

Committee in session at 7:35 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 (absent for part of voting)  
  
Senator Thomas R.C. Wilson (absent for part of voting)  
Senator Lawrence E. Jacobsen  
Senator Clifford E. McCorkle

ABSENT: Senator Norman D. Glaser

OTHERS Ronald W. Sparks, Chief Fiscal Analyst  
Eugene Pieretti, Deputy Fiscal Analyst  
Howard Barrett, Budget Director  
Sam Mamet, lobbyist, Clark County  
Jim Jones, Administrator, Real Estate Division  
Bob Hill, Statewide Planning Coordinator  
John Sparbel, Administrative Officer, Planning  
Coordinator's Office  
Roger Trounday, Chairman, Gaming Control Board  
Ray Pike, Chief Deputy Attorney General, Gaming Control Board  
Patty Becker, State Industrial Attorney  
Dick Bortolin, Appeals Officer, NIC  
Paul Cohen, Administrative Health Services Officer  
Mike Nash, Health Service Coordinator, Immunization Program  
Dr. William Edwards, Chief, Bureau of Community Health Services  
Ed Vogel, Las Vegas Review Journal  
Cy Ryan, United Press  
John Rice, Associated Press  
Jess Adler, Las Vegas Sun

AB 744 Authorizes immediate appointment of two additional deputy attorneys general for gaming (Attachment A).

Roger Trounday, Chairman, and Ray Pike, Chief Deputy Attorney General, Gaming Control Board, testified on behalf of AB 744. Mr. Pike said this bill is a joint request by the Attorney General's Office and the Gaming Control Board.

Mr. Pike described an increasing caseload which requires the addition of two deputy attorneys general.

Senator Jacobsen asked how many cases there are per year, on the average. Mr. Trounday said the number of court actions since 1976 have tripled, and continue to grow.

AB 520 Corrects error in law concerning real estate fees. (Attachment B)

Jim Jones, Administrator, Real Estate Division, testified that real estate brokers have been charged double fees since the last biennium. He said his division would cooperate with whatever arrangements are made to rectify this problem, whether cash refunds or credit.

Mr. Sparks asked why the Ways and Means Committee took the repayment provision out. Mr. Jones replied he was under the impression it would be put back in.

AB 451 Creates Commission on Future of Nevada. (Attachment C)

Bob Hill, Statewide Planning Coordinator and John Sparbel, Senior Planner, presented information on AB 451. (See Attachment D)

Senator Wilson asked if the Commission is jurisdictional; what kind of delegation of power will it have. Mr. Hill said it is purely advisory.

Senator Wilson asked the meaning of Paragraph 5 of the bill. Mr. Hill said it is in fulfillment of the statute requiring the Governor to develop a comprehensive plan of the social and economic development of the State.

(AB 451 - continued)

Senator Wilson asked if the language in the bill means that this Commission is going to create such a plan. Mr. Hill said the Commission will create a plan for the Governor; and make recommendations to the Governor. Senator Wilson replied that the language in the bill says "create" not "recommend"; the word "create" makes the Commission jurisdictional, having the power to determine policy and execute the policy.

Mr. Hill stated their intent is that the Commission is advisory, making data available to the Governor which is not now available.

Senator McCorkle asked if language can be added to the bill to assure that the recommendations would be adhered to or somehow used. Mr. Hill answered that he feels the commitment to the idea and the publicity it will receive, will help the results of this study be used.

Senator Jacobsen mentioned that each county is unique, with its special problems. He does not think that Douglas County would want intervention by an outside agency. He doubted the Commission's ability to focus on problems which are only fully understood on the local level. Mr. Hill replied the proposal creates regions within the state; he said Douglas County has expressed interest in the Commission already. Planners of more than one county have volunteered to share their information.

Senator Lamb asked why a new agency is needed to provide this function; other agencies already provide some of the information regarding planning. Mr. Hill said he would like to see the Commission provide a coordinating function and not have an emphasis on planning.

Senator Lamb said the counties resist intervention. Mr. Hill said the Commission would not impose itself on anyone; without exception they have been told by all the county officials contacted that there are areas they would like the Commission to help with.

Senator Wilson said he is inclined to give the Governor what he needs to formulate policy, but he is unclear about the mandate of the Commission. He said membership on the Commission is diverse. He asked if the Commission would be involved in planning policy regarding, for example, the State's labor policy. Mr. Hill said no; subject matter will be determined by the Commission, depending on issues in the seven regions which have been created. He said their intent is that subjects to be dealt with, will be subject to their regions.

Senator Wilson asked if there would be a conflict between a policy decision on gaming by the Commission and the Gaming policy board. Mr. Hill said he hopes not. Senator Wilson emphasized that in Section 5 of the bill it says "The Commission shall create in that plan...". Senator Wilson said his question is whether this language is a delegation of executive authority to a Commission, on subjects on which the State may have standing policy boards. Mr. Hill replied this is not the intent. He said the question as to the intent of this bill has not been discussed in other hearings.

Senator Echols asked what the bottom line cost for the Commission will be for the biennium. Mr. Hill said the first year they anticipate total funds available to be \$119,000, made up of \$80,000 from the Economic Development Authority, a federal agency which has money available only for statewide planning; \$25,759 is from Title V funds, from the Four Corners Commission, and \$13,000 of state funds.

Senator Echols suggested that an expert in economic development will have to be paid more than \$25,000 per year.

Sam Mamet, lobbyist for Clark County and the Nevada Association of County Commissioners, stated that Clark County supports this

(AB 451 - continued)

legislation. Mr. Mamet referred to a resolution of the County Commissioners (see Attachment E).

OFFICE OF THE STATE INDUSTRIAL ATTORNEY - New Budget

Patty Becker, State Industrial Attorney, described this program (Attachment F) and reviewed figures in a proposed budget (see Attachment G). Ms. Becker explained that she will be charged the same rent until 1981, due to a four-year lease.

Senator Gibson asked about medical expenses. Ms. Becker replied they could not get an actual cost for medical expense for the first year from NIC. She said monies are used to pay for doctor's time spent with an attorney, in court, etc.

Senator Wilson asked if this budget is funded from NIC's budget rather than the general fund. Ms. Becker answered that it was.

Senator Jacobsen asked what training expenses are for. Ms. Becker said to train staff, through conferences and workshops.

Senator Gibson asked if this is a new budget. Ms. Becker said the Office was created in the last session. In July of last year, she sent Mr. Barrett a budget. She added that she reports to the Governor.

Senator Gibson asked what the outcome of the cases has been. Ms. Becker said there is a great difference between the Carson City Office and the Las Vegas Office. In Carson City, they are able to help in some way in approximately 90 percent of the cases; in Las Vegas they tend to be able to help only about 25 percent. These percentages are their success rates in these two locations. The difference between the two offices is due to a philosophical difference between the Appeals Officers who make decisions on cases.

Senator Gibson asked if Ms. Becker and the Appeals Officers are completely separate. Ms. Becker said yes.

NIC APPEALS OFFICER - New Budget

Dick Bortolin, Appeals Officer, NIC, provided a written testimony regarding this budget (Attachment H) and a copy of the budget (Attachment I). Mr. Bortolin said this is the first budget the Appeals Officer has provided. He explained why his salary is set at its particular level; he said the workload is increasing. There was a 17 percent increase in workload for the Appeals Officer in the northern part of the state.

He said he did not take any Out-of-State Travel last year; however, he would like to attend an out-of-state convention and a seminar this year. Regarding In-State Travel, Mr. Bortolin said, if AB 84 and AB 382 pass, they will need to draft new regulations to implement new procedures plus the Appeals Officer in the north may have to help hear cases in the south.

Regarding Office Supplies, he said they actually exceeded the \$850 allotted in the budget. He said previously the NIC warehouse supplied materials and this is their best estimate.

Regarding Communications expenses they did not pay postage previously and there are increases here and with telephone communications. For Printing, the estimate is for forms, letterheads, and printing of new regulations.

Mr. Bortolin described other line items such as Legal and Court Expense.

Senator Lamb asked who approved this budget at NIC. Mr. Bortolin answered he thought Mr. Haley does.

Senator Lamb asked if the Commission has seen this budget. Mr. Bortolin said yes, his secretary delivered a copy to them but he

(NIC Appeals Officer budget cont.)

did not receive their response.

Senator McCorkle asked why the Contract Services expense, for court reporters and transcripts, has increased. Mr. Bortolin said the increase is to pick up the (expenses of) the Las Vegas office; and to meet the estimated cost for the northern court reporter. Each court reporter costs about \$15,000.

Senator Gibson asked Mr. Bortolin who his boss is. Mr. Bortolin said the Governor; he is in the unclassified service.

Mr. Bortolin added he has installed a telephonic system a month ago which he hopes will reduce costs; for example, a doctor will be able to testify to the hearing room without leaving his office. He estimates that by the fifth expert witness, they will have paid for the electronic equipment.

#### CANCER REGISTRY - New Budget

Paul Cohen, Administrative Health Services Officer, provided written testimony regarding this budget (see Attachment J).

Senator McCorkle emphasized that to gain results, the registry will have to be long-term, 10 or 20 years.

Senator Wilson asked Mr. Cohen if this program should have priority to be funded over the long term. Mr. Cohen said he thinks it should be funded and reviewed during the biennium for continuation and other ways of funding in the future. He added he doesn't believe they should make a 20-year commitment to this program, coming to the legislature each biennium to ask for money up front. He feels the legislature should start it, and then examine other means of funding.

Senator Wilson asked if hospitals think the program has merit. Mr. Cohen answered yes. Senator Wilson suggested that hospitals have some responsibility for continuing the program.

Senator Gibson, referring to the minutes, said there is not unanimity within the medical profession as to the value of this program. He said he finds it difficult to use general fund money for the program. Senator Gibson pointed out that the program which does exist, where doctors are interested in it, is self-sustaining. It seems to him the State of Nevada is forcing the program on people. Mr. Cohen replied that certain hospitals would like to start the program, but cannot afford to start it; they cannot afford to do the follow-up work on patients. They also do not want to charge patients the necessary amount to fund the program.

Senator Gibson said the minutes do not bear out Mr. Cohen's testimony. He said he is concerned that programs may be inconsistent; he mentioned that data collection should be consistent.

#### ZERO BASE BUDGETING - HEALTH DIVISION

Mike Nash, program administrator, and Dr. Edwards, Chief, Bureau of Community Health Services, were present to answer questions posed by the Finance Committee.

Mr. Cohen referred to an organizational chart to illustrate the position of the Bureau in the Department of Human Resources (see Attachment K). He noted that VD, TB, and the Immunization program are in the "Communicable Disease Control" section.

Mr. Cohen described the various packages offered in the zero base budget documents. He stated that right now their budgets do not allow for competition among programs; the packages presented do.

Mr. Nash stated, regarding the Immunization Program, that they have applied for a federal grant which they feel they will get. He pointed out that the minimum package does not comply with federal guidelines and probably would not get federal monies. He mentioned that federal dollars for the Immunization Program are

(Zero Base Budgeting - Health Division)

higher than they have ever been. He illustrated various Immunization Program packages. He said they needed federal monies in the past to "catch up" in immunizing people; they need the federal dollars this year to stabilize these efforts, making it a routine procedure. Mr. Nash continued that in 1981, they will not need the federal money. The bottom line of an Immunization Program is vaccine, supplies and people to administer the vaccine. If the federal government is involved, statisticians are needed, reports and coordinators such as Mr. Nash. He said that his job is finished this year and he is looking for another job.

Mr. Cohen said the Program is sufficiently funded and staffed to take care of emergencies.

Senator Wilson asked if zero base budgeting can be applied to all agencies of State government. Dr. Edwards said yes; but this type of budgeting generates much paper work. He prefers Mr. Barrett's line item budgeting.

Mr. Nash stated that after this year the State is capable of taking over the Immunization Program and his position is no longer required.

Senator Wilson expressed enthusiasm for the kinds of information gained from zero base budgeting.

Mr. Cohen pointed out that zero base budgeting and line item budgeting are not mutually exclusive; the line item budget is necessary to produce a zero base budget.

SB 357     Appropriation to division of forestry to provide aid in management of Marlette-Hobart watershed; and reserves related water rights. (Attachment M)

Senator Jacobsen referred to a handout of the revised budget (see Attachment M); and he briefly described this budget.

Senator Jacobsen moved that the amended budget for SB 357 be approved.

Seconded by Senator McCorkle.

Motion carried.

Senators Glaser, Echols, and Wilson absent.

Senator Jacobsen moved to "Do Pass as Amended" SB 357.

Seconded by Senator McCorkle.

Motion carried.

Senators Glaser, Echols, and Wilson absent.

SB 408     Revises act relating to Marlette Lake water system. (Attachment N)

Senator Jacobsen reported that the Marlette Lake Advisory Committee met, along with others, and developed two recommendations: Page 2, line 10, removal of brackets (that State would still be responsible for maintaining the fishery). He said he did not know how the brackets got into the bill. The fishery is one of the great assets of the State. The fishery produced 3-1/2 million eggs last year; and some were sold to other states.

Senator <sup>Jacobsen</sup> moved to amend SB 408, page 2, lines 10 and 11, to remove the brackets.

Seconded by Senator Gibson.

Motion carried.

Senators Glaser, Echols and Wilson absent.

(SB 408 - continued)

Senator Jacobsen voted to amend SB 408 by removing brackets, page 2, line 17, around "7".

Seconded by Senator Gibson.

Senators Glaser, Echols and Wilson absent.

Senator Gibson asked why extend the plan (see Page 3 of the bill) to 1981. Senator Jacobsen said they just adopted the plan, so this language can be removed.

Senator Gibson moved to amend SB 408 by removing brackets around "1977" and removing the new language "1981" on page 3, line 13.

Seconded by Senator Jacobsen.

Motion carried.

Senators Glaser, Echols and Wilson absent.

Mr. Barrett said the \$8,500 figure should be changed to \$40,000 on page 3, line 4.

Senator Jacobsen moved to change the \$8,500, page 3, line 4, to \$40,000.

Seconded by Senator Gibson.

Motion carried.

Senators Glaser and Echols absent.

Senator Gibson said the Committee recommends that on page 3, lines 27 and 28, "Interim Finance Committee" be added to the bill to allow Interim Finance to review negotiations.

Senator Wilson asked if Carson City is buying the water rights. Senator Jacobsen said no, the State will provide a guaranteed amount, depending on whether the water is there or not.

Senator Wilson asked if Carson City would administer the water system while the State retains administration of the watershed. Senator Jacobsen said yes; the State also administers the delivery of water to an agreed-upon point.

Senator Wilson said then Interim Finance will be given full jurisdiction. Senator Jacobsen answered yes; because the City has not yet developed their plan.

Senator Wilson asked, whether the State administers the water to the pump or whether the city does, will a city bond issued be necessary to finance the capital improvements? Senator Jacobsen said no; the State will be furnishing the capital.

Senator Gibson remarked that the City should retire the bonds, not the State.

Senator Gibson moved to amend SB 408 by adding "Interim Finance" on page 3, lines 27 and 28.

Seconded by Senator Jacobsen.

Motion carried.

Senator Glaser absent.

Senator McCorkle asked if Interim Finance Committee would be jurisdictional. Senator Gibson said yes.

SB 532 Provides for separate disability retirement allowances for police officers and firemen.  
(Attachment O)

Senator Gibson moved to Indefinitely Postpone SB 532.

Seconded by Senator Jacobsen.

Motion carried.

Senator Glaser absent.

SB 452 Appropriation to Supreme Court of Nevada to establish judicial uniform information system. (Attachment P)

Senator McCorkle said this program becomes cost effective in 8 years from the time of the appropriation; or in 6 years after the program is in place. He said this is too great a length of time.

Senator Gibson said that some systems are never cost effective. He said he thinks it is important to structure this system sometime. They are being asked to go into state funding of the court system yet no one can tell, statistically, what that means. Senator Gibson said he looks at this appropriation as an "installment", which will help the legislature to make decisions in the future.

Senator Wilson moved "Do Pass" SB 452.

