

Present:

Chairman Gibson
Senator Dodge
Senator Echols
Senator Ford
Senator Kosinski
Senator Raggio

Also Present:

See Attached Guest Register

Chairman Gibson called the thirty-sixth meeting of the Government Affairs Committee to order at 2:00 p.m., Senator Keith Ashworth was excused from the meeting.

SB-485 Requires analysis of use of renewal resources as part of accounting system covering costs of state buildings.

Noel Clark, Administrator of the Department of Energy testified to the committee that the intent of the bill was to require state and local governments to examine the feasibility of using renewable resources prior to the time that construction plans are authorized. Mr. Clark felt that the state capitol is an excellent place to begin an analysis of renewable resources.

Mr. Clark noted that "renewal" was incorrect and should be amended to read, "renewable".

Chairman Gibson noted that in the capitol budget there is an operating costs for the useful life and renewable resources is a matter that should be considered.

Bill Hancock, State Public Works Director testified that at the present they are already considering the renewable resources as part of the accounting system and do not feel that this bill is necessary.

Chairman Gibson questioned whether or not the committee could add the city and counties to this bill so they will also consider renewable resources.

Mr. Clark stated that he felt that all the entities should take this into consideration when a new building is considered.

Mr. Hancock stated that all public facility buildings are under the Energy Conservation Standards and renewable resources is one of the areas that they are looking into.

Senator Dodge asked if the standards for considering renewable resources could be given to the architects so that they could take that aspect into consideration when designing a new building.

Mr. Clark felt that with something from the legislature it would carry more weight and have more impact.

Minutes of the Nevada State Legislature

Senate Committee on Government Affairs

Date: April 23, 1979

Page: TWO

Mr. Hancock stated that the bill in the Assembly that is very similar to SB-485 is AB-734.

Russ McDonald, Washoe County, stated that with the correct plans for a building to be constructed in Washoe County (beginning July 1) it would take another three to six months to come up with a review of the renewable resources that could be utilized. Mr. McDonald, therefore, requested that the bill be effective after July 1, 1979.

Mr. Clark felt that the bill would not affect a building that has already been through the construction plan phase. The bill could be worded so that it will affect those construction plans that have not been approved prior to July 1, 1979.

Senator Dodge suggested that somewhere the following language should be inserted, "a report on economic feasibility".

The word "renewal" would be corrected to read, "renewable".

Senator Ford moved "Amend & Do Pass" on SB-485
Seconded by Senator Raggio - Motion carried unanimously.

SB-486 Requires State and local governments to consider economy in use of energy when purchasing property.

Mr. Noel Clark, Administrator for the Department of Energy, testified that this bill reflects the priority to use economically feasible land in conjunction with the present use of energy and will allow a higher price to be paid for the land that will allow for more economic energy use.

Mr. Clark stated that it was not their intent to get into the land issue and would be agreeable to amending that reference out and making the bill apply to personal property.

Russ McDonald, representing the County Association, suggested amending the bill to state, "when purchasing any personal property", line 3, page 1. Mr. McDonald stated that this should be placed in the local government purchasing act.

Chairman Gibson asked if Mr. Clark objected to having this bill placed under the local government purchasing act. Mr. Clark did not object.

The committee discussed the above bill and the proposed amendments. Senator Dodge felt that the Chairman could write a letter to explain the intent and did not feel that the bill was necessary at this time.

Senator Dodge moved "Indefinitely Postpone" SB-486
Seconded by Senator Echols - Motion carried unanimously.

SB-506 Authorizes general improvement districts to provide space heating.

Noel Clark, Administrator for the Department of Energy, supports the concept of the bill and stated that Caliente would be an example of a general improvement district that could use this bill. He further noted that the local districts could be a source of financing for this type of heating.

Senator Ford moved, Do Pass on SB-506
Seconded by Senator Raggio - Motion carried unanimously.

SB-472 Provides requirements for appointment of town advisory boards in certain unincorporated towns.

