

Minutes of the Nevada State Legislature

Senate Committee on Government Affairs

Date: April 2, 1979

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Present: Chairman Gibson  
 Vice Chairman Keith Ashworth  
 Senator Dodge  
 Senator Echols  
 Senator Ford  
 Senator Kosinski  
 Senator Raggio

Also Present: See Attached Guest Register

Chairman Gibson called the twenty-sixth meeting of the Government Affairs Committee to order at 2:00 p.m. with all members present. Chairman Gibson asked the committee to consider SB-336 prior to considering the bills on the agenda.

SB-336 Revises provisions of law concerning deferment of compensation by state employees.

Chairman Gibson informed those present that this bill had been reported out of committee in amended form on March 26th. Since that time it has been brought to the Chairman's attention that the present language deletes the cities and counties from being eligible for deferred compensation. Mr. Darrel Daines of Clark County was present to testify.

Darrel R. Daines, Comptroller in Clark County, testified to the committee that the language in this bill deletes the cities and counties from participation in deferment of compensation.

Mr. Daines stated that they would like to introduce a new bill to take care of the cities, counties and new districts. It should be in the chapter of NRS that covers public employees (NRS 267)

Chairman Gibson asked if Mr. Gagnier had any objections to the request made by Mr. Daines. Mr. Gagnier responded that he did not have any objections but felt that many local entities had deferred compensation and have had it since 1976.

Chairman Gibson assigned Senator Echols to get with both Mr. Daines and Janet Wilson (Senate Bill Draft Advisor) to come up with the necessary language.

SB-51 Removes 95 percent salary limitations imposed upon public officers and employees.

Senator Ford addressed the committee as a sponsor of the bill and noted three restrictive policies that are in effect at the present time. Chapter 245.047, added in 1973 which provides limits on the base salary of 95% with certain exemptions. Chapter 284.175 on

the state classified people. It also has a 95% limitation. Chapter 281.123, passed in 1975 is the one that this bill will appeal, it applies to both local counties and state officials with the 95% salary limitation.

Senator Ford feels that now is the time to examine the system at both the state and local level. This bill addresses half the problem. It will take away some of the salary compression rules. Amending the bill in four ways, first by repealing Section 1. Second it will repeal Chapters 281.123 and 281.125 which seek exemptions from the Senate Finance committee. It will list the specific group of officials that are exempt. On page 2, lines 12 through 15 Senator Ford asked the committee to consider deletion of the language regarding the regular legislative sessions. Attached is a fiscal note for consideration. (See Attachment #1)

Senator Ford felt that the basic problem is in having a consistent merit system. Agencies have a way to get around the law. The Senator gave an example of two employees who are in administrative capacities in the state. One has a compaction of \$3,180 and the other has a compaction of \$250. The inconsistency is found in many other state positions as well.

Senator Ford concluded by stating that some cities are totally exempt from the laws on compaction and presented the committee with a copy of a letter from Vernon Bennett, Executive Director of the Public Employees Retirement System. (See Attachment #2) Senator Ford also noted that SB-311 has a different approach to the problem and SB-322 will add to the inconsistency of the pay raise problem. Senator Ford turned the testimony over to those present who are in favor of SB-51.

Chairman Gibson asked Senator Ford if her testimony indicated that she did not believe there should be a limitation on salaries in the state system. Senator Ford responded that although there should be set procedures to follow a specific salary limitation determined by an employee's boss is unfair and she did not support that theory.

Senator Raggio suggested that in the past there has been problems of competition between the entities causing a "whip-saw" effect which can be detrimental to any agency budget. Without limits how would you control for competition between the entities.

Senator Ford noted that the use of a compensation commission is being used in other states to look at the salary structure. Washington state is using this method with success.

Howard Barrett, Budget Director, testified in favor of SB-51 noting the discrepancies in the state. (See Attachment #3) The attachment Mr. Barrett handed out listed all the state employees that are impacted at the present time. Mr. Barrett indicated that the fiscal note was in error as the physicians who have their salary set by state are not on the list. If they are included the figure would be much higher.

Mr. Barrett indicated that the employee should be allowed to go to the top of the pay program in the classified system and not be held back because of his immediate supervisor's salary. The amount of people held back by the 95% limitation is small and some of those are affected in a minor way, others the amount is more significant.

Senator Ford indicated that the individuals that will be affected by the passage of SB-51 are noted on page 2 and 3 of SB-311.

Darrel Daines, president of the County Fiscal Officers Association of Nevada, testified to the committee in favor of SB-51. Mr. Daines read a letter to the committee (See Attachment #4) on the county problems with the 95% limitation and concluded by stating that it is not necessary and should be eliminated.

Mr. Daines stated that there are many employees who have not received their annual cost of living increase because it would put them in excess of the 95% limitation. He informed those present that they have a difficult time attracting qualified people in the county due to this impaction.

Gary Milliken, Clark County Assessor, read a letter to the committee from those he is representing in support of SB-51. (See Attachment #5A and 5B)

Ralph DiSibio, Department of Human Resources Administrator, testified in favor of SB-51. Mr. DiSibio concurred with the testimony given by both Mr. Barrett and Senator Ford. He indicated that many employees in the Department of Human Resources are affected by this impaction and it will hinder future promotions and reporting procedures.

Bob Gagnier, Executive Director of S.N.E.A., testified in favor of SB-51 and concurred with previous testimony given by other employers affected by the compaction of a 95% limitation.

Sam Mamet, representing Clark County, testified in favor of SB-51 and noted that he concurred with testimony specifically given by Mr. Daines and Mr. Millikan.

Ed Maloney, representing the Lyon County Commissioners, testified in favor of this bill and noted how this impaction has affected their hiring of qualified accounting personnel to conduct the proper audits necessary. They have had to pay professionals and the cost has been higher than the annual salary they can offer their auditor.

