

Present: Chairman Gibson
Vice Chairman K. Ashworth
Senator Echols
Senator Ford
Senator Kosinski
Senator Raggio

Also Present: See Attached Guest Register

Chairman Gibson called the twenty-eighth meeting of the Government Affairs committee to order at 10:50 a.m. Senator Dodge was excused due to a prior commitment.

AB-428 Requires description of property on surveyor's certificate on subdivision final map to be by metes and bounds under certain circumstances.

Sam Mamet, representing Clark County, introduced the committee to Mr. Jim Scholl who noted they are requesting that a legal description be placed on the face of the final map. Mr. Mamet noted that he was also representing the County Surveyors and the Public Works Department and they were in favor of AB-428. Mr. Mamet indicated the Southern Nevada Land Surveyors support AB-428. Mr. Mamet and Mr. Scholl presented the committee with a letter from Jim Woods, Vice President of Title Insurance & Trust Co., Las Vegas in support of the bill. (See Attachment #1)

There was a suggested amendment. On Line 15 the word "or" should be changed to "and" thus requiring a description by metes and bounds.

Senator Raggio moved, "Amend and Do Pass" on AB-428
Seconded by Senator Echols. Motion carried unanimously.

AB-348 Permits legislative commission to delegate to committee its power to review adopted regulations of state agencies.

Chairman Gibson stated that in effect the director is the person to review regulations. The Chairman called Frank Daykin, legal counsel, to the meeting to give a legal opinion on the review of regulations as proposed in AB-348.

Mr. Daykin stated that this bill was recommended by the Legislative Commission and was amended in the Assembly. The amendment presented was to help avoid the problem which arises between meetings of the Legislative Commission when an adopted regulation is filed with the counsel bureau and contains some provisions which may exceed the statutory authority of the agency. The Legislative Commission has thirty-five days in which to review, object to the provision, or file the regulation. When the regulation is filed it becomes effective.

The function of review was delegated to a committee when the Legislative Commission is not available. The committee can review and if the regulation is questionable it may hold the regulation until the next meeting of the Commission. It does not have the power to disapprove a regulation.

With no further discussion the following motion was made:

Senator K. Ashworth moved, "Do Pass" on AB-348
Seconded by Senator Ford
Motion carried unanimously.

SB-255 Substantially increases legislative control over state financial administration.

Senator Kosinski went over the proposed amendments for the committee and provided copies of the statutes involved for the committee to review. (See Attachment #2) Section 1, there would be 13 occupational classes and 8 sub-classes. On Page 4, line 42, the following was added, "or special fund as required by law".

Senator K. Ashworth moved, "Amend and Do Pass"
on SB-255 - Seconded by Senator Ford
Motion carried unanimously.

The committee discussed the following pieces of legislation that are being held up for various reasons.

- (1) SB-120 Chairman Gibson reported that the amendments were being prepared.
- (2) SB-339 Senator Ashworth reported that a new bill is being prepared to handle the problems found in SB-339 in its present form.
- (3) SB-336 Deferred compensation bill, Senator Echols stated that Darryl Daines and Bob Gagnier were present when the Senate bill drafter worked on the amendments. The amendments are being prepared.
- (4) SB-311 sponsored by Senator McCorkle. Chairman Gibson had a copy of a letter prepared by Senator McCorkle asking the committee to read the four questions and discuss the problems before taking action or amending the bill.
(See Attachment #3)

Minutes of the Nevada State Legislature

Senate Committee on Government Affairs

Date: April 6, 1979

Page: Three

Chairman Gibson read the questions to the committee and asked that copies be given to each Senator for further consideration.

Senator Keith Ashworth felt that consideration should be given to where these people are impacted and if they would otherwise be eligible for a raise. The money due an employee from being impacted could be put on the deferred compensation plan or paid to the individual upon termination. This would keep the 95% rule in effect and the money would not be taxable. Another benefit would be the morale of the employee, knowing that he would be getting compensated for the 95% rule.

Chairman Gibson informed the committee members of what it was like in the state system prior to the 95% limitation rule. The Chairman feels that the fiscal impact would be far greater than just bringing up the salaries of those employees who are affected by the 95% limitation.

At this point Chairman Gibson referred the committee to the sunset bills and asked that they give him some guidance as to the disposition of the bills. The Chairman stated that in the last session the committee spent three weeks working on the bill and it was subsequently defeated in the Assembly. The Chairman further noted that, in his opinion, the bill should be set up on a limited basis and add those agencies that are necessary.

