr. Adler said the previously existing situation was that the Indians were bringing cigarettes from Oregon, therefore Nevada wholesalers lost business. He said if the tax were imposed on the wholesale level, the Indians would again go out-of-state and would not purchase from Nevada wholesalers. He said Oregon imposes no tax on cigarettes on out-of-state shipments. He said Washington Indians get their cigarettes from Oregon.

Senator Lamb asked what the present litigation would solve. Mr. Bryan said besides the half million dollars in one instance, there may be a clarification. He said the difficulty regarding the cigarette tax unique to cigarette sales. He said that it why the Supreme Court took this case for review, because if the argument can be made that the cigarette tax does not have to be imposed, then a logical extension can be made to liquor, automobiles, appliances, etc. He said it is a sovereignty question, and the relationship of the State to the Indian tribes is unclear. He said that in the 1973 Statutes, a provision was added in the tax code which states, "Nothing in this Chapter shall operate to abridge the right of any Indian individual or tribe or to infringe upon the sovereignty of any Indian tribe organized under the Indian Reorganization Act."

Senator Lamb asked Mr. Bryan if he could recommend a change in the Statutes. Mr. Bryan said that he did not think this provision is helpful legally, but he is not sure what its repeal would do. Mr. Bryan noted that the potential revenue loss to Nevada is about \$2,953,389; 2,953,389 cartons were sold on the various reservations in 1978.

Mr. Nickson referred to a letter from the Indian Tobacco organization (see Attachment D). He said there is no statistical evidence of a trend, based on the non-tax sales of cigarettes. He presented a chart showing cigarette revenues which demonstrated seasonalized actual monthly revenues since July, and the average monthly revenues during 1977-78. He pointed out that present sales of cigarettes are lower than one year ago, which could be due to Health, Education and Welfare's and other campaigns against smoking.



Senator Lamb asked how can it be determined whether a tax is being charged or not. Mr. Brown said the wholesale price can be determined by talking to the wholesalers and comparing this cost with the sale price.

Senator McCorkle asked what the normal profit margin is aside from the 10 cent tax. Mr. Brown said years ago the Indians were selling cigarettes at \$2.65 a carton. At the same time, the same cigarettes sold in Raley and Safeway Stores for about \$1.50 more. He said they estimated the Indians made about \$1.00 a carton the last few years until the new law was enacted. He said that was the original plan; if the State got \$1.00 tax on it (Indians own imposed tax) then their profit margin is gone, thus their economic advantage is gone. He said that people will buy their cigarettes at Raley's or somewhere else where it is more convenient. He said that's why they are not collecting the 10 cent tax; their profit margin is gone.

Mr. Bryan said that the purpose of the tribal tax is to promote economic growth, to provide increased services to residents of Reno-Sparks Indian Colony, to provide funds for tribal government, and to regulate sales of tobacco products in the Reno-Sparks Indian Colony. He said that if the tax is collected, he thinks it is consistent with legislative intent of last session. Mr. Bryan said that for indirect verification, he does not see that the State is prohibited from requiring wholesalers to make records available. He said then the wholesale price can be compared to the selling price to find out if it is possible that the tax is being charged. He added that this is another advantage of having Nevada wholesalers.

Senator Lamb suggested that the State do this. He asked if a Deputy Attorney General could do this. Mr. Bryan answered yes.

Senator Lamb asked if this practice would cause the Indians to go to out-of-state wholesalers. Mr. Nickson said that it could. He said the letter submitted (Attachment D) indicates that the Indians intend to go to out-of-state wholesalers; and they would then automatically be out of Nevada's jurisdiction.

Senator Wilson stated that any product sold in Nevada from another state is automatically in Interstate Commerce. The fact that the product is shipped directly does not affect jurisdiction. Mr. Nickson said the State has no jurisdiction if cigarettes are sent directly to the reservation.

Senator Lamb asked why Nevada does not have jurisdiction in that case. Mr. Nickson said if the cigarettes come through Interstate Commerce and are trucked directly to the reservation, Nevada has no control. He said the tax is imposed on the consumer.

Senator Lamb asked if a tax can be imposed on the retailer. Mr. Nickson said yes, in the case of distilled spirits, where the tax is imposed at the import level. Mr. Bryan said this was changed in the last session to avoid the sovereignty problem. He said the tax is imposed on the consumer, the non-Indian purchaser.

Senator Wilson asked why this tax cannot be imposed on retailers. Mr. Adler said this question is the one before the Supreme Court, and the case will not be heard before October.

Senator Wilson suggested that a tax on retailers be legislated and then see if it is struck down by the Supreme Court in October.

Mr. Bryan said it is unfortunate that the State does not have evidence that the formula developed in the last session is really working.

Senator Wilson said that if the State passed legislation it would give the State the right to ask for disclosure by the shipping wholesaler. Mr. Adler commented that the State does get a report



from North Carolina; he said manufacturers there are very cooperative.

Mr. Bryan said that what is really needed is the authority to verify what is happening on the reservation; which is the sovereignty question. He remarked that if the Indians are in compliance with the Statute, the State has a right to recover the difference.

Senator Wilson asked if there is a legal basis for requiring even the foreign distributor to withhold and remit the tax to Nevada. Mr. Bryan replied that he did not know. Mr. Adler commented that if the distributor has no connection with the State of Nevada, other than the fact that cigarettes enter the State, he did not see how the State could tax. He said this situation is similar to the out-of-state mail order business.

Senator Gibson said he would like to question this. He said he does a lot of contracting out-of-state, and he is required to pay the sales tax of that state. He said this applies not only to being present in that state; it also applies to products manufactured in Nevada and sent out of state.

Senator Gibson continued that there must be a law which allows the other states to do this. Mr. Nickson said that Senator Gibson is referring to use tax rather than sales tax. He said that this tax is to keep the state employer from going directly to the individual that Nevada is selling to, and charging a use tax. He said it is a convenience to the customer. Senator Gibson said he did not see why the same principal could not be applied to cigarettes. Senator Gibson added that he did not believe the 10 cent tax is now being collected.

Mr. Bryan asked for time to explore Senator Gibson's suggestion.

Mr. Brown mentioned that the organization identified on the letterhead (Attachment D) is very recent. He said he thought this letterhead has just been printed, because they have been in touch with him the last 3 or 4 months.

Senator Gibson asked who the organizer is. Mr. Brown answered that he is an Indian who is an attorney. Mr. Adler commented that this organization is owned and operated by the largest Indian retailer located in Washington. Mr. Brown said that they have been after Oregon, Idaho, Washington and Nevada to give them a wholesale dealers license so they can buy directly from the manufacturers. He said that the State of Nevada has denied this request about 3 or 4 times. Idaho, Oregon and Washington have also denied the request. He said he believed that if they obtained this license, there would be unstamped cigarettes all over the State of Nevada, not just in the smoke shops.

Senator Echols asked if there is a copy of the November 7 letter available, referred to in the letter (Attachment D). Mr. Brown answered yes.

Senator Echols asked why the November 7 letter was not answered. Mr. Brown replied that they had already answered previous letters asking the same question: regarding why the State would not give them a wholesaler's license. He said that his office told them the State did not have to give them a license. Mr. Brown continued that his office asked the Indian organization would hold themselves as wholesalers to Raley's and whoever else wants to buy cigarettes. The Indian organization replied no; their sales are strictly for Indian smoke shops. He said the Indians wanted a place to center all of their purchases. He told them that the State could not audit on them on the reservation.

#### Mobile Honor Camp for Southern Nevada

Mr. Lowell Smith, State Forester, presented a list of costs which



the Committee had requested for a Mobile Honor Camp for prisoners (see Attachment E). He said he contacted Mr. John Meder, Administrator of State Parks Division and Mr. Charles Wolff, Warden, State Prison, to assist in the preparation of this document. Mr. Smith said that the concept of the program would be similar to the program used in western Nevada with Honor Camp crews working on various projects throughout the immediate area. He said that the difference between that camp and the proposed camp is that the proposed camp would be mobile, and could move to different locations. He said there are 5 park locations in Southern Nevada and Pioche. A camp could be moved into that area and work approximately 8 months; and during the remaining 4 months, when weather conditions are severe, the camp could be moved back to the existing prison site at Jean, and the camp could work out of that area.

Mr. Wolff stated that the figures outlined in the handout (see Attachment E) pertain to a 36-man inmate spike camp, which could be used for life services support and related activities to the State.

Mr. Smith mentioned that the manufacturers of the equipment state that the life expectancy of the equipment is 10 years or more. Mr. Wolff said it costs about \$12,000 a bed to set up this camp, and about \$6,240 per year for operation costs.

Senator Gibson asked what kind of trailers will be used. Mr. Wolff said there would be 3 living unit trailers, 12 men per unit. He said these are dormitories with restrooms on one end. They have used this living arrangement the last 2 years with success. He said there is also a food and eating trailer, storage trailer for food, etc. and an office and sleeping trailer for employees supervising the camp.

Mr. Smith remarked that putting the camp in 2 semi-permanent locations is much cheaper than a stationary one, requiring a completely sealed septic system.

Senator Gibson asked what kind of work would be done by the inmates. Mr. Meder said one such crew is already being used by his Department about 9 months of the year in northern Nevada. He said they would be planting trees, reducing fire hazards, constructing fire breaks, trails, providing campground improvements, etc. He said he is careful that the prisoners' work does not conflict with private enterprise.

Senator McCorkle asked if there is a corresponding reduction in maintenance costs in the Parks budget because of the inmate program. Mr. Meder said there could possibly be, but the major benefit of this type of program would be the accomplishment of the type of work being done which normally would not be done.

Senator McCorkle said then there is not a savings. This is a new program. He said the question is a value judgment on whether the work is important enough to be done. He said the program is more acceptable if a corresponding budget can be reduced. Mr. Meder commented there are things his Department is unable to do that should be done, such as clearing the underbrush along the highway to the Lake to eliminate a fire hazard.

Senator Jacobsen said this program originated when the Committee reviewed the Parks Budget and that crews were suggested to work in remote areas which have become tourist attractions. He said it was hoped that work in these areas which had been contracted in the past, could be taken over by prison crews. He said he thought it is important that some capital for the cost of the crews be recaptured. He said that when he heard the amount of start-up costs he was disturbed at how high they were. He said he felt there could be some savings by using surplus equipment or using the 43 beds from the prison which could normally be used by the prisoners if they were there.

Mr. Smith responded to Senator Jacobsen's remarks by saying they had little time to plan a program; and he felt there are areas



where they could economize. He said that at times there is surplus equipment available such as generators and trucks. He said when they planned the program, they could not count on this equipment being available when they needed it. Mr. Smith said they would use such equipment to economize if they can.

Senator Jacobsen asked Mr. Wolff if it will be difficult to screen 36 people or more who are willing to be part of a crew. Mr. Wolff said they do not have much problem with it now. He said however, they do have to solve the problem of visiting. He said that when he planned this budget, they were mainly interested in producing a document in a short length of time; and they not try to economize. He said he was sure there were areas where they could economize.

Senator Jacobsen asked if private enterprise or labor unions were giving Mr. Wolff any trouble. Mr. Wolff said no. Mr. Smith said not unless they begin construction. He said they do not intend to begin construction projects.