Pat Gallagher, representing Clark County, testified in favor of this bill and provided possible amendment language regarding the unincorporated town government law. (See Attachment #1). Mrs. Gallagher went over the bill and the suggested amendments stating that they feel with these changes the process will run more smoothly and provide clear guidelines to follow.

Mrs. Gallagher felt that they needed discretionary power when determining whether or not it is necessary for a group or individual to become part of an unincorporated town. The bill also addresses the appointment of electors to serve as the town advisory board in the unincorporated town.

Pat Steckman, County Manager's Office, Staff Coordinator, testified in support of the bill and concurred with Mrs. Gallagher's testimony. Mrs. Steckman noted that if 51% sign a petition for an unincorporated town they they must comply. It could be as few as three people in an area to create the 51%. There is currently no provision in the statutes regarding the size. Mrs. Steckman stated that they would like to be in conformance with the other counties, section 7 provides permissive language in order to give them the flexibility they need to make decisions.

Senator Ford stated that in other counties, especially the smaller ones, it was felt that the flexibility should be left in the bill so that the people would be able to elect their own town members to the advisory board.

Mrs. Steckman stated that the smaller towns will elect their own and submit five to the county for a final decision.

Scott Doyle, District Attorney office, Clark County, stated that this bill will not affect the manner in which the town advisory board is chosen for the unincorporated towns.

Senator Ford asked how this bill would affect the existing town boards and Mrs. Steckman felt that they would probably reappoint the existing

members and then when the new members replace the members who have served their term the new statute could go into effect.

Mr. Doyle noted that there is an error in page 1, line 14. The reference to "township" should be deleted and "town" should be the corrected reference.

Bob Sullivan, Carson River Basis for Local Governments, stated that they were opposed to the bill unless some options were written into the amendments.

Senator Ford stated that this bill would not apply to the areas that he represented and Mr. Sullivan then stated that since it would not affect the areas he represents he did not object to the bill.

Senator Ford moved "Amend and Do Pass" on SB-472
Seconded by Senator Dodge - Motion carried unanimously.

Amendment: Amend the bill using the proposed amendments in Attachment #1 and change "township" to "town" on line 14 of page 1.

Chairman Gibson assigned Senator Ford to get the appropriate amendments.

AB-628 Authorizes creation of advisory boards by boards of county commissioners.

Russ McDonald, representing Washoe County, noted that this bill would not affect the requirements set forth in unincorporated towns, SB-472. Mr. McDonald felt that communication and better insight will result from the passage of this bill. The Advisory board can speak directly to the people and report their findings to the County Commissioner at their regular meetings.

Mr. McDonald asked the committee to consider amending the bill to delete any reference to payment for the advisory board members.

The committee concurred with the suggestion made by Mr. McDonald and Chairman Gibson placed the specific language in with the bill for the bill drafter.

Senator Ford moved, "Amend and Do Pass"
Seconded by Senator Kosinski - Motion carried unanimously

AB-287 Requires annual computation of longevity pay for county officers.

Russ McDonald, Washoe County, stated that this bill involves the Commissioners Association. The bill makes it clear that after four years you are eligible to receive 1%. It also makes the County Commissioners come in line with the other entities affected by the longevity system.

Chairman Gibson stated that this bill came out of the Senate Government Affairs committee and the intent was to not allow the longevity pay to begin until after the first term. The Chairman had been instructed to write a letter to each county and clear up the intent of the law in this area.

Russ McDonald asked that the intent on this bill be placed on the general journal of the Senate to insure that the proper amount of attention is given to the various counties that are not complying with the intent of the law.

Senator Kosinski moved "Indefinite Postponement" on AB-287
Seconded by Senator Dodge - Motion carried unanimously

AB-277 Changes certain fees of constables.

Sam Mamet, Clark County, stated that he was testifying on behalf of the constables. The original intent of the bill was to raise the fees to the level of the sheriff's Civil Bureau. The amendments were a compromise from the constables and the Assembly Government Affairs Committee.