Seconded by Senator Echols.

Senators Lamb and McCorkle voted no.

Motion carried.

Senator Glaser absent.

SB 123 Appropriation to department of economic development to develop industry and tourism. (Attachment Q)

Mr. Sparks reviewed a further amendment, which was to provide that the application process and the reallocation process be applied to Clark and Washoe counties.

Senator Gibson moved to accept this amendment to SB 123.

Seconded by Senator Jacobsen.

Motion carried.

Senator Glaser absent.

Senator Gibson moved "Do Pass as Amended" SB 123.

Seconded by Senator Jacobsen.

Motion carried.

Senator Glaser absent.

SB 306 Creates department of museums and history and places Nevada state museum and Nevada historical society within department. (Attachment R)

Mr. Sparks reviewed amendments to this bill, which relate to having only 1 joint board remained; and having 1 member of that board be familiar with the Lost City museum.

Senator Gibson moved the amendment to SB 306 be accepted.

(SB 306 - bill action continued)

Seconded by Senator Jacobsen

Motion carried.

Senator Glaser absent.

Senator McCorkle announced he would speak against this bill on the Senate floor.

SCR 24 Urges Board of Regents of University of Nevada to continue preparations for establishment of law school. (Attachment S)

Senator McCorkle moved that SCR 24 be Indefinitely Postponed.

Seconded by Senator Echols.

Senator Gibson said he is opposed to this resolution.

Bill held.

SB 405 Provided increases in certain industrial insurance benefits. (Attachment T)

Senator Wilson said he feels this bill should be increased. Senator Lamb said the Committee should look at the amendment before voting.

Bill held.

DISTRICT JUDGES' SALARIES - Page 156

Mr. Sparks said SB 243 approved two judges for Washoe County. Now salaries need to be added and payroll costs; \$88,964 the first year and \$89,448 the second year.

Senator McCorkle moved that this budget be amended.

Seconded by Senator Jacobsen.

Motion carried.

Senator Glaser absent.

SUPREME COURT - Page 145

Mr. Sparks discussed the alleged misunderstanding between his office and the Supreme Court. He said the Court requests an additional legal position at \$23,700 to help with pre-screening of cases.

Senator Lamb asked if they can get by with the present budget. Mr. Sparks replied that his office's recommendation is that the additional position not be added. He said the other change is an adjustment of a salary which should be made; it would add about \$1,000 to the budget.

Mr. Pieretti provided a full explanation of certain legal positions requested by the Supreme Court.

Senator Gibson moved to add the staff attorney to this budget.

Seconded by Senator Jacobsen.

Senators McCorkle and Lamb voted no.

Motion carried.

Senator Glaser absent,  
Gibson

Senator/moved that the salary of the secretary be adjusted.

Seconded by Senator Jacobsen.



(Supreme Court - budget action cont.)

Motion carried.

Senators Glaser and Echols absent.

HOME OF THE GOOD SHEPHERD - Page 476

Senator Jacobsen moved to raise the budget to \$550 per girl (per month) both years of the biennium.

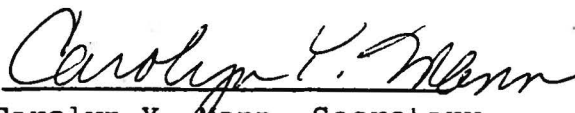
Seconded by Senator Echols.

Motion carried.

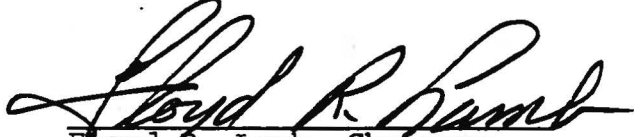
Senator Glaser absent.

No further business. Meeting adjourned at 10:15 a.m.

Respectfully submitted:

  
Carolyn Y. Mann, Secretary

APPROVED:

  
Floyd R. Lamb, Chairman

ATTACHMENT A

**A. B. 744**

ASSEMBLY BILL NO. 744—ASSEMBLYMEN BARENGO, MELLO,  
BREMNER, MANN, HICKEY, VERGIELS, CAVNAR AND  
RHODS

APRIL 12, 1979

Referred to Committee on Ways and Means

SUMMARY—Authorizes immediate appointment of two additional deputy  
attorneys general for gaming. (BDR S-1870)

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 gaming licensing and control; authorizing the immediate  
appointment of two additional deputy attorneys general for the Nevada gaming  
commission and the state gaming control board; 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. 1. Notwithstanding the provisions of NRS 284.182 and  
2 463.090, the attorney general is hereby authorized to appoint and employ  
3 two additional deputy attorneys general to serve the Nevada gaming com-  
4 mission and the state gaming control board. The annual salary for each  
5 new position may not exceed \$26,003.  
6 - 2. Notwithstanding the budget approved for the fiscal year commenc-  
7 ing on July 1, 1979, the salaries of the two deputy attorneys general  
8 appointed pursuant to subsection 1 must be paid pursuant to the provi-  
9 sions of NRS 463.330.
- 10 SEC. 2. NRS 463.090 is hereby amended to read as follows:  
11 463.090 1. The attorney general and his [duly appointed assistants  
12 and] deputies are the legal advisers for the commission and the board and  
13 shall represent the commission and the board in any proceeding to which  
14 either is a party.  
15 2. [A deputy attorney] *The deputy attorneys* general assigned as [a  
16 legal adviser] *legal advisers* for the commission and the board [shall] *are*  
17 *entitled to* receive an annual salary in the amount specified in NRS  
18 284.182.
- 19 SEC. 3. Section 1 of this act expires by limitation on July 1, 1979.  
20 SEC. 4. This act shall become effective upon passage and approval.

ATTACHMENT B

(REPRINTED WITH ADOPTED AMENDMENTS)  
SECOND REPRINT **A. B. 520**

ASSEMBLY BILL NO. 520—ASSEMBLYMEN MELLO  
AND JEFFREY

MARCH 8, 1979

Referred to Committee on Commerce

**SUMMARY**—Corrects error in law concerning renewal of real estate license fees and provides credit or refund for excess payments. (BDR 54-1104)

**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 real estate licenses; correcting an error in a 1977 provision of law concerning the fees for renewal of licenses; providing credit for or refund of certain payments made pursuant to that law; 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 645.830 is hereby amended to read as follows:	
2	645.830 The following fees [shall] <i>must</i> be charged by and paid	
3	to the division:	
4	For each real estate salesman's or broker's examination.....	\$40
5	For each original real estate broker's, broker-salesman's or	
6	corporate broker's license.....	80
7	For each original real estate salesman's license.....	50
8	For each original branch office license.....	50
9	For each real estate education, research and recovery fee to	
10	be paid at the time of issuance of original license or	
11	renewal.....	40
12	For each penalty assessed for failure of an applicant for an	
13	original broker's, broker-salesman's or corporate brok-	
14	er's license to file within 30 days of notification.....	40
15	For each penalty assessed for failure of an applicant for an	
16	original salesman's license to file within 30 days of noti-	
17	fication.....	25
18	For each renewal of a real estate broker's, broker-salesman's	
19	or corporate broker's license [for a year].....	80
20	For each renewal of a real estate salesman's license [for 1	
21	year].....	50

ATTACHMENT C

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 451

ASSEMBLY BILL NO. 451—COMMITTEE ON  
WAYS AND MEANS

FEBRUARY 23, 1979

Referred to Committee on Ways and Means

SUMMARY—Creates Commission on the Future of Nevada. (BDR S-1281)

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 creating the Commission on the Future of Nevada; providing for its organization, powers and duties; making an appropriation; 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. 1. The Commission on the Future of Nevada, consisting  
2 of 25 members appointed by the governor, is hereby created within the  
3 office of the governor.  
4 2. The governor shall appoint:  
5 (a) One member from each region designated in this subsection from  
6 among persons nominated by the governing bodies of the local govern-  
7 ments within that region. The regions of the state for the purpose of  
8 appointing members to the commission are designated as follows:  
9 (1) Region 1 consists of Carson City and the counties of Churchill,  
10 Douglas, Lyon and Storey;  
11 (2) Region 2 consists of the counties of Esmeralda, Mineral and  
12 Nye;  
13 (3) Region 3 consists of Clark County;  
14 (4) Region 4 consists of the counties of Eureka, Lincoln and White  
15 Pine;  
16 (5) Region 5 consists of Elko County;  
17 (6) Region 6 consists of the counties of Humboldt, Lander and  
18 Pershing; and  
19 (7) Region 7 consists of Washoe County.  
20 (b) Two assemblymen nominated by the speaker of the assembly and  
21 two senators nominated by the president pro tempore of the senate.

SENATE FINANCE COMMITTEE

NEVADA STATE SENATE

May 3, 1979

ATTACHMENT D

I would like to begin by briefly reviewing with you some facts relative to population in Nevada which I believe will serve as a good basis for your consideration of AB 451.

Population shifts in the U.S. show that the Western states are experiencing a dramatic growth rate. Most of these people are coming from the North Central states, followed closely by those coming from the South and a smaller number coming from the Northeast. In fact, people are moving to the West at a rate more than double that of migration to the non-western states. Of all the Western states, Nevada has the distinction of having the greatest percentage increase - about 30% for the past ten years (except Alaska).

Another distinctive characteristic of Nevada's population is revealed by the fact that of all the 50 states, we have the lowest percentage of lifetime residents. Only about 13% of the population in Nevada was born here. In fact, almost half of our population has been here for five years or less.

Nevada is first in yet another demographic category. We have the highest percentage increase of population 65 years or older (44%) which is nearly four times the national average.

Graphs illustrating these shifts have been included at the back of this folder and are based on U.S. Census Bureau statistics.

What are the implications of all this? I believe the most obvious conclusion has to be that as a state, Nevada should take a good hard look at the many complex and interrelated consequences of this rapid growth. These statistics tell us that a lot of people are coming to Nevada for a variety of reasons and that these people are bringing with them diverse attitudes and expectations. We also must be aware that our population is becoming older, and this fact has serious implications in terms of economics and the delivery of social services.

Those of us who live here have a pretty good idea why people are coming to Nevada in great numbers because many of us came here for the same reasons. We wanted to get away from crowded highways, polluted air, congested cities, poor schools, high crime rates and a lack of recreational opportunities. We saw in Nevada a good place to live and raise families. Nevada is still a good place to live but we are beginning to see an erosion of many of the things we like about our lifestyle. It is impossible to pick up a newspaper or view a news broadcast without being aware of the consequences of growth related problems. There is ample evidence that rapid population growth has become a

2.

uniting preoccupation among the people of Nevada. The impact of this growth on energy, water, land resources, schools, social services and recreational facilities makes it absolutely imperative that we anticipate, analyze, and prepare for change. The shape of Nevada in the year 2000 is being molded by population shifts that are underway today. These shifts are not only creating problems. They are creating opportunities that will confront us for decades. The challenge to policymakers and planners is to interpret these shifts and develop appropriate strategies for meeting the challenges they pose.

As Governor, Bob List has the responsibility of providing leadership to marshal the resources available for the development of these strategies in the long-term interests of the state. He recognizes that no individual, no special interest group or no single governmental entity has all the answers or can independently develop isolated solutions to the problems. But there are strong indications of a willingness and a desire on the part of many Nevadan's to join in a unified and concerted effort to examine the future of our state, develop appropriate growth management strategies, and make recommendations for their implementation.

Some process must be adopted in order to accomplish this goal. Any process so adopted must encompass certain criteria.

First: The process must encourage the active participation of all Nevadans.

Second: The process must have the support and participation of government at all levels.

Third: The process must include the active participation of business and industry who have significant resources available to affect change.

Fourth: The best expertise available must be involved in the process from government, the private sector and the academic community.

Fifth: The product of this process must be a quality product.

We are all aware of the many studies which have taken place which are of little practical use because few people refer to them after they are completed. I submit to you that if the above criteria can be met, the product of the Commission on the Future of Nevada will not sit on a shelf and gather dust. The documents produced can be an invaluable tool to the Governor, the Legislature and to local government as a "game plan" for the future - a carefully thought out anticipation of what is likely to occur and, hopefully,

some creative and innovative strategies for dealing with the future. The Commission on the Future of Nevada is an alternative to chasing the latest crisis. It will not produce an inflexible or final plan which is carved in stone. It will however, give us the ability to gain a more clear understanding of the consequences of the decisions we make and a framework for future planning.

Perhaps equally important as the actual documents produced, the process itself will cause us all to think more carefully about the alternatives available to us and provide the people of Nevada with a direct opportunity to make their views and attitudes known.

I would now like to address the actual mechanics of the Commission. We have developed a general sequence of events based on the research we have conducted on similar efforts in other states. We feel however, that it is desirable to keep these plans tentative at this point in time so that the Commission, once appointed, will have the opportunity to structure their activities in a manner acceptable to them. The following then, is a proposed outline of events which will be presented to the Commission for their consideration prior to the start of their work.

MAY-JUNE 1979	Governor appoints Commission members Recruitment, hiring and orientation of staff Design public information process and media Develop schedule of activities
JULY-AUG '79	First meeting of Commission Define scope of work and approve schedule of activities Staff: Inventory and develop library of existing data Design public attitude survey instruments Appoint regional sub-committees and liaison responsibilities Identify issues for study Develop list of resource people
SEPT-OCT-NOV '79	Conduct first public attitude survey Analysis and codification of the survey data Conduct town-hall meetings, sub-committee meetings, hearings within each region. Identify regional issues
DEC '79	Second meeting of Commission Analysis of input from sub-committees, public meetings and research data.



4.

Develop criteria and format for local and regional growth policy statements

Appoint consultants for issue-specific research

JAN-FEB-MAR '80 Sub-committees conduct local and regional meetings to obtain input for growth policy statements based on identified and prioritized issues.

APRIL-MAY '80 Sub-committees draft regional growth policy statements based on survey research, consultant research and public meetings.

JUNE '80 Third meeting of the Commission

Compile drafts of regional sub-committees and approve as interim report to the Governor and Legislature.

Design follow-up attitude survey to test draft policy statements.

JULY-AUG '80 Conduct follow-up survey

Analysis and description of survey data

Catalog raw data

SEPT-OCT-NOV '80 Refine local and regional growth policy statements

Combine above to draft statewide growth policy statement

Draft specific implementation recommendations

Draft final report to Governor and Legislature

DEC '80 Fourth meeting of the Commission

Approve final report to the Governor and the Legislature

Commission and staff disbanded

As you can see, the scope of this effort goes far beyond the normal staff capability of the State Planning Coordinator's Office or any city or county planning staff. It is possible, as has been done in the past, to develop state plans in-house, with limited input, coming primarily from government agencies. The significance of this effort is that the Governor, the Legislature and state and local planning agencies will all have the benefit of an open planning process in which a large number of Nevadans will have participated. It will not have been done in a vacuum based on limited data and input.

I would also like to make it clear that it is not our goal to create a state "super planning" agency. This is a concentrated 18 month effort which will self-destruct in December of 1980. I believe it will however, give us the ability to do a much better job in the future with our current staff because we will have a clear picture of local, regional and statewide goals. Just as business recognizes the importance of long-range planning, we believe it is important for the state to likewise do so.

5.

I sincerely believe that the results of this cooperative effort can be of significant value to the state and I urgently solicit the support and active participation of the Legislature.

I am pleased to report that this bill has the support of local government entities including the Washoe Council of Governments, the Carson River Basin Council of Governments, the State County Commissioners Association and the Nevada League of Cities. Letters and telephone calls received by the Governor's Office also indicate broad support from the public and many groups and firms within the private sector.

Thank you for the opportunity to appear before you today.