Chairman Gibson stated that Mr. Maloney should have come to the interim Finance Committee with the problem in order to get permission to raise the salary. Mr. Maloney stated that they had not considered coming to the Finance committee on this matter.

George Miller, Welfare Administrator, testified in favor of SB-51 and noted that he draws 92% of his salary and he is a grade 26.

Vice Swinney, Under Sheriff of Washoe County, testified in favor of SB-51 noting that they have been at the same salary for the past two years. If it remains in effect for the next four years all the sheriffs and captains will be at the same salary. Mr. Swinney stated that this will have a very detrimental affect on his employees. He concluded that they are compacted by the sheriff's salary.

Senator Ford wanted to make a point that when a trigger is provided in the first year the trigger does not go to the unclassified employees.

At this point Chairman Gibson concluded testimony on SB-51, the bill would not be acted upon during this meeting.

SB-322 Revises certain laws governing salary levels of state employees.

Senator Cliff McCorkle, Senator from Washoe County, testified in favor of this bill noting the employees that would be included in the group exempt from the 95% limitation. He stated that it would be an artificial ceiling on qualified employees. The bill will alleviate the problem of a shortage in the higher caliber professionals. They will be eligible to make a salary in excess of what the Governor will make.

Senator Kosinski asked Senator McCorkle if this process is not already available in the state system. Senator McCorkle indicated that he did not think that it was but deferred to Chairman Gibson who has been a member of the Finance Committee for a number of years.

Chairman Gibson indicated that he felt the process of obtaining a higher salary in certain circumstances was definitely within the scope and perview of the law in Nevada.

SB-339      Transfers responsibility for state  
communications system to Nevada highway  
patrol

Bart Jacka, Director of the Department of Motor Vehicles, testified to the committee that this bill is not what they requested and would prefer to submit a new bill for the committee's consideration. (See Attachment #6)

Barney Dehl, Nevada Highway Patrol, was present with Mr. Jacka and concurred with Mr. Jacka regarding SB-339.

Chairman Gibson thought in the essence of time it would be better to consider this proposed legislation in a sub-committee chaired by Senator Keith Ashworth. The sub-committee would report its findings back to the committee and action could be taken at that time. Mr. Jacka and Mr. Dehl agreed and would be present at the sub-committee meeting.

SB-356      Authorizes tax on residential construction  
for school buildings or county buildings.

Senator Dodge, sponsor, testified to the committee in favor of this bill and related to the members the importance of obtaining the funds necessary to build proper schools. The Senator noted that he sponsored this bill at the request of the Lyon County Commissioners and the Lyon County School District. Since the area is expanding the present facilities will not meet the growing needs. At this time Senator Dodge introduced Mr. Ed Maloney and Mr. John Poli, both Lyon County Commissioners.

Mr. Poli stated that the board would prefer to levy a flat tax rate and a set amount. In Section 9, they would like to include the Public Works board. Mr. Poli informed the committee about the new units that are being constructed and the proposed units to be constructed over the next 10 years. Mr. Poli indicated that he would like to see the bill go into effect immediately in order to get some relief.

Senator Keith Ashworth felt that although the tax speaks to the new individuals moving to the Lyon County area there are portions of the bill that address repairs. The citizens that have lived in the area should pay some portion of the tax if the bill will apply to repairs.

At this point Chairman Gibson noted that the reference to the Board of Trustees was inappropriate and questioned the language. Senator Dodge agreed and stated that he would check with the bill draft advisor in this reference. Senator Dodge stated that it should be referenced to the County Commissioners.

Senator Ford felt that the bill should contain some language assuring the new home owners that the schools they were being taxed for would be located within their district.

Mr. Poli stated that although the bill does not state the location of the schools it is their intention to build the school in the newly developed area.

Bob Hatfield, Douglas County, stated that housing has increased 124% in the past nine years. Mr. Hatfield indicated that they have had considerable problems because of the impact on growth and school facilities. The property tax runs about 12 to 18 months behind so they do not receive any money from the new home owner for at least a year. He felt that the bond was a viable alternative in some instances. This bill will allow the counties another alternative. The concept is an acceptable one. Providing temporary relief until a new school can be built is one way to fight the growth problem. Mr. Hatfield concluded by stating that at the last meeting of the Association of County Commissioners this type of legislation was supported by the majority of those who attended.

Bob Sullivan, Carson River Basin Council of Governments, testified in favor of the bill and felt that many more commissioners would be present to testify in favor of this type of legislation if the meeting was scheduled at a time and date where the majority could attend.

Russ McDonald, Washoe County Commissioners, testified in favor of the bill but questioned the language contained on page 2, lines 29 and 30. The language should clearly state whether or not the county can establish a county-wide tax.

Assemblyman Dini, District 38, supports the bill and was particularly interested in seeing the construction of the new school. Johnson Development Company in Fernley stated their support of such a tax structure so that the developer will not have to carry the entire burden of the construction of the schools.

This bill will provide fast money to the area for the construction of a much needed school.

Senator Ashworth asked if the bill should have a set date to begin collecting the taxes and then a close-out date when the project is finished. The Senator also felt that all should be taxes to cover the costs incurred in the area for the development of the school.

Steve Boland, Carson City District Attorney's Office, was also concerned about the language on page 2 that Mr. McDonald testified to the committee on. He noted that in Carson City the payment for the construction tax is paid before the building permit is issued. Mr. Boland stated that both Reno and Sparks use this procedure as well.

Gene Milligan, representing the Nevada Association of Realtors along with Mr. Bill Cozart testified to the committee against SB-356. Mr. Milligan stated that the cost of a home has gone up \$10,000. due to government controls and the extra taxes has caused the same home to double in price. The only people buying homes in todays market are those people that have a home to sell.