Senator Dodge stated that the Senate Judiciary committee proposed an increase in the basic filing fee structure that was quite substantial. The Senator felt that this bill would add additional costs to the people who must use the constable services.

Sam Mamet felt that possibly this bill should be looked at in conjunction with the Judiciary bill.

Chairman Gibson asked if the fee schedule will affect the fiscal note and Sam responded that he was not sure and would check on that matter and report back to the committee.

Chairman Gibson indicated that AB-277 would be held until the information on the fiscal note could be brought to the committee.

Russ McDonald stated that there might be a constitutional problem with the bill if it conflicts with the bill on the salary structure for the Justices of the Peace.

AB-588 Permits county hospitals to employ certain medical personnel as independent contractors and purchase certain items without receiving bids.

Sam Mamet, Clark County, this bill comes from the Southern Nevada Memorial Hospital. In Section 1 the bill exempts doctors from being under the 95% limitation in county hospitals because with this limit they are having a difficult time attracting qualified doctors.

Minutes of the Nevada State Legislature
Senate Committee on Government Affairs
Date: April 23, 1979
Page: Seven

Mr. Mamet also noted that in subsection 5 of Section 2 (page 2) the bill addresses the problem of indigent patients and will exempt the hospital from covering indigent patients for the physicians.

The final portion of the bill deals with the hospital being able to purchase goods that are lower in price than the lowest bid received.

The committee discussed the language in subsection 3 of Section 3 and felt that the wording was confusing and might be misinterpreted.

The committee discussed changing the wording since it was not the hospital's intent to waive the bidding procedure.

Bill Macdonald, Humboldt County District Attorney, wanted to clarify that the county could still accept the lower price from the State Purchasing Department. The language in subsection 3 of Section 3 might complicate the procedures that we are following.

Chairman Gibson felt that the bill was amended without taking the surrounding statutes into consideration. The language could be rewritten to clear up the intent that the legislation was intended to have.

Sam Mamet agreed that the language should be amended and agreed with the committee's suggestions.

Senator Dodge suggested that the language on lines 9 and 10, page 1 be deleted and allow the hospital people to participate in the bidding procedure. It should be spelled out that they are authorized to bid and delete the language in subsection 3 of 3 pertaining to the low bid.

Senator Dodge moved, "Amend and Do Pass" on AB-588
Seconded by Senator Raggio - Motion carried unanimously

AB-666 Removes limit on accumulation of sick leave which a county may provide for its officers and employees.

Julie Canegliaro, representing Fire Fighters of Nevada, testified in favor of this bill. Mr. Canegliaro felt that this bill is in conflict with NRS 288. He stated that sick leave is a negotiated item and it should be left to the local entities. This bill is not mandatory, its permissive.

Bob Sullivan, Carson River Basin for County Governments, testified against the concept in this bill and felt that it would definitely create a fiscal impact in the smaller counties. He did not see the bill as permissive but as mandatory.

Senator Ford explained that in the first section of the bill it provides permissive language that is carried throughout the bill.

Mr. Sullivan responded that the limit is extremely permissive, private enterprise doesn't have such liberal sick leave benefits and the State shouldn't allow the cap to be lifted.

Senator Echols stated that the sick leave provisions are a money saver. The Senator felt that it has been proven that allowing individuals to accrue sick leave saves money in the long run.

Chairman Gibson stated that the original purpose of having sick leave was to help the individual who was ill. The provision had been expanded so that if an individual had a catastrophic illness the days unused that had since been lost could be recaptured.

Senator Dodge stated that he could not see anything wrong with the present language providing for sick leave and allowing an individual to be able to get credit on days lost for any extensive illness. The Senator didn't feel that the unused sick leave should be accumulated and used as an extended vacation.

Chairman Gibson stated that at the present time this law on sick leave conforms with the state laws and still contended that it should not be compensation for people who don't use their sick leave.