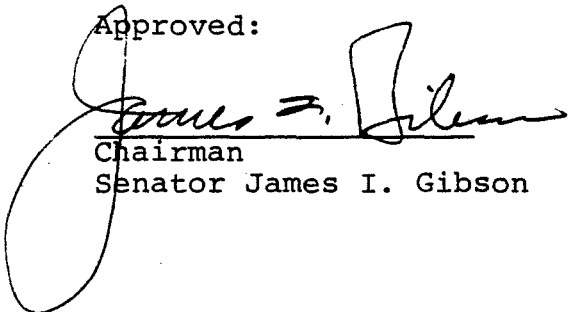
Senator Kosinski suggested an alternative that would provide funding for an office containing two auditors. Each session there would be a report on two agencies. The performance audit would be all encompassing and would remove the threat of abolishment that all the agencies are fearing now.

The committee held further discussion on this until the next meeting.

Senator Echols stated that SB-311 should be held until the problems within the local government of North Las Vegas can be worked out.

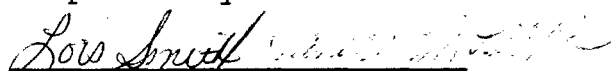
With no further business the meeting was adjourned at 12:20 p.m.

Approved:


Chairman

Senator James I. Gibson

Respectfully submitted


Lois Smith, Corres. Secretary present at meeting & Janice M. Peck, Corres. secretary who finalized the minutes

C75



TITLE INSURANCE
AND TRUST

April 5, 1979

Nevada State Senate
Government Affairs Committee

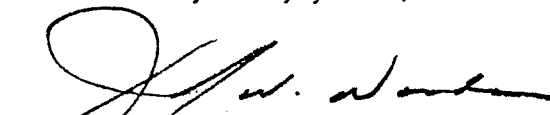
Dear Committee Members:

We wish to express our support, as a company, of Assembly Bill
No. 428.

We feel the requirements expressed in this bill not only will assist
those individuals or firms engaged in the practice of real estate
transactions, but will also be of benefit to the people of the state of
Nevada in general.

Thank you for taking our views into consideration.

Very truly yours,



John W. Woods
Vice President

JWW:bym

2. Promote and operate programs to disseminate information to the people of this state concerning the dangers of the use of controlled substances, as defined in chapter 453 of NRS, and dangerous drugs.

3. Provide, in cooperation with the chief of the identification and communications division, a system of recording all information received by the division relating to persons who have alleged connections with organized crime or have some connection with the violations of laws regulating controlled substances, as defined in chapter 453 of NRS, or dangerous drugs.

4. Arrange for the purchase of controlled substances, as defined in chapter 453 of NRS, and dangerous drugs when such purchase is necessary in the investigation of offenses concerning them.

5. Procure from district and city attorneys, the warden of the state prison, the superintendents of juvenile detention facilities, the chief administrative officers of hospitals and institutions for the care of the mentally ill, from juvenile probation officers and from every sheriff and chief of police and from any other reliable source information concerning violators of laws regulating controlled substances, as defined in chapter 453 of NRS, or dangerous drugs, and their character, background, probable motivations, circumstances of arrest, modus operandi and other pertinent information.

6. Enforce the provisions of chapter 453 of NRS.

7. Furnish, upon application from a law enforcement agency, all information pertaining to any person of whom there is a record.

(Added to NRS by 1971, 1096; A 1973, 131)

216.250 Acceptance of funds made available for programs of department. The department of law enforcement assistance may accept:

1. Funds appropriated and made available by any Act of Congress for any program administered by the department or any of its divisions as provided by law.

2. Funds and contributions made available by a county, a city, a public district or any political subdivision of this state for any program administered by the department or any of its divisions as provided by law.

3. Funds, contributions, gifts, grants and devises made available by a public or private corporation, by a group of individuals, or by individuals, for any program administered by the department or any of its divisions as provided by law.

(Added to NRS by 1973, 130)

216.255 Sale of informational materials pertaining to narcotic, dangerous drugs. The chief of the investigation and narcotics division may fix reasonable fees for the sale of miscellaneous printed materials pertaining to narcotic and dangerous drugs which are purchased or prepared by the investigation and narcotics division.

(Added to NRS by 1971, 1096)

legislature of the State of Nevada and for whose acquisition there have been appropriated moneys from the general fund in the state treasury to support the board in accomplishing such acquisition.