Mr. Cozart stated that the market place of existing houses increases to meet the growth and that increases the cost of that house. Mr. Cozart felt that the tax should not be limited to the home owner and the developer. It should be spread out to those who cause the growth problem.

Joe McDonald, Developer, testified on behalf of the Northern Nevada Home Builders Association. Mr. McDonald stated that this bill will add to the inflation factor that is driving up the cost of houses today. Mr. McDonald agreed that the tax should be spread to other factions and not just the developer who will pass it on to the home owner. Mr. McDonald was against this bill.

Dave Henry, President of the Reno Builders Association of Nevada, testified against SB-356 and concurred with comments made by Mr. McDonald and Mr. Milligan. Mr. Henry suggested that Mr. Poli and the other county commissioners from Lyon County talk with other counties that have had such growth problems and see if there are other alternatives to look into before going beyond the \$5. tax limit.

Mr. Henry noted three basic reasons for objecting to SB-356  
(1) Raising money for local governments will not solve the problem. (2) The money is considered the "sitting duck" theory of taxation. (3) Subscribe to the theory of letting the other man pay the taxes.

Mr. Henry concluded by stating that they do not have a solution to the problems in Lyon County but are certain that this bill is not the proper way to get the funds needed for the school.

Senator Dodge was concerned about the growth in the Lyon County area and the lack of facilities available and necessary schools for the children of those who will be moving to the area in the near future. Without the necessary facilities and schools those moving to the area will soon move away.

Mr. McDonald felt that the county would apply a tax even if there wasn't an immediate need for the school or park. The tax should be limited to an impacted area.

Senator Dodge agreed with setting limits upon the legislation and stated that if the need is not justified the entities should not be allowed to impose the tax.

The following bills were on the agenda for committee action only.

SJR-5 Proposes constitutional amendments which allow legislature to establish corporate state bank.

Senator Dodge read a news article, published on March 14, 1979, to the committee. (See Attachment #7) Senator Dodge further stated that the Bank of North Dakota was started to help out their sinking agricultural market. Nevada does not have a large amount of agricultural farming and our banks are able to get large loans at very low interest rates. The Senator concluded by stating that he did not feel Nevada needed a state owned bank at this point in time.

Senator Echols agreed with Senator Dodge's statements but felt that although this is true in the larger areas the smaller areas need the kind of help a state owned bank can provide.

Senator Dodge moved to "Indefinitely Postpone" SJR-5  
Seconded by Senator Kosinski  
Motion carried with one no vote cast by Senator Echols

SJR-7 Proposes to amend Nevada constitution to require legislative committee meetings to be open and public and abolish executive sessions of the senate.

AJR-1 Proposes to amend Nevada constitution to require open and public legislative committee meetings and abolish executive sessions of the senate.

Senator Ford passed out copies of alternatives to include in SJR-7. (See Attachment #8) Senator Ford went over the alternatives for the committee and made the following motion.

Senator Ford moved "Amend and Do Pass" on SJR-7  
(Amendment was to amend the bill using  
Alternative #1)  
The motion failed for lack of a second.



Senator Kosinski suggested that the bill should be amended by using alternative 2 as noted in attachment #8. This would make it more permissive on the part of the legislature.

Senator Ford suggested the committee consider option 3 and made the following motion.

Senator Ford moved "Amend and Do Pass" on SJR-7  
(Amendment to adopt Option 3)  
Seconded by Senator Raggio  
Motion was defeated - Voting went as follows:  
Yea's - Senator Ford, Raggio and Kosinski  
Na's - Senators Gibson, Keith Ashworth, Echols & Dodge

Chairman Gibson objected to having a requirement in the constitution for the legislature that is not a requirement in the constitution for any other entity. The Senator felt that the legislature should be treated on the same basis as any other form of government.

Senator Ford stated that we do have statutory language for the local governments and rules of cannon to follow. The Senator was unsure of how the Judiciary could be placed in the bill but was more concerned about the legislative body.

Senator Keith Ashworth felt that the legislature was operating in an open and "above-board" fashion and the bills were not necessary.

Senator Raggio indicated that the legislature should have the same requirements as the executive branch with regard to open meeting laws.

Senator Ford proposed to amend AJR-1 by removing the new language on lines 8 and 9. This was considered by the committee and prior to making a formal motion Chairman Gibson stated that he would accept this proposal of the Assembly concurred to the amendments as suggested by Senator Ford. The bill would be held in committee until a decision has been reached by the Assembly on AJR-1 in the amended form.

SB-238 Limits amount of free goods and services which may be provided public officers and employees under certain circumstances.

This bill was held due to a similar bill in Judiciary. Senator Kosinski asked the committee if they had any desire for a disclosure statement from public officers on an annual basis of comp. privileges. He also noted that the Board of Examiners powers are limited.

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Chairman Gibson informed those present that the Assembly bill addresses the same problem and it was felt that the Assembly was a more accurate piece of legislation than SB-238.

Senator Echols moved to "Indefinitely Postpone" SB-238  
Seconded by Senator Keith Ashworth  
Motion carried with one "No" vote cast by  
Senator Kosinski.

SB-374 Reduces threshold amount for required reports  
of campaign contributions.

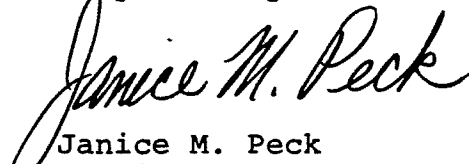
Senator Kosinski stated that separate reporting is an important issue. Cumulative reporting within the period is what the Secretary of State intended in this statute.

Senator Dodge felt that the breaking down the costs within the three periods was very difficult and did not support the idea. The Senator preferred the total amount being reflected at one time.