EXHIBIT D

GOALS AND OBJECTIVES

The Commission on the Future of Nevada should be an attempt to accomplish the following:

1. PRIORITIZE and select for study those problems facing Nevada which will constitute an effective scope of effort for the Commission.
2. To provide an arena or forum which will encourage communication and cooperation between the people of Nevada, government, and business and industry.
3. To provide an opportunity for meaningful participation by the people which will contribute to a clearer understanding and rapport between government and the citizens of Nevada.
4. To create a clear statement of statewide policies and priorities based on a close examination of conditions which exist and the expressed wishes of the people.
5. To provide an opportunity for increased communication and cooperation among the various levels of government--federal, state and local.
6. To evaluate the adequacy of existing studies and staff resources which can be utilized in solving the problems of growth and to gather missing information where needed.
7. To identify the regional differences which exist in the state and to integrate those differences into the development of a statewide framework for growth management.
8. Finally, and most importantly, to formulate and recommend specific growth management tools and methods of implementing those tools to insure more efficient government.

The Commission on the Future of Nevada is a process by which an important product may be realized. It is not anticipated that the Commission will discover "The Solution" to the state's problems. There is no panacea, no miracle cure, no simple and obvious answer to the many complex problems which must be faced. If there were such a thing, there would be no need for this proposed effort.

The objective, however, is that it will provide a close examination of the state as it is, an expression of what Nevadans themselves hope to see it become, and some definite recommendations as to how the state might realize these hopes and aspirations as we enter the 21st century.

COMPOSITION OF THE COMMISSIONRationale:

In order for the work of the Commission to serve as a management tool for state and local government, it is essential that it be composed of a broad spectrum of representation, both from the public as well as the private sector. It is equally important that the size of the Commission is not so large as to hinder its functional and cost effectiveness. Other factors considered in the composition of the Commission are:

1. There should be a balance in membership between elected officials and various economic and resource constituencies.
2. There should be active participation and representation of the State Legislature.
3. There should be active, informed citizen participation through which they perceive themselves as being a vital part of government.

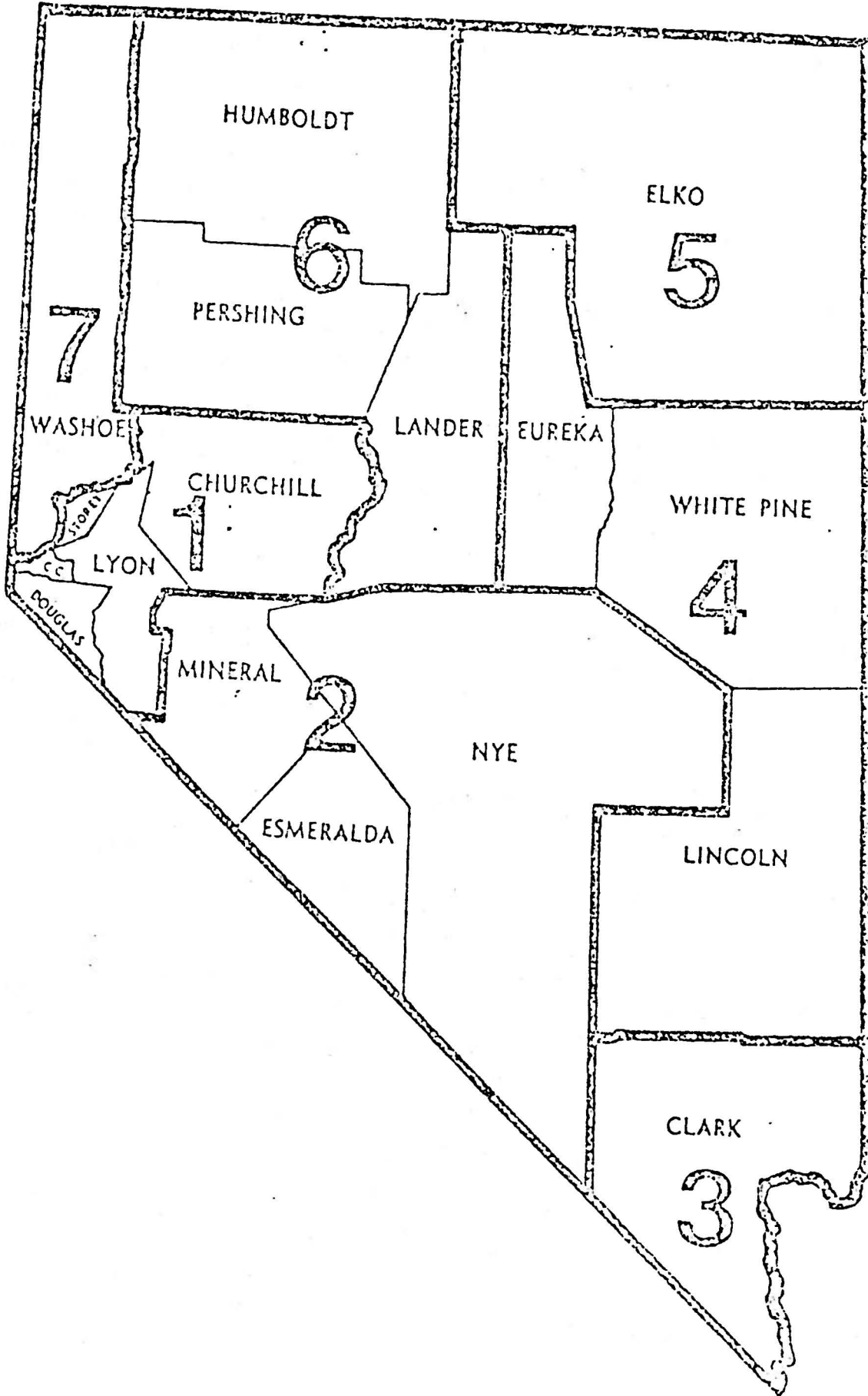
MEMBERSHIP

The Commission should be composed of 23 members, appointed by the Governor. For the purpose of the study, the state has been subdivided into seven single and multiple county regions which are contiguous with county boundaries. Criteria selected for determining the regions represent a series of factors including geographic, governmental and economic relationships. Also, commercial/cultural center identification, transportation patterns, employment and commuting patterns and other private and public community activities were taken into consideration (See Figure A).

Local government entities within each region will recommend to the Governor, for appointment to the Commission, a person to represent that region. Additionally, the Governor will appoint one member from the Nevada State Assembly and one member from the Nevada State Senate. The balance of the Commission will be composed of members appointed by the Governor who can effectively represent the following interests or constituencies:

1. Agriculture
2. Education
3. Energy Providers
4. Environment
5. Finance
6. Gaming & Tourism
7. Labor
8. Mining
9. Recreation
10. Taxpayers
11. The Nevada League of Cities
12. The Nevada County Commissioners Association
13. Two (2) members of the general public at large.

FIGURE A





ATTACHMENT E

*Board of County Commissioners*

VALLEY BANK PLAZA  
SUITE 1111  
300 SOUTH FOURTH STREET  
LAS VEGAS, NEVADA 89101  
702 385-1200

COMMISSIONERS

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CHAIRMAN

DAVID B. CANTER  
VICE CHAIRMAN

ROBERT N. BROADBENT

MANUEL J. CORTEZ

THALIA M. DONDERO

JACK R. PETITTI

R. J. "DICK" RONZONE

BRUCE W. SPAULDING  
COUNTY MANAGER

April 11, 1979

Honorable Donald R. Mello, Chairman  
Assembly Committee on Ways and Means  
Nevada State Legislature  
236 Legislative Building  
Carson City, Nevada 89701

Re: A.B. 451

Dear Mr. Chairman:

Clark County Commission Chairman Sam Bowler is currently in Utah, therefore as Vice-Chairman I would like to convey to you Clark County's position on AB 451 which is before your committee on Monday, April 16. This legislation would create the state commission on the future of Nevada. The Clark County Board of Commissioners wholeheartedly supports this legislation and encourages your committee's approval. We view such a measure as charting a positive course in the management of future growth and development of this state. This legislation ensures the active input from local government officials throughout Nevada in this endeavor.

We have been supportive of this idea since Governor List first broached this concept. Further, the Nevada Association of County Commissioners adopted a legislative resolution during the Association's November Convention in support of this commission.

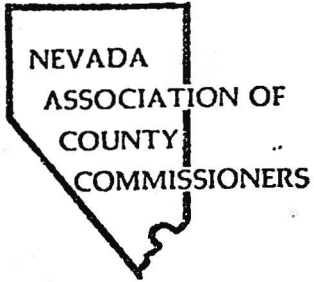
We have informed the Governor that Clark County will assist by providing for technical staff necessary to meet the laudable goals of the envisioned commission.

Once again, the Clark County Board of Commissioners urges your approval of AB 451.

Best regards,

David B. Canter,  
Vice-Chairman

DBC/lw  
Attachment



PRESIDENT  
HENRY BLAND  
STOREY COUNTY

VICE PRESIDENT  
HAROLD DAYTON  
DOUGLAS COUNTY

BOARD OF DIRECTORS

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- PETE BENGOCHEA
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- JOHN HAYES
- NATE MERRITT
- MARIO PERALDO
- JACK PETITTI
- JOHN POLI
- ROBERT R. RUSK
- GARRY STONE
- SAMMYE UGALDE
- CHARLES VACCARO

EXECUTIVE SECRETARY  
THALIA M. DONDERO  
200 E CARSON  
LAS VEGAS NEVADA 89101

RESOLUTION 78-10

Regards rapid growth throughout the State of Nevada.

WHEREAS, the Nevada Association of County Commissioners recognizes the tremendous and rapid growth that has been burgeoning throughout the State of Nevada; and,

WHEREAS, The Nevada Association of County Commissioners realizes that in order to manage such tremendous growth, general planning functions are imperative; and,

WHEREAS, such planning includes multiple components such as land-use, environmental and transportation planning; and,

WHEREAS, all these elements must be melded together not only for each local entity individually, but for the State of Nevada as a whole; and,

WHEREAS, any such major planning attempt requires a team of experts in the various areas working together and supplying the local entities with guidance and assistance for implementing their portion of a general plan.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Nevada Association of County Commissioners that:

The Association endorses the creation of a Gubernatorial Blue Ribbon Commission, supported with appropriate staff, to study state-wide growth and planning issues in the State of Nevada, and the effect on the welfare of the State of Nevada as well as its local units; and, furthermore be it

RESOLVED, that this Gubernatorial Blue Ribbon Commission give specific attention on how the state can provide increased technical assistance to the counties within the State of Nevada on all matters concerning general planning and growth management.

*Handwritten signature*

*OK*

EXHIBIT E

COMMISSION ON THE FUTURE OF NEVADA

9276

	1977-78	1978-79	1979-80			1980-81		
	ACTUAL	WORK PROGRAM	AGENCY REQUEST	GOVERNOR RECOMMENDS	LEG AP.	AGENCY REQUEST	GOVERNOR RECOMMENDS	LEG AP
ONE-SHOT STATE APPROPRIATION			\$ 20,000	\$ 13,332		-0-	\$ 6,668	
TITLE V			19,091	25,759		\$20,909	14,241	
EDA			80,000	80,000		40,000	40,000	
<b>TOTAL FUNDS AVAILABLE</b>			<b>119,091</b>	<b>119,091</b>		<b>60,909</b>	<b>60,909</b>	
<b>NEW POSITIONS</b>								
Regional Program Coordinator	4.00		56,000	56,000	4.00	28,000	28,000	
Senior Clerk Steno	1.00		8,255	8,255	1.00	4,128	4,128	
<b>TOTAL NEW POSITIONS</b>	<b>5.00</b>		<b>64,255</b>	<b>64,255</b>		<b>32,128</b>	<b>32,128</b>	
Fringe Benefits			9,638	9,638		4,819	4,819	
<b>TOTAL SALARY-PAYROLL</b>			<b>73,893</b>	<b>73,893</b>		<b>36,947</b>	<b>36,947</b>	
<b>IN-STATE TRAVEL</b>								
Commission Members			3,707	3,707		1,853	1,853	
Consultants and Committees			6,272	6,272		3,136	3,136	
Staff			2,100	2,100		1,200	1,200	
<b>TOTAL IN-STATE TRAVEL</b>			<b>12,079</b>	<b>12,079</b>		<b>6,189</b>	<b>6,189</b>	
Survey mailing expenses			620	620		230	230	
Office supplies and expense			540	540		260	260	
Communications expense			1,050	1,050		550	550	



COMMISSION ON THE FUTURE OF NEVADA - continued

EXHIBIT

2278

	1977-78 ACTUAL	1978-79 WORK PROGRAM	1979-80			1980-81		
			AGENCY REQUEST	GOVERNOR RECOMMENDS	LEG AP	AGENCY REQUEST	GOVERNOR RECOMMENDS	LEG AP
Print duplicating copy			\$4,200	4,200		2,200	2,200	
Agency publications			2,600	2,600		3,200	3,200	
Conference room rent			1,200	1,200		1,200	1,200	
Stipends - Honorariums			1,300	1,300		500	500	
Announcements - Public Notices			5,200	5,200		1,750	1,750	
CONTRACT SERVICES								
Research design			2,400	2,400				
Surveys			4,500	4,500		2,000	2,000	
Data support and analysis			7,700	7,700		4,900	4,900	
OFFICE RENT			1,809	1,809		983	983	
TOTAL OPERATING EXPENSES			33,119	33,119		17,773	17,773	
TOTAL EXPENDITURES			119,091	119,091		60,909	60,909	

ATTACHMENT F  
NARRATIVE STATEMENT OF PROGRAM AND PERFORMANCE

The office of the State Industrial Attorney is a program which began on July 1, 1977. It was developed to aid indigent claimants in their appeals from the Nevada Industrial Commission. There are two offices, one located in Carson City and one in Las Vegas. Each office is staffed with one attorney and one legal stenographer.

A myriad of duties and responsibilities are inherent in executing this program properly. In addition to the normal research, interviewing, consultation, and attendance at hearings, each attorney is fully responsible for all factual and medical investigation on each claim. This normally involves contacting any pertinent lay witnesses as well as consulting with various physicians who have treated the claimant or have knowledge of the case. In addition, depositions are occasionally taken when necessary. This medical investigation is not strictly limited to in-state contacts. On occasion, it is necessary to travel out-of-state to consult with a particular physician or visit a medical facility in order to properly develop the case.

The office is only allowed to represent claimants when their claim reaches the Appeals Officer's level and they have been determined by the Appeals Officer to be indigent. At present, to reach the Appeals Officer's level, a claimant must have received an NIC staff determination, an NIC claims level determination and, finally, an NIC commission level determination. The burden is on the claimant to appeal each of these "in-house" NIC determinations if he wishes to reach the Appeals Officer's level. A chart demonstrating the present hearing system is attached hereto as Exhibit I.

It should be apparent that a good deal of each attorney's time is spent explaining the present hearing system to injured workers. Each office receives approximately 5 phone calls per day from injured workers who want the assistance of the State Industrial Attorney but who have not yet reached the Appeals Officer's level. On each of these phone calls the attorney must determine where the injured worker's claim is in the hearing procedure and explain what steps can be taken to get the claim to the Appeals Officer's level. This accounts for approximately 30 to 45 minutes of each day for each attorney.

The 1977 legislative session established an interim subcommittee to investigate the practices and procedures of the Nevada Industrial Commission. This subcommittee recommended that a speedier, more effective hearing system be implemented, said recommendation being included in A.B. 84. The pertinent portion of A.B. 84, along with a diagram of the new hearing system, are attached hereto as Exhibits II and III, respectively.

The A.B. 84 hearing procedure makes two major changes. First, a claimant will be able to start the appeal process by requesting a hearing. Presently, a claimant is only allowed a hearing when the Nevada Industrial Commission has determined that a case is ripe. Second, the system is substantially more efficient and speedier so a claimant will reach the Appeals Officer's level in a shorter time span. For this reason, more claimants will be reaching the Appeals Officer's level and therefore, more claimants will be requesting the services of the Office of the State Industrial Attorney.

At present both the Las Vegas and Carson City offices are appointed on 2 cases per week. Once the office is appointed the medical records are requested from the Nevada Industrial Commission. In approximately 10 days, when the medical records are received, the claimant comes in for an initial interview. The reading of the file and the initial interview takes approximately 3 to 4 hours on each case. During the initial interview a plan of action is created. This usually consists of consultations with the claimant's doctors or people felt to be beneficial witnesses, writing to doctors for more comprehensive medical reports, and pursuing some sort of settlement negotiation with the Nevada Industrial Commission's attorney.