2. This power shall be exercised in the manner provided by law for the condemnation of private property for public use.

(Added to NRS by 1969, 208)

341.120 Board may accept grants, services. The board is empowered to receive and accept, in the name of the state, grants of money or services to enable the board to carry on its work under this chapter.

[Part 6:102:1937; 1931 NCL § 6975.06]

341.121 Usage of grants. The board may, with the approval of the interim finance committee when the legislature is not in regular or special session, or with the approval of the legislature, by concurrent resolution, when the legislature is in regular or special session, use grants of money received under authority of this chapter, unless otherwise limited by the conditions of any such grant, for:

1. The design and construction of public buildings or projects for which no appropriation has been made by the legislature, or the acquisition of real property for such buildings or projects, or both.

2. Additional acquisition, design and construction costs on public buildings or projects, through appropriate contract procedures, for which the original legislative appropriation made no provision.

(Added to NRS by 1971, 774; A.1977, 162)

341.125 Board may contract with United States, agencies; authorized receipt, expenditure of federal grants, loans, funds. The board is authorized to contract in the name of the State of Nevada with the United States or any of its agencies or instrumentalities, and to receive and expend by grant, loan or otherwise funds which may be made available by the United States or any of its agencies or instrumentalities.

(Added to NRS by 1961, 729)

341.130 Participation in interstate, regional, national planning projects. The board is authorized:

1. To participate in interstate, regional and national planning projects for the purpose of conserving and promoting public health and the safety, convenience and general welfare of the people.

2. Through its members or its staff, to confer and cooperate with federal officials and with the executive, legislative or planning authorities of neighboring states and of the counties and municipalities of such states.

[Part 6:102:1937; 1931 NCL § 6975.06]

341.135 Public works board option fund: Creation; authorized use.

1. There is hereby created a fund to be known as the public works board option fund.

(1977)

11083

2. "School lunch program" means a program under which lunches are served by any public school in this state on a nonprofit basis to children in attendance, including any such program under which a public school receives assistance out of funds appropriated by the Congress of the United States.

[100:32:1956]—(NRS A 1975, 154)

387.075 Federal funds: Acceptance; disbursement.

1. The state board of education may accept and direct the disbursement of funds appropriated by any Act of Congress and apportioned to the State of Nevada for use in connection with school lunch programs.

2. The state board of education shall deposit with the state treasurer all money received from the Federal Government or from other sources for school lunch programs. The state treasurer shall make disbursements for such programs upon the direction of the state board of education in the same manner as other claims against the state are paid.

[101:32:1956]—(NRS A 1977, 231)

387.080 Administration of school lunch programs. The state board of education may:

1. Enter into agreements with any agency of the Federal Government, with any board of trustees of a school district, or with any other agency or person, and prescribe such regulations, employ such personnel, and take such other action as it may deem necessary to provide for the establishment, maintenance, operation and expansion of any school lunch program.

2. Direct the disbursement of federal and state funds in accordance with any applicable provisions of federal-state law.

3. Give technical advice and assistance to any board of trustees of a school district in connection with the establishment and operation of any school lunch program.

4. Assist in training personnel engaged in the operation of any school lunch program.

[102:32:1956]

387.085 Acceptance of gifts for school lunch programs. The state board of education and any board of trustees of a school district may accept any gift, donation or bequest for use in connection with any school lunch program.

[103:32:1956]

387.090 Powers of school trustees concerning school lunch programs. Boards of trustees of school districts are authorized:

1. To operate or provide for the operation of school lunch programs in the public schools under their jurisdiction.

2. To use therefor funds disbursed to them under the provisions of NRS 387.070 to 387.111, inclusive, gifts, donations and other funds received from the sale of school lunches under such programs.

of this chapter. Where the exigencies of the circumstances warrant or where it is impracticable to hold a meeting of the board as provided by NRS 408.130, the members of the board, acting individually, may execute or approve such instruments and documents in the name of the state or department.

6. Delegate to the engineer such authority as it deems necessary under the provisions of this chapter.

7. Act by resolution, vote or order entered in its records.

(Added to NRS by 1957, 662; A 1963, 666)

408.140 Chief counsel: Appointment; salary; assistants; duties.

1. Subject to the approval of the board, the attorney general shall, immediately upon request by the board, appoint an attorney at law, who shall be the chief counsel of the department, and such assistant attorneys as are necessary. Attorneys so appointed by the attorney general shall be deputy attorneys general.