Senator Lamb remarked that one emphasis of this program is to rehabilitate prisoners. Mr. Wolff said the cost of each prisoner is about \$8,000 a year in prison, and in the camp the cost is about \$6,240.

Senator McCorkle asked what is rehabilitating about crew work when prisoners are not gaining a skill. Mr. Wolff said that a good work habit is an important skill to teach an inmate.

Senator McCorkle asked if there is a way to teach work habits without spending \$600,000 in start-up costs. Mr. Wolff said he is sure there is, but the prisons have programs for only about 20 percent of their population anyway.

Senator Lamb remarked that he did not think money for work projects for prisoners is wasted.

Senator Jacobsen asked if present work crews get good time credits. Mr. Wolff replied yes.

Senator Jacobsen asked if they are paid stipends. Mr. Wolff said the crews in the forestry program would be paid approximately \$3 a day which is the highest stipend offered. Mr. Smith added that they also get extra money for fire time.

Senator Jacobsen asked if crews could be used in Pioche. Mr. Smith said that it is possible. He said the Bureau of Land Management is very interested in having the fire crew available, right now no one is there. He said that the prisoners are a ready trained fire crew which will be a great help in that area. He said there is probably work that could be done on some of the federal projects; he said they did not have time to check this when planning the prison crew program.

Senator Lamb suggested that projects which will need attention in the future such as Beaver Dam Lake filling with mud, would be good programs for prison crews.

Senator Jacobsen suggested that Mr. Smith, Mr. Meder and Mr. Wolff return to the Committee with a new figure indicating the lowest potential cost of the inmate program.

Senator Lamb called for voting on the budgets.

DIVISION OF BUILDINGS AND GROUNDS - Page 69

Senator Wilson remarked that an issue was raised at the time of the budget hearing regarding the use of prison labor. Mr. Sparks remarked that Mr. Meizel returned a memo regarding this matter a couple of weeks ago. He said that Mr. Meizel's conclusion was that he could not use prison labor unless supervisors were provided.



Senator McCorkle said he did not understand why the guards at the prison could not be brought over to supervise a small group of workers at the same ratio they supervise in the prison. Mr. Sparks said one problem is that guards are sometimes situated in towers, and their absence disrupts surveillance of the prison yard.

Senator Wilson suggested that Mr. Meizel be called back in to discuss prison labor for his Division.

Senator Lamb asked how many years prisoners have been used. Mr. Barrett said they haven't been used by Buildings and Grounds for the past eight years; but he assumes they were used prior to that.

Senator Lamb said he knew of only 1 bad incident which caused the prisoners to be removed. Mr. Barrett said there was only one incident that received publicity; but there were a number of incidents not publicized.

Senator Jacobsen mentioned that the outside of the legislative building is now being tended by prisoners. He said if they can work at this building they can work elsewhere. Mr. Sparks said he does not think the prison provides supervision; the Legislative Counsel Bureau does. Senator Jacobsen said the prison sends a supervisor which is part of the agreement; that the Legislative Counsel Bureau has no responsibility for prisoners.

Senator Lamb suggested that Parole and Probation also be called in when Mr. Meizel appears before the Committee.

Budget was held.

COMMISSION ON POSTSECONDARY INSTITUTIONAL AUTHORIZATION - Page 208

Senator Gibson moved that this budget be approved.

Seconded by Senator Jacobsen.

Senator Echols abstained.

Motion carried.

Senators Glaser and Wilson absent.

DIRECTOR OF HUMAN RESOURCES - Page 232

Senator McCorkle moved that this budget be approved.

Seconded by Senator Gibson.

Motion carried.

Senators Wilson and Glaser absent.

HEALTH PLANNING AND RESOURCES - page 234

Mr. Sparks suggested that the Developmental Disabilities Program could be transferred into this budget, thereby eliminating 1 and 1/2 positions.

Senator McCorkle remarked that he would like to eliminate the 3 positions that were administratively added. Mr. Sparks said that was not really an administrative addition of 3 positions; it was due to cancellation of a contract in the Insurance Division. He said that during the previous session the 3 positions were in this budget and then changed to the Insurance Division. The Insurance Division was not doing the job; so the contract was terminated and the positions moved back into this budget.



Senator McCorkle stated that this agency testified that their sole function was to advise other agencies on how to obtain federal grants. He said that since this is their function, he would like to reduce their staff.

Senator McCorkle moved to reduce the staff by 2 people.

Seconded by Senator Jacobsen.

Senators Gibson and Echols voted no.

Motion did not carry.

Senators Glaser and Wilson absent.

Senator Gibson asked if the 29 member Council could be cut back. Mr. Barrett replied that he did not think so because certain groups must be represented. Senator McCorkle stated that Dr. DiSibio had said that he would reduce the Council Membership to 16 through attrition.

Senator McCorkle suggested that since 4 votes are required to pass a motion, that the Committee wait to vote on the budgets until the other two members of the Committee are present.

Senator Lamb said that he did not want to close budgets with two Committee members absent. He suggested that the Committee look at legislation instead.

S.B. 41 - Punchard voting devices (Attachment F).

Senator Lamb read the amendment to this bill.

Senator Gibson asked if the bill mentioned a reversion. Mr. Sparks said that the money will revert after conclusion of the project. Senator Lamb commented that he wishes there was a reversion clause. Mr. Barrett said the reversion is probably no problem because when the purpose of the bill has been accomplished, the money can be reverted without a reversion clause.

Senator Gibson remarked that the accomplishment of the purpose of this bill could take more than a biennium.

Senator McCorkle suggested that the lease to the counties be for the entire term to recover costs. He said the State could be stuck with the machines. Senator Gibson said he did not think there would be problems with the counties. He said the reason the State is buying the machines is because the counties cannot afford them. He said that if the counties generate enough savings in personnel to pay for them, there would be no risk in their not leasing the machines in the future.

Senator Gibson moved that S.B. 41  
"Do Pass" as amended.

Seconded by Senator Jacobsen.

Motion carried.

Senators Glaser and Wilson absent.

S.B. 198 - Restores office of Fire Marshal (Attachment G).

Senator Jacobsen moved that S.B. 198 "Do Pass".

Mr. Sparks asked if there is money for this bill. Senator Gibson replied there was \$100,000 the first year, and \$103,000 the second.

Mr. Barrett commented that money is needed in this bill for the rest of this fiscal year.



(S.B. 198 - Restores office of Fire Marshal - Continued)

Senator Lamb asked for an amendment to add \$32,000 to this bill.

Senator McCorkle said that he would like to hear this bill discussed further; and he would like to see how the rest of the budgets go before making a decision on this office. He said he would like to hold this bill.

Senator Echols moved that S.B. 198 be amended by adding \$32,000 to the bill.

Seconded by Senator Jacobsen.

Senator McCorkle voted no.

Motion carried.

Senators Glaser and Wilson absent.

Senate Bill 198 held for further discussion.

Bill Introduction - Senator Lamb introduced a request for a bill to provide compensation to members of the oil, gas, and mining board.

Senator Jacobsen moved that this bill be introduced by the Senate Finance Committee.

Seconded by Senator Gibson.

Motion carried.

Senators Glaser and Wilson absent.

A.B. 219 - Appropriation for the Governor's Mansion.  
(Attachment H).

Senator Lamb asked Mr. Barrett how much money is in the budget for maintenance. Mr. Barrett said repair is \$800 and maintenance is \$2,700.

Senator Gibson asked how much is left from the bill passed in 1973. Mr. Barrett said that Senator Gibson had been given a statement on that. He thought about \$9,000. Mr. Sparks remarked that it was between \$10,000 and \$11,000.

Senator Lamb said the \$11,000 is for something unforeseen such as a refrigerator or washing machine. He said he did not think this had any bearing on this bill. Mr. Sparks said that right now A.B. 219 as amended by the Assembly, provides that the remainder of this appropriated made in 1973 is set to revert at the end of the next biennium.

Senator Gibson moved "Do Pass" on A.B. 219.

Seconded by Senator Jacobsen.

Senator Lamb asked if this bill takes away the \$11,000. Mr. Sparks said no; at the end of the biennium it would revert.

Senator Lamb called for a vote on the motion.

Motion carried.

Senator Glaser absent.

(Senator Wilson was again present in Committee).

S.B. 210 - Statutory Contingency Fund (Attachment I).

Mr. Barrett said that if the presidential primaries are taken out of this account, additional money will be needed. Mr. Sparks added that the cost of the last presidential primary was \$157,000 and \$150,000 was requested to be put into this bill.



(S.B. 210 - Statutory Contingency Fund - Continued)

Senator Gibson moved that S.B. 210 be amended to add \$150,000 and "Do Pass" as amended.

Seconded by Senator McCorkle.

Motion carried.

Senator Glaser absent.

S.B. 80 - Hospital Licensure Fees (Attachment J).

Mr. Sparks suggested that the language of the bill be made more definitive by putting in "and shall be used for the support of the operation of the health facility program." He said that this bill forwards money from a special fund that was set up in the past to receive licensure fees and causes these fees to go to the General Fund where they could be earmarked for the Health Facilities Program.

Senator McCorkle asked why the money can't be left in its present fund. Mr. Sparks said that the Audit Division recommended this change to rectify an auditing problem. He explained that if these funds were not earmarked for this program, the General Fund appropriation to that program would have to be increased.

Senator Gibson said he did not see why they would not collect fees, even if fees were not earmarked for this program. Senator Lamb commented that he liked not earmarking the funds. Mr. Sparks said this is an option. He said that if the fees are not earmarked, then the appropriation to this program will need to be increased.

Senator Jacobsen moved to amend this bill by adding:  
"and shall be used for the support of the operation of the Health Facilities program."

There was no Second to the motion.

Senator Jacobsen moved "Do Pass" on S.B. 80.

Seconded by Senator McCorkle.

Motion carried.

Senator Glaser absent.

S.B. 212 - Silicosis Fund (Attachment K).

Senator Echols moved "Do Pass" on S.B. 212.

Seconded by Senator McCorkle.

Senator Jacobsen voted no.

Motion carried.

Senator Glaser absent.

S.B. 218 - Payment of Communications Board assessment (Attachment L).

Mr. Sparks said he thought the agency would tell the Committee tomorrow that they would need about \$5,000 on a contingency basis.

Budget held.



S.B. 219 - Appropriation to Art Hill (Attachment M)

Senator Echols moved "Do Pass" on S.B. 219.

Seconded by Senator Gibson.

Motion carried.

Senator Glaser absent.

S.B. 224 - Appropriation to Parole and Probation for additional personnel (Attachment N)

Mr. Barrett said the amount in this bill can be reduced. Mr. Sparks commented that this bill is for the early hire of personnel.

Senator Wilson asked if their budget has been closed. Mr. Sparks said no.

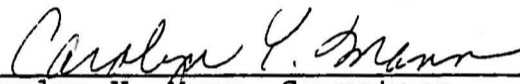
Senator Wilson asked if these personnel costs are related to the budget. Mr. Sparks answered yes.

Senators Wilson and McCorkle asked that this bill be held until the budget can be reviewed.


Budget held.

Meeting adjourned at 9:30 a.m.

