

Minutes of the Nevada State Legislature

Senate Committee on Government Affairs

Date: May 21, 1979

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Present:

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

Also Present:

Bob Goodman, City of Las Vegas
Charles Zobel, City of Las Vegas
Sam Mamet, Clark County
Ardel Kingham, Clark County
Larry Ketzenberger, Metro police
Alan McNitt, Housing Division
Press

Chairman Gibson called the fiftieth meeting of the Government Affairs committee to order at 5:00 p.m.

AB-795 Adds to permitted enterprises under City
Economic Development Revenue Bond Law.

Bob Goodman, City of North Las Vegas, testified that he was previously the economical development manager for seven years. Mr. Goodman felt that they will be missing many business opportunities without the passage of this bill. The economy in this state must be diversified and this bill will allow flexibility in the statutes.

Chairman Gibson told Mr. Goodman that the committee was most concerned about the definition of transportation and felt that it should be more clearly defined. Chairman asked Mr. Goodman to give the committee some examples of the kinds of transportation that could be considered under this bill.

Mr. Goodman mentioned the possibility of a railroad repair yard, also a major trucking line might warehouse their goods and need the transportation language to qualify under the statutes.

Senator Echols suggested that the retail language in the bill could be deleted and felt that the committee would be more acceptable to the bill if this language were left out.

Mr. Goodman felt that the retail language should remain in order to provide for overlapping of industries but if the committee would accept the bill without this language he would accept its deletion.

Chairman Gibson noted that Russ McDonald had prepared some amendments on AB-795 in order to handle the conflicts and noted that some of the language could be deleted after the court case is resolved.

Senator Ford wanted the language on transportation to be more narrowly defined.

Senator Ford moved "Amend and Do Pass" on AB-795
Seconded by Senator Dodge
Motion carried unanimously.

The amendments would be those provided by Russ McDonald and a more clearly defined definition of transportation.

SCR-58 Directs legislative commission to study
apportionment of costs of Las Vegas
Metropolitan police department.

Chairman Gibson read the proposed language, amending SCR-58, to the committee. The new language would be added after "study" on line 11. "Whether the Las Vegas Metropolitan Police Department should be abolished and a separate county sheriff's office and city police department be re-established or if it is not abolished, what should be the allocation of the costs of the metropolitan police department between the county and the city including:

- (a) An analysis of the cost effectiveness, degree of protection currently provided by the metropolitan police department compared to what was provided by the county sheriff's and the city police departments.
- (b) An analysis of the costs for the administrative support of the metropolitan police department.
- (c) An analysis of the budgetary and financial management functions of the metropolitan police department.
- (d) An examination of the comparative resources allocated to the support and field operations of the metropolitan police department

Be it further resolved that the Legislative Commission may hire consultants to assist in the study and be it further resolved that if the results of the study indicate that during the fiscal years 1979-1980 and 1980-1981 the funding ratios were not acceptable, an adjustment shall be made between the county and the city for the percentage difference. Any adjustment shall cause the subsequent funding percentage to be altered for the number of successive years to compensate for the inadequacy for that two year period.

Be it further resolved that the results of the study and any recommended legislation be reported to the 61st session of the Legislature.

Chairman Gibson questioned the language regarding the abolishment of the metropolitan police department. The committee concurred with this concern and this portion of the amending language would be deleted.

Senator Dodge suggested that the portion regarding the abolishment of the metropolitan police department be deleted and the bill be re-referred to the Government Affairs Committee. (The bill was to be in Legislative Functions)

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Senator Echols, Chairman of the Legislative Functions committee and two members, Senator Ford and Senator Gibson concurred with the suggestion of Senator Dodge to re-refer it to the Government Affairs Committee for action. Senator Echols left the committee to get one more vote in favor of having the bill re-referred. Senator Echols reported that Senator Close was also in favor of re-referring the bill to Government Affairs.

Charles Zobel, representing the City of Las Vegas, testified that it was decided that the study should determine whether or not the two police departments should exist. Mr. Zobel stated that a questionnaire was circulated to those involved. Mr. Zobel noted two of the questions. (1) Why aren't we getting 50% police protection and (2) why don't we have our own police department. They felt it was important to know whether these two departments are effective together or separated.

Ardel Kingham, Clark County, stated that they are not adverse to leaving in the language of abolishment. Their main concern is to have the study and end conflict.

Senator Dodge felt that the study would support a determination on this question. If there is any rationale for splitting the two departments it is worth knowing. The Senator expressed concern about having enough money to support an appropriate analysis and study.

Larry Ketzenberger, Metropolitan Police Department, stated that he would prefer that the language regarding abolishment be stricken from the bill. He felt that the study will positively indicate the improved efficiency and effectiveness of the combined departments. Mr. Ketzenberger supported the new language as read by Chairman Gibson with the exception of the abolishment of the Metropolitan Police Department.

Senator Ford suggested that as long as there is a study on consolidation of the metropolitan police department, other areas of consolidation should be examined as well.

Senator Dodge moved "Amend and Do Pass" on SCR-58
Seconded by Senator Ford
Motion carried unanimously.

The amendments would be to accept the amending language read by Chairman Gibson and delete the language regarding the abolishment of the Metropolitan Police Department.

SJR-28 Proposing to amend the constitution of Nevada to permit varied forms of county government.

Sam Mamet, Clark County, supports this bill and feels that the time has come to have a clear statement in the constitution to enact into law statutory classifications on various forms of county government.

Charles Zobel, Las Vegas, stated that SJR-28 is a vast improvement over SJR-1 of the 59th session. Mr. Zobel stated that they would support the bill with one amendment. The referendum should be by a majority vote of each of the entities that would be affected by changing governmental structures when it involved more than one city. Mr. Zobel felt that the referendum would be an added safeguard and should be placed in the bill.

Senator Ford felt that constitutional language should be very broad. Such an amendment should be in the statutes.

Senator Dodge asked if he would oppose the bill if (b) were deleted.

Mr. Zobel stated that they would definitely oppose the bill if (b) were deleted.

Sam Mamet, Clark County, stated that with the passage and enactment of SB-72 counties and cities need constitutional protection regarding classification of population, otherwise, it is possible that the city and county will be involved in many court cases. Mr. Mamet noted in the state of Ohio they have a law such as the language proposed by Mr. Zobel to be included in SJR-28 and with it they are unable to accomplish anything. Is against the majority vote on the entities involved.

Mr. Zobel clarified that the City Commissioners and the Las Vegas City officials feel that this language will be a safe-guard against consolidation against their wishes. The feeling by these people is a fear of losing their identity.

Senator Dodge felt that if most of the cities oppose the addition of various forms of government then this resolution will be defeated anyway. The Senator stated that the legislature should be permitted to have classifications in the constitution. The Senator also felt that (a) would be unable to stand by itself.

Chairman Gibson felt that if the cities would not support the bill as amended in SJR-28 there didn't seem to be any need to pass the bill out since they also did not support the language in SJR-1 of the 59th session.

Senator Kosinski agreed that without the language of a majority vote this bill could adversely affect the city of Sparks.

Senator Raggio concurred with the statements made by Sam Mamet and hoped that Nevada wouldn't get into the same situation.

Senator Ford moved "Do Pass" on SJR-28

Seconded by Senator Raggio.

Motion did not carry due to four "no" votes cast

by: Senators Gibson, Keith Ashworth, Dodge and Kosinski.

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Senator Kosinski moved "Amend and Do Pass" on SJR-28
Seconded by Senator Dodge
(Amendments as provided by Charles Zobel)
Motion did not carry due to four "no" votes cast
by Senators Gibson, Keith Ashworth, Ford and Raggio.

Senator Echols moved "Indefinite Postponement" on SJR-28
Seconded by Senator Keith Ashworth
Motion carried with only two "no" votes cast by Senators
Kosinski and Ford.

The following bills were considered because the amendments were
in printed form and could be reviewed in context by the committee:

Chairman Gibson asked Senator Ford to explain the amendments on
SB-127.

SB-127 Enlarges powers and duties of housing division
of department of commerce.

Senator Ford stated that one of the amendments applies to Veterans
and will allow them to be an exception to the eligibility requirements.
The Senator felt it could limit the application to women and women
make up a very small percentage of veterans. There should be an indi-
cation of need and they should also fit into the income criteria.

Alan McNitt, Housing Division, stated that he is not convinced that
they could establish this program for the veterans (See Section 3.5
of the bill). Mr. McNitt felt that the Veterans exemption is just
an additional factor.

Senator Dodge questioned the language of 90 continuous days being
a criteria for eligibility. The Senator felt that there should be
some more restrictive language than just 90 continuous days.

Senator Echols stated that many veterans testified to the Finance
Committee on their needs for adequate housing. The Senator felt that
the 90 continuous days could be deleted from the bill. Senator Echols
noted all the factors for eligibility and saw no special benefit for
the veteran. If he fit the other requirements it wouldn't matter if
he was a veteran or not. If the bill will not specifically help the
veteran it should be deleted. Felt that many veterans would be led
to believe that the bill would provide special exemptions for them
and the way this bill is worded it will not provide any special
treatment for the veteran.

Mr. McNitt, Housing Division, stated that this addition would add to
the eligibility of those veterans that apply. Mr. McNitt added that
they have about twenty lenders that will process V.A. loans. Their
problem has not been in the processing of those loans.

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Mr. McNitt was asked to analyze the amendment in the bill on veterans and he stated that he did not have adequate time to review the bill and would not be prepared to comment on all the ramifications that might be caused by the addition of a veterans preference. Mr. McNitt stated that he preferred the bill as originally drafted.

Senator Ford stated that she felt that the committee should not concur with the amendments and the language on veterans should be tightened up.

Senator Dodge agreed with Senator Ford and felt that residency and length of service should be a consideration for eligibility as well.

The committee agreed not to concur with the amendments and decided to go to conference on the above mentioned issue. (SB-127)

Chairman Gibson at this point went over the amendments prepared by the Assembly Government Affairs Committee on SB-285.

Amend Section 1, page 1, line 13, by deleting "no less often than" and inserting "at least once".

Amend the title of the bill, first line, by deleting: "the Administrative Procedure Act;" and inserting "administrative procedure;".

The committee concurred with the above mentioned amendment to SB-285

Chairman Gibson went over the amendments prepared by the Assembly Government Affairs Committee on SB-472.

Amend Section 7, page 3, by deleting line 21 and inserting: "2. Upon request of the respective town boards, merge"....

Senator Ford stated that the amendment will not allow a merger of town boards unless all the town boards request such a merger. The Senator felt that it would hamper the progress of county commissioners.

Chairman Gibson stated that Clark County did not object to the amendments.

The committee discussed the bill with the amendment and felt that it could not concur with the proposed amendments. (SB-472)

Chairman Gibson went over the amendments for SB-299 prepared by the Assembly Government Affairs committee: (Due to the length of these amendments they have been attached. See Attachment #1)

The committee agreed unanimously to concur with the amendments prepared and noted in Attachment #1.

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The committee also discussed the amendments to SB-444 and decided not to concur and go to conference on the matter. Senators Kosinski, Raggio and Ford would be on the conference committee from the Senate Government Affairs committee.

AB-137 Provides for collective bargaining by state employees.

Senator Raggio did not understand the meaning of "closely allied with any political party". The Senator felt that just registering as a Democrat or Republican could be construed as closely allied with a political party.

Bob Gagnier, SNEA, stated that they did not have any objection to this reference being deleted.

Senator Kosinski moved "Amend & Re-Refer to Finance" AB-137
Seconded by Senator Ford.
Motion carried unanimously.

Amendment would be to place a period after "government" on line 18, Page 1. Delete "or closely allied with any political party."

The control and review of the negotiating procedures should be located in the Personnel Department to provide uniformity and consistency. The placement of the above suggestion, by Senator Dodge, was not determined and the committee agreed to leave its placement up to the bill drafter.

Senator Raggio informed the committee that he was asked to distribute a concurrent resolution from Mr. Sayer of Incline Village that would go farther than the letter that the committee proposed to write both Washoe County and the Incline Village, Crystal Bay officials.

Chairman stated that the committee should read the resolution and it would be discussed at the next meeting. (See Attachment #2)

AB-539 Establishes work requirements for employable recipients of direct assistance from counties.

This bill has just been referred to committee and Chairman Gibson stated that the Assembly Government Affairs committee worked long and hard on this bill.

Senator Ford concurred with the comments made by Chairman Gibson on the length of time spent on this bill.

Senator Kosinski moved "Do Pass" on AB-539
Seconded by Senator Ford
Motion carried unanimously.

Senator Kosinski stated he would check to be sure that the bill will

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include the Regional Planning Commissions.

AB-366 Changes scope of certain unlawful acts relating
to subdivision of land.

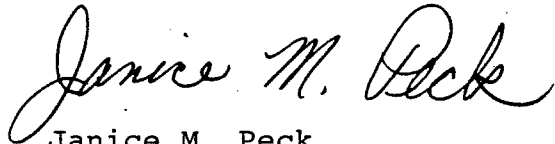
Senator Echols stated that he would bring these amendments back to the committee on May 14th, Meeting #47. The Senator passed out copies of the suggested amendments. (See Attachment #3)

Bill Cozart and Gene Milligan from the Nevada Realtors Association informed Senator Echols, prior to the meeting, that these amendments were acceptable to them.

Senator Ford moved "Amend and Do Pass" on AB-366
Seconded by Senator Raggio
Motion carried unanimously.

With no further business the meeting was adjourned at 7:10 p.m.

Respectfully submitted



Janice M. Peck
Committee Secretary

Approved:



Chairman
Senator James I. Gibson

1979 REGULAR SESSION (60TH)

ASSEMBLY ACTION	SENATE ACTION	Assembly	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to	Senate
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Bill No. 299	Joint
Date:	Date:		Resolution No.
Initial:	Initial:	BDR 31-1189	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	Proposed by	Committee on Government
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>		Affairs
Date:	Date:		
Initial:	Initial:		

Amendment N^o 948



Amend section 1, page 1, line 3, by deleting "resolution,", and inserting "ordinance,".

Amend section 2, page 2, line 10, after "NRS 354.580", by deleting the period and inserting ", and the trust fund must be approved by the commissioner of insurance.".

1979 REGULAR SESSION (60TH)

ASSEMBLY ACTION		SENATE ACTION		Assembly	AMENDMENT BLANK
Adopted	<input type="checkbox"/>	Adopted	<input type="checkbox"/>	AMENDMENTS to	Senate
Lost	<input type="checkbox"/>	Lost	<input type="checkbox"/>	Bill No.	Joint
Date:		Date:		299	Resolution No.
Initial:		Initial:		BDR	31-1189
Concurred in	<input type="checkbox"/>	Concurred in	<input type="checkbox"/>	Proposed by	Mr. Dini
Not concurred in	<input type="checkbox"/>	Not concurred in	<input type="checkbox"/>		
Date:		Date:			
Initial:		Initial:			

Amendment N^o 1179



Amend section 2, page 2, by deleting lines 7 and 8, and inserting:
"as a trust fund as defined by NRS 354.580. The trust funds must be deposited in a state or national bank authorized to transact business in the State of Nevada. The trust instrument must be approved by the commissioner of insurance as to the reasonableness of administrative charges in relation to contributions collected and benefits provided. Any independent administrator of a fund created under this section is subject to the licensing requirements of chapter 683A of NRS, and must be a resident of this state."

Amend the bill as a whole by adding a new section, designated section 3, following section 2, to read as follows:

"Sec. 3. NRS 683A.025 is hereby amended to read as follows:

683A.025 Except as limited by this section, "administrator" means a person who collects charges or premiums from or who adjusts or settles claims of residents of this state in connection with life or health insurance coverage or annuities [.] , or who administers a trust under NRS 297.010. "Administrator" does not include:

1. An employer acting on behalf of his employees or the employees of a subsidiary or affiliated concern.
2. A labor union acting on behalf of its members.
3. An insurance company licensed to do business in this state or acting as an insurer with respect to a policy lawfully issued and delivered in a state in which the insurer was authorized to do business.
4. A life or health insurance agent or broker licensed in this state, when his activities are limited to the sale of insurance.

5. A creditor acting on behalf of his debtors with respect to insurance covering a debt between the creditor and debtor.
6. A trust and its trustees, agents and employees acting for it, if the trust was established under the provisions of 29 U.S.C. § 186.
7. A trust which is exempt from taxation under Section 501(a) of the Internal Revenue Code, its trustees and employees, and a custodian, his agents and employees acting under a custodial account which meets the requirements of Section 401(f) of the Internal Revenue Code.
8. A bank, credit union or other financial institution which is subject to supervision by federal or state banking authorities.
9. A company which issues credit cards, and which advances for and collects premiums or charges from credit card holders who have authorized it to do so, if the company does not adjust or settle claims.
10. An attorney at law who adjusts or settles claims in the normal course of his practice or employment, but who does not collect charges or premiums in connection with life or health insurance coverage or with annuities."

Amend the title of the bill, by deleting the 4th line and inserting:
"deductions and contributions to maintain a program of self-insurance;
providing for the deposit and administration of the trust funds;".

PROPOSED CONCURRENT RESOLUTION
TO THE WASHOE COUNTY COMMISSIONERS

WHEREAS, The Incline Village-Crystal Bay portion of Washoe County in the Lake Tahoe basin constitutes a community of interests in many respects quite different from that of the rest of the county; and

WHEREAS, The different interests and concerns manifest in the Lake Tahoe portion of Washoe County make it very important that recognition of these differences be given by Washoe County government; and

WHEREAS, The activities of many people and organizations in the lake portion of the county over the past several years makes it clear that there is dissatisfaction with Washoe County government; and

WHEREAS, A legislative interim study concluded that a new county was an economically feasible proposition for the Incline Village-Crystal Bay area; and

WHEREAS, The Nevada assembly passed A.B. 217 which would have created a new county; and

WHEREAS, The senate committee on government affairs, even while voting against passage of A.B. 217, expressed its concern that Washoe County should attempt to provide greater autonomy for the area and recognize its special nature; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Washoe County commissioners are requested to consider several possibilities for increasing the autonomy

of the Incline Village-Crystal Bay portion of Washoe County and for increasing the opportunities of the citizens in that area for participation in county decisionmaking; such possibilities to include but not be limited to:

1. Establish an appointed Advisory Board to the School District similar to the Advisory Boards already established by Washoe County and the Convention Authority;
2. Establish accounting procedures to report income and expense directly related to this area by departments, with special attention given roads and sheriff;
3. Establish sheriff's department staffing more in line with the needs reported in the 1978 Legislative study;
4. Consider being more realistic in committing capital expenditures in this area particularly in the area of county service facilities, schools, parks, and the library;
5. Study ways of establishing more effective local ordinances in areas that may not apply to the rest of Washoe County;
6. Consider an affirmative action program to appoint more members of this community to boards, agencies, and committees; especially where their interests are directly concerned;
- (7). The holding of county commission, park commission and regional planning commission meetings in the area on a regular basis;
- (8). The holding of a county board of equalization meeting in the area each year; and
- (9). Provision of services more consistent with the county revenues produced in the area; and, be it further

RESOLVED, That copies of this resolution be sent by the legislative counsel to the Washoe County commissioners, the Washoe County manager and all county elected officials.

AB 366 AMENDMENTS

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Delete lines 25 thru 29

Line 31 place bracket after "sell" and before "to"

Line 32 remove bracket after "or" and before "sold"

Line 33 Delete new language after "parcel map"

Line 34 Delete

Line 35 Delete new language "transfer or proposed transfer"

Line 42 insert bracket after "offered" and delete bracket after "or"

Line 48 Delete brackets around the word "sold" and delete the word
"transferred" after "sold"

Page 3

Delete all brackets and new language from Section 3

Add the following new language in the appropriate Section

"When offering property for sale under this act before the final map has been recorded, the Seller or his Agent shall disclose to all potential buyers that the Final Map(s) has not been recorded."