On the average, the claimant's attorney has spent 7 hours of preparation time before a case is ready to be presented to the Appeals Officer. The Appeals Officer's hearing takes approximately 2 to 3 hours, so parenthetically if a case were finished at the conclusion of the Appeals Officer's hearing, 10 attorney hours would have been expended in preparation and trial time.

Most cases do not end at an Appeals Officer's hearing. As of April 1, 1979, the Carson City office of the State Industrial Attorney had been appointed on 103 cases, of which 59 remain open today. (Three of these cases were not ripe for hearing.) The Las Vegas office has been appointed on 159 cases, with 55 of these cases remaining still open. Charts delineating the status of each case are attached hereto as Exhibits IV and V, respectively.

At present, without any procedural changes being made in the hearing system, an additional staff attorney is needed to adequately

EX HIBIT F

perform the duties of the office. For this reason a new attorney position is being requested for the 1979-80 fiscal year. With the passage of A.B. 84, the anticipated increase in caseload will also support the need for an additional attorney.

The additional attorney will be required to fly between the northern and southern offices as needed and for this reason the in-state travel fees have been increased. The proposed budget for the 1979-80 fiscal year also allocates additional costs for equipment, supplies, rent, phone, training, etc., that would be incurred by a new staff attorney position and an increased caseload.

Other expenditures which require further explanation include part-time help, other contract services, medical expenses, and legal and court expenses.

Part-time help allocates a monetary amount to cover the cost of hiring a replacement secretary when a member of the clerical staff is on vacation or ill for a long period of time. Only one clerical position exists in each office and if a substitute secretary were not hired the attorney would be on the phone continuously, answering injured workers' questions. The amount stated in the 1979-80 year was obtained by a calculation of nine weeks at \$5.00 an hour, which should cover both offices. The 1980-81 amount only adds a cost of living increase to the 1979-80 amount.

Other contract services accounts for the yearly rental fee for a Mag Card typewriter located in the Carson City office.

Medical expenses represents the charge incurred by the office for doctors' fees. These fees include charges for medical

reports, the doctor's time for interviews with the attorney, and more comprehensive medical reports or records. Also, when an independent medical evaluation is needed for a determination of permanent partial disability, the office is charged for the evaluation. The amount was calculated at approximately \$100 for a case and it is estimated that about 25% of the cases would need further medical interviews or reporting. Since the Nevada Industrial Commission has staff physicians who are called as witnesses at the Appeals Officer's hearings, it is imperative that the claimant be able to obtain medical reports, affidavits, and expert medical witnesses of treating physicians.

The budgetary figure delineated as court costs accounts for the cost of transcripts of hearings and depositions. Most cases do not require that a transcript be ordered but on the cases where a second Appeals Officer's hearing is held, or where the case might be appealed to District Court, a transcript of the Appeals Officer's hearing must be obtained. Currently the transcript costs \$2.25 per page and the hearings are usually at least 100 pages long, so the \$5,000 figure would allow approximately 40 transcripts to be ordered in a fiscal year. When a deposition is taken in a case the transcript must be ordered and the court reporter paid, so an additional \$700 was added to cover this expense.

In summary, the office of the State Industrial Attorney is constantly attempting to improve its expertise and efficiency. These goals are being reached and, in order to continue its level of excellence, it is necessary that its budgetary requests be supplied. The number of claimants represented is going to

increase, providing an even greater caseload than the present. For that reason, maximum utilization of available resources is necessary. The budget submitted insures that such resources remain adequate. The budget has been scaled to its most reasonable level. Current staffing is not adequate in order to meet the most minimal requirements envisioned by the legislature in creating this program.





38 SEC. 18. Any person who is subject to the jurisdiction of the com-  
 39 mission under this chapter or chapter 617 of NRS may request a hearing  
 40 before the commission of any matter within its authority. The commis-  
 41 sion shall provide the forms necessary to request a hearing to any person  
 42 who requests them without cost.

43 SEC. 19. 1. The commission shall, within 5 days after receiving a  
 44 request for a hearing, set the hearing for a date and time within 30 days  
 45 after its receipt of the request and specify whether the hearing will be  
 46 held before the commission or before a person designated by the commis-  
 47 sion.

48 2. The commission shall give notice by mail or by personal service  
 49 to all interested parties to the hearing at least 15 days before the date  
 50 and time scheduled.

1 3. The commission shall prepare written findings of facts and render  
 2 its decision within 15 days after the hearing, and include with the notice  
 3 of its decision the necessary forms for taking an appeal from the decision.

4 SEC. 20. 1. Any party aggrieved by a decision of the commission  
 5 may appeal the decision by filing a notice of appeal with an appeals  
 6 officer within 60 days after the date of the decision.

7 2. The appeals officer shall, within 5 days after receiving a notice of  
 8 appeal, schedule a hearing for a date and time within 45 days after his  
 9 receipt of the notice and give notice by mail or by personal service to  
 10 all interested parties to the appeal at least 15 days before the date and  
 11 time scheduled.

12 3. An appeal may be continued upon written stipulation of all par-  
 13 ties, but not for more than 45 days after the date of the stipulation.  
 14 Notice of continuance must be given by mail or by personal service to  
 15 all interested parties.

16 SEC. 21. 1. A record must be kept of the hearing before the appeals  
 17 officer and the rules of evidence apply to it.

18 2. The appeals officer must hear any matter raised before him on  
 19 its merits, including new evidence bearing on the matter.

20 3. Any party to the appeal and the appeals officer may order a tran-  
 21 script of the record of the hearing at any time before the 7th day after  
 22 the hearing. The transcript must be filed within 30 days after the date  
 23 of the order.

24 4. The appeals officer shall render his decision:

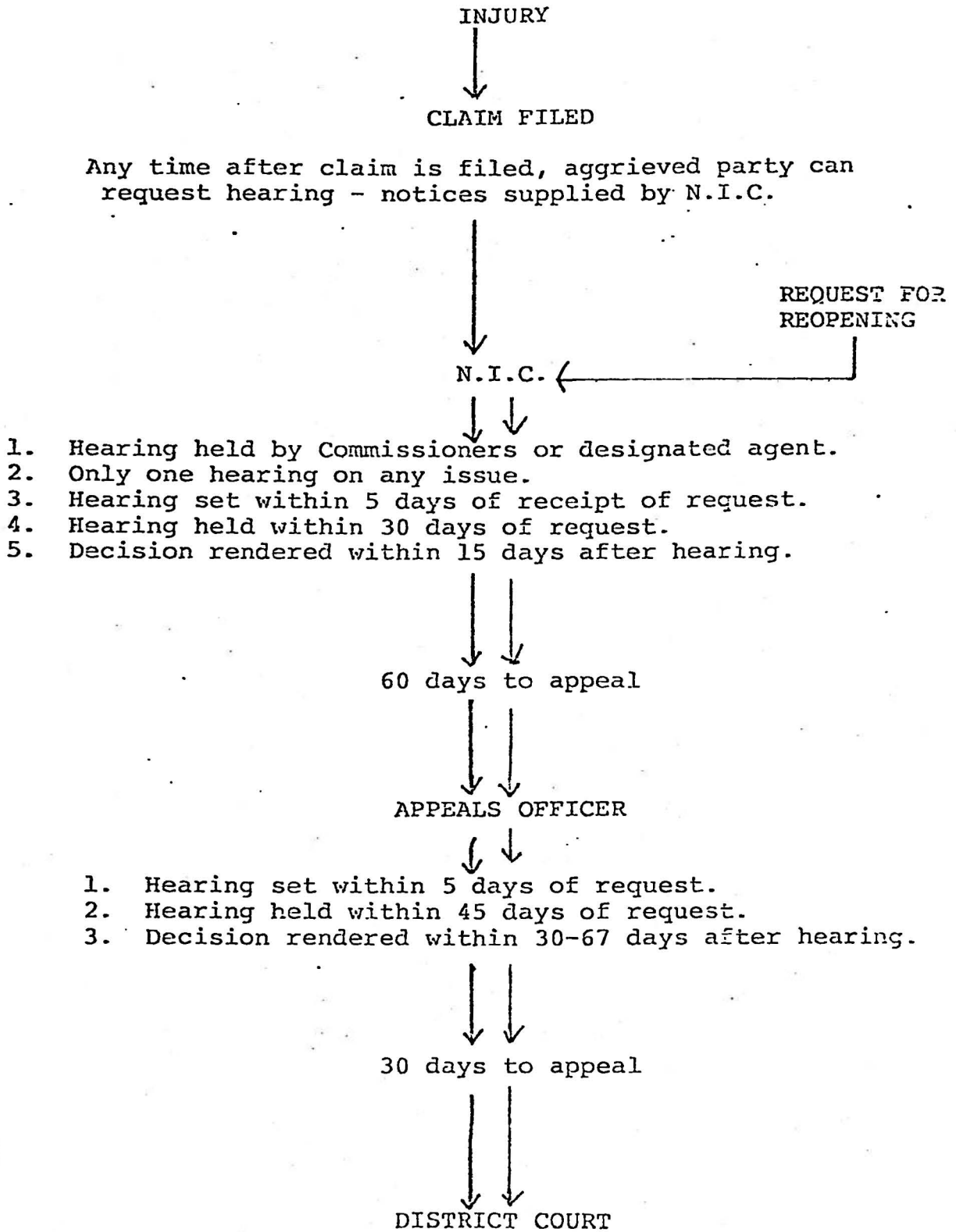
25 (a) If a transcript is ordered within 7 days after the hearing, within 30  
 26 days after the transcript is filed; or

27 (b) If a transcript has not been ordered, within 30 days after the date  
 28 of the hearing.

29 5. The appeals officer may affirm, modify or reverse any decision  
 30 made by the commission and issue any necessary and proper order to  
 31 give effect to his decision.

32 6. The appeals officer, or any party to the appeal may apply to a dis-  
 33 trict court for enforcement of an order of the appeals officer.

AMENDED A.B. 84 HEARING SYSTEM



SUMMARY OF CASELOAD  
 CARSON CITY OFFICE  
 (As of April 1, 1979)

Total number of cases office appointed = 103  
 Number of cases office appointed in 1979 = 25  
 (approximately 2 per week)

<u>Cases Open</u>		<u>Cases Closed</u>
1	Cases having been heard by Appeals Officer and a final decision rendered = 16. (1 of these is on appeal to District Court.)	15
21	Cases heard by Appeals Officer and remanded back to the N.I.C. for some type of further determination = 24. (3 of these cases have been completed and closed without the need of appealing back to the Appeals Officer.)	3
4	Cases settled = 27. (4 of these are still open as the settlement included further medical care.)	23
3	Cases having been heard by Appeals Officer and awaiting decision = 3.	0
30	Cases awaiting an Appeals Officer's hearing = 30.	0
	TOTAL NUMBER OF CLOSED CASES	41
59	TOTAL NUMBER OF OPEN CASES	

(On 3 cases the office was appointed but the case was not ripe to be heard.)

SUMMARY OF CASELOAD  
 LAS VEGAS OFFICE  
 (As of April 1, 1979)

Total number of cases office appointed = 159

<u>Cases Open</u>		<u>Cases Closed</u>
3	Cases having been heard by Appeals Officer and a final decision rendered = 49. (5 of these have gone on appeal to District Court; 3 are still open at that level.)	46
13	Cases heard by Appeals Officer and remanded back to the N.I.C. for some type of further determination = 19.	6
2	Cases settled = 36. (2 of these are still open for monitoring.)	34
10	Cases having been heard by Appeals Officer and awaiting decision = 10.	0
28	Cases awaiting an Appeals Officer's hearing = 28.	0
	Withdrawals = 8 (Cases involving retaining of other attorneys, client request, attorney/client conflict, and 1 involving subsequent discovery by Appeals Officer of no indigency.)	8
	Cases Dismissed = 9 (Either due to not being ripe or with client's consent.)	9
	TOTAL NUMBER OF CLOSED CASES	103
56	TOTAL NUMBER OF OPEN CASES	

## OFFICE OF INDUSTRIAL ATTORNEY

### Program Statement

The Office of Industrial Attorney was begun by the 1977 Legislature to act as an advocate for indigent claimants in their appeals from the Nevada Industrial Commission. The Industrial Attorney maintains two offices, one in Carson City and one in Las Vegas. Each office is presently staffed with one attorney and one clerical support position.

In executing its assigned duties, the Office of Industrial Attorney is responsible for research, interviewing, consultation with clients, and attendance at hearings along with gathering factual and medical data relative to each claim.

Since the inception of the office on July 1, 1977, the Carson City office has been appointed in 103 cases, of which 59 are still open. The Las Vegas office has been appointed in 159 cases, of which 55 are still open.

### Sub-Account Explanations

Salaries - It is recommended that one new Deputy Industrial Attorney be hired to provide added support for both the Carson City and Las Vegas offices. After initial startup in 1977, the Industrial Attorney has experienced an acceleration in workload which is anticipated to increase in the coming biennium. The part-time help item is recommended for intermittent clerical support when full-time legal stenographers are on vacation.

Out-of-State Travel - Out-of-state travel funds are recommended primarily to

allow the Industrial Attorney and Deputies to consult with out-of-state doctors in gathering medical data and for taking depositions.

In-State Travel - Increased in-state travel funds are recommended to cover the costs of travel for the new Deputy Industrial Attorney.

Operating - Increases in the operating category reflect the impact of inflation along with the transition from the initial startup phase to full operations. Additionally, due to the conversion from Nevada Industrial Commission accounting practices to those in the Controller's FMIRS System, there is a realignment of costs connected with the preparation of cases on behalf of clients. These costs for fiscal year 1978 were reflected entirely under "Legal and Court Expense" and include medical fees, witness costs, depositions, and transcripts. For the fiscal year 1979 work program year and for the coming biennium, the costs incurred through consultation with members of the medical profession are shown under "Medical Expense". Substantial increases in both medical expenses and legal and court costs are anticipated for the 1979-81 biennium.

Equipment - The amounts recommended reflect completely outfitting the new Deputy in the first year of the biennium and for minor replacement costs in the second year.

Training - Training funds are recommended so that staff can keep abreast of the most recent developments and techniques in this program area.

INDUSTRIAL ATTORNEY

	1977-78 Actual	1978-79		1979-80				1980-81			
		No. Pos.	Work Program	No. Pos.	Agency Request	No. Pos.	Governor Recommends	No. Pos.	Agency Request	No. Pos.	Governor Recommends
Nevada Industrial Commission Authorization	\$ 96,041.00		\$ 116,340		\$ 165,574		\$ 165,574		\$ 170,724		\$ 170,724
Total Funds Available	\$ 96,041.00		\$ 116,340		\$ 165,574		\$ 165,574		\$ 170,724		\$ 170,724
<b>Existing Positions</b>											
Carson Office											
Industrial Attorney U		1.00	\$ 26,025	1.00	\$ 28,107	1.00	\$ 28,107	1.00	\$ 28,107	1.00	\$ 28,107
Senior Legal Stenographer		1.00	12,711	1.00	13,342	1.00	13,342	1.00	13,342	1.00	13,342
Las Vegas Office											
Deputy Industrial Attorney U		1.00	24,723	1.00	26,701	1.00	26,701	1.00	26,701	1.00	26,701
Legal Stenographer		1.00	9,387	1.00	9,796	1.00	9,796	1.00	10,227	1.00	10,227
Total Existing Positions	\$ 60,733	4.00	\$ 72,846	4.00	\$ 77,946	4.00	\$ 77,946	4.00	\$ 78,377	4.00	\$ 78,377
<b>New Positions</b>											
Deputy Industrial Attorney U				✓ 1.00	\$ 25,000	1.00	\$ 25,000	1.00	\$ 25,000	1.00	\$ 25,000
Total New Positions				1.00	\$ 25,000	1.00	\$ 25,000	1.00	\$ 25,000	1.00	\$ 25,000
Industrial Insurance	\$ 811.00		\$ 1,246		\$ 1,379		\$ 1,379		\$ 1,592		\$ 1,592
Retirement	3,974.00		5,828		8,236		8,236		8,270		8,270
Personnel Assessment	547.00		656		927		927		930		930
Group Insurance	1,325.00		2,031		2,920		2,920		3,358		3,358
Payroll Assessment	.00		0		206		206		207		207
Unemployment Compensation	.00		291		412		412		414		414
Part-Time Help	.00		0		1,800		1,800		2,200		2,200
Salary Adjustment Reserve	.00		3,223		5,246		5,246		8,520		8,520
Total Salary - Payroll	\$ 67,390.00		\$ 86,121		\$ 124,072		\$ 124,072		\$ 128,868		\$ 128,868
Total Out-of-State Travel	\$ .00		\$ 1,000		\$ 1,000		\$ 1,000		\$ 1,000		\$ 1,000
Total In-State Travel*	5,952.00		5,100		6,865		6,865		7,414		7,414
Office Supplies and Expense	\$ 325.00		\$ 2,500		\$ 1,200		\$ 1,200		\$ 1,296		\$ 1,296
Operating Supplies	5,194.00		500		1,150		1,150		1,242		1,242
Communications Expense	3,278.00		3,500		4,025		4,025		4,347		4,347
Printing, Duplicating, Copy	475.00		1,500		1,725		1,725		1,863		1,863
Insurance Expense	95.00		100		100		100		100		100
Other Contract Service	2,132.00		1,600		2,200		2,200		2,200		2,200

\*Fiscal year 1978 actual travel combines in-state and out-of-state travel.

