

Minutes of the Nevada State Legislature

Senate Committee on..... Government Affairs

Date: March 12, 1979

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Present: Chairman Gibson  
Vice Chairman Keith Ashworth  
Senator Dodge  
Senator Echols  
Senator Ford  
Senator Kcsinski  
Senator Raggic

Also Present: See Attached Guest Register

SB-299 Permits local governments to establish trust funds with respect to certain employee group insurance.

Senator Sloan, stated that this bill was requested by Clark County and the City of Las Vegas to clarify in the statutes co-mingling of funds to provide for insurance on a self-insured basis. Mr. Sloan noted that the District Attorney felt that this authority should be clearly spelled out in the statutes.

Sam Mamet, representing Clark County, concurred with Senator Sloan's statements and read the letter from the District Attorney regarding this area. Mr. Mamet noted that the bill is allowing for permissive legislation and is not mandatory.

Don Heath, Commissioner for the Insurance Division, was concerned about the employee and employer funds being co-mingled. Mr. Heath stated that the trust fund portion of the bill should be mandatory. If it is agreed upon by the people to be self-insured then a trust fund should be set up.

Georgia Massey, Insurance Division, stated that there were occasions where the premiums from the insurance were being collected by the employer and being used for other purposes. Mandating that these premiums be placed in a trust fund would insure the money would be used in the appropriate manner.

Senator Dodge and Senator Raggio questioned the procedure and asked if there was a way to hold the funds without mandating a trust fund be set up. Senator Dodge suggested that if a county decided on self-insurance then a trust fund should be mandatory.

Sam Mamet stated that he would get with the Insurance Commissioner and work out an appropriate amendment for the bill.

SB-314 Extends use of state communication system to local governments.

Sam Mamet, representing Clark County, introduced Mr. Jerry Page from the Clark County Motor Vehicle Department and passed out a memorandum regarding the bill and suggested amendments. (Att. #1)

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Jerry Page went over the attachment for the committee and the suggested amendments. Mr. Page felt that without the bill communication systems between the local governments were not as good as they could be and passage of this bill would help coordination between the local entities.

Mr. Page concluded by stating that it was his hope to get on the microwave system. There are many channels available and Clark County feels that it would benefit by being on the microwave system.

Bart Jacka, Director of the Department of Motor Vehicles, stated that they were against this bill. Mr. Jacka indicated that Clark County has the ability to get on the microwave system without this bill and there is a bill in the Finance Committee now that is similar to SB-314 and this bill is not necessary.

Chairman Gibson asked Mr. Page if he had contacted the appropriate people about getting a channel on the microwave system. Mr. Page responded that he had not.

Vincent Swinney, Washoe County Sheriff's Department, testified against passage of SB-314 stating that it will "hamstring" their department and the local governments. Mr. Swinney concurred with testimony given by Mr. Jacka.

Senator Ford moved "Indefinite Postponement"  
on SB-314  
Seconded by Senator Dodge  
Motion carried unanimously.

SB-288 Provides for acquisition of works of art  
for public buildings.

Suzanne Loomis, Director of the Sierra Nevada Museum of Arts, testified to the committee on SB-288 noting that this bill will help provide the funds necessary to have art works included in buildings where the public will visit. Ms. Loomis noted that in other states where art has been included in new buildings the amount of people who stay in the area and generate business increases substantially.

Marsha Growdon, Sierra Nevada Museum of Arts Curator, concurred with testimony given by Ms. Loomis and gave an example to the committee of where art had created more tourism.

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Senator Raggio felt that many people would prefer a functionally sound building and with the pressure to cut taxes the bill may not be viewed favorably by the public. The Senator concluded by stating that although he agreed with Ms. Loomis and enjoyed art forms, he felt the timing was wrong for this type of legislation.

Bill Hancock, Secretary Manager for the Public Works Board, stated that they are currently in agreement with the Council of Arts to provide art works in the buildings. At the present time they appropriate approximately \$480,000. for art and with the passage of this bill the amount would be near 1.4 million dollars for art. Mr. Hancock supports the concept of art in buildings and agreed with Ms. Loomis' testimony but felt that the 1% appropriation in the bill was too high.

The committee discussed SB-288 and felt that although they were in support of art form the current agreement between the Public Works Board and the Council of Arts was sufficient at present to accomplish what this bill attempts.