Respectfully submitted,

  
\_\_\_\_\_  
Carolyn Y. Mann, Secretary

APPROVED:

  
\_\_\_\_\_  
Floyd R. Lamb, Chairman





DEPARTMENT OF ADMINISTRATION

CAPITOL COMPLEX

CARSON CITY, NEVADA 89710

February 21, 1979

ATTACHMENT A

MEMORANDUM

TO: Senate Finance Committee

FROM: Howard E. Barrett, Director of Administration

SUBJECT: Printing Centers

Printing statute NRS 344.055 states in part:

- "1. No state agency may purchase, lease, rent or meter any multiple duplication equipment without the prior approval of the superintendent.
- "2. Before the superintendent approves such action, he shall first determine that such agency's need for such equipment justifies such action and that such action will not diminish the efficiency of the division. When multiple duplication equipment is declared surplus or unusable, the disposal of such equipment shall be coordinated with the superintendent.
- "3. The superintendent may, with the approval of the director of the department of general services, order the transfer of all multiple duplication equipment from any agency to the division or to any other agency. He may declare any such equipment surplus and may order the disposition of such equipment in the manner provided by law."

This statute has been used by the State Printer to hold back the proliferation of printing and copying equipment and centers.

Presently, according to the State Printer, there are printing and duplicating shops in the following agencies:

- Department of Highways
- Employment Security Department
- Welfare Division
- Department of Education
- University of Nevada

Attached are the State Printer's summary of the savings that could be effected by closing down the printing shops in the Highway Department and Employment Security Department. He has not made an analysis of closing down the other centers. His biggest problem seems to have been that he has not been able to prove he could handle the work during the legislative session. Perhaps with the new equipment and after this session, he will be able to prove that he can handle the additional workload even during a legislative session.



STATE OF NEVADA

## DEPARTMENT OF GENERAL SERVICES

PRINTING DIVISION

301 S. Stewart Street

Carson City, Nevada 89710

(702) 885-4860

DIVISIONS  
Purchasing  
Printing  
Data Processing  
Accounting  
Buildings and Grounds

February 13, 1979

## EMPLOYMENT SECURITY DEPARTMENT

Employment Security Department maintains a print shop in accordance with an agreement with the State Printer. This agreement was signed by Pat Brady and Robert Archie in 1971, and has been broken in many cases. The functions of Employment Security Dept. print shop are a duplication of State Printing services and incurs great cost for the Nevada taxpayer.

1. Personnel costs to run ESD print shop is approximately \$70,000.00 (State Printing has this personnel.)
2. The ESD print shop takes up 3,000 square feet of space, including paper storage. (This space could be used to house office space, which ESD needs.) Are they renting space?
3. ESD print shop has on hand more than \$100,000.00 of equipment, of which most is a duplication of State Printing.
4. ESD print shop has on hand \$21,000.00 of paper inventories. (A duplication of State Printing.) The more bulk stock the State buys, price goes down lower.

All of the above conditions have a adverse effect on the State Printing operation, ESD can not show justification for having their own shop. One reason for this, they have no separate cost center for accumulating printing cost. This Department needs a thorough analysis.

If this printing were done by the State Printing office a large savings could be returned to all the State agencies. State Printing would not need the \$70,000 personnel. It would not need the 3,000 square feet of space. It would not need the large amount of money tied up in equipment and paper inventory. I feel State Printing could save Employment Security around \$85,000 a year, a thorough analysis must be done to show how much more could be saved, as this figure is without benefit of their paper work.



STATE OF NEVADA

# DEPARTMENT OF GENERAL SERVICES

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301 S. Stewart Street

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Accounting  
Buildings and Grounds

February 13, 1979

## HIGHWAY DEPARTMENT REPRODUCTION DIVISION

Again one of my main concern's, are the proliferation of costly printing equipment.

As you can see, State Personnel conducted an operations analysis of the Reproduction Division, Highway Department. This report showed some of the costly problems Highways has from doing their own printing.

State Printing was asked to provide some study on the Highway print shop. This study was done and a meeting took place July 31st. State Printing showed at that time, a savings to the Highway Department of around \$97,000 a year. Three programs were available to the department, all were turned down by the Highway staff. The largest cost factor was the large amount of idle time of print shop employees (60%). Their annual operating costs are \$269,000, State Printing could do same amount of printing for \$173,000. These figures are only based on numbers that could be found by Highways Administrative Services Officer. The reports and letters tell the entire story.

STATE OF NEVADA  
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING  
CAPITOL COMPLEX  
CARSON CITY, NEVADA 89710



LEGISLATIVE COMMISSION (702) 885-5627  
DONALD R. MELLO, *Assemblyman, Chairman*  
Arthur J. Palmer, *Director, Secretary*

INTERIM FINANCE COMMITTEE (702) 885-5627  
FLOYD R. LAMB, *Senator, Chairman*  
Ronald W. Sparks, *Senate Fiscal Analyst*  
William A. Bible, *Assembly Fiscal Analyst*

ARTHUR J. PALMER, *Director*  
(702) 885-5627

FRANK W. DAYKIN, *Legislative Counsel* (702) 885-5627  
JOHN R. CROSSLEY, *Legislative Auditor* (702) 885-5627  
ANDREW P. GROSE, *Research Director* (702) 885-5637

February 23, 1979

ATTACHMENT B

Senator Floyd Lamb, Chairman  
Senate Finance Committee  
Legislative Building  
Carson City, Nevada 89710

Dear Senator Lamb:

As per your request, through the Fiscal Division, we have obtained the following information on the animal kills for the 19 months ended January 1979.

The prime months for coyote fur pelts are October, November, December and January. After January coyotes get what is called rub burns, which damage the fur. For your information, enclosed is a memorandum regarding damaged furs.

It is up to the employee who kills the coyote whether the pelt is worth taking. Of the 4,356 coyotes killed during the 1978 State fiscal year, 1,305 were killed during the months October through January. Out of the 1,305 coyotes killed during this period, 515 pelts were taken and sold which brought in \$12,760. (See attached schedules) We suggested, while obtaining this information, that they develop an inventory system to account for the pelts held in the warehouses.

More than 50% of the coyotes killed are shot from fixed wing aircraft and helicopters. When the animals are shot from fixed wing aircraft, there is little chance that the animal will be picked up.

During FY 1978, 515 pelts were collected and sold; 283 of the pelts were taken from animals who were trapped, denned, or shot from the ground. The balance, 232, was taken from aerial kills.

EXHIBIT B

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Senator Floyd Lamb, Chairman  
February 22, 1979  
Page two

An individual must obtain a permit from Fish and Game to trap, however, there is no law requiring the individual to turn in any pelts to a State agency.

We are available to discuss this with you at your convenience.

Sincerely yours,

JOHN R. CROSSLEY, C.P.A.  
LEGISLATIVE AUDITOR

By Harry O'Nan  
Harry O'Nan  
Deputy Legislative Auditor

JRC:HO:hjr  
Attachments  
pc: Ron Sparks

FUR SALES  
NOV. 1977 - FEB. 1979

	<u>Date</u>	<u>Furs</u>	<u>Amount*</u>	<u>Average Net Sales Price*</u>	<u>Gross Sales Price High</u>	<u>Low</u>
	11/01/77	2	\$ 66.74	\$33.37	\$35.50	\$35.50
Coyotes 308 Kit Fox 1	12/23/78	309	7,439.85	24.08	84.00	4.00
	02/03/78	6	112.80	18.80	20.00	20.00
	03/06/78	121	3,982.92	32.92	82.00	1.00
	05/25/78	<u>77</u>	<u>1,157.76</u>	15.36	46.00	2.00
		<u>515</u>	<u>\$12,760.07</u>			
FY 1979	02/08/79	<u>127</u>	<u>\$ 4,909.65</u>	38.86	200.00	10.00

\*Net amount - 5 1/2% commission charged on each sale and freight charges.



ANIMAL KILLS  
FY 1978, FY 1979

<u>MONTH</u>	<u>COYOTE</u>	<u>BOBCAT</u>	<u>MOUNTAIN LION</u>	<u>SKUNK</u>	<u>BADGER</u>	<u>PORCUPINE</u>	<u>FOX</u>
July-1977	171	5		5			
August-1977	315	1	3	2	6		
Sept.-1977	396	1	4	4	2		
Oct.-1977*	309			3		1	
Nov.-1977*	368						
Dec.-1977*	186		2				
Jan.-1978*	442		2				
Feb.-1978	416	1	1				
March-1978	553		1	2			
April-1978	445		1	1			
May-1978	518	1	5		12		
June-1978	237	3	1				
<b>FY 1978 Total</b>	<u><u>4,356</u></u>	<u><u>12</u></u>	<u><u>20</u></u>	<u><u>17</u></u>	<u><u>20</u></u>	<u><u>1</u></u>	
July-1978	179	3		1	35	1	
August-1978	368	3	3				
Sept.-1978	259		2	1	1		
Oct.-1978*	265						
Nov.-1978*	248		3	2			
Dec.-1978*	380		2				
Jan.-1979*	601		2				
	<u><u>2,300</u></u>	<u><u>6</u></u>	<u><u>12</u></u>	<u><u>4</u></u>	<u><u>36</u></u>	<u><u>1</u></u>	

\*Prime Fur Months

EXHIBIT B

COYOTE KILLS BY METHOD  
JULY 1977 - JANUARY 1979

	<u>Helicopter</u>	<u>Airplane</u>	<u>Trapped</u>	<u>M44</u>	<u>Shot</u>	<u>Dogs</u>	<u>Denned</u>	<u>Called &amp; Shot</u>	<u>Snarred</u>	<u>Total</u>
July 1977	8		142		17	2		2		171
August 1977	6		257	23	22	3		4		315
September 1977	43	61	185	20	54	26		7		396
October 1977*	20	62	161		28	19		16	3	309
November 1977*	122	93	125		7	9		12		368
December 1977*	60	46	57		8	7		8		186
January 1978*	204	170	41		6	1		20		442
February 1978	197	141	49		11	4		14		416
March 1978	193	252	80		14	3	7	3	1	553
April 1978	121	108	74		11		127	4		445
May 1978	180	118	79		23		113	5		518
June 1978	69	50	97		17	1	1	2		237
	<u>1,223</u>	<u>1,101</u>	<u>1,347</u>	<u>43</u>	<u>218</u>	<u>75</u>	<u>248</u>	<u>97</u>	<u>4</u>	<u>4,356</u>
July 1978	6		146		25			2		179
August 1978	11	1	292	19	36	1		8		368
September 1978	2		195	13	34	2		13		259
October 1978*	4	22	163		31	28		15	2	265
November 1978*	90	41	79		11	13		14		248
December 1978*	123	165	61		13	2		16		380
January 1979*	386	150	32		19	7		7		601
	<u>622</u>	<u>379</u>	<u>968</u>	<u>32</u>	<u>169</u>	<u>53</u>		<u>75</u>	<u>2</u>	<u>2,300</u>

\* Prime Fur Months

220

EXHIBIT B



R1-57

UNITED STATES GOVERNMENT

FISH AND WILDLIFE SERVICE

# Memorandum

TO : All Personnel

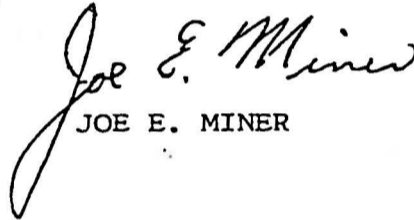
DATE: 21 Feb. 1979

FROM : State Supervisor

SUBJECT: Fur Salvage

We are being criticized by the Nevada Legislature because of the small number of furs saved in proportion to the total take and also for not saving furs after they begin to rub. I talked to the Seattle Fur Exchange today and learned that because of the strong demand for coyotes, rubbed furs will sell well at a price in proportion to the amount of good fur on the pelt. In other words, we could end up with \$30 to \$40 for a pelt rubbed on the flank or rump.

This is to instruct you to save all furs that appear to have any value through the end of March. We will evaluate and give further instructions then.

  
JOE E. MINER



*Save Energy and You Serve America!*

EXHIBIT B

721

ATTACHMENT C  
LAW AND ORDER CODE

Title 11 - Taxation

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LAW AND ORDER CODE

Title 11 - Taxation

11-10 TOBACCO EXCISE TAX AND TRIBAL TOBACCO OUTLETS -

11-10-010 Purpose and Applicability -

(a) The purpose of this Chapter 11-10 is:

- (1) to promote economic growth on the Reno-Sparks Indian Colony;
- (2) to provide increased services to residents of the Reno-Sparks Indian Colony;
- (3) to provide funds for Tribal government; and
- (4) to regulate the sale of tobacco products on the Reno-Sparks Indian Colony.

(b) This Chapter 11-10 is applicable to all sales of tobacco products on the Reno-Sparks Indian Colony.

11-10-020 Definitions -

- (a) cigarette - all rolled tobacco or substitutes therefore, which are wrapped in paper or any paper substitute other than tobacco.
- (b) consumer - any person who is not a wholesale dealer or retail dealer who comes into possession of cigarettes within the Reno-Sparks Colony for any purpose other than offering them for sale.
- (c) manager - a member of the Reno-Sparks Indian Colony employed by the Tribe to manage a tribal tobacco outlet.

Title 11 - Taxation - page 2

- (d) net profits - money remaining from the operation of a tobacco outlet, after deduction of excise tax revenues and of all costs of doing business, as determined by the Tribal Council upon consultation with a manager, and including reasonable costs for improvement and expansion.
- (e) person - one or more individuals, or any firm, association, partnership or corporation. The term shall not include the Tribe.
- (f) retail selling price - the ordinary, customary or usual price paid by the consumer for each tobacco product, less the excise tax levied by this Chapter 11-10.
- (g) sale or to sell - any of the following:
  - (1) to exchange, barter, possess or traffic in;
  - (2) to solicit or receive an order for;
  - (3) to keep or expose for sale;
  - (4) to deliver for value;
  - (5) to peddle;
  - (6) to possess with intent to sell;
  - (7) to transfer to anyone for sale or resale.
- (h) tobacco outlet - a tribal retail sales business selling tobacco products on trust land within the Reno-Sparks Indian Colony.



Title 11 - Taxation - page 3

- (i) tobacco products - cigarettes, cigars, smoking tobacco, snuff, chewing tobacco, and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking.

11-10-030 Establishment of Tobacco Outlets - The Tribal Council may establish one or more tobacco outlets within the Reno-Sparks Indian Colony as the Council in its sole discretion deems necessary to provide adequate service to consumers of cigarettes and tobacco products. Tobacco products may not be sold on the Reno-Sparks Indian Colony other than by a tobacco outlet established by the Tribal Council.

11-10-040 Nature of Outlet - Each tobacco outlet established pursuant to this Chapter 11-10 shall be operated and managed for the Tribe by a manager retained by the Tribal Council.

11-10-050 Purchase by Tribe - All tobacco products sold on the Reno-Sparks Indian Colony shall be purchased wholesale by the Tribe and held for re-sale at tribal tobacco outlets only.

11-10-060 Excise Tax Imposed -  
(a) There is hereby levied and there shall be collected as hereinafter provided, a tax upon the purchase or possession of cigarettes by a consumer within

the Reno-Sparks Indian Colony. This tax shall be in the amount of \$ .10 per package on each package of cigarettes containing 20 cigarettes or less. If the package contains more than 20 cigarettes, a tax of \$ .10 shall be charged for each 20 cigarettes contained therein.

- (b) There is hereby levied and there shall be collected as hereinafter provided, a tax upon the purchase or possession of all tobacco products, other than cigarettes, by a consumer within the Reno-Sparks Indian Colony. This tax shall be in the amount of 10% of the retail selling price.
- (c) The Tribal Council may change the amount of the tax upon the purchase, use, consumption, handling, possession, or distribution of cigarettes and other tobacco products as it deems desirable.
- (d) The excise tax levied hereunder shall be added to the retail selling price of tobacco products sold to the consumer.

11-10-070 Responsibility for Collection of the Cigarette Excise Tax - It shall be the responsibility of every manager of a tobacco outlet to collect the tobacco excise tax from every purchaser of tobacco products.

11-10-080 Remittance of Taxes to the Tribal Council - The taxes collected pursuant to this Chapter 11-10 shall be remitted to the Tribal Council according to a



schedule which shall be established by the Tribal Council.

11-10-090 Required Records - Every manager shall keep written records of the following:

- (a) the number of packages of cigarettes or other tobacco products he receives from the Tribe;
- (b) the number of packages of cigarettes or other tobacco products sold to consumers; and
- (c) the amount of excise taxes collected.

11-10-100 Audit - All records required to be kept by this Chapter 11-10 shall be open to inspection and audit by a representative of the Tribal Council, at reasonable times and places, to insure compliance with this Chapter 11-10.

11-10-110 Use of Net Profits and Excise Tax Revenues -

- (a) All net profits derived from the operation of a tobacco outlet shall be the property of the Tribe. These profits, as well as the excise tax revenues collected pursuant to Section 11-10-060, shall be used for the benefit of the Colony and Tribal community.
- (b) All excise tax revenues shall be appropriated to provide tribal governmental services, including, but not limited to:
  - (1) Police and fire protection;

Title 11 - Taxation - page 6

- (2) Establishment of tribal courts;
  - (3) Road construction, repair and maintenance;
  - (4) Water, sewage, and garbage disposal;
  - (5) Education of children;
  - (6) Public health;
  - (7) Development of tribal enterprises which employ tribal members;
  - (8) Public recreation; and
  - (9) Other essential tribal services.
- (c) Net profits may be appropriated by the Tribal Council for governmental services or for any other purpose consistent with the promotion of the Tribe's interests, such as investment purposes.

11-10-120 Duties and Responsibilities of Tobacco Outlet -

- (a) A manager shall be directly responsible to the Tribal Council for the efficient and profitable operation of a tobacco outlet.
- (b) Subject to the final approval of the Tribal Council, a manager shall have authority to employ such persons as he deems necessary to efficiently operate a tobacco outlet. Persons hired by a manager shall be members of the Reno-Sparks Colony.
- (c) Without the express written consent of the Council, a manager shall not be authorized to waive the sovereign immunity of the Tribe from suit, nor



Title 11 - Taxation - page 7

shall such manager be authorized to create any liability on behalf of the Tribe or to utilize tribal credit. Any such written consent by the Tribal Council shall specify in detail the scope of a manager's authority. Any such authority shall be limited in duration and in scope to the maximum possible extent. Any action taken by a manager pursuant to authority derived under this section shall be in writing, shall be an express term of the transaction at hand, and shall be limited to that transaction. Whenever possible, the Tribal Council shall approve in final form the language of any such provision.

- (d) As remuneration for operating and managing a tobacco outlet, a manager shall be entitled to a reasonable salary as fixed by the Tribal Council.
- (e) A manager shall maintain liability insurance upon the premises of the tribal outlet in the sum of at least \$10,000.

11-10-130 Restricted Sales to Minors - A manager may not sell any tobacco products to any person under the age of 18 years.

11-10-140 Civil Actions - The Tribe may bring a civil action against any manager or other person to enforce compliance with this Chapter 11-10. Such action shall

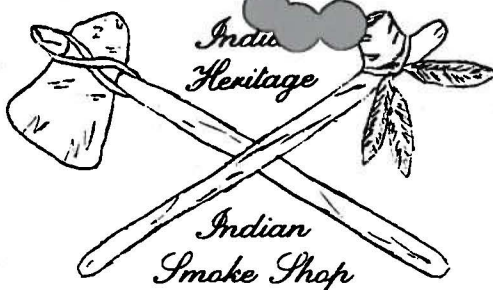
be brought in accordance with the procedures set forth in Title 2, Civil Procedure. The Tribal Court shall have exclusive jurisdiction over any action arising from the sale of tobacco products or payment of the excise tax imposed by Section 11-10-060.

11-10-150 Power to Adopt Regulations - The Tribal Council shall have the power to adopt any regulations which are necessary to the efficient administration of the tobacco excise tax laws and tobacco outlets, as long as such regulations are not in conflict with the provisions of this Chapter 11-10.

[3:6-77]



Kenneth S. Garden, Broker  
130 West Owens Avenue  
No. Las Vegas, Nevada 89030  
Phone (702) 384-5995



National Headquarters  
Mailing Address:  
Post Office Box 788  
Las Vegas, Nevada 89101

# American Indian Tobacco Broker

National Chain "Indian Smoke Shop" • Wholesale/Jobber Distributors  
19 February 79

RECEIVED  
STATE DEPARTMENT  
FEB 24 9 24 AM '79

The Executive Director  
State Department of Taxation  
Of The Following States:

ATTACHMENT D

Colorado, Idaho, Iowa, Louisiana, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Mexico, New York, North Carolina, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming.

Dear Executive Director:

Your office has either not responded to my letter of 7 November 78, requesting State permission for the Federally Recognized Indian Tribes that reside within your State, on Federal Controlled Land; to receive State Tax Exempt Cigarettes, directly from the manufacturers through Interstate Commerce Shipments, or, for various illegal reasons your state officials have refused to grant said permission; while all of the other Indian occupied States have already given their written permission for these legal acts.

United States Senator, Howard W. Cannon, has furnished us with copies of ample Federal Laws, U.S. District Court Rulings, and U. S. Supreme Court Rulings, which preclude your State Laws, and allow the Federally Recognized Indian Tribes to engage in state tax exempt sales on their Federal Lands to Indian's and non-Indians.

In addition to the above, The U.S. Dept., of Justice, Western District, State of Washington, have furnished us with a U. S. District Court Ruling dated 12/12/78 (it is so new it may not be published yet), where The Court Ruled that the State of Washington had to return 645 cases of "liquor", valued at \$36,134.47, of which the State had confiscated from The Tulalip Tribes of Washington, an Indian Tribe Organized Pursuant To Section 16 of The Indian Reorganization Act of 1934, as amended.

As you know, we are in the process of building a national chain of Federally Recognized "Indian Consumer Distributors", so that the Indian will have an Equal Opportunity in the field of distribution of state tax exempt "Indian Consumer Products".

Migration, Discrimination, Isolation, Segregation, Intimidation, and Starvation, are all words that are well known to The Indian Nations, as well as: Pride, Dignity, Integrity and Honor; which The Indian lives by. No Indian would ever ask for "charity", but, they do "demand" equality, and will receive it.

2/19  
The only reason many of the aforementioned states do not have Indian owned businesses engaging in state tax exempt sales, with Interstate Commerce Shipments being received direct from the respective manufacturers is because the "resident" Indian Tribes within your state has not legally challenged your illegal State Laws.

With this national chain of "Indian Consumer Distributors", we will naturally call upon the "resident" Indian Tribes first, and give them every opportunity and assistance, so that they might act as wholesale/jobber/distributors for their Smoke Shops and Trading Post Business, so that their people will realize and enjoy the full lucrative profits that are to be made within the wholesale field of "Indian Consumer Products".

For every dollar these Indian owned businesses earn for their people, is a dollar less that the Federal Government will have to spend to assist the Reservations with.

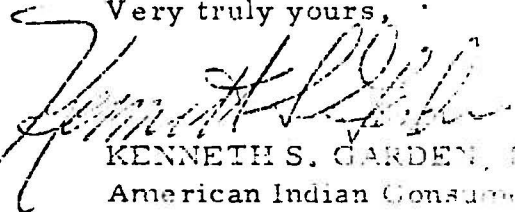
In the event, that for any reason, the local "resident" Indian Tribes do not care to engage in this national chain of state tax exempt "Indian Consumer Products", then, the word migration will come into the act. As, there are many "business wise" Indian Tribes in the State of Washington, as well as other states, that would be delighted to migrate to your state, and through proper and legal procedures, acquire Trust Lands in all of your key cities, towns, and resort areas, and set up their state tax exempt "Indian Consumer Products Business" with their Trading Post state tax exempt sales to Indians and non-Indians, alike.

Some states have written agreements with their "resident" Indian Tribes concerning taxation of consumer products to non-Indians upon their Reservations. But these agreements are not worth the paper they are written on, as The U.S. Supreme Court has ruled against the state in cases like this, which denied the Indian the right to act as their own sovereign authority concerning Tribal taxation. The Court Ruled; if the Tribe does not impose a Tribal tax upon their consumer products, then, and only then, can the state impose its tax on Federal Indian Lands. This ruling was made even when the Indians agreed to and the signed agreement with the state.

We would much prefer that your State grant us this legal permission. But that is up to you and your State Government to decide, just as it is up to each respective Indian Tribal Government to decide which course they will take, with the choice being that of the Indian and not that of the state.

Please advise within 30 days, or we shall legally procede without your permission.

Very truly yours,



KENNETH S. GARDEN, Director  
American Indian Consumer Broker  
KSGbj

"The Federal Courts have taken a clear stand; that Federally Recognized Indian Tribes are an "entity" within their-selves and are not considered any part of any state, so the state has no jurisdiction".



	(1)	(2)	(3)	(4)
	CARTONS	GROSS SALES @ \$4.00 per CARTON	SALES TAX LOST @ .035 %	
1	1975 Totals	441,867	1,767,468 <sup>00</sup>	61,861.38
2				
3	1976 Totals	1,154,740	4,618,960 <sup>00</sup>	161,663.60
4				
5	1977 Totals	2,080,277	8,321,188 <sup>00</sup>	291,241.58
6				
7	1978 Totals	2,953,387	11,813,548 <sup>00</sup>	413,474.18
8				
9				
10				
11	PERCENTAGE YEARLY INCREASE			
12				
13				
14				
15	1975 To 1976	61.74 %		
16				
17	1976 To 1977	44.5 %		
18				
19	1977 to 1978	29.57 %		
20				
21	1978 to 1979	37.04 %	Projected PERCENT	
22				
23				
24				
25				
26	SALES BREAKDOWN ATTACHED			
27				
28				
29				
30				
31				
32				



Sale of unstamped cigarettes to Indian locations in Nevada

1978

SMOKE SHOP LOCATIONS

	January	February	March	April	May	June	July	August	September	October	November	December	TOTAL
<b>BATTLE MOUNTAIN</b> Red Cloud Smoke Shop	3505	2129	150	-	-	-	-	-	-	-	-	-	5784
<b>ELKO</b> Elko Smoke Shop	4412	3128	4568	2727	3511	5397	3854	6780	4118	4267	6965	4129	53853
<b>FALLON</b> Paiute-Shoshone Tribe	6339	6024	4226	5681	7801	11978	3361	4975	6118	4338	4927	6070	71844
<b>GARDNERVILLE</b> McDonald's Smoke Shop	6150	4125	2090	8055	9285	16590	10230	14805	14550	10335	8470	5000	117405
<b>LAS VEGAS</b> s Smoke Shop	31410	28185	40221	46659	59762	65760	66885	71940	72215	71875	70815	70117	695862
Paiute Tribe Smoke Shop	13289	16260	90820	78180	73250	82772	69587	75153	38470	79114	89596	96701	967198
Hoopa Indian Store	1380	720	-	1635	-	519	995	775	1212	1493	1222	860	10811
<b>McDERMOTT</b> Nancy Jones Smoke Shop	-	187	348	414	257	614	374	312	301	142	948	225	4122
<b>OWYHEE</b> Feather Lodge	67	66	80	103	79	70	55	76	67	37	67	48	215
Gibson's Circle G	-	46	50	39	27	83	37	55	31	24	22	55	469
<b>RENO</b> Sparks Colony	59845	65531	66488	71245	82395	94400	80950	92845	73247	80102	78687	79087	92486
Hoop & Sac										36	67	74	177
<b>SILVER</b> Walker River Smoke Shop	2730	2877	6427	7140	6730	8385	7881	10524	5955	7011	6600	3840	76800
<b>YERINGTON</b> Paiute Tribe Smoke Sp.	1230	3030	1869	1755	1800	2000	2265	2613	2025	1635	3270	616	24113
<b>TOTAL TAX \$</b>	190357	192308	224337	223633	244903	288578	246474	280853	268307	260429	265680	267530	2,953,389

GRAND TOTAL 2,953,389

EXHIBIT D



Prepared By: PH  
 Approved By: \_\_\_\_\_

Purchaser: Sales  
 IMPROVES for Resale

INDIAN SMOKE SHOP  
 (CARTON COUNT)

YEAR	MONTH	(1) DATE OPENED	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	
			3/12 King Walker RIVER	1/15 King FALLON	1/15 Moapa HANDICAP	6/15 King L.V.	5/15 Dick Valley Smoke Shop me Ranch	6/16 Reno Sparks	1/16 Red Cloud Smoke Shop	1/16 Powite 3/5	9/16 Mc Donald Sr. Shop	5/77	Elko Smoke Shop	dynamic Fake Powite NAYON, NV.	MONTHLY TOTAL TAX \$
1976	JANUARY		10080-	6720-	840-	35400-	201-								53,241-
	FEBRUARY		6360-	6150-	1920-	47280-	195-								61,905-
	MARCH		14160-	9600-	780-	64920-	262-								89,722-
	APRIL		8010-	6540-	780-	48120-	222-								63,672-
	MAY		12240-	9000-	720-	69000-	269-								91,229-
	JUNE		10320-	4410-	420-	70410-	493-	3000-							89,053-
	JULY		9240-	8550-	480-	74490-	236-	5010-	6000-						104,006-
	AUGUST		10560-	7500-	N/A	78690-	309-	11520-	1380-						111,819-
	SEPTEMBER		10920-	6360-	480-	77910-	70-	19650-	3015-	11860-					120,085-
	OCTOBER		8160-	5550-	720-	80040-	N/A	18480-	2160-	N/A	61020-	660-			118,260-
	NOVEMBER		9510-	7770-	780-	84330-	N/A	31500-	3733-	N/A	N/A	3660-			141,233-
	DECEMBER		6150-	5160-	720-	66450-	N/A	26280-	2675-	N/A	N/A	3030-			110,465-
	TOTALS		115,710-	89,310-	8640-	779,040-	2,257-	115,440-	18,963-	2,880-	10,500-				1,154,740-
1977	JANUARY		6060-	5460-	690-	79140-	OUT OF BUSINESS	32,760-	2053-	→	2580-	-0-			128,743-
	FEBRUARY		5760-	6780-	540-	76635-		40,440-	4427-	→	4740-	-0-			199,322-
	MARCH		0-	7770-	780-	104,220-		41,820-	4831-	→	6360-	-0-			165,781-
	APRIL		0-	6330-	900-	76,350-		42,810-	4424-	→	6300-	-0-			137,114-
	MAY		5640-	7560-	660-	92,040-		48,690-	4780-	→	9030-	3570-			171,970-
	JUNE		6060-	5070-	1020-	88,860-	1880-	57,030-	6352-	→	6840-	1380-			174,492-
	JULY		5400-	7890-	2280-	83,400-	-0-	34,800-	8510-	→	12,090-	2265-	-0-	480-	157,115-
	AUGUST		8431-	6390-	-0-	81,450-	447-	69,432-	9075-	14,160-	11,695-	2010-	4035	-0-	207,125-
	SEPTEMBER		9948-	6900-	1080-	33,630-	69-	50,318-	-0-	69,930-	16,785-	1845-	1980	-0-	192,482-
	OCTOBER		6066-	5070-	720-	29,865-	83-	49,624-	-0-	73,050-	14,160-	2100-	2683	-0-	183,421-
	NOVEMBER		7335-	6246-	660-	33,480-	43-	64,189-	4055-	74,758-	8375-	2040-	2740-	-0-	203,921-
	DECEMBER		4632-	10,739-	720-	34,770-	30-	70,517-	3620-	85,001-	4410-	2715-	1657-	-0-	218,811-
	TOTALS		65,329-	82,205-	10,050-	813,840-	2,552-	602,430-	52,127-	361,899-	103,365-	17,925-	13,095-	480	2,080,297-



Prepared By	Initials	Date
Approved By		

- 1974 -

	(1)	(2)	(3)	(4)	(5)	(6)
	SCHURZ	FALLON	L.V.	MOAPA	OWYHEE	MONTH TOTAL TAX \$
JAN	7830					7830 =
FEB	7530					7530 =
MAR	6960					6960 =
APR	15480					15480 =
MAY	11010					11010 =
JUNE	9450					9450 =
JULY	15990					15990 =
AUG	12930					12930 =
SEPT	15450					15450 =
OCT	14850					14850 =
NOV	9270					9270 =
DEC	14490					14490 =

1974 TOTALS 141,270 141,270 =

= 1975 =

JAN	14190	2040		780		17010 =
FEB	7440	2340		480		10260 =
MAR	11550	2580		420		14550 =
APR	18540	N/A		300		18540 =
MAY		NO BREAKDOWN AVAILABLE				18540 =
JUNE	36820	N/A	3000	180	420	20420 =
JULY	25260	2400	12420	840	276	41206 =
AUG		NO BREAKDOWN AVAILABLE		1320	300	30450 =
SEPT	20250	8880	39169	780	341	69420 =
OCT	13530	7770	36150	720	306	59476 =
NOV	11550	6330	39540	1560	195	59775 =
DEC	11010	7440	52920	900	350	72620 =

1975 TOTALS 160,740 39,780 183,499 8280 2153 441,867.00



LOWELL V. "Lody" SMITH  
State Forester Firewarden



ATTACHMENT E

STATE OF NEVADA  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
**DIVISION OF FORESTRY**  
CAPITOL COMPLEX  
CARSON CITY, NEVADA 89710

February 20, 1979

To: Senator Floyd Lamb  
From: L.V. Smith, State Forester  
Subject: Mobile Honor Camp Costs for Southern Nevada

The following is in answer to your question during my budget hearing on costs for a mobile honor camp to work out of southern Nevada.

The mobile camp concept will allow the mobility of a "ready" workforce to be moved to work site locations.

We have contacted the State Park System for work projects. It is felt a site centrally located in the vicinity of Pioche could work all five park sites for many years.

The camp could be located near Pioche for approximately eight months a year depending on weather conditions, with the remaining four months located at the Jean Prison site. Work projects from the Jean Prison site on State Park land, Division of Forestry projects on Mt. Charleston, etc., could last for many years.

In discussions with Director Wolff on this matter the last couple days, it was decided to project costs for a 36 man mobile inmate camp. Both myself and the Director feel this would be the most economical size.

The following is the initial cost, salaries and operating for both agencies for the biennium.

DEPARTMENT OF PRISONS

	FY 79-80	FY 80-81
Initial Camp Set-up	428,560	-
Salaries	90,443	91,682
Operating	<u>126,194</u>	<u>132,731</u>
SUB TOTAL	<u>645,197</u>	<u>224,413</u>

DIVISION OF FORESTRY

	FY 79-80	FY 80-81
Initial Cost	53,870	-
Salaries	26,957	28,183
Operating	40,000	40,000
SUB TOTAL	<u>120,827</u>	<u>68,183</u>
GRAND TOTAL	<u>766,024</u>	<u>292,596</u>

The following separates the costs by line item for the two agencies. The Prison System would run the camp within and the Division of Forestry would run all outside operations, i.e., work projects, etc...

DEPARTMENT OF PRISONS  
Mobile Camp Initial Costs

FY 79-80

8210 Automobiles (Van)	9,000
8220 Trucks	94,000
8310 Office Furniture	11,000
8400 Specialized Equipment	17,200
8530 Structures	<u>297,360</u>
	<u>428,560</u>

- 8210 - Purchase of a van for use in transporting inmates and carrying supplies.
- 8220 - Purchase of three trucks: water truck with pressure system; \$40,000, truck with 10 KW generator; \$30,000, 12' refrigerator truck; \$24,000.
- 8310 - Purchase of 43 beds, dressers, lamps and living furniture for the 36 inmates, 5 guards and 2 foreman.
- 8400 - Purchase mobile radio for van communication; \$1,200, sewer hook-up at Jean, Nevada (one time cost); \$10,000, septic system, semi-permanent (2, 3,250 gallon tanks, 2, 150' leech fields and related pipe for a site); \$6,000.
- 8530 - Purchase of 7 trailers (7,200 sq. ft. @ \$41.30/sq. ft. = \$297,360). Use of trailers: 3 trailers for 12 inmates/trailer, 1 trailer for living quarters for guards, crew foreman and office space, 1 trailer for non-perishable food items, 1 food service trailer for cooking meals, 1 trailer for eating. The food service trailer will be equipped with a kitchen unit. Life expectancy for these trailers is estimated at 10 years or more.

These costs are for the start-up of this mobile camp. Movement of these trailers at least twice a year is shown in the following operating expenses. After discussions with Parks personnel, we feel that one semi-permanent site (centrally located) in Lincoln County could service the five parks in that County and them move back to Jean during the winter months. At Jean, repair and maintenance of trailers and equipment could be done as well as State Parks and other related conservation projects.



DEPARTMENT OF PRISONS  
Salaries and Operating

Salaries	FY 79-80	FY 80-81
Salaries	74,843	75,401
Fringe Benefits (normal)	11,034	11,682
5810-Overtime (non-holiday)	1,422	1,432
5870-Overtime (holiday)	1,497	1,508
5880-Shift Differential	<u>1,647</u>	<u>1,659</u>
TOTAL SALARIES	90,443	91,682

These salaries and benefits allow for 1 Sergeant and 4 Senior Correctional Officers giving 24 hour camp protection.

Operating	FY 79-80	FY 80-81
7010-Office Supplies	200	214
7020-Operating Supplies	6,960	7,448
7030-Communication Expense	600	642
7070-Equipment Rental	5,000	5,000
7090-Equipment Repair	600	600
7130-Utilities	16,176	17,310
7140-Maintenance of Bldg & Grd	3,600	3,852
7150-Vehicle Operation	2,400	2,568
7170-Clothing and Uniform	5,323	5,323
7180-Medical and Dental	5,108	5,466
7190-Inmate Stipend (pay)	39,420	39,420
7200-Food	<u>40,807</u>	<u>44,888</u>
TOTAL	126,194	132,731

7010 - Office Supplies and Expense are estimated at \$50.00 per quarter, inflation added second year.

7020 - Operating Supplies are estimated at \$580 per month, inflation added second year.

7030 - Communication Expense is estimated at \$50 per month, inflation added second year.

7070 - Equipment Rental; 2 moves/year on camp @ \$2,500/move.

7090 - Equipment Repair consists of repairs to the camp maintenance equipment and are estimated at \$150 per quarter.

7130 - Utilities are estimated at \$1,348 per month, inflation added second year.

7140 - Maintenance of Buildings and Grounds is estimated at \$300 per month, inflation added second year.

7150 - Vehicle Operation for the van is estimated at \$200 per month, inflation added second year.

7170 - Clothing and Uniform Allowance consists of \$1,075 for five security staff and 2 foremen each year and \$118 per inmate (36) for work clothes.

71 - Medical and Dental Expense consists of \$100 per security staff for physicians and \$128 per inmate per year, inflation added second year.

7190 - Prisoner and Inmate Stipends consists of \$3.00 per day payment to the inmates.

7200 - Food is estimated to cost \$2.60 per inmate per day and staff, inflation added second year.

These operating funds run the camp within, after initial set up.

DIVISION OF FORESTRY  
Mobile Camp Initial Cost

FY 79-80

8220 Trucks	35,000
8310 Other Equipment	8,020
8400 Specialized Equipment	<u>10,850</u>
TOTAL	<u>53,870</u>

8220 - Purchase two 10 man buses, fully equipped for hauling the two crews to projects.

8310 - Purchase necessary helmets, gas cans, vises, fire extinguishers, first aid kits, climbing gear, pruning saws, hand tools, shovels, etc...

8400 - Purchase 12 chain saws; \$5,850, 1 base station for camp; \$1,200, 2 mobiles for buses; \$2,400, 2 handie talkies; \$1,400.

This is the initial cost for starting of the crews.

DIVISION OF FORESTRY  
Salaries and Operating

Salaries	FY 79-80	FY 80-81
Salaries	23,441	24,507
Fringe	<u>3,516</u>	<u>3,676</u>
TOTAL	<u>26,957</u>	<u>28,183</u>

This salary allows for one Forestry Foreman III and one Forestry Foreman II. The Foreman III will be the Division's Supervisor and also crew foreman. The Foreman II would be the other crew foreman.

Operating	FY 79-80	FY 80-81
Operating	40,000	40,000

These monies \$20,000/crew allows the Division to purchase necessary clothing and operating materials, i.e. chain saws, gasoline, saw parts, etc. for the crews operation on work projects. The \$20,000/crew has been the standard operating expense for the past years.

pt  
c.c. Roland Westergard, Director  
Charles Wolff, Director  
Howard Barrett, Director  
John Meder, Administrator

EXHIBIT E

743



ATTACHMENT F

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 41

SENATE BILL NO. 41—COMMITTEE ON  
GOVERNMENT AFFAIRS

JANUARY 18, 1979

Referred to Committee on Government Affairs

SUMMARY—Authorizes state to purchase punchcard vote recording devices and lease them to counties. (BDR 24-413)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to punchcard vote recording devices; authorizing the secretary of state to purchase and lease to counties such devices; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. Chapter 293B of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 3 of this act.  
3 SEC. 2. 1. *The secretary of state may purchase punchcard vote*  
4 *recording devices and lease them to counties, giving priority to those*  
5 *counties still using the paper ballots.*  
6 2. *The secretary of state may pay for such devices purchased by him*  
7 *out of any money specifically appropriated for that purpose by the legis-*  
8 *lature.*  
9 SEC. 3. 1. *The secretary of state and each participating county shall*  
10 *enter a written agreement designated as "Lease of Equipment with Option*  
11 *to Purchase." Each agreement must provide in substance:*  
12 (a) *That the devices particularly described in the agreement are leased*  
13 *by the state, as lessor, to the county, as lessee, for a term of 2 years from*  
14 *the date of the agreement, with an exclusive option in the lessee to extend*  
15 *the term for like periods of 2 years at a time, for an agreed maximum*  
16 *term not exceeding 20 years after the date of the agreement.*  
17 (b) *That the lessee will maintain and insure the devices for the original*  
18 *term and each succeeding agreed term.*  
19 (c) *That the aggregate of rental payments provided for under the maxi-*  
20 *imum term of the lease agreement must equal the aggregate of the pur-*  
21 *chase price of the vote recording devices covered by the agreement,*

ATTACHMENT G

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

S. B. 198

SENATE BILL NO. 198—SENATORS JACOBSEN, BLAKE—  
MORE, DODGE, GLASER, FAISS AND NEAL

FEBRUARY 8, 1979

Referred to Committee on Human Resources and Facilities

SUMMARY—Restores office of state fire marshal and amends his powers  
and duties. (BDR 42-1328)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: Yes.

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to the state fire marshal; restoring his office and amending his powers and duties; reorganizing the state fire marshal division of the department of commerce; making an appropriation; providing penalties; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

1 SECTION 1. Chapter 477 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:

3 *A fire chief or fire marshal designated by a local government which*  
4 *maintains an organized fire department may serve as a special deputy*  
5 *state fire marshal, without additional compensation. The special deputy*  
6 *state fire marshal shall carry out the provisions of this chapter in the*  
7 *jurisdiction of the local government.*

8 SEC. 2. NRS 477.010 is hereby amended to read as follows:

9 477.010 1. The state fire marshal division is hereby established in  
10 the department of commerce.

11 2. The division consists of the fire protection *and control* section,  
12 [the factory-built housing section and the mobile home and travel trailer  
13 section.

14 3. The director of the department of commerce shall appoint the  
15 state fire marshal, who shall be in the unclassified service of the state.]  
16 *the fire investigation section, the public education section and the fire data*  
17 *section.*

18 SEC. 3. NRS 477.013 is hereby amended to read as follows:

19 477.013 1. The state fire marshal [is authorized to] *may* appoint,  
20 within the limits of legislative appropriations, *an assistant*, deputies and  
21 such staff as is necessary to the performance of his duties.



1 2. The *assistant*, deputies and additional personnel appointed by the  
2 state fire marshal are in the classified service of the state in accordance  
3 with the provisions of chapter 284 of NRS.

4 SEC. 4. NRS 477.015 is hereby amended to read as follows:

5 477.015 The state fire marshal, *his assistant* and his deputies are not  
6 police officers or firemen for the purpose of early retirement under chap-  
7 ter 286 of NRS.

8 SEC. 5. NRS 477.020 is hereby amended to read as follows:

9 477.020 1. The state fire marshal's advisory board, consisting of  
10 five members appointed by the governor, is hereby created.