2. The chief counsel shall act as the attorney and legal adviser of the department in all actions, proceedings, hearings and all matters relating to the department and to the powers and duties of its officers.

3. Under the direction of or in the absence of the chief counsel, the assistant attorneys shall have full authority to perform any duty required or permitted by law to be performed by the chief counsel.

4. The chief counsel and assistant attorneys shall be in the unclassified service of the state notwithstanding any provisions of chapter 284 of NRS to the contrary. The chief counsel and assistant attorneys shall receive annual salaries in the amounts specified in NRS 284.182, to be paid from the state highway fund.

5. All contracts, instruments and documents executed by the department shall be first approved and endorsed as to legality and form by the chief counsel.

(Added to NRS by 1957, 666; A 1967, 1496; 1971, 1434)

408.145 Power to accept donations. The department is authorized to accept donations of money, labor and materials to be expended or used upon highways at such points or places as may be designated by the donor.

(Added to NRS by 1957, 666)

408.150 Legal actions; process.

1. All legal notices, writs, service and process issued or ordered by a court of competent jurisdiction wherein the department is named as a party defendant shall be personally served upon the engineer and also personally served upon the chairman of the board; or, in the absence of the engineer and the chairman of the board, such process shall be served personally upon the secretary of state and also upon an assistant engineer.

563.070 Organization of board; officers.

1. Within 10 days after their appointment, the members of the board shall qualify as required by the constitution, and shall meet and organize by the election of one of their number as president, one as vice president, and one as secretary-treasurer.

2. The board may also, if it deems advisable, appoint a secretary-treasurer, or secretary, or treasurer, not of its number, who shall hold office at the discretion of the board.

3. The president, vice president and secretary-treasurer (other than the appointive secretary-treasurer) shall hold office for the term of 1 year.
[3:239:1945; 1943 NCL § 4042]

563.080 General powers of board.

1. The board shall have possession and care of all property of the Nevada junior livestock show, the Nevada youth livestock and dairy show and the Nevada state horse program and shall be entrusted with the direction of the entire business and financial affairs of these exhibitions.

2. The board shall have the power:

(a) To appoint employees and define their duties.

(b) To adopt bylaws, rules and regulations for the government of the Nevada junior livestock show board, the junior livestock show, the Nevada youth livestock and dairy show, the Nevada state horse program, and for all exhibitions of livestock.

(c) To acquire or lease real and personal property, buildings and improvements.

[Part 4:239:1945; 1943 NCL § 4043]—(NRS A 1961, 533; 1975, 170)

563.090 Board authorized to accept gifts, grants. The board is authorized to accept deeds, bills of sale, gifts and grants of property for the purposes provided in this chapter.

[10:239:1945; 1943 NCL § 4049]

563.100 Exhibitions to be held annually; locations; who may enter.

1. The Nevada junior livestock show board shall each year conduct the junior livestock show, the Nevada youth livestock and dairy show and the Nevada state horse program at places to be determined by the board.

2. To enter any exhibition named in subsection 1, a person must be:

(a) Certified by the state 4-H club leader or the state supervisor of vocational agricultural education; and

(b) Under 19 years of age except that the board, upon considering the requirements of a specific event involved may allow entry by a person 19 years of age or older who is registered as a regular student in an animal science course under the University of Nevada System.

3. Entries of animals in any exhibition named in subsection 1 are limited to those owned or controlled according to exhibition requirements.

[Part 4:239:1945; 1943 NCL § 4043]—(NRS A 1961, 472; 1969, 1446; 1975, 171)

1979 REGULAR SESSION (60TH)

| ASSEMBLY ACTION | SENATE ACTION | Senate | AMENDMENT BLANK |
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| Adopted <input type="checkbox"/> | Adopted <input type="checkbox"/> | AMENDMENTS to <u>Senate</u> | |
| Lost <input type="checkbox"/> | Lost <input type="checkbox"/> | Bill No. <u>255</u> | Joint Resolution No. |
| Date: _____ | Date: _____ | BDR <u>31-1064</u> | |
| Initial: _____ | Initial: _____ | Proposed by <u>Committee on Government</u> | |
| Concurred in <input type="checkbox"/> | Concurred in <input type="checkbox"/> | <u>Affairs</u> | |
| Not concurred in <input type="checkbox"/> | Not concurred in <input type="checkbox"/> | | |
| Date: _____ | Date: _____ | | |
| Initial: _____ | Initial: _____ | | |

Amendment N^o 454

Consistent with Amendment No. 453

Amend section 6, page 3, by deleting lines 18 through 20 and inserting:

"Sec. 6. 1. A state agency other than the department of highways, the employment security department, the Nevada industrial commission, the University of Nevada System and vocational licensing boards may not change a position for which".