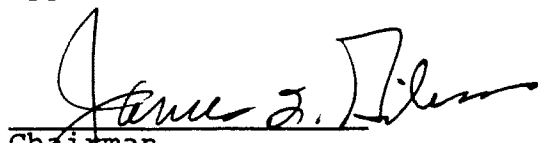
Senator Keith Ashworth moved to "Indefinitely Postpone" SB-374.  
Seconded by Senator Echols  
Motion carried. Voting went as follows:  
Yea's - Senators Gibson, Raggio, Keith Ashworth,  
and Echols  
Na's - Senators Ford, Kosinski and Dodge.

With no further business the meeting was adjourned at 6:05 p.m.

Respectfully submitted,

  
Janice M. Peck  
Committee Secretary

Approved:

  
Chairman  
Senator James I. Gibson





ELBERT B. EDWARDS  
CHAIRMAN EMERITUS

VERNON BENNETT  
EXECUTIVE OFFICER

WILL KEATING  
ASSISTANT EXECUTIVE OFFICER

STATE OF NEVADA



PUBLIC EMPLOYEES RETIREMENT SYSTEM

P.O. Box 1569  
CARSON CITY, NEVADA 89701  
TELEPHONE (702) 888-4200

RETIREMENT BOARD  
L. ROSS CULBERTSON  
CHAIRMAN  
SAM A. PALAZZOLO  
VICE CHAIRMAN  
  
MEMBERS  
DARREL R. DAINES  
WILLIS A. DEISS  
ELBERT B. EDWARDS  
BOYD D. MANNING  
DONALD L. REAM

March 29, 1979

The Honorable Jean Ford  
Senator, State of Nevada  
Legislative Building  
Carson City, Nevada 89701

Dear Senator Ford:

Per your request, this will verify verbal information I provided to you recently regarding the possible impact of the 95% Rule. I basically stated to you that the 95% Rule incurs additional cost to public agencies because they have to set the salary for newly employed top executives to be above the salaries of current employees on staff. This is done to eliminate compacting of career employees salaries due to the new employment. For example, the Retirement System has an Executive Officer and an Assistant Executive Officer who can compact the people immediately below them. My three division supervisors have a pay range from \$15,994 to \$23,160. One of my supervisors is currently at the maximum drawing \$23,160. I originally employed my Assistant Executive Officer at \$18,000 per year. Should a vacancy occur in this position, I would like to employ a new Assistant Executive Officer again at a beginning salary of \$18,000 per year because the person would not have the necessary experience and knowledge of the System's operation to merit a higher entrance salary. However, the employment of a new Assistant Executive Officer at \$18,000 would immediately compact all three of my division supervisors so that they could not receive any further raises. Therefore, I would be forced to employ a new Assistant Executive Officer at a beginning salary that would be at least 5% above \$23,160. This would cost the Retirement System approximately \$5,000 per year. Therefore, it is very obvious that the 95% Rule requires public agencies to employ new top level people at higher than the normally established entrance rate merely to eliminate compacting other employees on staff due to the 95% Rule. I am opposed to the 95% Rule because it requires adjustments to an employee's salary based upon the earnings of another employee. I feel that each employee should be compensated based on his own ability, productivity and merit.

Please be assured that we are available to answer any questions you may have regarding the above information.