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INDUSTRIAL ATTORNEY - Continued

BIT 9	1977-78 Actual	1978-79		1979-80		1980-81					
		No. Pos.	Work Program	No. Pos.	Agency Request	No. Pos.	Governor Recommends	No. Pos.	Agency Request	No. Pos.	Governor Recommends
Medical Expense	\$ .00		\$ 2,500		\$ 3,450		\$ 3,450		\$ 3,967		\$ 3,967
Equipment Repair	116.00		500		500		500		500		500
Other Building Rent	7,376.00		7,619		9,887		9,887		9,887		9,887
Legal and Court Expense*	1,621.00		2,500		5,700		5,700		5,700		5,700
Building Improvement**	.00										
Dues and Registration	389.00										
Miscellaneous	903.00										
<b>Total Operating Expense</b>	<b>\$ 21,904.00</b>		<b>\$ 22,819</b>		<b>\$ 29,937</b>		<b>\$ 29,937</b>		<b>\$ 31,102</b>		<b>31,102</b>
Office Furniture and Equipment	\$ .00		\$ 0		\$ 2,000		\$ 2,000		\$ 500		\$ 500
Training	795.00		1,300		1,700		1,700		1,840		1,840
<b>Total Agency Expenditures</b>	<b>\$ 96,041.00</b>		<b>\$116,340</b>		<b>\$165,574</b>		<b>\$165,574</b>		<b>\$170,724</b>		<b>\$170,724</b>

\*Includes medical fees, witness costs, depositions, and transcripts in fiscal year 1978.

\*\*Depreciation included in Nevada Industrial Commission Administration budget for 1977-78 and 1978-79.

Actual cash outlay in fiscal year 1978 for Building Improvement was \$491.00.

Actual cash outlay in fiscal year 1978 for equipment was \$8,829.00.

1691

APPEALS OFFICER'S STATEMENT ON BUDGET ACCOUNTS

EXISTING POSITIONS:

ATTACHMENT H

Hearing Officers

A study conducted by the Appeals Officer in 1977 showed that individuals accomplishing the same function as the Appeals Officer reached approximately \$36,000 annual salaries. The Appeals Officer position requires full-time and attention to a heavy case load that has increased just within the last year in Carson City to a new case for every 1 1/2 days on a 365 day basis, which is an 18 3/4 percent increase for the past year. In Las Vegas, one case for every 1 1/3 days on a 365 day basis. (84 case difference in last year between Carson City and Las Vegas.) Also, legislation pending, AB 84 and SB 382, passage of which will substantially alter projections for FY '79-80 and FY '80-81, in terms of increased case load. Changes in appeals level by removal of Nevada Industrial Commission appeals would greatly increase the case load, extent of which cannot be projected.

OUT OF STATE TRAVEL:

No out of state travel was taken by the Appeals Officer in Carson City for FY '78-79. It is anticipated that the Appeals Officer will attend the National meeting of IAIABC in New York, New York, for five days, medical-legal seminar in Miami, Florida for three days, and a two day session of California Continuing Legal Education seminar somewhere in California. Possible other meetings or requirements for Appeals Officer to go out of state; for example, I am on the Adjudication Committee of IAIABC.

FY '80-81 - Estimate similar programs as in the previous year, with estimated ten percent increase.

Las Vegas Appeals Officer: It is anticipated that he will attend the medical-legal seminar in Miami, Florida for three days and a two day session of California Continuing Legal Education Seminar somewhere in California.

FY '80-81 - Estimate similar programs as in the previous year, with estimated ten percent increase.



## IN STATE TRAVEL:

It is anticipated, as previously stated, that a new structural change by the Legislature in the Appeals procedure will result in the necessity of the Appeals Officers having to get together in Las Vegas and Carson City on a frequent basis to accomplish the promulgation of Appeals Officer Rules and REgulations separate and apart from the Nevada Industrial Commission and to assist each other in hearing cases due to a projected Appeals Officer case load increase.

## OFFICE SUPPLIES:

We actually exceeded the \$350 allotted by the Nevada Industrial Commission. We were supplied out of the Nevada Industrial Commission warehouse. The request is the best estimate we can make on what we will require.

## COMMUNICATIONS:

Nevada Industrial Commission previously paid for our postage. The office of the Appeals Officer is now picking up postage for the first time. With increased volume on case loads it is anticipated we will incur the increased costs in telephone and postage. Postage is a major expense due to the requirements of having to send legal notices.

## PRINTING:

This will cover the Appeals Officer's printing of forms, letterheads, and the new Appeals Officer Rules and Regulations.

## SUBSCRIPTIONS AND REFERENCE MATERIAL:

This is the Appeals Officer's library update and reference material requirement.

## VEHICLE OPERATION:

This is an estimate of the cost for tires, repairs, and gas for use of vehicle by the Appeals Officers.

**LEGAL AND COURT EXPENSES:**

Up to this date, the Court Reporters and transcript expense was shown in this account, which has now been moved to a contract services account. This account now shows the amount anticipated for District Court review, possible legal expense, subpoena fees, and expert witness fees.

**CONTRACT SERVICES:**

This is a new account created just to pay for court reporters and transcript costs. This estimate is based on what is being spent this current year on court reporters and transcripts.

**EQUIPMENT REPAIR:**

This is to cover any equipment needing repair that is not covered under maintenance agreements.

**INSURANCE EXPENSE:**

This is to provide insurance to cover personal property and car insurance.

**OTHER CONTRACT SERVICES:**

This is the annual cost of MCST machine and Xerox duplicating machine.

**RENT:**

This is the rental cost for Appeals Officers rental of offices and hearing rooms.

**DUES AND REGISTRATION:**

This is to cover the tuition or registration fees for attendance at National College of Judiciary or Seminars.

**BUILDINGS AND GROUNDS SERVICES:**

This is to cover costs of making up cabinets or other miscellaneous equipment and any possible moving of Appeals Officer files and cabinets.

**EQUIPMENT:**

This will pay for the cost of a file cabinet, file top storage cabinet, and regular storage cabinet for Las Vegas Appeals Officer and a microfilm reader and adding machine for Appeals Officer in Carson City.

APPEALS OFFICER

EXHIBIT I

Nevada Industrial Commission Authorization

Total Funds Available

Existing Positions :

Hearing Officer

Hearing Officer I

Senior Legal Stenographer

Principal Clerk Typist

Total Existing Positions

New Positions

Student Assistant

Total New Positions

Industrial Insurance

Retirement

Personnel Assessment

Group Insurance

Unemployment Insurance

Salary Adjustment Reserve

Total Salary - Payroll

Total Out-of-State Travel

Total In-State Travel

Office Supplies

Communications

Printing

Subscriptions and References

Vehicle Operation

Legal and Court Expenses

Contract Services

Equipment Repair

ATTACHMENT I

	1977-78 Actual	1978-79		1979-80			1980-81				
		No. Pos.	Work Program	No. Pos.	Agency Request	No. Pos.	Legislature Approves	No. Pos.	Agency Request	No. Pos.	Legislature Approves
Nevada Industrial Commission Authorization	\$129,431		\$149,530		\$197,884			\$208,065			
Total Funds Available	\$129,431		\$149,530		\$197,884			\$208,065			
Existing Positions :											
Hearing Officer		1.00	\$ 31,230	1.00	\$ 33,850		\$	1.00	\$ 34,350		\$
Hearing Officer I		1.00	27,586	1.00	30,192			1.00	30,692		
Senior Legal Stenographer		2.00	20,232	2.00	20,567			2.00	21,482		
Principal Clerk Typist		1.00	12,199	1.00	12,199			1.00	12,199		
Total Existing Positions	\$ 78,731	5.00	\$ 91,247	5.00	\$ 96,808			5.00	\$ 98,723		
New Positions											
Student Assistant	\$		\$	.50	\$ 2,979		\$	.50	\$ 3,098		\$
Total New Positions	\$		\$	.50	\$ 2,979		\$	.50	\$ 3,098		\$
Industrial Insurance	\$ 989		\$ 1,285		\$ 1,337		\$		\$ 1,568		\$
Retirement	6,012		7,299		7,983				8,145		
Personnel Assessment	709		821		898				916		
Group Insurance	1,619		2,539		3,888				4,824		
Unemployment Insurance	0		365		399				407		
Salary Adjustment Reserve	0		0		4,257				5,598		
Total Salary - Payroll	\$ 88,060		\$103,556		\$118,549		\$		\$123,279		\$
Total Out-of-State Travel	\$ 2,297		\$ 1,900		\$ 2,500		\$		\$ 2,750		\$
Total In-State Travel	511		1,750		4,940				5,410		
Office Supplies	\$ 521		\$ 350		\$ 1,450		\$		\$ 1,575		\$
Communications	3,078		2,000		6,200				6,920		
Printing	3,911		2,700		4,000				4,400		
Subscriptions and References	2,689		2,200		2,200				2,420		
Vehicle Operation	254		150		500				550		
Legal and Court Expenses	10,815		11,401		1,950				2,145		
Contract Services	0		0		31,500				34,650		
Equipment Repair	69		550		600				660		

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APPEALS OFFICER - Continued

	1977-78 <u>Actual</u>	1978-79		1979-80		1980-81					
		<u>No. Pos.</u>	<u>Work Program</u>	<u>No. Pos.</u>	<u>Agency Request</u>	<u>No. Pos.</u>	<u>Legislature Approves</u>	<u>No. Pos.</u>	<u>Agency Request</u>	<u>No. Pos.</u>	<u>Legislature Approves</u>
Insurance Expense	386		740		560				616		
Other Contract Services	4,900		6,443		6,950				6,950		
Rent	11,911		13,500		13,500				13,500		
Dues and Registration	0		700		900				990		
Buildings and Grounds Services	29		1,590		750				750		
Total Operating Expense	\$ 38,563		\$42,324		\$ 71,060		\$		\$ 76,126		\$
Equipment*	0		0		835				500		
<b>Total Agency Expenditures</b>	<b>\$129,431</b>		<b>\$149,530</b>		<b>\$197,884</b>		<b>\$</b>		<b>\$208,065</b>		<b>\$</b>

\*Depreciation included in Nevada Industrial Commission Administration budget for fiscal years 1977-78 and 1978-79  
 Actual cash outlay for equipment in fiscal year 1978 was \$6,809

EXHIBIT I

2406

JOHN H. CARR, M.D., M.P.H., F.A.A.P.  
STATE HEALTH OFFICER  
PHONE (702) 885-4740



STATE OF NEVADA  
DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF HEALTH  
CAPITOL COMPLEX  
CARSON CITY, NEVADA 89710

May 2, 1979

MEMORANDUM

ATTACHMENT J

TO: Senate Finance Committee  
FROM: Paul Cohen, Administrative  
Health Services Officer  
SUBJECT: CANCER REGISTRY

The following is submitted in response to questions raised during my testimony on May 1 regarding the establishment of a cancer registry for Northern Nevada:

1. Nevada Tumor Registry

The information was provided by Irene Peacock, Cancer Registrar, Dr. John W. Grayson, and Mr. George Reisz, Administrator, Southern Nevada Memorial Hospital (SNMH):

During calendar year 1978, 1,000 names from 9 clients (hospitals) were added to the Nevada Tumor Registry, at \$15.00 per name, totalling \$15,000.

There is a single contract employee, Ms. Peacock, who is provided office space, utilities, rent, telephone, equipment, etc., at no cost by Southern Nevada Memorial Hospital. Volunteers provide additional assistance of approximately 6 to 8 hours on a bi-monthly basis. Ms. Peacock also serves as secretary on a weekly basis for the SNMH Tumor Board.

Each quarter the Tumor Registry bills the 9 clients (hospitals) for the projected quarter, which is based upon previously reported cancer patients.

The \$15.00 per case reported is paid by the hospitals and not directly by the patients. According to Dr. Grayson and Mr. Reisz, the hospitals either absorb and/or bill the \$15.00 via normal hospital services.

It must be noted that Mr. Reisz reports that it is impossible to project an annual budget due to in-kind, volunteer services and the fact that this program until last year was an actual program within SNMH.

2. Insurance Payments

In researching the possibility of garnering insurance reimbursement, Ms. Mel Holderman contacted all insurance carriers (Attach. 1) and received eight

## CANCER REGISTRY

Page 2

2. Insurance Payments (continued)

responses stating that the insurance companies would not cover this service. It must be noted that Rose De Lima Hospital charges \$50.00 for consultation, of which the \$15.00 is for the tumor registry and has been reported to have received reimbursement from insurance companies.

3. Northern Nevada Registry

The genesis for this proposal, according to Ms. Holderman, to the 1979 Nevada Legislature is that the Northern Nevada hospital administrators do not want to place an additional charge of \$15.00 on the patient's bill. This is further substantiated by the minutes of the Nevada State Board of Health (Attach. 2, 3, 4 & 5).

Both Ms. Holderman's February 23 and Dr. DiSibio's April 11 correspondence to the Committee identify the what and wherefores of this registry.

SUMMARY

Based upon the information provided, it is impossible to construct a line item budget which would give a clear picture of fiscal needs of the Nevada Tumor Registry which would also include proper client follow-up. There is no documentation to support the fact that the insurance carriers within the state will not reimburse and/or cover a direct billing for cancer registry.

The Health Division, if given the fiscal and administrative responsibilities, would prepare a contract under NRS 284 which would include a definitive line item budget and specific tasks to be accomplished. This would allow the Health Division, if warranted, to withhold a portion of the total amount appropriated. This action would be based upon actual negotiation with the Northern Nevada Cancer Council, Inc. As part of this contractual process, under S.B. 255, there would be available a quarterly report on the status of the contract.

PC/bws  
attachment(s)

cc: John H. Carr, M.D.  
Ralph DiSibio, Ed.D.  
Mel Holderman, R.N.

HIBIT J



UNIVERSITY OF NEVADA . RENO

ATTACHMENT 1

DEPARTMENT OF PHARMACOLOGY  
SCHOOL OF MEDICAL SCIENCES  
ANDERSON MEDICAL SCIENCES BUILDING  
Reno, Nevada 89557  
(702) 784-6036 6001

November 14, 1978

Administrator

Dear Sir:

The Northern Nevada Cancer Council based at the University of Nevada Medical School is attempting to establish a statewide Cancer Registry for the State of Nevada.

This registry would compile the cancer data necessary to allow the Northern Nevada Cancer Council to provide follow-up and continuity of care for the cancer patient.

In this manner, the patient would be followed on a regular basis and receive the appropriate treatment necessary for their condition.