Amend section 6, page 3, line 21, after "class" by inserting "or subclass".

Amend section 6, page 3, line 25, after "class" by inserting "or subclass".

Amend section 6, page 3, line 29, after "class" by inserting "or subclass".

Amend section 8, page 4, line 10, after "class" by inserting "and subclass".

Amend the title of the bill, line 3, after "class" by inserting:
"or subclass".

To: E & E
LCB File
Journal
Engrossment
Bill

Date 4-1-79 Drafted by JSP:ml

1979 REGULAR SESSION (60TH)

| ASSEMBLY ACTION | SENATE ACTION | Senate | AMENDMENT BLANK |
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| Adopted <input type="checkbox"/> | Adopted <input type="checkbox"/> | AMENDMENTS to | Senate |
| Lost <input type="checkbox"/> | Lost <input type="checkbox"/> | Bill No. 255 | Joint Resolution No. |
| Date: | Date: | BDR 31-1064 | |
| Initial: | Initial: | Proposed by | Committee on Government |
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| Not concurred in <input type="checkbox"/> | Not concurred in <input type="checkbox"/> | | |
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Amendment N^o 483

Replaces Amendment No. 453
Consistent with Amendment No. 454

Amend section 4, page 3, by inserting between lines 8 and 9:

"3. In acting upon a proposed gift or grant, the interim finance committee shall consider, among other things:

(a) The need for the facility or service to be provided or improved;

(b) Any present or future commitment required of the state;

(c) The extent of the program proposed; and

(d) The condition of the national economy, and any related fiscal or monetary policies."

Amend section 4, page 3, line 9, by deleting "3." and inserting "4."

Amend section 4, page 3, line 14, by deleting "4." and inserting "5."

Amend section 6, page 3, by inserting between lines 30 and 31:

"3. In acting upon a proposed change of position, the interim finance committee shall consider, among other things:

To: (a) The need for the proposed change; and

LCB FILE
Journal ✓
Engrossment
Bill

Date 4-3-79 Drafted by JW:ml

(b) The intent of the legislature in approving the existing classification of positions."

Amend section 9, page 5, by inserting between lines 21 and 22:

"6. In acting upon a proposed revision of a work program, the interim finance committee shall consider, among other things:

(a) The need for the proposed revision; and

(b) The intent of the legislature in approving the budget for the present biennium and originally enacting the statutes which the work program is designed to effectuate."

CLIFFORD E. McCORKLE
SENATOR
WASHOE DISTRICT NO. 1
303 HILL ST., SUITE 18
RENO, NEVADA 89501



COMMITTEES
MEMBER
FINANCE
COMMERCE AND LABOR
TRANSPORTATION

Nevada Legislature

SIXTIETH SESSION

April 2, 1979

Senator James Gibson
Chairman,
Senate Government Affairs Committee

Dear Senator Gibson:

This letter will refer to policy issues which I feel needs to be considered by your Committee prior to a re-draft effort by a compromise group consisting of myself, Jim Wittenberg, Jim Wadhams and Ralph Disibio.

Please determine the Committee's preference on the following:

- (1) Should we maintain the current step-system and make employees at the fifteenth level eligible for only an annual bonus, as opposed to a permanent merit salary increase plus a bonus; or should the step system be eliminated entirely thus giving automatic eligibility for both the merit and bonus.
- (2) Would you prefer to alter the merit system through regulation or legislation? Where should the greater emphasis lie?
- (3) Should the lump sum bonus be based on a percentage of salary or on a fixed amount.
- (4) Should we limit the present monies available for merit raises to that which is currently available; or increase by the amount of salary savings? An option would be a reduced base sum of money, which when added to salary savings would not exceed cost of present system, but which would still incorporate the benefits of one time bonuses.

I am looking forward to receiving your response to this matter at your earliest convenience.

Kindest regards,


Clifford E. McCorkle
Senator

CEM/slf

EXHIBIT 3

685
#3