Sincerely

*Vernon Bennett*

VERNON BENNETT  
Executive Officer

VB:bb

EXHIBIT 2  
2590

Agency	Employee Name	Class Title	Present Employee Salary	Present Unadjusted Salary	Impact Amount	Impacted By	Statutory Salary	Current* Salary	95% of Supervisor's Salary
Industrial Commission	Robert S. Haley	Coordinator Industrial Insurance	\$27,317	\$30,748	\$3,431	John Reiser	\$27,517	\$28,755	\$27,317
Comp. Employment and Training	Charles W. Green	Employment Services Officer III	22,797	23,160	363	Henry Hooks	22,964	23,997	22,797
Clear Creek Youth Center	Verlyn L. Gilbert	General Building Tradesman	13,883	15,994	2,111	Sarge Bryant	13,984	11,613	15,533
Central Data Processing	Gordon L. Harding	Administrator, Central Data Processing	28,052	32,246	4,194	Peggy Glover	28,257	29,529	28,052
Public Works Board	Ralph E. Elssmann	Project Architect	28,733	29,325	592	William Hancock	28,843	30,245	28,733
Department of Taxation	James R. Anderson	Chief, Division of Assessment Standards	25,723	26,671	948	Jean Hannifin	25,911	27,077	25,723
Department of Taxation	Lawrence G. Brown	Chief, Revenue Division	25,723	26,671	948	Jean Hannifin	25,911	27,077	25,723
Equal Rights Commission	George L. Cotton	Assistant to the Director	18,664	21,102	2,438	Lee Rayford	18,800	19,648	18,664
Equal Rights Commission	Dorothy Lum	Equal Opportunity Representative	18,664	19,226	562	Lee Rayford	18,800	19,648	18,664
Data Processing Facility	Robert L. Mathis	Computer Systems Programmer II	24,301	25,445	1,144	Art Crosby	24,478	25,580	24,301
State Museum	Mary Rusco	Archaeologist III	19,607	20,143	536	John Porter	19,750	20,639	19,607
State Museum	Donald Tuohy	Curator Anthropology	19,607	20,143	536	John Porter	19,750	20,639	19,607
Girls Training Center	Alexander Forbes	Assistant Superintendent	22,797	23,160	363	Jay Miller	22,964	23,997	22,797
Youth Training Center	Curtis B. Stewart	Assistant Superintendent	22,797	23,160	363	Ed Burgess	22,964	23,997	22,797
Rehabilitation, Administration	Delbert Frost	Administrator, Rehabilitation	31,098	32,246	1,148	Ralph Disibio	31,325	32,755	31,098
Civil Defense and Disaster	James Carpenter	Communications Officer	19,131	21,102	1,971	Lou Murphy	19,271	20,138	19,131
Civil Defense and Disaster	Christle Helny	Administrative Officer	19,131	20,143	1,012	Lou Murphy	19,271	20,138	19,131
Civil Defense and Disaster	Donald Dehne	Plans/Program Officer	19,131	21,102	1,971	Lou Murphy	19,271	20,138	19,131
FDAA Program	Glen Martin	Disaster Rep. Program Administrator	19,131	21,102	1,971	Lou Murphy	19,271	20,138	19,131
Civil Defense RADEF	James Richardson	Radiological Maintenance Officer	19,131	20,143	1,012	Lou Murphy	19,271	20,138	19,131
Office of Director - Prisons	Michael Medema	Administrative Services Officer	28,320	29,325	1,005	Charles Wolff	28,527	29,811	28,320
Southern Nevada Prison	Edwin Pogue	Correctional Supervisor II	28,320	29,325	1,005	Charles Wolff	28,527	29,811	28,320
No. Nevada Correctional Center	Ralph W. Lattin	Correctional Supervisor III	28,320	29,325	1,005	Charles Wolff	28,527	29,811	28,320
Parole and Probation	Robert Calderone	Psychologist IV	23,878	24,271	393	Bud Campos	24,053	25,125	23,878
Parole and Probation	James R. Gerow	Deputy Parole and Probation Officer	23,878	24,271	393	Bud Campos	24,053	25,125	23,878
Investigation and Narcotics	Vernon Calhoun	Chief, Investigation and Narcotics	21,609	24,271	2,662	Mike de la Torre	21,767	22,747	21,609
Investigation and Narcotics	Gustave Castillo	Assistant Chief Narcotics	21,609	23,160	1,551	Mike de la Torre	21,767	22,747	21,609
Investigation and Narcotics	Patrick Stevens	Supervising Narcotics Agent	21,609	22,104	495	Mike de la Torre	21,767	22,747	21,609
Investigation and Narcotics	George Wendell	Supervising Narcotics Agent	21,609	22,104	495	Mike de la Torre	21,767	22,747	21,609
Crime, Delinquency, Corrections	Harry Lipparelli	Chief Planning and Training	21,609	24,271	2,662	Mike de la Torre	21,767	22,747	21,609
Systems and Statistical Service	Jack McNutt	Criminal Data Systems Supervisor	21,609	22,104	495	Mike de la Torre	21,767	22,747	21,609
State Parks	William Wood	Assistant Administrator	23,173	25,445	2,272	John Meder	23,343	24,393	23,173
State Park Planning	John Richardson	Chief Recreation Land Use Plan	23,173	25,445	2,272	John Meder	23,343	24,393	23,173
State Lands	James Hanson	Land Use Planner III	20,974	21,102	128	Jac Shaw	21,127	22,078	20,974
State Lands	Bob Erickson	Land Use Planner III	20,974	21,102	128	Jac Shaw	21,127	22,078	20,974

\*Based on an average of 261 working days per year.

EXHIBIT 2-1

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Impacted Employees - Continued

Agency	Employee Name	Class Title	Present Employee Salary	Present Unadjusted Salary	Impact Amount	Impacted By	Statutory Salary	Current* Salary	95% of Supervisor's Salary
Fish and Game	Glen Christensen	Chief of Game	\$23,687	\$25,445	\$1,758	Glen Griffith	\$23,860	\$24,934	\$23,687
Fish and Game	Jack Dieringer	Chief of Fisheries	23,687	25,445	1,758	Glen Griffith	23,860	24,934	23,687
Fish and Game	William Parsons	Chief of Law Enforcement	23,687	25,445	1,758	Glen Griffith	23,860	24,934	23,687
Fish and Game	Fred Wright	Chief of Administrative Services	23,687	25,445	1,758	Glen Griffith	23,860	24,934	23,687
Highway Department	Curtis Foltz	Data Processing Manager IV	28,782	29,325	543	Gene Phelps	28,992	30,297	28,782
Highway Department	William Nagel	Assistant Deputy Highway Engineer	31,256	33,819	2,563	Bill Marsa	31,484	32,901	31,256
Highway Department	Keith Layton	Assistant Deputy Highway Engineer	31,256	33,819	2,563	Don Crosby	31,484	32,901	31,256
Law Enforcement, Highway Patrol	Bernard Dehl	Chief, Highway Patrol	26,180	27,968	1,788	Bart Jacka	26,371	27,558	26,180
Automation Division	Ilate Bennett	Data Processing Manager III	26,180	26,674	494	Bart Jacka	26,371	27,558	26,180
Employment Security Department	George Govlick	Employment Services Administrator	28,756	29,325	569	Larry McCracken	28,966	30,269	28,756
Employment Security Department	Robert Long	Unemployment Insurance Administrator	28,756	29,325	569	Larry McCracken	28,966	30,269	28,756
Employment Security Department	James Oliver	Administrative Services Officer	28,756	29,325	569	Larry McCracken	28,966	30,269	28,756
Statewide Planning	Robert Rigsby	Senior Urban Planner	25,378	25,445	67	Robert Hill	25,564	26,714	25,378
Statewide Planning	John Spurbel	Senior Urban Planner	25,378	25,445	67	Robert Hill	25,564	26,714	25,378
Personnel Division	James Wittenberg	State Personnel Administrator	32,005	32,246	241	Howard Barrett	32,239	33,690	32,005
Nevada Magazine (Economic Development)	Caroline Hadley	Magazine Editor	20,293	21,102	809	John Buchanan	20,441	21,361	20,293
Historical Society	Phillip Earl	Curator - Exhibits	15,949	16,737	788	John Townley	16,066	16,769	15,949
Insurance Division	Walter Walley	Chief Insurance Examiner	26,142	26,674	532	Don Heath	26,333	27,516	26,142

EXHIBIT 2 592

*County Fiscal Officers Association  
of Nevada*

March 28, 1979

Senator James Gibson, Chairman  
Senate Committee on Governmental Affairs  
Nevada State Senate  
Carson City, Nevada 89710

RE: Senate Bill 51

Dear Senator Gibson:

The County Fiscal Officers of the State of Nevada, at their last convention, voted to request the repeal of the 95% salary limitation contained in NRS 245.047. In light of Senate Bill 51 which removes this 95% limitation on State employees but not County employees and because the State Legislature does not exercise jurisdiction over salaries of Elected City Officials, the County Fiscal Officers feel that they are being discriminated against by being singled out with this limitation.