Plans are being written in Nevada now which would cover the above procedure to improve patient treatment.

Dr. Roger Miercort, Radiologist at Washoe Medical Center, and Director for this program, has requested I inquire about the guidelines your insurance company follows in assisting with reimbursement for patient data to be fed into the State of Nevada computers.

An early reply would be appreciated as a meeting of the NNCC Data Management Committee has been scheduled for late November.

Thank you for your response to this letter.

Sincerely,

Melba Holderman, R.N.  
Program Manager, Northern Nevada  
Cancer Council  
UNR-School of Medical Sciences  
Manville Bldg., Rm. 1  
Reno, Nevada 89557

MH:si

A DIVISION OF THE UNIVERSITY OF NEVADA SYSTEM

EXHIBIT J

## NEVADA HOSPITAL ASSOCIATION

To: Mel Holderman

Date: Oct. 30

Here is a list of the insurance companies we sent Voluntary Effort material to earlier this year.

Beth McNeil



Aetna Life & Casualty  
1330 Broadway  
Oakland, CA 94612

American Postal Workers Union Plan  
P. O. Box 967  
Silver Springs, MD. 20910

Blue Cross/Blue Shield of N. Cal  
1950 Franklin  
Oakland, CA 94659

Bankers Life & Casualty  
444 Lawrence St.  
Chicago, Il 60600

Culinary Workers  
P. O. Box 15107  
Las Vegas, Nev. 89114

C.H.A.M.P.U.S./CHAMPVA  
P. O. Box 85023  
San Diego, CA 92138

Cal West  
P. O. Box 7196  
Reno, Nev. 89502

Crown Life Ins.  
1 California St.  
San Francisco, CA 94102

Equitable Life Ins.  
3708 Mt. Diablo Blvd. Suite 319  
Lafayette, Ca 94549

John Hancock Mutual  
P. O. Box 60866  
Terminal Annex  
Los Angeles, Ca 90060

Home Life Ins.  
2500 Wilshire Blvd.  
Suite 1144  
Los Angeles, CA 90056

Kaiser Foundation  
1924 Broadway  
Oakland, CA 94600

Mutual of Omaha  
Dodge at 33rd St.  
Omaha, Neb. 68131

Metropolitan Life Ins.  
425 Market St.  
San Francisco, CA 94105

Medicare *From: [unclear] [unclear]*  
P. O. Box 7290  
Reno, Nev. 89510

Nevada Blue Shield  
P. O. Box 10330  
Reno, Nev. 89510

Nevada Industrial Commission  
515 East Musser St.  
Carson City, Nev. 89701

New York Life  
P. O. Box 54373  
Los Angeles, CA 90054

Occidental  
P. O. Box 57964  
Los Angeles, CA 90057

Prudential  
P. O. Box 9051  
Van Nuys, CA 91509

Pacific Mutual Ins.  
1540 Shaw Ave., Suite 119  
Fresno, Ca 93710

PROVIDENT Mutual  
One Embarcadero Ctr, Suite 1001  
San Francisco, Ca 94111

Travelers  
136 E. South Temple St.  
Salt Lake City, Utah 84111

Universe Life  
300 E. 1st St.  
Reno, Nev. 89502

Excerpt from April 21, 1976 Meeting of Board of Health

EX HIBIT J

Nevada Tumor Registry

Dr. William M. Edwards, Chief, Bureau of Community Health Services, introduced Mrs. Lura Tularski of the Reno Cancer Center. Mrs. Tularski stated that she would like the Board to appoint a committee to study the cancer reporting needs of Nevada. She would like to chair the committee, with other members being Jack Homeyer and Mel Holderman of the Health Division, Carl Chamberlain of the Radiation Center, Washoe Medical Center, Mrs. Peacock of Southern Nevada, and whomever else the Board might like to appoint. This committee would consult with an epidemiologist and would come up with some specific recommendations in a few months. In her opinion, cancer registry results did not justify the cost; she felt that no interest had been shown by the doctors and the information had not been used. The Reno Cancer Center had dropped cancer registry for this reason. She felt there were other studies on cancer that might prove more valuable. She is going to ask for a government grant to do these studies, among which would be the study of the clustering of certain types of cancer in a certain area. In her opinion, this would prove more valuable than just running a straight cancer registry.

Mrs. Fulstone entered the meeting at 10:10 A.M.

Mrs. Tularski did not like the idea of the Board appointing an out-of-state recording agency and felt the \$15 fee was too much. She stated that the Reno Cancer Center had not registered any patients since September 30, 1970; they were not interested in running a statewide cancer reporting agency. She thought the Board should consider this before appointing someone else. She mentioned that all the information collected by the Reno Cancer Center for Southern Nevada had been placed on the computer; that information collected from Northern Nevada had not, although it is still in existence. She would like to put all the information which they have gathered on a computer within the State, not go to Salt Lake City with it. She questioned whether cancer should be a reportable disease.

Dr. Bentley stated that, as he understood it, the Board's involvement in this was the fact that the Legislature required cancer to be a reportable disease. The Board's responsibility, basically, was to designate the reporter. In essence what had happened was that the Reno Cancer Center had done the reporting; now, that reporting is being done by the Nevada Tumor Registry in Las Vegas. At the last meeting, this Las Vegas registry was designated as an acceptable reporting agency. This does not mean that any other agency in any other part of the State could not also be an acceptable reporting agency. The Board's concern is solely with the registry and reporting of cancer.

Mr. Carl Chamberlain, Director of Medical Physics, Washoe Medical Center, said he had come before the Board simply as a user of tumor registry. Since beginning radiation therapy in Northern Nevada approximately five years ago, they had treated about 2500 patients. They had found it extremely valuable to find out just what had happened to the particular patients whom they had treated. He was speaking primarily in favor of tumor registry. He could see, however, some validity to Mrs. Tularski's request for a committee; perhaps some important information could come out of it.

It was noted by Miss Gleeson that the idea of working up additional information on cancer was good, but she did not think it invalidated in any way the action the Board had taken at the March meeting. She thought those interested parties should be encouraged to do what Mrs. Tularski had suggested, come together, avoiding duplication if possible, and come back to the Board in 3 to 6 months, perhaps with another reporting ability.

Excerpt from July 21, 1976 Meeting of Board of HealthNevada Tumor Registry

Dr. Carr stated that he had hoped Dr. Butler could be at the meeting today to explain in depth what had gone on in the past and why the two alternate systems had been chosen. This he thought had been done by the Board of Health in February of 1970 and was reaffirmed recently at a meeting of the Board. Dr. Miercort had written questioning the desirability of having this orientation towards Salt Lake City. He felt that the northern/western part of the State would prefer to identify itself with the Bay Area. The Health Division had not become involved in choosing sides. The cancer reporting requirement was law. In his opinion, the ideas behind a registry were getting less and less popular because of the patient confidentiality problem. This matter was being brought up again today because some people in the Reno area would like to have more input into the possibility of other alternatives.

Mr. Fred Hillerby, Executive Director, Nevada Hospital Association, questioned what was being done with the data once it was collected. As he understood it, there were two options open to them. One was the Regional Registry in Salt Lake City, the fee for which was \$1.75 per person or occurrence, and the hospital became responsible for the follow-up. The other option was to go through the Las Vegas Tumor Registry, where the fee was \$15 and they assumed the follow-up responsibility. They were concerned with the costs either way, either the \$15 charge or the costs that would be incurred by the hospital if it took the responsibility of follow-up. Nevada has many transients; follow-up might be difficult. Their main question was what was being done with the data; did they need to have a tumor registry at all? The law, as he understood it, had focused on quackery. The Legislature had not required cancer to be a reportable disease. This was a requirement of the Board in 1970.

In response to a question from Dr. Bentley, Mrs. Tularski stated that the Reno Cancer Center had had some funds from the Fleischmann Foundation, some from the Federal government and had put up some money of their own for the cancer registry. They had abandoned the cancer registry after meeting with several doctors and discussing the value of it. No one had been interested in it and the cost for value was just not in balance. Dr. Bentley stated that, as he understood it, at that time the physicians in Las Vegas had felt it was necessary to continue a registry. It was noted by Mrs. Tularski that the Las Vegas registry had been sent 12 years of records accumulated by the Reno Cancer Center. Dr. Bentley said that, again, as he understood it, Las Vegas had then gone to the registry in Salt Lake City to use its computer capability for follow-up, etc. This is the situation as it is now. Every hospital in Las Vegas, except one, and several others throughout the State were participating in this program. As a result of this situation, the Las Vegas Tumor Registry had requested to be named the official registry, since the registry previously named by the Board was no longer collecting information throughout the State.

Mr. Hillerby stated that the Board regulations state that cancer must be reported and that an annual report would then be provided to the Board. His question was, again, if this report is being provided, what use is being made of it? Dr. Bentley stated that no use was being made of it at this point. Mr. Hillerby said that if the Board just wanted statistics on how many malignant neoplasms there were in the area that sort of data was available without going through a registry. Mrs. Tularski thought that one thing that the Board had not taken into consideration was the cost to the hospitals.

Mr. Bud Reveley of St. Mary's Hospital noted that he had written a letter<sup>EX HLB 1 J</sup> expressing concern over the implementation of these regulations. Most of the physicians with whom he had talked were not interested in the registry and the data that was produced and the form in which it was produced. They really questioned the validity of a study like this and thought the same questions were being raised throughout the country. He thought the wrong approach was being taken. He thought it would be preferable to spend some of the State's money on a project like this rather than spending the patient's money. They didn't think it was fair anymore for the persons who were sick to bear the costs of what is perhaps a statewide research problem. If the Bureau was going to require a \$15 fee, it would have to come out of the patient's pocket. A lot of things were coming out of patients' pockets today that were required by federal, state and county agencies. He wanted to call attention to this problem. The cost of medical care is going out of sight. He thought the Board should get some input from physicians who practice in the Reno area and talk to the people who have been involved in these studies for the past 15 years and further research this action. If Southern Nevada wanted to continue with this, it was fine.

Dr. Bentley thought that basically this problem boiled down to a North-South disagreement over the value of a registry. The law says this has to be done and the Board thought this was the best way to do it. Making cancer a reportable disease removed the problem of confidentiality. The information gathered was used in Southern Nevada; they were interested in the registry. He commented that for the past seven or eight years there had been incomplete reporting in the State. The more people involved, the more valid the statistics become. As he understood the argument, the problem in the North was because of confidentiality. He believed this to be a smoke screen and he also felt the argument against the \$15 was a smoke screen. Mr. Reveley stated that money was not a smoke screen to them; perhaps the confidentiality might be. Dr. Bentley replied that he did not think that \$15 out of a \$1,500 bill, and that was a small one, was very much. He did not think we had a proper registry; he did not think we probably would ever have one. Very few states in the nation have a proper registry. Nevertheless, that did not mean we should not have one at all.

Mr. Hillerby questioned the value of having a regulation on the books that was not going to be followed by everyone. In answer to a question from Miss Gleeson, Dr. Bentley replied that it is required by regulation of the Board of Health that cancer be reported. This is the same as law. He read from Dr. Thomason's letter to all hospital administrators in which it stated that they were required to submit data either directly to the Salt Lake City registry or to the Las Vegas Tumor Registry. It was noted by Dr. Libke that not all the hospitals in the State had been submitting data, as required by the 1970 regulations. Mr. Hillerby replied that the 1970 regulations had not specified hospitals per se; this was the first time that hospitals had been directed to do so. In Dr. Bentley's opinion, it was hard to force anyone to report something if he did not want to. Dr. Cannon thought it was wrong to have the regulations in that form if they were not going to be enforced. Dr. Bentley thought perhaps the Board should make reporting voluntary, but it was better to have one registry, rather than 100 registries, since the information would become statistically much more valuable. Mr. Reveley agreed with using one registry; he thought the problem was that Dr. Thomason's letter did not give them the option not to report.

Dr. Carr stated that from the point of view of the Health Division, the Vital Statistics Section of which is the recipient of this information on all reportable diseases, there is no point in having voluntary reporting for statistical data. It is worthless. Cancer is a public health problem; it is the second leading cause of death. They were not interested in becoming a registry. They were interested in having their data simple, accurate, rapidly obtained and easily assimilated for statistical purposes. They did not care whether or not it went to Salt Lake City or to Los Angeles. But, in their opinion, there was no point in having voluntary reporting.

Dr. Cannon stated that this was his point, too. You either have reporting or you don't have it at all. Dr. Bentley stated that he would like to postpone this matter until the Board's next meeting, when Dr. Butler could be present. It was decided to do so.

Excerpt from September 15, 1976 Meeting of Board of HealthNevada Tumor Registry

Dr. Bentley stated that there had been considerable feeling in the northern part of the State against the action the Board had taken sometime ago in making cancer a reportable disease. The South was interested in a tumor registry and had been behind it all along. Washoe County was not part of any registry; they were not interested in paying the fee for this service. It was noted that when the regulations had been passed the Board was to determine an agency to which reports were to be made. Originally, this was the Reno Cancer Center. When this agency discontinued the registry, the people in the South started the Nevada Tumor Registry. A requirement of the regulations was that the Board be sent an annual report. The letter that had been sent several months ago by the Health Division telling hospitals to report to either the Nevada Tumor Registry in Las Vegas or directly to the Rocky Mountain States Cooperative Tumor Registry in Salt Lake City had stirred up quite a bit of controversy.

Mr. Fred Hillerby, Executive Director of the Nevada Hospital Association, stated that the regulations, in fact, did not address hospitals and questioned what was being done with the information received in the report. Dr. Butler asked if the opposition was because cancer was reportable. Mr. Hillerby replied that he was not against reporting cancer, but, if it is being reported, he questioned what was being done with the report. They were concerned with the followup that would be required and the costs that would be involved. He also understood that the emphasis today was not on registries as such but more on specific study cases, groups, geographic areas, etc., because the followup was not being done in a lot of cases. He did not think that hospitals were the only guilty ones in not being able to followup these cases; the physicians have the same problem.

Dr. Butler commented that the Tumor Registry would do all the followup and submit the data to the computer system, who would then keep track of it. The alternative would be to do the followup on your own, but this would put a burden on the hospital record room. As he understood it, the Tumor Registry had been very satisfactory in a place like the hospital in Ely. They went up there once every six months, went through the hospital's records, found all the data, filled out the forms appropriately and mailed them to Salt Lake City. The hospital got charged \$15 for this. The computer then came back to the Registry and asked them to followup the patient. They went through the effort of followup, filled out the form again and mailed it back. The information went into the memory bank of the computer and came back. There was no effort involved on the hospital's part. The Salt Lake Registry had done all kinds of things with the information. They had looked at survival curves, therapy vs. survival, a number of different things, and they had correlated it with their larger program, which involves not only Nevada but a whole five-state system.

Mr. Hillerby thought the point that should be made here was that those who want to participate in the registry, the doctors who have provided the impetus, would want to have this information. The inference he had received from the Board at the last meeting was that probably there would not be any attempt to enforce this requirement to report. The Board was just trying to establish which registries would be used, in an effort to establish some consistency. That was fine. He thought they designate whatever registry they thought appropriate; but to make reporting a regulation that, in fact, no one intended to enforce - why do that? Why not let it continue to run the way it has? Those hospitals and doctors who had been participating he was sure would continue to do so. The statutes did not call for cancer to be reported. Sandra Chhina of the Reno Cancer Center stated that, in her opinion, the whole problem was that reporting had been made mandatory; it should be voluntary.

Dr. Butler thought the more people that reported, the more valuable the data might be. There are certain things that do happen; certain types of tumors tend to occur in certain places. These things surprise you. You never can see them unless someone accumulates the data and puts it in a complete picture.

Mr. J.L. Reveley, Executive Director, St. Mary's Hospital, thought they needed to know more about the objectives and the benefits of this program before it was made mandatory. They were not against reporting cancer. They reported a lot of incidents of disease to the Health Division, but in the case of most other diseases it was simply a sheet of paper with a name, an address and a diagnosis. In the case of cancer, for it to be effective, there had to be a tremendous followup effort, about every six months, trying to locate that patient or trying to find out if he had been treated by the doctor. They just did not feel that the hospital and their patients had to bear this burden. Although \$15 sounded like a good price, he doubted if it could actually be done for this. If the State needed this information and the public needed this information, maybe the taxpayers should pay for it. Then we would all benefit from having this information. All of the things that had been discussed today would cost the patient money. He didn't really feel it was possible to put any more burden on the patient until we know that there will be a positive benefit.