Senator Kosinski moved "Indefinite Postponement" on SB-288  
Seconded by Senator Keith Ashworth  
Voting went as follows: Yea's - Senator Gibson Dodge, Keith Ashworth, Echols and Kosinski  
Na's - Senator Ford and Raggio  
Motion carried.

SB-316 Entitling aggrieved employees to have certain decisions of chief of personnel division of department of administration reviewed by advisory personnel commission.

Bob Gagnier, Executive Director of S.N.E.A., requested this bill because of the difficulty that has developed since Judge Fondi overruled a case. The bill allows an aggrieved employee to have a case reviewed by the commission and will make the statutes clear regarding authority.

Mitch Brust, Personnel Division, testified in support of SB-316 and concurred with Mr. Gagnier's testimony.

Frank Daykin, legal counsel, testified to the committee that the adoption of rules is correct language and the bill complied with the Nevada Administrative Code.

Senator Keith Ashworth moved "Do Pass" on SB-316  
Seconded by Senator Dodge.  
Motion carried unanimously.

SB-300 Authorizes office of traffic safety to accept donations for state highway safety program.

Senator Jacobsen stated that although John Borda, from the Office of Traffic Safety, requested this bill it is not necessary because the language regarding the donations is in SB-177 (motorcycle safety program).

Senator Keith Ashworth moved "Indefinite Postponement" on SB-300  
Seconded by Senator Dodge  
Motion carried unanimously.

SB-285 Requires periodic review by administrative agencies of their rules of practice.

Chairman Gibson informed the committee that Senator Wilson requested this bill in order to make the agencies review their rules of practice periodically. Senator Wilson also felt that the time frame was appropriate.

Frank Daykin, legal counsel, testified to the committee that the time frame was appropriate and all but the larger entities should be able to comply without any difficulty.

Senator Ford felt that a copy of the review should be sent to the Secretary of State in order to notify them they were in compliance with the statute.

Chairman Gibson questioned the date on line 21 and stated that this date might not give the agencies time enough for a proper review.

Senator Raggio moved "Do Pass" on SB-285  
Seconded by Senator Dodge

At this point Senator Ford requested that the motion be amended to include two amendments. They are as follows:

- 1) Requiring the agencies notify the Secretary of State that the rules of practice have been reviewed.
- 2) Date on line 21 be amended to January 1, 1981.

The following motion was made on the amendments as noted above.

Senator Ford moved to amend SB-285 as noted above.  
Seconded by Senator Kosinski  
Motion carried with one "no" vote cast by Senator Keith Ashworth.

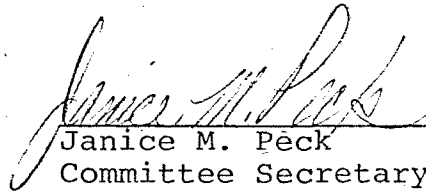
The motion and vote on the bill as a whole is as follows:

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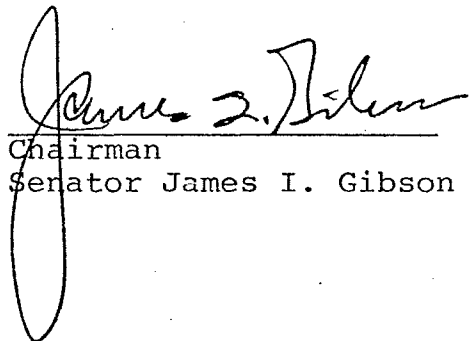
Senator Raggio moved "Amend & Do Pass" SB-285  
Seconded by Senator Dodge  
Motion carried with one "no" vote cast  
by Senator Keith Ashworth

With no further business the meeting was adjourned at 4:30 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Janice M. Peck  
Committee Secretary

Approved:

  
\_\_\_\_\_  
Chairman  
Senator James I. Gibson

MEMORANDUM

TO: Senate Government Affairs Committee  
FROM: Jerry Page, Clark County Automotive Services  
DATE: March 12, 1979

Services by the Board to users:

1. Provide expertise of leadership in mobile communications planning and engineering.
2. Coordinate user's needs with other government entities.
3. Eliminate duplicity of frequency or equipment requests.
4. Provide expertise in specification development and exception evaluation.
5. Provide organized and staffed repair facilities for all users and bill for services rendered. Facilities should be placed near the area of the greatest density of users.