Senator McCorkle has now introduced Senate Bill 322 which does not totally eliminate the State employees but rather expands the list of professions exempted from the 95% limitation to the point where it raises a serious doubt as to its constitutionality because of the prohibition of enacting class legislation.

The Metropolitan Police Department has an attorney's opinion to the effect that they are not covered by the 95% limitation because they are not County employees.

It is the County Fiscal Officers position that the 95% limitation is not necessary, and we respectfully request that Senate Bill 51 be amended to exclude the limitations currently on County employees.

Sincerely,



DARREL R. DAINES  
President

DRD:kmd



March 23, 1979

The Honorable James Gibson, Chairman  
Senate Committee on Governmental Affairs  
Nevada State Senate  
Carson City, Nevada 89710

Dear Senator Gibson:

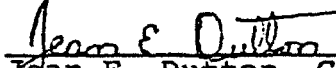
This letter is written in reference to S. B. 51 which is to be considered by your committee. The bill as it is now written leaves in the 95% limitation to employees working for elected officials (245.047). It is our feeling that NRS 245.047 should also be deleted.


As elected officials, we have personnel working for us whose maximum salary range exceeds the 95% of our salary. Should these employees transfer to comparable positions within the county headed by an appointed department head, they could go to the maximum of their salary range.


Salaries for elected officials are less than salaries for appointed department heads with equivalent responsibilities. We file and run for our elected positions knowing what the salary will be, however, our professional employees should not be discriminated against because they are working for us instead of an appointed department head.

We ask you to consider an amendment to S. B. 51, deleting NRS 245.047.

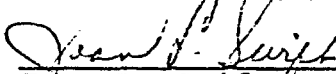
  
Loretta Bowman, County Clerk

  
Jean E. Dutton, County Assessor

  
W. W. Galloway, County Treasurer

  
John McCarthy, County Sheriff

  
Robert Miller, District Attorney

  
Joan L. Swift, County Recorder



# clark county assessors office

CLARK COUNTY COURTHOUSE  
200 EAST CARSON AVENUE • LAS VEGAS, NEVADA 89101  
(702) 386-4011



JEAN E. DUTTON, County Assessor

K. DON DUNN, CAE, Assistant County Assessor

March 23, 1979

The Honorable James Gibson, Chairman  
Senate Committee on Governmental Affairs  
Nevada State Senate  
Carson City, Nevada 89710

Dear Senator Gibson:

I am in agreement with the letter to your Committee from the Clark County elected officials. I am writing this letter to further explain problems which the 95% limit creates in my office.

Clark County Personnel prepares general job descriptions and salary ranges which apply to employee positions county-wide, including the departments of elected officials. I presently have two positions also found in other appointed county departments whose maximum salary range exceeds 95% of my salary. The positions are Senior Management Analyst and Senior Systems Analyst. In order for either of these positions to get a salary increase, they would have to be latterly transferred to another county department under an appointed department head. The 95% limit to my salary puts me in the position of not being able to compete with other county departments in order to retain experienced and qualified help.

Because of the problems created by the 95% salary limitation, I am requesting an amendment to S. B. 51 to delete NRS 245.047.

Sincerely yours,

*Jean*  
Jean E. Dutton  
Clark County Assessor

JED/ksa

SUMMARY -- Reorganizes state communications board and makes certain changes in its duties.

(BDR 19-260) - AMENDED

Fiscal Note: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

AN ACT relating to the state communications system; providing for the reorganization of the state communications board and making certain changes in its duties; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 481.015 is hereby amended to read as follows:

481.015 Definitions. As used in this chapter:

1. ["Department" means the department of motor vehicles.]

"Agency" means an officer, board, commission, council, department, division, bureau or any other unit or government except the political subdivisions of this state.

2. ["Director" means the director of the department of motor vehicles.] "Communication" means any transmission, emission or reception of signs, signals, writings, images or sounds which convey intelligence of any nature by wire, radio, optical or other electromagnetic systems.

3. "Communications Coordinator" means the supervisor of the communications subdivision of the Nevada highway patrol division.

4. "Department" means the department of motor vehicles.

5. "Director" means the director of the department of motor vehicles.

6. "State communications system" means communication equipment and associated facilities owned, leased or used by state agencies, except the state telephone system.

Section 2. NRS 481.023 is hereby amended to read as follows:

481.023 Administration of laws by department. Except as otherwise provided therein, the department of motor vehicles shall execute, administer and enforce, and perform the functions and duties provided in:

1. Title 43 of NRS relating to vehicles.

2. Chapter 706 of NRS relating to licensing of motor vehicle carriers and the use of public highways by such carrier.

3. Chapter 366 of NRS relating to imposition and collection of taxes on special fuels used for motor vehicles.

4. Chapter 233F of NRS relating to the state communications system.

Section 3. NRS 481.067 is hereby amended to read as follows:

481.067 Divisions of department. The department shall consist of:

1. The registration division.
2. The motor carrier division.
3. The drivers' license division.
4. The Nevada highway patrol division [.] and communications subdivision.
5. The administrative services division.
6. The automation division.
7. Such other divisions and subdivisions as the director may in his discretion from time to time establish.

Section 4. Chapter 481 of NRS is hereby amended by adding thereto new sections which shall read as follows:

481.190 Purposes of communications subdivision of Nevada highway patrol. The purposes of the subdivision are:

1. To provide communications installation, maintenance and repair service for state agencies.
2. To provide technical assistance but not administrative control of communications within the several state agencies.

481.200 Inapplicability of NRS 481.190 to 481.220 to certain state agencies; services provided by communications subdivision.

1. The provisions of NRS 481.190 to 481.220, inclusive, do not apply to the department of highways, the department of conservation and natural resources, the Nevada department of fish and game, the Nevada military department, and the state civil defense and disaster agency, but subject to the provisions of NRS 481.190 to 481.220, inclusive, such departments, officers, and agencies may utilize the services of the communications subdivision.
2. The communications subdivision shall provide state agencies with all of their required communications repair and maintenance services.

3. If the demand for services is in excess of the capability of the subdivision to supply such services, the communications coordinator will contract with other agencies or independent contractors to furnish the required service and will be responsible for the administration of such contracts.

481.210 Services provided for agencies not under the governor's control.

To facilitate the economical servicing of communications equipment throughout the state government, the communications subdivision may provide service for agencies not under the control of the governor, upon the request of any such agency.

481.220 Communications subdivision working capital fund: Creation; receipts and expenditures.

1. There is hereby created in the state treasury a continuing fund to be known as the Nevada highway patrol communications subdivision working capital fund. Moneys from such fund shall be paid out on claims as other claims against the state are paid. Such claims shall be made in accordance with budget allotments and shall be subject to preaudit examination and approval.

2. All operating, maintenance, rental, repair and replacement costs of equipment and salaries of personnel assigned to the subdivision shall be paid from such fund.

3. Each agency using the services of the subdivision shall pay a fee for such use, which shall be set by the communications coordinator in such amount as to reimburse the subdivision for the entire cost of providing such services, including overhead. Each user agency shall budget for such services. All fees, proceeds from the sale of equipment, and other moneys received by the subdivision shall be deposited in such fund.

4. The initial balance of such fund shall be provided by direct legislative appropriation.

481.230 Communications coordinator: Powers, duties. The communications coordinator shall:

1. Administer the provisions of NRS 481.190 to 481.230, inclusive, and chapter 233F of NRS, subject to administrative supervision of the

chief of the Nevada highway patrol.

2. Consolidate the communications system and services of state agencies and provide for their joint use by federal and state agencies, except as provided in NRS 481.200.

3. Prepare plans and engineering, conduct studies and review planning for the orderly development of the state communications system.

4. Procure, install and maintain and purchase or lease communications equipment, facilities and services.

5. Consolidate state procurement required on a periodic basis in accordance with specifications approved by the state communications board.

6. Enter into and administer agreements involving the state communications system.

7. Develop a comprehensive system of equitable billings and charges for communications services provided in any consolidated or joint use system of communications. Such charges shall reflect as nearly as practicable the actual share of costs incurred on behalf of or for services rendered to a user agency.

8. Advise agencies of the state as to systems or methods to be used to meet communications requirements efficiently and effectively.

9. Assure that maintenance is performed on the state communications system efficiently and economically.

10. Standardize policies and procedures for the joint use of the state communications system.

11. Perform such other duties in connection with each and all of the foregoing-specified duties, and consistent therewith, as may be imposed by the director of the department of motor vehicles, or state communications board.

481.240 Communications coordinator; ex-officio appointment.

The director may appoint the supervising radio technician of the Nevada highway patrol as the ex-officio communications coordinator.

Section 5. Chapter 235F is hereby amended to read as follows:

235F.050 ["Director" defined. "Director" means the state communications director.] "Communications coordinator" defined.

"Communications coordinator" means the supervisor of the communications

subdivision of the Nevada highway patrol.

233F.060 "State communications system" defined. "State communications system" means communication equipment and associated facilities owned, leased or used by state agencies[.], except the state telephone system.

233F.080 1. The legislature finds and declares that a state communications system is vital to the security and welfare of the state during times of emergency and in the conduct of its regular business, and that economies may be realized by joint use of the system by all state agencies. It is the purpose of the legislature that a state communications system be developed whereby [maximum] the greatest efficiency in the joint use of existing communications system is achieved and that all communication functions and activities of state agencies be coordinated. It is not the intent of the legislature to remove from the department of general services control over the state telephone system intended for use by state agencies and the general public.

2. The legislature further declares that if at any time the state communications board established by this chapter considers a proposal for expansion of the telecommunications service, equipment or facilities normally provided to the State of Nevada by the telephone industry, such service, equipment or facilities are to be provided through the telephone industry except when the requirements of subsection 3 have been met.

3. If the state communications board has reason to believe that significant savings can be achieved if proposed expansions of the telecommunications services, equipment or facilities normally provided to the State of Nevada by the telephone industry are provided by the state rather than through the telephone industry:

(a) The board shall conduct a study and prepare a report detailing the proposed expansions and the estimated savings. The report shall be submitted to the research and fiscal analysis division of the legislative counsel bureau for review.

(b) Upon receipt of such report, the staff of the research and fiscal analysis division shall evaluate the findings and conclusions of the board and shall present to the interim finance committee its analysis of the proposed expansions and estimated savings.

(c) The interim finance committee shall review the report of the board and the analysis presented by the research and fiscal analysis division and may approve or disapprove the board's proposal.

(d) No proposal for the state rather than the telephone industry to provide expansion of the telecommunications service, equipment or facilities provided to the State of Nevada may be [implemented] carried out without the approval of the interim finance committee.

233F.090 State communications board: Establishment; composition.

[There is hereby established a state communications board composed of the:

1. Director of the civil defense and disaster agency;
2. Director of the department of general services;
3. Director of the department of law enforcement assistance;
4. Director of the department of motor vehicles;
5. Director of the Nevada department of fish and game;
6. Director of the state department of conservation and natural resources; and
7. State highway engineer.]