In response to a question from Mr. Hillerby, Dr. Butler said that while he, too, understood that at the national level the tumor registry concept was not receiving the priority it used to, they were still interested in getting good epidemiological evidence of what was happening. It was hard to get information, for example, on a specific type of tumor, its survival rate vs. some type of therapy. There was just enough variance in this type of thing. He felt all tumors should be reported. The people in Salt Lake had gotten good survival therapy kinds of information that were worth correlating. He thought that was the rationale behind the registry. The benefits were obviously not short term ones. If there was a strong feeling not to make it reportable, he didn't care. He just wanted to let them know the reasoning behind the registry requirement. If people wanted to participate voluntarily, let them. That was what was happening anyway. He felt that since Southern Nevada had about two thirds of the State's population and was heavily involved in reporting that they can get a pretty big sample, anyway. They would not, however, get a geographic sample.

Mr. Hillerby asked if the doctors receiving these printouts were utilizing the information they received. Dr. Butler thought there obviously were two or three people on the Tumor Boards who were interested in cancer as a problem. They took that kind of information and dissected it out and reflected it back into the decisions or therapy programs decided upon at these Boards. He doubted if a given surgeon, internist or family doctor used the information. It was pretty hard to take that kind of data and put it to use. An individual doctor probably only sees a small number of cancer cases in a year.

Mr. Hillerby wondered if the cancer victim paying the fee for reporting his disease would feel that he had really benefited by it. Dr. Butler stated that he would not benefit, but other people down the road would. Dr. Libke said it seemed to him that it had been the history of those afflicted with cancer that they became vitally interested in it and did want to help future victims. Ms. Chhina thought that as long as you had an adequate sample of whatever it is you are going to study you could do research on those things somewhere else as well as you could in Nevada. If somebody else had the money to do this research she wondered why Nevada should have to do it. You are going to get the same results, with minor variances. Mr. Hillerby stated that the data would be available through the specialty centers and the specialty physicians. It would be more concentrated than that from the doctor who might only see one or two cancer patients a year. Dr. Butler noted that they did not know the epidemiology of cancer and its relationships with environmental effects. You were not going to find that out until it was correlated with geographic location.

Mrs. Fulstone wondered if in Ms. Chhina's work with cancer patients she would be able to present the idea to them of paying their \$15 and getting on the computer, so they could be followed. Ms. Chhina said she felt they had enough other financial problems. Mr. Hillerby did not think that insurance would cover the \$15 fee. Neither Mr. Hillerby nor Mr. Reveley thought the doctors in the North were interested in the registry. Dr. Cannon remarked that it was incredible to him that a physician, whether in Reno or Las Vegas, could doubt the potential value of this information.

Mr. Hillerby did not think the regulation had to be changed. The letter that had come to the hospitals said that it was mandatory to report. It did not say so anywhere else, either in the regulations or in the statutes. He was not trying to get the hospitals out of the reporting business. Those that wanted to be there would be there, but there were some that were not participating because their medical staffs did not want to. He would like the letter changed. Miss Gleeson stated that in her opinion it really was the physician's responsibility to report and the hospitals had been made responsible for doing it. Mr. Hillerby stated that he was not asking that the law or the regulations be changed, just the letter requiring the hospitals to report.

After further discussion, it was decided by the Board that it would not be mandatory for hospitals to report, but if they did decide to they should do so through the Nevada Tumor Registry in Las Vegas or the Salt Lake Registry direct.

Dr. Bentley stated that they would try to use some salesmanship to get those physicians not currently participating to see the value of tumor registry.

EX HIBIT J - J

Excerpt from 3/17/79 Meeting of Board of Health

EX HIBIT J - -

Nevada Tumor Registry

Dr. William M. Edwards, Chief, Community Health Services, appeared before the Board to discuss a letter written by the Nevada Tumor Registry in Las Vegas in which they requested that they be appointed as the official agent for the registry and reporting of cancer patients in Nevada. He stated that the Cancer Advisory Council was established in 1969. Its purpose was to investigate possible fraudulent cancer cures. The last meeting was held in February, 1975, with Dr. Herman of the Health Division as chairman. The last meeting before that had been held in October, 1973, and to his knowledge there had been no meetings between that date and 1969, primarily because there had been no problems with fraudulent cancer cures in Nevada. The Legislature made cancer a reportable disease and the Board adopted regulations in 1970. At that time, the Reno Cancer Center was appointed to make an annual report to the State Board of Health. The Reno Cancer Center has not registered any patients for some time and the Board has not been receiving an annual report. To Dr. Butler's knowledge, the data which the Reno Cancer Center had gathered has not been transferred to the computer.

Dr. Butler described the operation of the Nevada Tumor Registry. This is a non-profit organization. They initially charge \$15 to register a patient; they get all necessary data and fill out a form, which is then submitted to the Western Regional Medical Registry in Salt Lake City. This information is then entered into the computer, at a charge of \$1.75. The computer puts out follow-up requests periodically; these are handled by the Nevada Tumor Registry. Semi-annually, the computer puts out a detailed report, listing all patients individually, by name, that have ever been registered in Nevada, what kind of tumor they have, and their current status. It also lists by disease site, correlates survival rates, etc. It takes all the hospitals in Nevada and shows the number of new cases they have registered each year. It also shows the number of patients who were diagnosed out-of-state compared to in-state, etc. In essence, this report would satisfy the requirement of the annual report to the Board.

now  
\$2.15

There are some inherent weaknesses in the program. Persons not diagnosed in the hospital do not always get registered. If a hospital does not want to participate in the \$15 program, they must register the patients themselves. They fill out the form and send it to the computer and are billed \$1.75. When the follow-up request is received from the computer, the hospital must take care of it themselves through their own Records Room staff.

In answer to a question from Miss Gleeson, Dr. Butler stated that all the information collected by the Reno Cancer Center, while it had not been fed into the computer, was still in existence. Dr. Butler thought the Board could take a double position: 1) they could recognize the Nevada Tumor Registry as an acceptable agent for registry; and, 2) an individual institution could submit their data to the computer center, independently, by paying \$1.75. The computer center would then submit its semiannual report, which would satisfy the regulations. He felt the Board would get a significant number of cases.

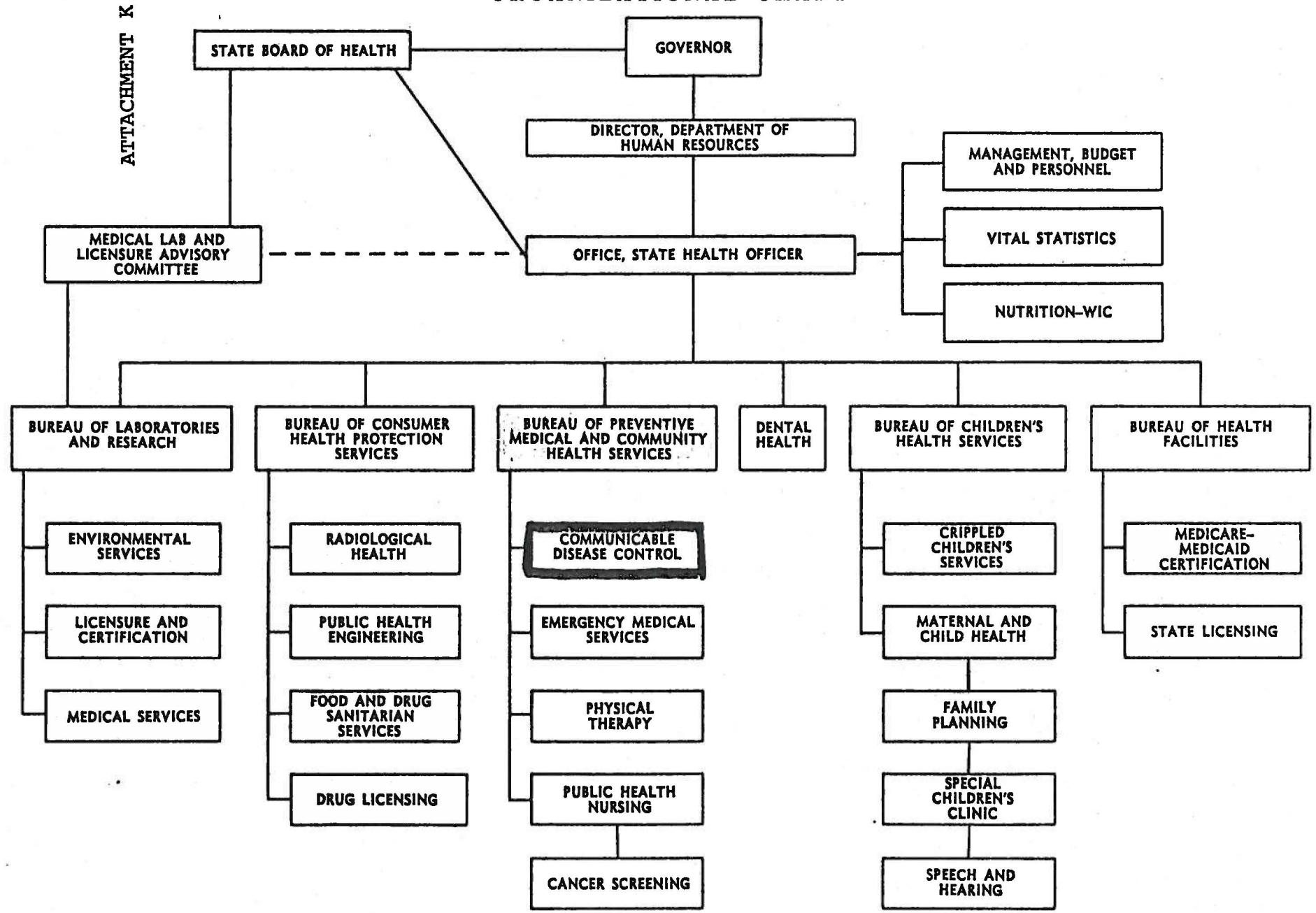
**MOTION:** It was moved by Dr. Butler that the Board designate the ultimate registry is the Regional Medical Registry at Salt Lake City and that the data to that Registry can be submitted via the Nevada Tumor Registry in Las Vegas or the individual physicians and hospitals can submit their data directly to the Regional Medical Registry. Seconded by Dr. Libke and passed by the Board.

Dr. Bentley thought that the hospitals who were not now submitting the information should be notified that by law they are required to submit their data to the Regional Medical Registry, either directly or via the Nevada Tumor Registry.



STATE OF NEVADA  
DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF HEALTH  
**ORGANIZATIONAL CHART**

61519



--- Reciprocal Responsibility  
 — Direct Responsibility

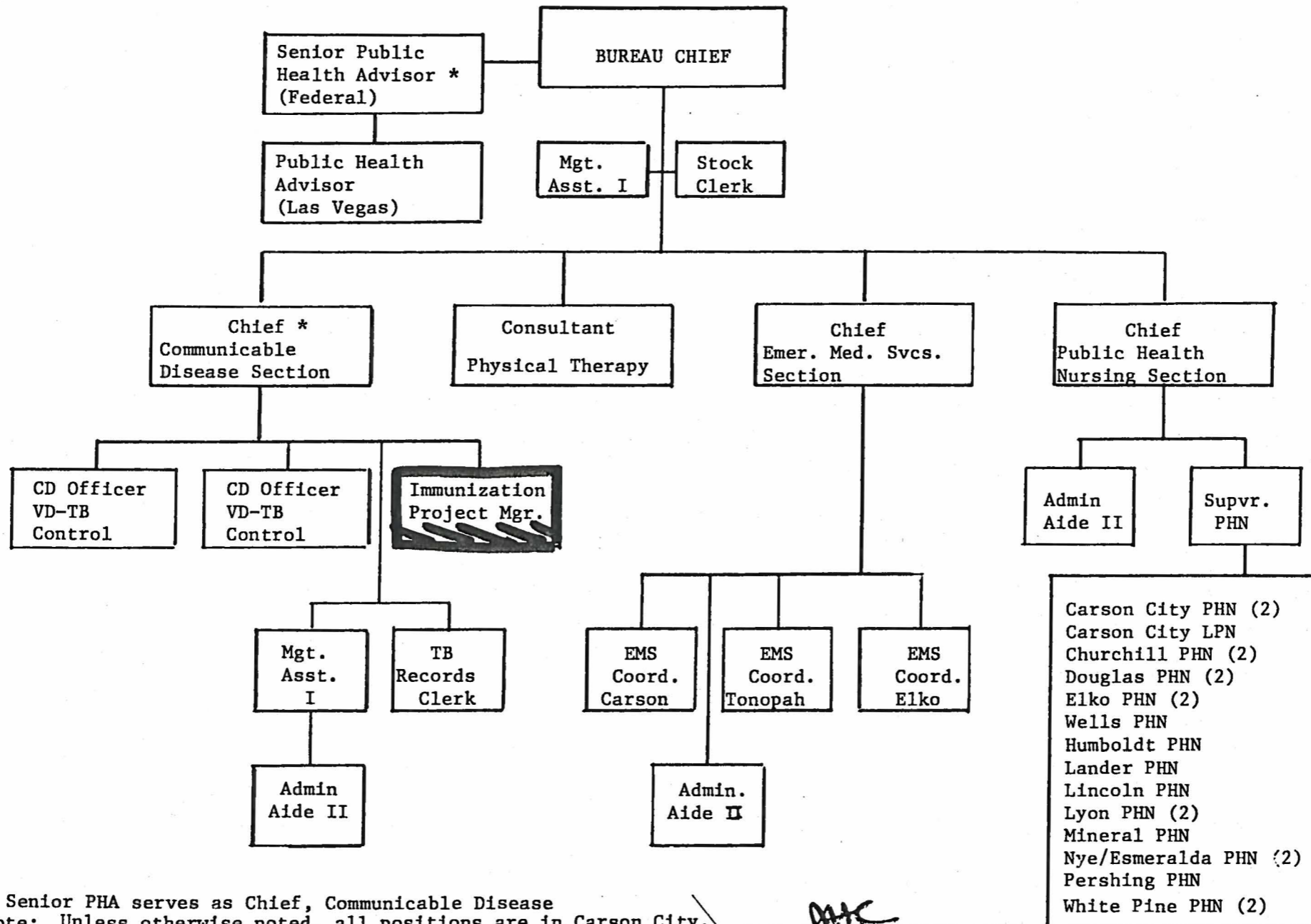
Approved by:  
 Nevada State Board of Health  
 May 1978 8560

ORGANIZATIONAL CHART

BUREAU OF COMMUNITY HEALTH SERVICES AND PREVENTIVE MEDICAL SERVICES

EX HIBIT K

2510



\* Senior PHA serves as Chief, Communicable Disease  
 Note: Unless otherwise noted, all positions are in Carson City.

*JHC*  
 John H. Carr, M.D.

1/2/79

ATTACHMENT L

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

S. B. 357

SENATE BILL NO. 357—SENATOR JACOBSEN

MARCH 22, 1979

Referred to Committee on Natural Resources

**SUMMARY**—Makes appropriation to division of forestry of state department of conservation and natural resources to provide aid in management of Marlette-Hobart watershed, and reserves related water rights. (BDR S-1470)

**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 the division of forestry of the state department of conservation and natural resources to provide aid in the management of the Marlette-Hobart watershed; reserving related water rights; 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. 1. There is hereby appropriated from the state general  
2 fund to the division of forestry of the state department of conservation  
3 and natural resources the sum of \$100,460 to provide aid in the manage-  
4 ment of the Marlette-Hobart watershed.

5 2. After June 30, 1981, the unencumbered balance of the appropria-  
6 tion made in section 1 of this act may not be encumbered and must  
7 revert to the state general fund.