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Changes necessary for S.B. 314:

Page 3, Line 1:

Add: Departments of Public Service and Public Safety and to the .....

Add: (Sentence period after department of law enforcement assistance).

Delete: for

Change: Capitalize "A" on assistance

Add: (after the word assignment) will be made

Add: (Sentence period after the word Department).

Delete: to local, state, and federal law enforcement agencies.

EXHIBIT 1



SENATE BILL NO. 316—COMMITTEE ON  
GOVERNMENT AFFAIRS

MARCH 8, 1979

Referred to Committee on Government Affairs

**SUMMARY**—Entitling aggrieved employees to have certain decisions of chief of personnel division of department of administration reviewed by advisory personnel commission. (BDR 23-925)

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

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

AN ACT relating to the state personnel system; entitling aggrieved employees to have certain decisions of the chief of the personnel division of the department of administration reviewed by the advisory personnel commission; 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 284.065 is hereby amended to read as follows:  
2 284.065 1. The commission [shall have] *has* only such powers and  
3 duties as are authorized by law.  
4 2. In addition to the powers and duties set forth elsewhere in this  
5 chapter, the commission [shall have] *has* the following powers and  
6 duties:  
7 (a) To advise the chief concerning the organization and administra-  
8 tion of the personnel division.  
9 (b) To report to the governor biennially on all matters which the com-  
10 mission may deem pertinent to the personnel division and concerning  
11 any specific matters previously requested by the governor.  
12 (c) To advise and make recommendations to the governor or the leg-  
13 islature relative to the personnel policy of the state.  
14 (d) To advise the chief with respect to the preparation and [amend-  
15 ment of rules and] *adoption of* regulations to give effect to the provi-  
16 sions of this chapter.  
17 (e) To foster the interest of institutions of learning and of civic, pro-  
18 fessional and employee organizations in the improvement of personnel  
19 standards in the state service.  
20 (f) *To review decisions of the chief in contested cases involving the*  
21 *classification or allocation of particular positions.*



SENATE BILL NO. 285—SENATOR WILSON

MARCH 2, 1979

Referred to Committee on Government Affairs

SUMMARY—Requires periodic review by administrative agencies of their rules of practice. (BDR 18-985)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: Effect less than \$2,000.

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

AN ACT relating to the Administrative Procedure Act; requiring a periodic review of rules of practice by administrative agencies; 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 233B.050 is hereby amended to read as follows:  
2 233B.050 1. In addition to other regulation-making requirements  
3 imposed by law, each agency shall:  
4 (a) Adopt rules of practice, setting forth the nature and requirements  
5 of all formal and informal procedures available, including a description  
6 of all forms and instructions used by the agency.  
7 (b) Make available for public inspection all regulations adopted or  
8 used by the agency in the discharge of its functions and that part of the  
9 Nevada Administrative Code which contains its regulations.  
10 (c) Make available for public inspection all final orders, decisions  
11 and opinions except those expressly made confidential or privileged by  
12 statute.  
13 (d) Review its rules of practice no less often than every 6 years.  
14 2. No agency regulation, rule, final order or decision is valid or  
15 effective against any person or party, nor may it be invoked by the  
16 agency for any purpose, until it has been made available for public  
17 inspection as required in this section, except that this provision does not  
18 apply in favor of any person or party who has actual knowledge thereof.  
19 SEC. 2. Any agency whose rules of practice are over 6 years old on  
20 July 1, 1979, shall complete the review of those rules required by NRS  
21 233B.050 by July 1, 1980.

SENATE BILL NO. 288—SENATOR WILSON

MARCH 2, 1979

Referred to Committee on Government Affairs

SUMMARY—Provides for acquisition of works of art for public buildings. (BDR 28-1097)

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 buildings; providing for acquisition of works of art; providing for money to acquire such art; 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 341 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:

3 1. *Except as provided in subsection 2, where the board furnishes*  
4 *services on a project for original construction of a state building, includ-*  
5 *ing a building for the University of Nevada, and the board controls*  
6 *money appropriated by the legislature for the project, the board shall*  
7 *allocate 1 percent of the appropriated money to the Nevada state council*  
8 *on the arts for the council to administer and expend in acquiring works*  
9 *of art, as provided in sections 5 to 9, inclusive, of this act.*