1. The state communications board is hereby created. The board shall consist of a chairman and 2 members, who shall:

(a) Be appointed by the governor from among the users of the state communications system.

(b) Serve at the pleasure of and be responsible to the governor.

(c) Respectively represent data communications, emergency communications, and non-emergency communications.

2. The governor may appoint additional persons, who shall act in nonvoting advisory capacities to the board.



233F.100 State communications board: [Chairman, officers:] meetings; [quorum; alternates:] technical representatives[.]; expenses.

1. [The board shall elect a chairman and such other officers as it deems necessary from among its members. Each officer shall serve 1 year and until a successor is elected by the board. Board officers may be reelected.]

[2.] The board shall meet a least quarterly and at such times and places as are specified by a call of the chairman, [or any two members of the board. Four members of the board constitute a quorum.]

2. [Each member] The chairman of the board shall [:] [(a) Designate a permanent voting alternate to represent him at board meetings in his absence.

(b)] [A] a ppoint [a] technical representatives to serve on a technical advisory committee which is hereby created to serve the board.

[4.] 3. Members of the board shall serve without compensation but may be reimbursed from the Nevada highway patrol communications subdivision working capital fund for necessary travel and per diem expenses in the amounts provided by law.

233F.110 1. The board shall establish and [implement] administer policy respecting the development, administration and operation of the state communications system. The board shall provide sufficient numbers of microwave channels for use by state agencies.

2. Regulations governing the joint use of the state communications system [shall] must establish a minimum standard for such use and are supplemental to rules or regulations of the Federal Communications Commission on the same subject.

3. [Microwave] Except as provided in subsection 5, microwave channels assigned to user agencies by the board [prior to July 1, 1975, shall] must not be reassigned without the concurrence of the user agency.

4. Microwave channels [shall] may be assigned [permanently] to the department of law enforcement assistance for assignment by

[such] that department to local, state and federal [law enforcement] criminal justice agencies as [the] that department may desire.

[Operating costs shall be assumed by the] The department of law enforcement assistance [with equitable billings charged to] shall assume the operating costs of these channels and bill user agencies [.] for those costs.

5. The board may revoke the assignment of a microwave channel if an agency fails to pay for its use, and may reassign that channel to another agency.

[233F.120 Director: Appointment; unclassified services; expenses; other employment prohibited.

1. The governor shall appoint the state communications director.
2. The director is in the unclassified service of the state, and is entitled to the per diem expense allowance and travel expenses provided by law.
3. The director shall not engage in any other gainful employment or occupation.]

233.130 [Director:] Communications coordinator: [Powers,] duties [;] [staff. Except as provided in NRS 233F.110, with the approval of the board, the state communications director shall:

1. Consolidate the communications systems and services of state agencies and provide for their joint use by federal and state agencies.
2. Prepare plans and engineering, conduct studies and review planning for the orderly development of the state communications system.
3. Procure, install and maintain and purchase or lease communications equipment, facilities and services.
4. Consolidate state procurement required on a periodic basis in accordance with specifications approved by the board.
5. Enter into and administer agreements involving the state communications system.
6. Develop a comprehensive system of equitable billings and charges for communications services provided in any consolidated or joint use system of communications. Such charges shall reflect as nearly as practicable the actual share of costs incurred on behalf of or for services rendered to a user agency.

7. Advise agencies of the state as to systems or methods to be used to meet communications requirements efficiently and effectively.

8. Assure that maintenance is performed on the state communications system efficiently and economically.

9. Standardize policies and procedures for the joint use of the state communications system.

10. Provide within his office a staff, consisting of personnel in the classified service of the state, adequate to carry out the provisions of this chapter.]

As provided in NRS 481.230, the communications coordinator shall administer the provisions of this chapter, subject to the administrative supervision of the chief of the Nevada highway patrol.

233F.140 1. Each state agency participating in the state communications system, unless otherwise provided by agreement with the board shall:

(a) Develop operating procedures and maintain operational control over its radio communications network, including mobile radio systems.

(b) Establish criteria for radio service area coverage within the limits of its authority.

(c) Employ, control and supervise all personnel operating radios, consoles, teletype machines and data terminals and having access to record files and message-handling facilities.

(d) Determine the amount of public safety radio services equipment it requires and which of its vehicles or locations will be radio-equipped.

(e) Determine its communications requirements respecting mobile radio equipment, public safety radio services and state-owned communications systems, and budget for such equipment and services.

(f) Maintain its state-owned communications equipment [.] as provided in chapter 481 of NRS.

2. Each state agency may approve use of its radio communications network by others.

MARCH 14, 1979

## **Del. Weighs Sale Of Farmers Bank**

Municfact News Wire Services

DOVER, Del. — State officials are considering selling the Farmers Bank of Delaware after 172 years of controlling it.

The bank ran into trouble in 1976, but since then has been nursed back to fiscal health, and it showed \$4.8 million in profits in 1978.

The state, which owns 76% of Farmers Bank stock, was shaken by the bank announced a \$20 million loss in early 1976.

"The state has no business being in the banking business. We learned that ... in 1976," John E. Malarky, Secretary of Finance at the time and now State Banking Commissioner, said.

By the end of March, the banking commission will hire a firm to appraise the bank, according to commission chairman Charles E. Welch.

1. Amend new language in lines 8-9 to read: ~~Each~~ "The meetings of any commission, committee, or other body created pursuant to law to carry out the functions of the legislative branch of government, during a session or between sessions, are open to the public."

2. Delete new language on lines 8-9 and:  
Amend Art.4, Sec. 6 to read: "Each house shall determine the rules of its proceedings, except that the legislature may provide by law for the opening or closing of any committee of either house and any joint committee."

3. Delete new language on lines 8-9 and substitute: "The meetings of any committee of either house must be open to the public, but the houses may, by joint rule, provide necessary exceptions to this requirement."