11 2. The governor shall appoint [members who are employed in the  
12 fire service within the state.] ;

- 13 (a) *A licensed architect;*
- 14 (b) *A chief of a volunteer fire department;*
- 15 (c) *A chief of a full-time, paid fire department;*
- 16 (d) *A professional engineer; and*
- 17 (e) *The state forester firewarden,*

18 *to the board. No member other than the state forester firewarden may*  
19 *serve for more than two consecutive terms.*

20 3. The board shall select a chairman from among its members to  
21 serve for 1 year. The state fire marshal shall serve as the secretary of the  
22 board.

23 4. The board shall meet *at least twice each year or on the call of the*  
24 *chairman, the secretary or any three members.*

25 5. The members of the board, *except the state forester firewarden,*  
26 *are entitled to receive a salary of \$40 for each day's attendance at a*  
27 *meeting of the board and all members are entitled to the per diem allow-*  
28 *ances and travel expenses provided by law.*

29 6. The board shall make recommendations to the state fire marshal  
30 and to the legislature concerning necessary legislation in the field of fire-  
31 fighting and fire protection. *When requested to do so by the director of*  
32 *the department of commerce, the board shall recommend to him not*  
33 *fewer than three persons for appointment as state fire marshal.*

34 SEC. 6. NRS 477.030 is hereby amended to read as follows:

35 477.030 1. [The] *Except as provided in this section, the state fire*  
36 *marshal shall enforce all laws and adopt regulations relating to:*

- 37 (a) Fire prevention.
- 38 (b) The storage and use of combustibles, flammables, fireworks and  
39 explosives.

40 (c) The safety, access, means and adequacy of exit in case of fire from  
41 mental and penal institutions, child care facilities, foster homes, adult  
42 group care facilities, intermediate care facilities, nursing homes, hos-  
43 pitals, schools, all buildings, except private residences, which are occu-  
44 pied for sleeping purposes, buildings used for public assembly, and all  
45 other buildings where large numbers of persons work, live or congregate  
46 from time to time for any purpose. As used in this paragraph, "public  
47 assembly" means a building or a portion of a building used for the  
48 gathering together of 50 or more persons for purposes of deliberation,  
49 education, instruction, worship, entertainment, amusement or awaiting

1 transportation, or the gathering together of 100 or more persons in estab-  
2 lishments for drinking or dining.

3 (d) The suppression and punishment of arson and fraudulent claims  
4 or practices in connection with fire losses.

5 *The regulations of the state fire marshal apply throughout the state,*  
6 *but, except with respect to state-owned or state-occupied buildings, his*  
7 *authority to enforce them or conduct investigations under this chapter*  
8 *is limited to those counties having a population of less than 100,000,*  
9 *except in those local jurisdictions in other counties where he is requested*  
10 *to exercise that authority by the chief officer of the organized fire depart-*  
11 *ment of that jurisdiction.*

12 2. [The fire chief or his designated representative in each incor-  
13 porated or unincorporated city or town having an organized fire depart-  
14 ment shall have the powers and duties of a deputy state fire marshal  
15 with respect to enforcement of the laws and regulations described in sub-  
16 section 1, and he shall enforce such laws and regulations without addi-  
17 tional compensation.

18 3.] The state fire marshal may set standards for equipment and  
19 appliances pertaining to fire safety or to be used for fire protection pur-  
20 poses within this state, including the threads used on fire hose couplings  
21 and hydrant fittings.

22 [4.] 3. The state fire marshal shall cooperate with the state forester  
23 firewarden in the preparation of [rules and] regulations relating to  
24 standards for fire retardant roofing materials pursuant to paragraph (e)  
25 of subsection 1 of NRS 472.040.

26 [5.] 4. The state fire marshal shall cooperate with the welfare  
27 division of the department of human resources in establishing reasonable  
28 minimum standards for, overseeing the safety of and directing the means  
29 and adequacy of exit in case of fire from family foster homes and group  
30 foster homes.

31 [6. The state fire marshal and his deputies shall have such powers  
32 and perform such other duties as are prescribed by law.]

33 5. *The state fire marshal shall coordinate all activities conducted*  
34 *pursuant to the Fire Research and Safety Act of 1968, 15 U.S.C. §§*  
35 *278f and 278g, and receive and distribute money allocated by the*  
36 *United States pursuant to that act.*

37 6. *The state fire marshal shall:*

38 (a) *Investigate any fire which occurs in a county having a population*  
39 *of less than 100,000, and from which a death results or which is of a*  
40 *suspicious nature.*

41 (b) *Investigate any fire which occurs in a county having a population*  
42 *of 100,000 or more, and from which a death results or which is of a*  
43 *suspicious nature, if requested to do so by the chief officer of the fire*  
44 *department in whose jurisdiction the fire occurs.*

45 (c) *Provide specialized training in investigating the causes of fires if*  
46 *requested to do so by the chief officer of an organized fire department.*

47 7. *The state fire marshal shall put the Uniform Fire Incident*  
48 *Reporting System into effect throughout the state on or before January*  
49 *1, 1984, and publish at least annually a summary of data collected under*  
50 *the system.*



1 8. The state fire marshal shall provide assistance and materials to  
2 local authorities, upon request, for establishment of public education  
3 programs and other fire prevention activities.

4 9. The state fire marshal shall:  
5 (a) Assist in checking construction plans and specifications;  
6 (b) Provide specialized training to local fire departments; and  
7 (c) Assist local governments in drafting local regulations and ordi-  
8 nances,  
9 on request or as he deems necessary.

10 10. As used in this section, "population" is determined by the last  
11 preceding national census of the Bureau of the Census of the United  
12 States Department of Commerce.

13 SEC. 7. NRS 477.033 is hereby amended to read as follows:  
14 477.033 1. A license, issued by the state fire marshal, is required  
15 for [the servicing,]:

- 16 (a) Servicing, installation or sale of fire extinguishers, fire alarm sys-  
17 tems or fire sprinkler systems.
- 18 (b) Use of explosives by qualified persons for commercial purposes.
- 19 (c) Commercial fireworks displays.

20 2. Applications for licenses [shall] must be made on a form pre-  
21 scribed by the state fire marshal.

22 3. The state fire marshal may conduct inspections, examinations or  
23 hearings [prior to] before the issuance of licenses.

24 4. The state fire marshal may charge a reasonable fee, to be fixed by  
25 regulation, for the inspection and issuance of licenses.

26 5. If any person is denied a license by the state fire marshal, [such  
27 person] he is entitled to a hearing, upon request, before the state fire  
28 marshal's advisory board.

29 SEC. 8. NRS 477.035 is hereby amended to read as follows:  
30 477.035 1. The state fire marshal shall:

31 (a) Inspect or cause to be inspected annually, all state buildings and  
32 order such fire-extinguishing and safety appliances as he deems neces-  
33 sary for the protection of the property against fire.

34 (b) Order the removal of combustibles and rubbish from the property,  
35 or order such changes in the entrances or exits of the buildings as will  
36 promote the safety of the [inmates,] occupants, or order the provision  
37 of such fire escapes as he may deem necessary.

38 (c) Provide inspection forms and maintain records of inspections of  
39 state-owned or state-occupied buildings.

40 2. If the agency in charge of any state property fails to comply with  
41 the order of the state fire marshal for any structural change within 30  
42 days after the receipt of such order, the fire marshal shall report such  
43 failure to the state public works board. The state public works board  
44 shall thereupon take necessary steps to correct the situation as ordered.

45 3. The state fire marshal may contract with local authorities for the  
46 inspection of state-owned or state-occupied buildings.

47 SEC. 9. NRS 477.037 is hereby amended to read as follows:  
48 477.037 The state fire marshal [may:]:

49 1. [Establish] Shall establish and maintain a library of publications,

1 films, fire report data and other materials for the benefit of the fire serv-  
2 ice of the state [.] and the general public.

3 2. [Charge] May charge a reasonable fee for the use of the mate-  
4 rials in the library.

5 SEC. 10. NRS 477.060 is hereby amended to read as follows:  
6 477.060 1. Any person who knowingly violates the provisions of  
7 this chapter or any of the [rules or regulations promulgated] regulations  
8 adopted by the state fire marshal is guilty of a misdemeanor.

9 2. Each day on which a violation occurs is a separate offense.

10 SEC. 11. NRS 169.125 is hereby amended to read as follows:  
11 169.125 "Peace officer" includes:

12 1. The bailiff of the supreme court and bailiffs of the district courts,  
13 justices' courts and municipal courts;

14 2. Sheriffs of counties and of metropolitan police departments and  
15 their deputies;

16 3. Constables;

17 4. Personnel of the Nevada highway patrol when exercising the police  
18 powers specified in NRS 481.150 and 481.180;

19 5. The inspector or field agents of the motor carrier division of the  
20 department of motor vehicles when exercising the police powers specified  
21 in NRS 481.049;

22 6. Members of and all inspectors employed by the public service  
23 commission of Nevada when exercising those enforcement powers con-  
24 ferred by chapters 704 to 706, inclusive, of NRS;

25 7. Marshals and policemen of cities and towns;

26 8. Parole and probation officers;

27 9. Special investigators employed by the office of any district attorney  
28 or the attorney general;

29 10. Arson investigators for fire departments specially designated  
30 by the appointing authority;

31 11. Members of the University of Nevada System police department;

32 12. The state fire marshal and his assistant and deputies;

33 13. The brand inspectors of the state department of agriculture  
34 when exercising the enforcement powers conferred in chapter 565 of  
35 NRS;

36 14. Arson investigators for the state forester firewarden specially  
37 designated by the appointing authority;

38 15. The deputy director, superintendents, correctional officers and  
39 other employees of the department of prisons when carrying out any  
40 duties prescribed by the director of the department of prisons;

41 16. Division of state parks employees designated by the adminis-  
42 trator of the division of state parks in the state department of conserva-  
43 tion and natural resources when exercising police powers specified in  
44 NRS 407.065;

45 17. Security officers employed by the board of trustees of any school  
46 district;

47 18. The executive, supervisory and investigative personnel of the  
48 Nevada gaming commission and the state gaming control board when  
49 exercising the enforcement powers specified in NRS 463.140 or when

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EXHIBIT G



1 investigating a violation of a provision of chapter 205 of NRS in the  
2 form of a crime against the property of a gaming licensee;

3 19. The director, division chiefs, investigators, agents and other  
4 sworn personnel of the department of law enforcement assistance;

5 20. Field dealer inspectors of the vehicle compliance and enforce-  
6 ment section of the registration division of the department of motor  
7 vehicles when exercising the police powers specified in NRS 481.048;

8 21. Vehicle emission control officers of the vehicle emission control  
9 section of the registration division of the department of motor vehicles  
10 when exercising the police powers specified in NRS 481.0481;

11 22. The personnel of the Nevada department of fish and game when  
12 exercising those enforcement powers conferred by Title 45 and chapter  
13 488 of NRS; and

14 23. Security officers of the legislature of the State of Nevada when  
15 protecting the persons and property of the members of the legislature,  
16 staff of the legislature and personnel of the legislative counsel bureau.

17 SEC. 12. NRS 232.250 is hereby amended to read as follows:

18 232.250 The director shall:

19 1. Appoint, with the consent of the governor, a chief of each of the  
20 divisions of the department. In making such appointments, *other than*  
21 *that of the state fire marshal*, the director shall obtain lists of nominees  
22 from recognized professional organizations, if any, in the appropriate  
23 professions and shall make such appointments after consultation with  
24 and concurrence of such organizations. *The director shall consult the*  
25 *state fire marshal's advisory board and appoint the state fire marshal*  
26 *from the list of candidates presented by the board.* The chief of the  
27 banking division shall be known as the superintendent of banks, the  
28 chief of the consumer affairs division shall be known as the commis-  
29 sioner of consumer affairs, the chief of the credit union division shall  
30 be known as the commissioner of credit unions, the chief of the housing  
31 division shall be known as the administrator of the housing division, the  
32 chief of the insurance division shall be known as the commissioner of  
33 insurance, the chief of the real estate division shall be known as the real  
34 estate administrator, the chief of the savings and loan division shall be  
35 known as the commissioner of savings associations and the chief of the  
36 state fire marshal division shall be known as the state fire marshal.

37 2. Be responsible for the administration, through the divisions of the  
38 department, of the provisions of Titles 55 to 57, inclusive, of NRS,  
39 chapters 319 and 645 of NRS, NRS 598.360 to 598.640, inclusive, and  
40 all other provisions of law relating to the functions of the divisions of the  
41 department.

42 SEC. 13. NRS 232.270 is hereby amended to read as follows:

43 232.270 The chief of each of the divisions of the department shall:

44 1. **[Except for the state fire marshal, be]** *Be* in the unclassified  
45 service of the state pursuant to the provisions of chapter 284 of NRS.

46 2. **[Except for the state fire marshal, receive]** *Receive* an annual  
47 salary in an amount determined pursuant to the provisions of NRS 284.-  
48 182.

49 3. Administer the provisions of law relating to his division, subject  
50 to the administrative supervision of the director.

1 4. Devote his entire time and attention to the business of his office  
2 and shall not pursue any other business or occupation or hold any other  
3 office of profit, except for temporary and part-time teaching duties on a  
4 university campus.

5 SEC. 14. Chapter 244 of NRS is hereby amended by adding thereto  
6 a new section which shall read as follows:

7 *The board of county commissioners of any county which has a popula-*  
8 *tion of 100,000 or more, as determined by the last preceding national*  
9 *census of the Bureau of the Census of the United States Department of*  
10 *Commerce, may provide by ordinance for investigation of fires in which*  
11 *a death has occurred or which are of a suspicious origin, and for the*  
12 *enforcement of regulations adopted by the state fire marshal.*

13 SEC. 15. 1. NRS 477.040 is hereby repealed.

14 2. Section 8.5 of chapter 575, Statutes of Nevada 1977, at page  
15 1482, is hereby repealed.

16 SEC. 16. 1. The terms of the members of the state fire marshal's  
17 advisory board who are serving on July 1, 1979, expire on that date.

18 2. The governor shall appoint to the state fire marshal's advisory  
19 board four persons who are qualified under paragraphs (a) to (d),  
20 inclusive, of subsection 1 of NRS 477.020 to serve terms beginning on  
21 July 1, 1979, and ending as follows:

22 (a) Two members to terms expiring on June 30, 1982.

23 (b) Two members to terms expiring on June 30, 1981.

24 SEC. 17. 1. There is hereby appropriated from the state general  
25 fund to the state fire marshal division of the department of commerce the  
26 sum of \$32,071 for the support of that division.

27 2. After June 30, 1979, the unencumbered balance of the appropria-  
28 tion made in subsection 1 may not be encumbered and must revert to  
29 the state general fund.

30 SEC. 18. This act shall become effective upon passage and approval,  
31 and shall operate retrospectively from March 1, 1979. All acts done  
32 within the scope and duties of the state fire marshal between March 1,  
33 1979, and the effective date of this act by the state fire marshal or the  
34 commissioner of insurance are hereby ratified and validated. The con-  
35 tinued employment and compensation of the state fire marshal and his  
36 subordinates are hereby ratified, and each of them shall be deemed to  
37 have remained in his position without interruption for the purposes of  
38 industrial insurance, public employees' retirement and all other benefits  
39 enjoyed by them respectively as employees of the state before March 1,  
40 1979.

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EXHIBIT 6

ATTACHMENT H

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 219

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ASSEMBLY BILL NO. 219—COMMITTEE ON  
WAYS AND MEANS

JANUARY 26, 1979

Referred to Committee on Ways and Means

SUMMARY—Makes supplemental appropriation for support of  
governor's mansion. (BDR S-1331)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: Contains Appropriation.

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT making a supplemental appropriation for the support of the governor's mansion; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

1 SECTION 1. There is hereby appropriated from the state general fund  
2 for the support of the governor's mansion the sum of \$58,406 to be used  
3 for the replacement of carpets, drapery and appliances, the installation  
4 and operation of a security system, and other needed refurbishment.  
5 This is an additional and supplemental appropriation to that made by  
6 section 2 of chapter 574, Statutes of Nevada 1977. Any unencumbered  
7 balance of this appropriation reverts to the state general fund on June  
8 30, 1981.

9 SEC. 2. This act shall become effective upon passage and approval.



ATTACHMENT I

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 210

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SENATE BILL NO. 210—COMMITTEE ON FINANCE

FEBRUARY 13, 1979

Referred to Committee on Finance

SUMMARY—Makes appropriation to reserve for statutory contingency fund.  
(BDR S-1280)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: Contains Appropriation.

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

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AN ACT making an appropriation from the state general fund to the reserve for statutory contingency fund; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. There is hereby appropriated from the state general fund  
2 to the reserve for statutory contingency fund created pursuant to NRS  
3 353.264 the sum of \$521,359.  
4 SEC. 2. This act shall become effective upon passage and approval.

ATTACHMENT J

**S. B. 80**

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SENATE BILL NO. 80—COMMITTEE ON HUMAN  
RESOURCES AND FACILITIES

JANUARY 23, 1979

Referred to Committee on Human Resources and Facilities

SUMMARY—Provides for deposition of certain licensing fees. (BDR 40-216)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

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EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

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AN ACT relating to health and care facilities; providing for the deposit of certain licensing fees into the state general fund; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly,  
do enact as follows:*

- 1 SECTION 1. NRS 449.140 is hereby amended to read as follows:  
2 449.140 1. **[Funds]** *Money* received from **[the licensure of]** *licens-*  
3 *ing* health and care facilities shall be **[deposited in the health and care**  
4 **facility licensing administration fund and thereby merged with appropri-**  
5 **ated funds, and shall be disbursed on claims signed by the health division**  
6 **and paid, as other claims against the state are paid, out of the health and**  
7 **care facility licensing administration fund in the state treasury.]** *forwarded*  
8 *to the state treasurer for deposit in the state general fund.*  
9 2. The health division shall enforce the provisions of NRS 449.001  
10 to 449.245, inclusive, and may incur any necessary expenses not in  
11 excess of **[the revenue from fees from licensure and appropriated and**  
12 **authorized]** state and federal **[funds.]** *money appropriated for that pur-*  
13 *pose.*



ATTACHMENT K

S. B. 212

SENATE BILL NO. 212—COMMITTEE ON FINANCE

FEBRUARY 13, 1979

Referred to Committee on Finance

SUMMARY—Creates special silicosis fund and makes appropriation. (BDR 40-1272)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: Contains Appropriation.

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to silicosis; creating a fund for care of certain victims of silicosis; making an appropriation to the fund; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. NRS 443.145 is hereby amended to read as follows:  
2 443.145 1. There is hereby created a special silicosis program to be  
3 administered by the health division of the department of human resources.  
4 [The program shall be financed by direct legislative appropriation from  
5 the general fund in the state treasury, and moneys for such program  
6 shall be expended]  
7 2. *A special silicosis fund is hereby created as a trust fund, and*  
8 *money may be expended from the fund* only for the purposes of NRS  
9 443.145 to 443.165, inclusive, on claims approved by the health divi-  
10 sion and paid as other claims against the state are paid.  
11 [2.] 3. The state board of health may adopt reasonable regulations  
12 to carry out the provisions of NRS 443.145 to 443.165, inclusive.  
13 SEC. 2. NRS 443.155 is hereby amended to read as follows:  
14 443.155 1. Every person found by the state board of health to be  
15 suffering from silicosis is entitled to the benefits provided for in NRS  
16 443.145 to 443.165, inclusive, if he:  
17 (a) Is not eligible for compensation under the provisions of NRS  
18 617.460.  
19 (b) Applied, before January 1, 1961, for compensation under the  
20 provisions of former NRS 617.480, or under section 1 of chapter 433,  
21 Statutes of Nevada 1955, and qualified for such compensation or was  
22 denied such compensation for any reason.  
23 (c) Is not infected with active tuberculosis.  
24 (d) Files with the health division of the department of human

ATTACHMENT L

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 218

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SENATE BILL NO. 218—COMMITTEE ON FINANCE

FEBRUARY 13, 1979

Referred to Committee on Finance

**SUMMARY**—Makes appropriation to state communications board to pay for assessment of department of law enforcement assistance. (BDR S-1170)

**FISCAL NOTE:** Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: Contains Appropriation.

**EXPLANATION**—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

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AN ACT making an appropriation from the state general fund to the state communications board to pay for the assessment of the department of law enforcement assistance for their use of the state communications system; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. There is hereby appropriated from the state general fund  
2 to the state communications board the sum of \$7,650 to pay for the  
3 assessment of the department of law enforcement assistance for their use  
4 of the state communications system during the biennium 1977-1979.  
5 SEC. 2. After June 30, 1979, the unencumbered balance of the  
6 appropriation made in section 1 of this act may not be encumbered and  
7 must revert to the state general fund.  
8 SEC. 3. This act shall become effective upon passage and approval.



ATTACHMENT M

S. B. 219

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SENATE BILL NO. 219—COMMITTEE ON FINANCE

FEBRUARY 13, 1979

Referred to Committee on Finance

**SUMMARY**—Makes appropriation to Art Hill, auditor of state gaming control board, for reimbursement of deductible on his motor vehicle insurance. (BDR S-1171)

**FISCAL NOTE:** Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: Contains Appropriation.

**EXPLANATION**—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT making an appropriation from the state general fund to Art Hill, an auditor of the state gaming control board, for reimbursement of the deductible on his motor vehicle insurance; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. There is hereby appropriated from the state general  
2 fund to Art Hill, an auditor of the state gaming control board, the sum  
3 of \$100 to reimburse him for the deductible on his motor vehicle  
4 insurance.  
5 SEC. 2. This act shall become effective upon passage and approval.

ATTACHMENT N

S. B. 224

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SENATE BILL NO. 224—COMMITTEE ON FINANCE

FEBRUARY 13, 1979

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Referred to Committee on Finance

SUMMARY—Makes appropriation to department of parole and probation for employment of additional personnel. (BDR S-1378)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: Contains Appropriation.

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EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

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AN ACT making an appropriation from the state general fund to the department of parole and probation for the employment of additional personnel; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

1 SECTION 1. There is hereby appropriated from the state general fund  
2 to the department of parole and probation the sum of \$137,844 for the  
3 employment of additional personnel.

4 SEC. 2. After June 30, 1980, the unencumbered balance of the  
5 appropriation made in section 1 of this act may not be encumbered and  
6 must revert to the state general fund.

7 SEC. 3. This act shall become effective upon passage and approval.