8 SEC. 2. NRS 533.060 is hereby amended to read as follows:

9 533.060 1. Rights to the use of water shall be limited and restricted  
10 to so much thereof as may be necessary, when reasonably and economi-  
11 cally used for irrigation and other beneficial purposes, irrespective of the  
12 carrying capacity of the ditch. All the balance of the water not so  
13 appropriated shall be allowed to flow in the natural stream from which  
14 such ditch draws its supply of water, and shall not be considered as having  
15 been appropriated thereby.

16 2. [In case] Except as otherwise provided in subsection 4, if the  
17 owner or owners of any such ditch, canal, reservoir, or any other means  
18 of diverting any of the public water [shall] fail to use the water there-  
19 from or thereby for beneficial purposes for which the right of use exists  
20 during any 5 successive years, the right to so use shall be deemed as  
21 having been abandoned, and any such owner or owners [shall] there-  
22 upon forfeit all water rights, easements and privileges appurtenant

**ROLAND D. WESTERGAARD, Director**  
Department of Conservation  
and Natural Resources

**LOWELL V. "Lody" SMITH**  
State Forester Firewarden

**ROBERT LIST**

Governor



Address Reply to  
Nye Building  
201 S. Fall Street  
Carson City, Nevada 89710  
885-4350

ATTACHMENT M

STATE OF NEVADA  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

## DIVISION OF FORESTRY

CAPITOL COMPLEX  
CARSON CITY, NEVADA 89710

May 3, 1979

### M E M O R A N D U M

TO: Senator Floyd Lamb  
FROM: L. V. Smith (Lvs)  
SUBJECT: Marlette Budget

As per your request today, find attached a revised budget.

We feel we have kept the emphasis on water quality and quantity by these reductions.

Also, this budget was reviewed and approved by the Marlette Advisory Committee on this date.

js

Encl.

cc - Roland Westergard  
Howard Barrett  
John Meder

## BIENNIAL BUDGET NEEDS FOR FY 79-80 AND 80-81

		Revised <u>5/3/79</u>
<b>Fuel Management Plan</b>		
- Remove log pile at Marlette Lake	\$ 9,250	\$ 1,000
- Hazard reduction along roads	<u>15,000</u>	<u>2,000</u>
TOTAL	\$24,250	\$ 3,000
<b>Firefighting Plan</b>		
- 5 helispot construction	\$ 3,200	\$ 1,950
- 6 water sumps	<u>1,110</u>	<u>360</u>
TOTAL	\$ 4,310	\$ 2,310
<b>Road Plan</b>		
- Improve 25 miles of road	\$25,000	\$25,000
- Install 35 culverts	15,000	15,000
- Open pipeline road	<u>10,000</u>	<u>10,000</u>
TOTAL	\$50,000	\$50,000
<b>Water Quality Plan</b>		
- Lab analysis of water samples	\$ 3,600	\$ 3,600
<b>Fishery and Wildlife Management Plan</b>		
- Construction of nesting platforms	\$ 500	\$ -0-
<b>Equestrian Plan</b>		
- 6 hitching posts	\$ 300	\$ -0-
<b>Overnight Backpack Camping Plan</b>		
- Construct 5 camp units	\$ 1,750	\$ 875
- 3 toilet units	9,000	4,500
- Pump unit to service toilets	3,500	3,500
- Signing	<u>1,000</u>	<u>-0-</u>
TOTAL	\$15,250	\$ 8,875
<b>Natural Reserve Plan</b>		
- Survey private land	\$ 5,000	\$ 5,000
- Boundary signing	900	-0-
- Interpretive signing	3,750	-0-
- YCC materials	<u>1,000</u>	<u>-0-</u>
TOTAL	\$10,650	\$ 5,000
<b>Historical and Archaeological Study</b>		
	\$ 7,200	\$ 7,200
<b>Forester I Position</b>		
- Grade 31, Step 1 + Fringe Benefits	<u>\$29,350</u>	<u>\$29,350</u>
TOTAL BUDGET	<u>\$145,410</u>	<u>\$109,335</u>

ATTACHMENT N

(REPRINTED WITH ADOPTED AMENDMENTS)

THIRD REPRINT

S. B. 408

SENATE BILL NO. 408—SENATOR JACOBSEN

MARCH 30, 1979

Referred to Committee on Finance

SUMMARY—Revises act relating to Marlette Lake water system. (BDR S-1688)

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 to amend an act entitled "An Act relating to the Marlette Lake water system; authorizing the state board of examiners to issue and sell state securities in not to exceed the principal amount of \$5,000,000, for the purpose of acquiring with the proceeds thereof certain facilities for and improvements to the Marlette Lake water system; prescribing other details and conditions concerning such securities; prescribing powers, duties and responsibilities of the state board of examiners and the state public works board; otherwise concerning such securities and properties by reference to the State Securities Law; authorizing the execution of a contract between the State of Nevada and Carson City for supplying water to Carson City from the Marlette Lake water system; making an appropriation; and providing other matters properly relating thereto," approved May 23, 1975.

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

- 1 SECTION 1. Section 5 of the above-entitled act, being chapter 681,  
2 Statutes of Nevada 1975, at page 1370, is hereby amended to read as  
3 follows:  
4 Sec. 5. The legislature finds and declares that:  
5 1. A severe and critical shortage of water is imminent in the  
6 Carson City area which vitally affects the health and welfare of all  
7 of the residents of such area.  
8 2. The state owns the Marlette Lake water system, composed of  
9 the water rights, easements, pipelines, flumes and other fixtures and  
10 appurtenances used in connection with the collection, transmission  
11 and storage of water in Carson City and Washoe County, Nevada.  
12 3. The state is obligated by contract to provide the Virginia  
13 City Water Company or its successor with water from the Marlette  
14 Lake water system not in excess of [300,000] 500,000 gallons per  
15 day and the Lakeview Water Company or its successor with water  
16 from such water system not in excess of 50,000 gallons per day, and  
17 to provide minor amounts to others.

S. B. 532

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SENATE BILL NO. 532—SENATOR JACOBSEN

APRIL 26, 1979

Referred to Committee on Government Affairs

SUMMARY—Provides for separate disability retirement allowances for police officers and firemen. (BDR 23-1823)

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 public employees' retirement; creating special provisions governing the disability retirement allowances of police officers and firemen; 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 286 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 1. *A police officer or fireman who is a member of the system and*  
4 *who becomes totally unable to work because of injury or mental or*  
5 *physical illness is entitled to receive a disability retirement allowance*  
6 *of not less than 50 percent of his compensation at the time he became*  
7 *disabled if:*  
8 (a) *His employment is terminated because of that disability;*  
9 (b) *He is in the employ of a participating member at the time of his*  
10 *incapacitation for service;*  
11 (c) *He files, or there is filed on his behalf, an official application for*  
12 *disability retirement with the system before termination of his employ-*  
13 *ment with his public employer;*  
14 (d) *His public employer files an official statement certifying the mem-*  
15 *ber's employment record, work evaluations, record of disability and*  
16 *absences that have resulted therefrom; and*  
17 (e) *His immediate supervisor files an official statement concerning the*  
18 *disability, its effect upon his performance after the disability, the func-*  
19 *tions he can no longer perform as a result of his disability, and the*  
20 *related functions, if any, which he can perform despite his disability.*  
21 2. *A disabled, retired police officer or fireman may:*  
22 (a) *Apply for disability retirement even if he is eligible for regular*  
23 *retirement; and*  
24 (b) *Name a beneficiary and select one of the options provided by*  
25 *NRS 286.590.*

ATTACHMENT P

S. B. 452

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SENATE BILL NO. 452—COMMITTEE ON JUDICIARY

APRIL 11, 1979

Referred to Committee on Judiciary

**SUMMARY**—Makes appropriation to supreme court of Nevada to establish judicial uniform information system and removes certain reporting requirements. (BDR 1-1118)

**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 supreme court of Nevada for the purpose of establishing a judicial uniform information system; removing requirement on chief judges in certain judicial districts to submit monthly report; 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 3.025 is hereby amended to read as follows:  
2 3.025 1. For the second and eighth judicial districts, district judges  
3 shall, on the first judicial day of each year, choose from among the judges  
4 of each district a chief judge.  
5 2. The chief judge shall:  
6 (a) Assign cases to each judge in the district;  
7 (b) Prescribe the hours of court; and  
8 (c) Adopt such other rules and regulations as are necessary for the  
9 orderly conduct of court business.  
10 [3. On or before the 15th day of the month following, the chief  
11 judge shall submit a written report to the clerk of the supreme court  
12 each month, showing:  
13 (a) Those cases which are pending and undecided and to which judge  
14 such cases have been assigned;  
15 (b) The type and number of cases each judge considered during the  
16 preceding month;  
17 (c) The number of cases submitted to each judge during the preceding  
18 month;  
19 (d) The number of cases decided by each judge during the preceding  
20 month; and  
21 (e) The number of full judicial days in which each judge appeared  
22 in court or in chambers in performance of his duties during the preceding  
23 month.]



ATTACHMENT Q

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

S. B. 123

SENATE BILL NO. 123—SENATOR GLASER

JANUARY 25, 1979

Referred to Committee on Finance

SUMMARY—Makes appropriation to department of economic development to develop industry and tourism. (BDR S-489)

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 to the department of economic development to assist in developing industry and tourism throughout the state; 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 economic development the sum of \$475,000 to be  
3 used as follows, subject to the provisions of section 2 of this act:  
4 1. For industrial development within Clark and Washoe counties:  
5 For the fiscal year 1979-80, \$162,500; and  
6 For the fiscal year 1980-81, \$162,500,  
7 prorated for each fiscal year between the counties on the basis of their  
8 populations as determined by the last preceding national census of the  
9 Bureau of the Census of the United States Department of Commerce.  
10 Applications for grants in aid pursuant to this subsection must be sub-  
11 mitted before January 1 of the fiscal year to which the grant applies. If  
12 after all applications have been acted upon, money remains available  
13 from the total amount appropriated for the fiscal year, the remainder is  
14 subject to reallocation between the counties eligible under this subsection.  
15 2. For the development of tourism and industry in the remainder of  
16 the state,  
17 For the fiscal year 1979-80, \$75,000; and  
18 For the fiscal year 1980-81, \$75,000.  
19 The money appropriated by this subsection must be distributed as grants  
20 in aid, in proportion to the populations of the counties as determined by  
21 the last preceding national census of the Bureau of the Census of the  
22 United States Department of Commerce. The money may be distributed

ATTACHMENT R

(REPRINTED WITH ADOPTED AMENDMENTS)

FOURTH REPRINT

S. B. 306

SENATE BILL NO. 306—COMMITTEE ON FINANCE

MARCH 7, 1979

Referred to Committee on Human Resources and Facilities

SUMMARY—Creates department of museums and history and places Nevada state museum and Nevada historical society within department. (BDR 33-426)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Executive Budget.

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

AN ACT relating to state museums; creating the joint board of museums and history and the department of museums and history; establishing the Nevada state museum and the Nevada historical society as institutions within the department; adding to the powers of the Nevada state museum; abolishing certain boards of trustees; 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 381 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 7, inclusive, of this act.  
3 SEC. 2. *As used in this chapter, unless the context otherwise requires:*  
4 1. "Board of trustees" means the board of trustees of the Nevada  
5 state museum.  
6 2. "Director" means the director of the Nevada state museum.  
7 SEC. 3. 1. The joint board of museums and history, consisting of  
8 seven members appointed by the governor, is hereby created.  
9 2. The governor shall appoint as members of the joint board:  
10 (a) Three persons who are members of the board of trustees of the  
11 Nevada state museum, one of whom must be familiar with the Lost City  
12 museum;  
13 (b) Three persons who are members of the board of trustees of the  
14 Nevada historical society; and  
15 (c) One other person.  
16 3. The governor shall designate the chairman of the joint board  
17 from among its members.  
18 4. The joint board shall meet at least quarterly and shall meet at  
19 other times upon the call of its chairman. For attendance at meetings  
20 of the joint board, its members are entitled to receive the travel expenses  
21 and subsistence allowances as provided by law.

ATTACHMENT S

S. C. R. 24

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SENATE CONCURRENT RESOLUTION NO. 24—  
SENATORS FORD AND LAMB

MARCH 22, 1979

Referred to Committee on Human Resources and Facilities

SUMMARY—Urges board of regents of University of Nevada to continue preparations for establishment of law school. (BDR 1749)

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

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SENATE CONCURRENT RESOLUTION—Urging the board of regents of the University of Nevada to continue preparations for and make current a prior study concerning the establishment of a law school.

- 1 WHEREAS, The legislature in 1973 declared that a law school should  
2 be established at the University of Nevada at Las Vegas, and that a study  
3 of the feasibility of such a school should be undertaken by the board of  
4 regents; and  
5 WHEREAS, The law school study completed in 1974 documented the  
6 legitimate need "to provide opportunity for legal education for young  
7 Nevadans, to provide a center for legal studies and research for Nevada,  
8 to provide Nevada with its own law-trained graduates to serve in public  
9 and private assignments, to enrich the university and to provide the State  
10 of Nevada with a professional school of great promise of public service  
11 and benefit to the State"; and  
12 WHEREAS, The factors leading to the conclusions of that study have  
13 not diminished and it continues to be increasingly difficult for Nevada  
14 students to enter law schools that are restricting the number of out-of-  
15 state students; and  
16 WHEREAS, More than 70 Nevada residents applied for the 18 law  
17 scholarships available through the Western Interstate Commission for  
18 Higher Education in 1977; and  
19 WHEREAS, The board of regents, in December 1978, reaffirmed their  
20 support of the creation of a law school and its inclusion in the University  
21 of Nevada at Las Vegas' Comprehensive Plan for 1977-1983; and  
22 WHEREAS, Members of the community, including the gaming industry,  
23 have indicated a willingness to make sizeable contributions toward meet-  
24 ing the financial needs of such a law school; and  
25 WHEREAS, It appears that the Moyer Student Union Building at the  
26 University of Nevada at Las Vegas will be available for remodeling and  
27 possible utilization as a law school facility within the next few years; and  
28 WHEREAS, It continues to be the intent of the legislature to authorize

ATTACHMENT T

(REPRINTED WITH ADOPTED AMENDMENTS)

THIRD REPRINT

S. B. 405

SENATE BILL NO. 405—SENATORS FAISS, JACOBSEN  
SLOAN, FORD, CLOSE AND NEAL

MARCH 30, 1979

Referred to Committee on Commerce and Labor

SUMMARY—Provides increases in certain industrial insurance benefits.  
(BDR 53-1213)

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 industrial insurance; providing for increases in benefits previously awarded certain persons; making an appropriation; 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 616.626 is hereby amended to read as follows:  
2 616.626 Any claimant or his dependents, residing in this state, who  
3 receive compensation for permanent total disability on account of an  
4 industrial injury or disablement due to occupational disease occurring  
5 **[prior to]** before April 9, 1971, is entitled to a **[20]** 35 percent increase  
6 in **[such]** that compensation, without regard to any wage limitation  
7 imposed by this chapter on the amount of **[such]** that compensation.  
8 The increase **[shall]** *must* be paid from the silicosis and disabled pension  
9 fund. **[in the state treasury.]**
- 10 SEC. 2. NRS 616.628 is hereby amended to read as follows:  
11 616.628 Any widow, widower, surviving **[children]** *child* or sur-  
12 viving dependent parent, **[or parents,]** residing in this state, who  
13 **[receive]** *receives* death benefits on account of an industrial injury or  
14 disablement due to occupational disease occurring **[prior to]** before  
15 July 1, 1973, is entitled to a **[20]** 35 percent increase in **[such]** those  
16 benefits without regard to any wage limitation imposed by this chapter  
17 on the amount of **[such]** those benefits. The increase **[shall]** *must* be  
18 paid from the silicosis and disabled pension fund.
- 19 SEC. 3. There is hereby appropriated from the state general fund to  
20 the silicosis and disabled pension fund the sum of \$1,528,475 to carry  
21 out the purposes of this act.