Senator Kosinski stated that some feel that it doesn't take the tax dollars in the long run because these people will not take the time knowing that they will get paid for the unused sick leave when they retire.

Senator Ford Moved "Do Pass" on AB-666
Seconded by Senator Kosinski - Motion carried
Voting: Yea's - Senators Ford, Kosinski and Echols
Na's - Senators Gibson and Dodge

SB-479 Provides exception to general prohibition against purchases from trustees of general improvement districts.

Senator Jacobsen, testified to the committee that the rural counties are sometimes involved in a conflict of interest that would prohibit a member on the council from voting. The Senator had Mrs. Jerry Bing, Chairman of the Gardnerville Ranchos Improvement District, testify to the committee on the problem that she has encountered.

Mrs. Bing stated that her husband has an aggregate business and is the only one in the area that can do this so many times her husband's bid comes back as the lowest bid. Each time this occurs she is placed in a position of conflict. Does not want to resign her position on the board and does not feel that her husband should refuse to bid on jobs that his company specializes in.

Senator Ford asked if the bill should be effective upon passage and approval. Senator Jacobsen stated that it probably should be.

Senator Ford asked if in Section 1, they only speak to purchasing supplies and if the committee is going to address the problem there are other areas that could be affected in much the same way. The committee should address all areas, such as the purchase of property.

Senator Dodge stated if it is structured correctly there is no conflict. One approach the Senator mentioned was the "sole source of supply" method. Senator Dodge informed Mrs. Bing and those present about the conflict that he had with the University of Nevada and since he was the sole supplier of feed it was considered not to be a conflict. When other suppliers were bidding the Senator did not pursue the account. Senator Dodge felt that Mrs. Bing's husband could qualify as the sole supplier and would naturally have the lower price.

Chairman Gibson asked Senator Jacobsen if he had checked the provisions of the County Commissioners act and stated that the committee would have to be very careful in changing this statute. It was considered that Section 1 was not necessary and the language in section 2 could be worked and the committee should concentrate on the indirect approach.

Bill Shaw, Attorney in the area, is involved and stated that the words "directly" and "indirectly" should be amended out of the bill. One of Mr. Shaw's suggestions was that ethical standards should be provided and also a disclosure statement noting the conflict.

Senator Jacobsen stated that he would go back to the bill drafter and present the suggestions from the committee. The Senator also stated that he would look at the statute provisions that the city uses for conflict of interest.

SB-476 Increases salaries of certain officers of Douglas County and Carson City.

Senator Jacobsen introduced the committee to Mr. Ken Kjar, County Commission, Douglas County. Mr. Bob Hatfield, County Manager, was also present to testify in favor of the bill.

Senator Jacobsen stated that since they have received the resignation from the District Attorney in Douglas County they feel that it is most important to upgrade the salary in order to attract the qualified people necessary to handle the legal problems that are currently being faced in Douglas County.

Mr. Kjar stated that they want to attract the type of qualified individual that can handle the specific problems that Douglas County is presently facing.

Both Senator Jacobsen, Mr. Kjar and Mr. Hatfield spoke of the many problems that they have with the salary range for the elected officials. Douglas County is very similar to Washoe and Clark in the amount of growth problems that are being encountered.

Senator Raggio asked if two deputies were enough in the District Attorney's office. Mr. Kjar felt that they could use another deputy but the space and salary limitations were holding them back at the present time.

Mr. Hatfield pointed out a problem with Douglas County being so close to Carson City. They feel that some individuals are going to Carson City rather than Douglas County because of the pay differential.

Senator Kosinski moved "Indefinitely Postpone" on SB-476
Seconded by Senator Ford
Motion carried unanimously.

Senator Raggio stated that he did not feel the salary structure for Douglas County should be so much lower than the salary structure for Carson City.

AJR-16 Proposes to amend Nevada constitution to extend terms of Assemblymen to four years.

Assemblyman Dini, representing the Assembly, testified to the committee in favor of this resolution. Mr. Dini felt that with a four year term the assemblyman would have an opportunity to learn the system and become more valuable to the citizens of Nevada. The costs for campaigning are expensive and campaigning every two years keeps many qualified people from running for office.

Senator Raggio asked if the people would support this on the ballot since congress has the same two year term. Mr. Dini stated that he felt that the people of Nevada would support such a measure and should be allowed to vote on the issue.

Chairman Gibson held action on AJR-16 until the committee, as a whole could be present to vote.

SB-261 Creates commission for economic development.

Chairman Gibson suggested that the committee consider eliminating two boards and placing the legislature up for overview. The Chairman asked the committee for permission to look into possible amendments to the bill.

Senator Raggio asked if the committee would hold the bill until he could check with the Governor on this and get his opinion.

The Chairman stated that he would hold the bill until the Senator could get in touch with the Governor.

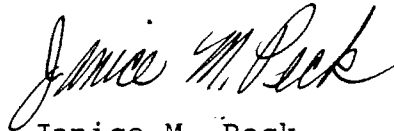
Minutes of the Nevada State Legislature
Senate Committee on Government Affairs
Date: April 23, 1979
Page: Eleven

Chairman Gibson asked the committee to consider amending SB-318 down to no more than six agencies audited each year. The Chairman assigned a sub-committee to work on the bill. The sub-committee Chairman would be Senator Raggio. Also assigned to the committee were Senator Ford and Kosinski.

The majority of the committee voiced concern and did want to process the bill. Chairman Gibson asked the committee to check with the members of the Assembly to see the problems that were encountered.

With no further business the meeting was adjourned at 5:50 p.m.

Respectfully submitted,



Janice M. Peck
Committee Secretary

Approved:



Chairman
Senator James I. Gibson

Amendments to S.B. 472

NRS 269.530 is hereby amended to read as follows:

SECTION 1

~~269.530~~ The provisions of the Unincorporated Town Government Law apply:

- A. To each unincorporated town in any county having a population of 200,000 or more, as determined by the last preceding national census of the Bureau of the Census of the United States Department of Commerce.
- B. To each unincorporated town in any other county, upon passage of an ordinance adopting the Unincorporated Town Government Law by the board of county commissioners.

SECTION 2

- A. Ordinances creating unincorporated towns prior to the adoption of the Unincorporated Town Government Law in those counties included in subsections 1 and 2 shall be amended by the board of county commissioners to conform to the provisions of NRS 269.500 to 269.625, inclusive, and the towns shall be managed and administered in accordance with the Unincorporated Town Government Law.

Senate Committee on Government Affairs

Date Monday, April 23, 1979

Time 2:00 P.M.

Room 243

Bills or Resolutions
to be considered

Subject

Counsel
Requested*

S.B.472-	Provides requirements for appointment of town advisory boards in certain unincorporated towns.	
S.B.476-	Increases salaries of certain officers of Douglas County and Carson City.	
S.B.479-	Provides exception to general prohibition against purchases from trustees of general improvement districts.	
A.B.287-	Requires annual computation of longevity pay for county officers.	
A.J.R.16-	Proposes to amend Nevada constitution to extend terms of Assemblymen to 4 years.	
A.B.277-	Changes certain fees of constables.	
A.B.588-	Permits county hospitals to employ certain medical personnel as independent contractors and purchase certain items without receiving bids.	
A.B.666-	Removes limit on accumulation of sick leave which a county may provide for its officers and employees.	

~~(SB-497 & 498 were re-scheduled to be heard on 4-28-79 at the request of the sponsor.)~~

➔ Note: The following bills were added to the agenda -- eff. 4-21-79

S.B.485-	Requires analysis of use of renewal resources as part of accounting system covering costs of state buildings.	
S.B.486-	Requires state and local governments to consider economy in use of energy when purchasing property.	

SB-506