10 2. *The board shall not make the allocation if the project is for con-*  
11 *struction of a temporary facility or other structure that in the opinion*  
12 *of the council is unsuitable for beautification with works of art.*

13 3. *During the planning stage of a project for which the allocation*  
14 *is made, the board shall consult with the council and make appropriate*  
15 *budgetary and architectural arrangements for inclusion of works of art*  
16 *in the project.*

17 SEC. 2. NRS 341.150 is hereby amended to read as follows:

18 341.150 1. The state public works board shall furnish engineering  
19 and architectural services to all state departments, boards or commis-  
20 sions charged with the construction of any building constructed on state  
21 property or the money for which is appropriated by the legislature,  
22 except highway maintenance buildings. All such departments, boards or  
23 commissions are required and authorized to use [such] those services.

24 2. The services [shall] must consist of:



SENATE BILL NO. 314—COMMITTEE ON  
GOVERNMENT AFFAIRS

MARCH 8, 1979

Referred to Committee on Government Affairs

SUMMARY—Extends use of state communications system to local governments.  
(BDR 18-1193)

FISCAL NOTE: Effect on Local Government: Yes.  
Effect on the State or on Industrial Insurance: Yes.

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

AN ACT relating to the state communications system; extending its use to local governments; 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 233F.020 is hereby amended to read as follows:  
2 233F.020 "Agency" means an officer, board, commission, council,  
3 department, division, bureau or any other unit of *state* government  
4 [except] *including* the political subdivisions of this state.  
5 SEC. 2. NRS 233F.060 is hereby amended to read as follows:  
6 233F.060 "State communications system" means communication  
7 equipment and associated facilities owned, leased or used by [state]  
8 agencies.  
9 SEC. 3. NRS 233F.080 is hereby amended to read as follows:  
10 233F.080 1. The legislature finds and declares that a state com-  
11 munications system is vital to the security and welfare of the state during  
12 times of emergency and in the conduct of its regular business, and that  
13 economies may be realized by joint use of the system by all [state]  
14 agencies. It is the purpose of the legislature that a [state] communica-  
15 tions system be developed whereby maximum efficiency in the joint use  
16 of existing communications systems is achieved and that all communica-  
17 tion functions and activities of [state] agencies be coordinated. It is not  
18 the intent of the legislature to remove from the department of general  
19 services control over the state telephone system intended for use by  
20 state agencies and the general public.  
21 2. The legislature further declares that if at any time the state com-  
22 munications board established by this chapter considers a proposal for



SENATE BILL NO. 300—SENATOR JACOBSEN

MARCH 5, 1979

Referred to Committee on Government Affairs

SUMMARY—Authorizes office of traffic safety to accept donations for state highway safety program. (BDR 18-309)

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

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

AN ACT relating to the office of governor; authorizing the office of traffic safety to accept donations for use in the state highway safety program; 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 223.200 is hereby amended to read as follows:  
2 223.200 1. The governor may contract and do all other things neces-  
3 sary to secure the full benefits available to this state under the Highway  
4 Safety Act of 1966 (including 23 U.S.C. ch. 4). In so doing, he shall  
5 cooperate with federal and state agencies, private and public organiza-  
6 tions, and [individuals] *natural persons* to effectuate the purposes of  
7 [such] *that* act and all amendments [thereto] *to it* which may subse-  
8 quently be enacted.  
9 2. The governor shall administer through an appropriate state agency  
10 [ , which he shall designate within 30 days from April 17, 1967, ] the  
11 highway safety programs of this state and those of its political sub-  
12 divisions, all in accordance with the Highway Safety Act of 1966 and  
13 *those* federal rules and regulations [in implementation thereof.] *which*  
14 *carry it out.*  
15 3. The state agency designated by the governor pursuant to subsec-  
16 tion 2 shall, with the assistance of the legislative commission, the supreme  
17 court of Nevada, the department of highways, the health division of the  
18 department of human resources, the state department of education and  
19 other state agencies and local subdivisions, cause to be prepared a com-  
20 prehensive highway safety program plan detailing how the State of  
21 Nevada proposes to progress toward long-range state goals to achieve  
22 full compliance [by December 31, 1968, or thereafter,] with the pro-  
23 gram standards [promulgated] *adopted* pursuant to the Highway Safety  
24 Act of 1966. The plan shall, without limitation, include: