

MEMBERS PRESENT: Chairman Dini
Vice Chairman Schofield
Mr. Craddock
Mr. DuBois
Mr. Jeffrey
Mr. May
Mr. Mello
Mr. Nicholas
Mr. Polish
Mr. Prengaman
Mr. Redelsperger

MEMBERS ABSENT: None

GUESTS PRESENT: Please refer to the guest list attached to the minutes of this meeting.

Chairman Dini called the meeting to order at 8:00 A.M.

Mr. Dini indicated that the first bill to be heard would be AB 367.

Assemblyman Nicholas testified first. He stated that he believed that there were some people here to speak to this particular issue from state government. If I may I will go ahead and describe the bill and describe the actions to date.

Mr. Nicholas stated that AB 367 in essence allows the trading of lands between the State of Nevada, as owner, and individual property owners in the State. The bill specifically names the Tahoe Basin. As in all case however where laws in our state must be all encompassing this could affect privately owned lands in the State of Nevada and not just Tahoe lands.

When I was fortunate enough to receive the signatures of all of the Assemblymen, I had received concerns from three assemblymen in the following areas. Assemblyman Bergevin had requested that problems involving easements whether they be across federal land or state land or privately owned land in order to gain access to one of the two parcels to be traded, should be considered. Assemblyman Hayes wanted to make sure that there was no competition between this bill and any of the stipulations within the Sagebrush Rebellion Bill, and Assemblyman Craddock had questioned whether or not certified appraisals were going to be utilized in these projected trades.

As a result of those three requests for information, I dealt with the Legislative Counsel Bureau and received the following report. This is from Dave Stankow.

"I have reviewed your questions about AB 367 and have found (1)

Easements across state land should be a matter between the Land Registrar and the person who is willing to make the exchange. If the Land Registrar refuses to provide easements across state land, the land which the person is to receive is not of equal value unless there are other factors."

Mr. Nicholas stated that what he is essentially saying and what he told me in addition to that was that in each individual case this should be considered in whatever individual land trade should be brought up.

Second, insofar as the Sagebrush Rebellion is concerned he wrote:

"The bill does not compete with any measure which is part of the Sagebrush Rebellion. AB 367 is a matter of relations between the State and its people and does not involve the Federal Government at all."

Mr. Nicholas indicated that insofar as Item 3 is concerned, certified appraisals, he wrote as follows:

"While the necessity to provide for certified appraisals is doubtful it cannot do any harm to require that this method be used to establish values."

Mr. Nicholas stated that what he would like to do is to submit the amendment that was prepared by the Legislative Counsel Bureau. Mr. Nicholas submitted a copy of the amendment to the committee which is attached to the minutes of this meeting as EXHIBIT A.

Mr. Nicholas stated that the amendment would be an amendment to Section 1, page 1 by deleting line 4 and inserting.

Mr. Nicholas stated that on Thursday night last I was granted a public hearing by the Incline General Improvement District. The hearing was attended by perhaps forty people and the subject of the bill was brought up. I had a chance to describe the bill to the people there and asked for any input that they might have and to take notes on whatever commentary they had. The Incline Village General Improvement District Board of Directors voted unanimously to endorse the bill. They did request that some consideration might be given at a later date when we were talking about individual transactions, to any liens that they might have on property. This involves bonds, and things similar to that, to deal with sewers and water, etc. We know that at this time, and they agree, that this is not the sort of consideration since we do not know what specific land we are talking about that must be taken into consideration, but obviously in a land situation where they had any problem areas they would appreciate it if we could consider it. I suggested that I would pass that information in this hearing. There were no other pertinent comments involving the bill at that meeting that were adverse in any way. People were, however, somewhat speculative as to what kind of land would be involved in this sort of situation,

what kind of land the state had. I am sure that the State can speak to that, but in the meantime I have asked the Legislative Counsel Bureau to prepare some basic information on what lands might be available in the State now without taking into consideration the very speculative futuristic situation of the Sagebrush Rebellion which might indeed increase the landholdings of the State, but which is not a factual situation at this time.

Mr. Nicholas further stated that the Legislative Counsel Bureau quoted their Bulletin 77-6 which gives historical information on Nevada's Public Lands. The Nevada public lands include according to their report some 225,000 acres, excluding highway lands that are owned by the State, of which 150,000 are in state parks, 42,000 are in wildlife areas, 22,000 in the University of Nevada System and about 3,000 acres of school trust lands remain in the State.

The Counsel Bureau report had stipulated 3,000 acre trust land area may be of some interest in this particular bill at some time in the future. I also asked involving facts in the Tahoe Basin concerning how many acres are there and this is not the acreage that people might want to trade, but it is simply the acreage that is available up there most of which will probably not be impacted by what is happening at this particular point in time in the Tahoe Compact and again, according to the Legislative Counsel Bureau, in Nevada, in the Tahoe Basin, some 1,746 acres of Nevada Land could be considered to be developable at this time, some of which would be impacted by the Tahoe Compact.

Let me, if I may, deal with that particular point now which is what lands in the Tahoe Basin at this time might be impacted, might have owners who would be interested in participating in a trade such as the kind that this bill stipulates. We have a hearing coming up on the 23rd of April, and Mr. Westergard can certainly speak to that more specifically than I, which has to do with the question of what land is developable and what land is not developable in the Tahoe Basin. At this particular point in time, of the seven classifications, that is different types of land, those which will be impacted adversely for the owners may well include the first three categories. Estimates on the private sector part in Incline Village, Crystal Bay are as many as 1,800 lots, are impacted in some way by the events that will be occurring in the near future involving the Tahoe Compact, TRPA, etc. Of these 1,800 lots however, no specific number as far as I am aware exists at this time concerning exactly what ownership is going to be impacted by what is going to happen. I am sure that they can speak to this particular issue successfully and I personally will be asking about it myself.

Mr. Roland Westergard, Director of the Department of Conservation, Natural Resources, and Jack Shaw, Administrator of the Division of State Lands testified next. Mr. Westergard stated that they did essentially develop the concept of this bill in conjunction and cooperation with Assemblyman Nicholas, and we think it has merit,

and offer our support for it. I don't know whether Mr. Shaw has anything else to offer.

Mr. Jack Shaw of the State Lands, stated he would just like to make two comments. One, I believe that it is important that an exchange of authority be in our statutes in the future. We have the authority to exchange with the Federal Government and to exchange with other local government entities, but there is no authority currently to exchange with private individuals and I think it is important and I also think that you should be aware that Section 2 does relieve from the existing moratorium the lands in the Tahoe Basin only and that would leave the moratorium in effect everywhere else but it does take the moratorium off of any Tahoe exchanges that might become available so that we would not have to wait until you came back two years from now if an exchange possibility came up in the Tahoe Basin. Those are the only two comments I have and I also think it is a very good piece of legislation.

Mr. Dini asked what the federal exchange provisions are.

Mr. Shaw stated that he could not quote them. He indicated that the Federal one comes under the Old Taylor Grazing Act with the federal exchanges and I cannot give you the statute. I can provide it to you.

Mr. Nicholas stated that Jack Shaw and he had not really had enough time to really discuss this but of course we are not at the point yet where fortunately that kind of discussion will be necessary, however, in the future I anticipate it and I would appreciate your comments on this - our being able to sit down and attempt to specifically identify any land which may be possible at least in terms of this discussion. Do you essentially agree with the Legislative Counsel in the broad sense. Do you recall the totals that I came up with a few minutes ago.

Mr. Shaw stated yes he agreed with most of them except the State Parks. The figure on state parks - a big portion of that is not state patented land. It is land that is in the State Park System but it is not state land. That figure I think, as far as I can remember off the top of my head is 52,000 of state patented land in the park system. Otherwise the figures are very close. These will come up. For example the fish hatchery in Verdi is another piece of land that is a future potential for exchange and these things can come along each year as things occur and I surely think exchange is a good tool to have.

Mr. Nicholas stated that it was his intention if this bill passes to spend some time with you and seek your counsel in this particular area so that the questions that will undoubtedly come with the possible passage of this bill may be answered as quickly as possible. I am sure that there will be certain landowners who will be knocking on the door right away and in that context on the

other side of the coin, I know Mr. Westergard we are a little bit previous here in attempting to identify those lands which may be the most targeted lands in the basin, but do you have any commentary as how you see the impact being up there, especially on the Nevada side.

Mr. Westergard stated that he believed it was a little early to comment directly on that because the hearing on an ordinance to establish a water quality plan for the Tahoe Basin is not set until later this month, but I do think that this bill, in the event that there are some lands found that are not going to be subject to development that this might provide a vehicle to allow some relief to those property owners.

Mr. Nicholas asked if his estimate in the area of a maximum of 1800 lots, would that represent a kind of top line figure.

Mr. Westergard stated that he just did not know right now.

Mr. Dini asked if anyone else wished to testify on AB 367.

There was no further testimony on this bill.

Mr. Dini indicated that the committee would not hear AB 427 this morning. Mr. Dini stated that he believed that the people from Clark County who wished to testify on this bill were not here as they missed the plane.

Mr. Dini indicated that the next bill for consideration would be AB 392.

Dr. V. A. Salvadorini, Chairman of the Washoe County District Board of Health testified. Dr. Salvadorini indicated that he had a prepared statement for the committee. Dr. Salvadorini's statement is attached to the minutes of this meeting as EXHIBIT B.

Dr. Salvadorini stated that Mr. Ronald Player is a member of the board and he would like to address the subject.

Mr. Ron Player, Mayor of the City of Sparks and a member of the Washoe County Health Board, and the immediate past chairman testified next. I was involved in the recruitment processes that were just outlined. As you may or may not know, in Washoe County we have some 50 programs in the health department. 25 approximately are non-medical related activities. We also have about 25 that are medical related. It is our opinion that an administrator to administer the programs as outlined would be more efficient from a budget standpoint as well as a productivity standpoint. We do realize that the area of the medical end of Washoe Health Department would be filled by a physician. At the present time we do hire specialized people for all medical programs within the health district. I would therefore support very strongly and ask your indulgence to support the bill and if there are any questions that we may answer, I would be

happy to try and do so.

Mr. Dini referred to page 2, lines 3 and 4.

Mr. Player stated that under this portion of the bill, they recommend to the county commissioners, the county commissioners then approve or disapprove the budget and in my six years on the board they have never disallowed any budget that we have asked for. In fact, when we came to the Interim Finance Committee to ask for the waiver of the 95% rule so that we could hire a doctor, the county was in full support of that. We found that \$50,000 was not an attractive figure and had to raise that and advertise nationally for a physician at \$75,000 and with that we were able to pick up and we do have and are in the process now of looking at physicians throughout the county at the \$75,000.00 level. Keep in mind that that is the base figure not including fringes and/or malpractice insurance which they all require and moving expenses. So you are looking at a man, if you look at 32% fringe benefits, plus malpractice, you are looking at a man that is going to cost the taxpayers or the district somewhere in the neighborhood of \$100,000 to \$110,000 a year. We feel that the public would be much better served by having an administrator who is trained in administration to handle the business affairs of the department and hire on a part time basis the medical profession to handle the medical problems which occur.

Mr. Dini asked if the committee had any questions.

Mr. Dini then asked if anyone else wished to testify in favor of AB 392.

Mr. David Rowles, Administrative Officer for the District Health Department of the County testified next. He stated that they would like to speak in favor of this particular bill. We also sustain and support many of the comments that were made by our Washoe County counterpart. The district health department as you know is comprised of representation from elected officials from all of the cities in Clark County and Clark County. Our Chairman currently is Al Levy who was not able to be here this morning. He out of town, and our past chairman Mayor Bob Farraro from Boulder City is likewise out of town and so I have been asked to come and represent the interests of the Clark County District Health Department.

We especially commend the language that allows the flexibility for the selection of a chief health officer. Presently Dr. Ravenholt has been in the position of chief health officer for some 17 years. There probably will be a situation sometime upon the horizon when the District Board of Health will have to consider hiring a new Chief Health Officer. When that comes I have no idea obviously, but we are certainly concerned that the flexibility be there to select a chief health officer whether he is a physician or an administrator. We especially commend and support the language on page 2 which was just referenced by the chairman regarding the setting of the salaries of the appropriate personnel to fill that

position. Other than that if there are questions which I can respond to I would certainly be happy to do so.

Mr. Dini asked if there were any questions from the committee.

Mr. Mello indicated that he had a question and perhaps Ron (Player) or Sal (Dr. Salvadorini) can answer this. If this bill passes and you hire someone that is not a medical doctor, would the salary remain the same?

Mr. Rowles stated that he thought, speaking for the Clark County District Health Department, that he sincerely doubted that. Primarily the reason that Dr. Ravenholt was paid what he is right now is because he has a masters in Public Health along with his medical degree and that is one of the chief differences and we have met with our counterparts in Washoe County, and we do keep an eye on what the current salaries and remunerations are for chief health officers and administrative professionals and so forth for the district health departments.

Mr. Mello stated that there are people working for the County that have asked for salaries comparable to \$75,000 a year. Mr. Mello stated that he favored the bill itself, the concept of it, but I would not support it if I thought that if it passed and Clark or Washoe would hire someone that was not a medical doctor they would not pay them \$75,000 a year.

Mr. Player stated that under the present circumstances in Washoe County for example because we are without, if you will, a full time health officer, we feel that hiring a physician to hire the clinical aspects of this on a part time basis with a full time administrator can be accomplished within the \$75,000 for both positions. We feel very strongly that that is really the best way to go.

Mr. Dini stated that the check and balance is that the county and the two cities have to put their money in to pay these salaries and that would be the check and balance on going overboard in salaries.

Mr. Player stated that they had an inter-local agreement for example which is signed by all three entities. If one entity is not a party to that, then the inter-local agreement is no longer valid. We also have the budgetary restrictions of the county involved. Their guidelines are followed by the health department in preparing their budget. For example, this year the guidelines given to the Washoe County Health Department was 18% by the county commissioner. The overall budget was held at 12.1% so that basically that is the check and balance I think that you are looking for.

Mr. Craddock questioned Mr. Rowles reference to the term "Chief Health Officer". Where does that terminology come from?

Mr. Rowles stated that that was simply the title given the District Health Officer. That is the classification title that has been given him.

Mr. Rowles stated that the District Health Officer of the District is actually a consortium of the political entities within Clark County. Washoe County is directly under the county commissioners. The District Health Department in Clark County is a consortium of the governments within that county, that includes Clark County, Boulder City, Henderson, North Las Vegas and Las Vegas. I think that simply articulates the difference between the two bodies as such. One is directly under the County Commission. The District Board of Health in Clark County is under the powers of the district, the overseeship of the municipal entities within Clark County.

Mr. Rowles stated that the Chief Health Officer is simply an internal title that is used and designated. He has a deputy health officer in charge of the nursing and clinics and a deputy health officer in charge of environmental health. It is simply a classification title and has nothing really to do with the legislation as far as compensation goes and as far as duties go.

Mr. Rowles stated that the district health officer encompasses all of the duties of the county health officer, it is just a different way of identifying who he works for.

Mr. Player stated that in the two populous counties we do have a District Health Officer. Those areas that are not quite so populous the Nevada State Board of Health provides the services of the county health officer and they would then become the county health officer from the state level. The only two health districts that you have in the state are Washoe County Health Department and Clark County Health Department. The rest are fulfilled through the State Board of Health and they take care of the outlying counties. That is why they are called districts.

Mr. DuBois asked what the present salary was down in Clark County.

Mr. Rowles stated that that was \$58,000.

Mr. DuBois asked if that was recently raised.

Mr. Rowles stated that that was approved by the Interim Finance Committee. That is the figure that the Interim Finance Committee to my best knowledge approved.

Mr. Rowles stated that right now they were able to retain Dr. Ravenholt with his 17 years of experience at that salary. That is, in essence, a very good buy for Clark County.

Mr. Player stated that if Clark County were to be placed in a recruitment situation I think they would find themselves in the same position we are in.

Mr. DuBois stated that was very possible. Mr. DuBois asked if this was permissive - can you either put in the system or not.

Mr. Player states that another thing that this bill does is that

it does not preclude the District Board of Health from hiring a physician either. You can hire a physician under the language of this bill.

Mr. Rowles stated that they felt that it is permissive in the sense that it allows us to retain the current district health officer as well as allows us the flexibility for recruitment that we feel is so necessary and indeed there have been times when we have looked into the recruitment and we have received recruitment flyers from other counties and other districts throughout the nation and the salaries that they are offering are indeed substantially higher for a position as a district health officer.

Mr. DuBois questioned larger cities such as Los Angeles, San Francisco and Phoenix and stated that presumably they have higher budgets do they all hire physicians?

Mr. Rowles stated that he thought you would see both. It is simply according to the desires of the local election body. You see physicians and indeed we are in contact with quite a few of them. Equally so there are many professional administrators who handle this in the fashion in which Washoe County does at present and do it quite well.

Mr. Rowles stated that with regard to the increased trend with regard to administrators it is certainly something that should not be overlooked as a possibility or as a different avenue that could be traversed without jeopardizing the public health concerns of the local constituency.

Mr. Mello asked if it was true today that most doctors that are worth anything make anywhere from \$100,000 to \$150,000 a year.

Dr. Salvadorini stated that that was what he heard.

Mr. Mello stated that it would be very difficult to obtain anyone.

Dr. Salvadorini stated it is very much so.

Dr. Salvadorini stated that this bill is not forever and they feel at the present time this is the best way to go. We can save some money and maybe some day in the future, maybe - it is our responsibility to make sure we have a darn good health department to protect the health and safety of the community. This is the way to go at the present time. Maybe in five years from now we can change and have a health officer that we can find - an MD. It gives us the flexibility we need now. We can save some money now and discharge our obligations to the community and if this changes we can change over. This gives us the flexibility we need and budgetwise we are very conscious of that right now.

Mr. Mello asked if Dr. Salvadorini was retired.

Dr. Salvadorini stated he was semi-retired.

Mr. Mello asked why Dr. Salvadorini did not take the job.

Dr. Salvadorini stated he would not want it. It is too big. There are fifty things to look at and it is just too much.

Mr. Dini asked if one member had to be a physician.

Dr. Salvadorini stated yes, of the district.

Mr. Dini stated that the testimony on AB 392 was concluded.

The committee took a 5 minute recess.

Mr. Dini called the meeting back to order.

Mr. Dini stated that the first bill to be heard would be AB 367.

Mr. Dini stated that there was an amendment proposed by Mr. Nicholas, which is Amendment No. 453.

Mr. Dini asked for a motion on the amendment. Mr. Nicholas moved for a Do Pass on the Amendment to AB 367 which was seconded by Mr. Schofield. The motion carried unanimously.

Mr. Dini now called for the main motion to Amend and Do Pass AB 367. Mr. Nicholas moved for a Do Pass on AB 367 which was seconded by Mr. Redelsperger. The motion carried unanimously. Mr. Mello was not present at the time of the vote.

Mr. Dini stated that AB 392 would be discussed next by the committee. Mr. Jeffrey moved for a Do Pass, which was seconded by Mr. May. The motion carried unanimously. Mr. Mello was not present at the time of the vote.

Mr. Dini stated that the committee had still not come to a conclusion on SB 268. We had a do pass on it and then we referred it back to committee for further work on it. We had previously talked about putting the Tennessee Amendment on it and Mr. May pointed out that there is no definition of mentally handicapped. I was thinking about sunsetting that thing for the next session and having local governments affected by it report to the next session of the legislature, so that it would just be for a two year period and it would be one method of getting a handle on it.

Mr. Mello stated that he would like to make that motion but he thought he would leave it up to Mr. May.

Mr. May moved for Indefinite Postponement.

Mr. Craddock moved for an Amend and Do Pass of SB 268 Mr. May's motion for Indefinite Postponement failed for a lack of a second.

Mr. Craddock's motion to amend and do pass SB 268 was seconded by Mr. Mello. Mr. Dini stated that the amendment would be the Tennessee amendment plus changing the word "handicapped" to "mentally retarded". Mr. Redelsperger asked about sunsetting it and Mr. Dini stated that it would be sunseted to July 1, 1983 and the local governments will report back to the legislature.

Mr. Dini asked if there was any further discussion.

Mr. May stated that he would like to thank everyone publicly for the courtesy to me in referring this back to the committee, the first time we heard the bill I was gone. Mr. May stated that with regard to this opposition to this bill, and he wanted to state this for the record is that he is in real estate, however my love for land and property rights go back a long time because even my grandparents in Virginia bought and sold land and my mother and stepfather moved to Nevada in 1943. They had bought a couple of small pieces of land in the early fifties and that was long before I got into the real estate business.

Mr. May stated that he had always been taught from early childhood that their are certain rights that go with property acquisition and this simply overrides those basic, in my mind, property rights and that is my objection.

Mr. Dini asked if there were any other comments on the bill.

Mr. Dini asked for a vote on an amend and do pass on SB 268. The motion carried unanimously. Mr. May voted "no" on this bill.

Mr. Dini stated that he would like the committee to discuss AB 93.

Mr. Dini stated that he realized that the committee had some philosophical problems with this. Mr. Dini stated that we had discussed amending it and the amendment which we had proposed, amendment 249, deletes everything out of the bill except 3 hours a week they have to stay open. I further suggest that it is sunseted until July 1, 1983 at which time we can find out if it will work or not. I think it is a reasonable compromise to this kind of action. Let's kick it around and see what the committee thinks.

Mr. Dini asked Mr. Polish if he had anything to say about it.

Mr. Polish stated that he thought there had been some strong feelings about it. Mr. Polish stated that Mr. Dini's suggestion about sunsetting the bill seems pretty good to him. Mr. Polish asked Mr. Dini what the amendment was on this bill.

Mr. Dini stated that it takes everything out except that the office of the County Clerk must be open to the public from 10:00

A.M. to 12:00 P.M. and from 6:00 P.M. to 7:00 P.M. on Saturdays, Sundays and holidays. From 9:00 A.M. to 5:00 P.M. on all other days and at all other times.

They already do that from 10:00 A.M. to 12:00 P.M. on Saturdays and Sundays so that is two hours a week more plus holidays. Mr. Dini explained that a few years ago we took away the fees for the County Clerks and when we did that they did not want to put their time in on selling licenses. I think that is what the problem is.

Mr. Dini stated that he believed what it amounted to was that they were giving the lady about \$25.00 to go down there on Saturday and Sunday and open the office.

Mr. DuBois questioned the committee on the problem with security. Will that create a problem when they have to open?

Mr. Redelsperger stated that he had trouble with that. We did not hear any testimony from people within the community that favor us taking that kind of action and I know in a small town like that if they feel that they are not really doing a service to really justify it, the local people are the ones that are going to hear about it. I know in a small town serving on a town board if the football lights are left on after an activity that phone will ring at 7:00 o'clock in the morning from numerous people saying that they are wasting the taxpayers money. I really feel that that is really a local issue and that the people within that community should be able to settle it.

Mr. Dini stated that he thought that he could negotiate on a voluntary basis, but when they were up here last week I could not sit down and talk to them.

Mr. Dini stated that he had talked to them on the phone and asked if we could work together at least on a trial basis.

Mr. Dini stated that they could not promote right now because the county clerk's office was not open over the weekends.

Mr. Jeffrey stated that they had heard quite a bit of testimony where the people performing the marriages now within the courthouse had kind of a fight with the people outside and I think that they need both and I think the community could probably support both and I think that maybe the sunset provision is the way to handle it.

Mr. Nicholas stated that he thought that from where we started we have come a long way in attempting to make this a reasonable concession to the county people. I think that it started off an awful lot rougher than it is now and I think that this is probably a very fair compromise.

Mr. Prengaman stated that he had to agree with Ken (Redelsperger) that it is really a local matter and the mechanism is out there to change it, it is not something that the State Legislature has to do. The County Commissioners have the authority to do it. I just have to go back to the people that testified. We had their legislative delegation, we had Senator Glaser, and we had several of their county commissioners, we had letters from a lot of the motel operators and some ordinary people come and testify against it. When I see that many people it is hard for me to say I know better. It is a presumption on my part to tell them what to do particularly when you see that united a group. I don't think this is a compromise. I think a compromise is between the waring parties and this is a compromise among this committee and I did not understand from your remarks whether they refused to sit down and talk with you or just did not have the opportunity, the commissioners. I don't really feel this is a compromise. The people concerned are not here to negotiate for this compromise. It is a compromise among the members of this committee. I just can't support it because basically I believe it is a local matter. I think the commissioners have at least been experimental in the past, they have tried a little bit of variance. I am not the champion of conservative causes, everybody realizes that but this is a local matter as far as I am concerned.

Mr. Craddock stated that he thought it was a quibble between the local judge and the wedding chapel. I think the local people were supporting the local judge's position and they could not possibly put together an advertising campaign - that is what I think. It is time somebody interfered. I think a two year trial basis is a good concept.

Mr. Mello stated that he was not going to say anything because he had personal friends on both sides of this issue and I can tell you that both of them have been wrong numerous times. One of the individuals is a friend of mine that owns part of a chapel and I went to school with the Chairman of the County Commissioners. He is no longer chairman but he is still active in this particular issue. I can tell you if you go into this in depth as I have that the County Commissioners have not cooperated. You could sit and read their minutes verbatim you would see where I frankly feel that the wedding chapel operator have good grounds for suit. They call them every name they can think of, they abuse them something terrible. They had an attorney there to sit down and talk with them. They would not allow the attorney to talk. They have done everything possible to see that this chapel does not get off the ground, mainly because you have a group of loggerheads there that are elected and they work together, they are like one big family. They don't want anyone from outside of Elko to come there and start up a business. If you are one of the hometown boys you are okay. If you are not, get out. That is just the feeling they have. If you were listening to the testimony when they appeared here they lied numerous times.

It was so obvious, it was pathetic. The chairman said that it would cost them something like \$27,000 to keep that place open on the basis of what they wanted. We figured it out, Mr. Craddock did, and what was it, something like \$4,000 a year. They wanted to tell them you either pay the \$27,000 for us to keep this office open to promote tourism in this town which they do not promote tourism in Elko County. My away from home terminal is Carlin. I spend a lot of time in Elko and I can tell you that is one dead town. For them to sit here and tell you that they do everything they can to promote tourism was a lie. They don't. They have been disagreeable all along the way to promote tourism and I can also tell you that there are motel/hotel operators there that are 100% in favor of them staying open. Just because they did not show up does not mean a thing. They could not prove to anyone in here that any of the hotel/motel operators were opposed to it. What did they read to you to tell you that? Nothing. They just told you that they would hear from their constituents that they were in favor of leaving it open. That is not necessarily true. How many of their constituents do you hear from on a daily basis of what they want and what they don't want.

Mr. Mello stated that this was a very emotional thing. The JP there has lost a lot of money. He sounded like he was senile to me. He could hardly tell you anything, everything he said was contradictory to what someone else had said. The Chairman was not honest if you go back and read the minutes. Several things he had said were contradictory. He said it cost something like \$40.00 an hour to keep it open. Someone else testified who pays the bills said it was only \$20.00. Mr. Redelsperger stated it was \$25.00. Mr. Mello stated that that was a far cry from \$40.00. They are not accurate. They are not honest. The other side has been extremely pushy. You have to remember that we are involved in the wedding business in statutes. All you have to do is get them out and start reading them. You will see that this legislature has been involved in this area and to promote tourism in that area for those people is not bad at all and if you believe in the free enterprise system, then you must believe that the business people in that community have the right to make a dollar come hell or high water and if the county stands in their way, then something should be done. It is true that they have done everything they could to advertise it. When I turn the radio on I hear them advertise. How can you advertise on the weekends when you don't even know if they are going to have the doors open. And I think if you will look they have never had the doors open when they have had something going on in the community. If you recall, they said that people are shady looking characters that come in there to get married. What are we doing? Are we back in the 1800s here. That is what it sounds like to me.

Mr. Redelsperger asked why we did not have more people testifying in favor of this? If some of the business community had come I feel that they would have contributed.

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Mr. Mello stated that that was a close-knit area, believe me and I think you know what close-knit means. If you are running a business there you are not going to come up here when they came up here by the truckloads to testify against that. You had two attorneys here that didn't say a thing. They talked for five minutes each and said the same thing and were redundant. Why did they come and testify? Because they appear before that judge, that's why. Think about it.

Mr. Jeffrey asked how many business men that are involved would appear before the County Commission?

Mr. Mello stated that they had no facts or figures, go back and look at your minutes. No facts or figures at all to present other than the fact that they did not want to open the doors. They testified on behalf of the judge, not on behalf of the County Commissioners. They appear before that judge.

Mr. Schofield stated that this committee felt that due to the committee that we should make those particular changes. I feel that if you want to "compromise" that has been reached by the amendments and the sunset regulations, it allows this committee to make a recommendation by statutes that I think will alleviate the problem that they have and possibly the county commissioners are not really looking at the problem that has been before them.

Mr. Schofield then moved that the committee Amend AB 93, as the amendment 249 reads, along with the Sunset Provision. Mr. Craddock seconded the motion.

Mr. Dini stated that Mr. Schofield's motion was to Amend and Do Pass AB 93, with the Sunset Provision.

Mr. Dini stated that he would like to present to the committee, a copy of an article that appeared in the Elko Daily Free Press on April 8, 1981. Mr. Dini's article is attached to the minutes of this meeting as EXHIBIT C. Mr. Dini stated that he had called the Elko paper about it. Somebody had said that I was the author of this bill. It is really wrong and I called them and told them that that was wrong to say that because I had nothing to do with this bill. It was handed to me. I don't even know who requested it. It makes you feel that I was pushing the bill and I certainly have not pushed it, it has been here a long time.

Mr. Mello asked why they should be correct in that, they were not correct in anything else.

Mr. Mello asked if anyone had ever seen that chapel. It is probably the most attractive business place they have. It is absolutely beautiful. I sat in there and had coffee with the individual that runs it and people come in there, the local people come in there and look at it and I hear them talking about how beautiful the place is. When they first moved in there people came in and looked at them as though they were freaks.

Mr. Schofield indicated that the judge in his testimony indicated that he would like to do a little more fishing.

Mr. Prengaman stated that this was a question and not a criticism. Again it goes back to a compromise. Mr. Schofield mentioned that a lot of these people came up here and they were testifying on the original bill. Were they consulted beforehand? I understand the amendments were discussed before the hearing of the bill. Now were these people involved in it - the commissioners or the judge or anybody? Were they involved in discussions prior to the first hearing on the bill?

Mr. Dini stated that before we had the hearing he had told them what we were going to do. They said that they were against it with the amendments or without the amendments period.

Mr. Dini stated that there was no give and take at all.

Mr. Prengaman stated that he thought that what they were testifying on then was that they did not want anything.

Mr. Mello stated that this would be off of the motion but wanted to say one other thing. If you recall, there was a letter in favor the local businessmen and they said that you can't go by what that individual says because he did all of the woodworking there. He made all of the doors and the cabinets and all of that. You can't pay attention to what he says. Well, he has made his money out of that. These people were not honest.

Mr. Jeffrey stated that as far as the compromise thing is concerned sometimes there isn't any such thing as compromise, you just have to make a decision. I think that as far as this committee is concerned it is a reasonable compromise to make even though granted it is the committee that is making it and forcing the parties into it. I just don't have any problem with the decision. Once in a while you have to take the bull by the horns and do it.

Mr. DuBois stated that he thought that you really have to stretch your imagination if you are going to believe that the local motels and local businessmen are not for this. The fact that they did not testify means nothing.

Mr. DuBois asked what we were talking about - around \$75.00 a week?

Mr. Dini said less than that - \$4,000 a year over what they are already spending.

Mr. Dini stated that on June 6, 1980 the Elko Chamber of Commerce wrote a letter to the Elko County Commissioners supporting that position. After we had our first hearing - before we had the first hearing the Inkeepers Association was against bill. They now say that the way it has been amended, they support it.

Mr. Redelsperger asked who the letter was from and when it was received.

Mr. Dini stated after we had the hearing - after we proposed the amendments.

Mr. Prengaman asked if that was all of the motel owners or if that was just a couple.

Mr. Dini read portions of the letter where the Inkeepers asked and solicited the help of the legislature. It is a letter to the County Commissioner.

Mr. Dini indicated that there had been a motion on AB 93 which had been seconded. He asked the committee if they were ready for the question.

Mr. Dini asked the secretary to call the roll.

Mr. Dini stated that there were 8 ayes, 2 nos and one not voting.

A copy of the vote on AB 93 is attached to the minutes of this meeting.

Mr. Craddock indicated that Ken (Redelsperger) and he had the amendments ready on AB 38. He indicated that they had amendment number 472. He stated that it establishes the position for any water utility that is intended to serve more than 25 persons to have their rates established by the Public Service Commission.

Mr. Craddock moved that the committee Amend and Do Pass AB 38, which was seconded by Mr. Redelsperger.

Mr. DuBois asked in the bill if it was clear what a user is. Mr. Craddock stated that he was not sure if it is spelled out what a user is.

Mr. Craddock stated that he believed that that would be commonplace.

Mr. Dini stated that a motion had been made and seconded to Amend and Do Pass AB 38. Mr. Dini asked if there was any further discussion.

Mr. Schofield asked if the words "or sewage" had been pulled out of line 28 on page 2?

Mr. Craddock stated no.

Mr. Schofield stated that they had asked for it to be pulled out of there.

Mr. Dini stated that that ought to be changed anyway because that is all deleted in your amendment.

1536

Mr. Craddock stated that he guessed he missed it.

Mr. Dini stated that perhaps we should take the amendment back and take it up tomorrow again.

Mr. Dini further stated that he thought that that section had to come out anyway - the whole thing. All of Section 2 has to come out.

Mr. Dini stated that he thought they would have to do a little more work on that and we would come back and discuss it again.

Mr. DuBois stated that on AB 311, Ken and I are on the subcommittee. That is the bill to raise the mileage for county employees from 19¢ to 24¢, to encourage the county people to drive their own vehicles and save the expense of buying different fleet cars. However, that figure is completely unreasonable. They testified that the Federal Government amount is 25¢ which is apparently not true. They allow 20¢ and on special occasions will allow 22-1/2¢, but that has to be a very unique situation, and of course we are at 20¢, so Ken and I would like to recommend that that go from 19¢ to 20¢ rather than 24¢.

Mr. Dini stated that he believed that you didn't have to do that because NRS 281.160 controls it. I don't even think you need the bill. They want an exemption above the state rate.

Mr. Redelsperger moved for Indefinite Postponement of AB 311, which was seconded by Mr. DuBois. The motion carried unanimously.

Mr. Mello stated that he would like to say that AB 473 is on the General File today. The five of us on the subcommittee are all going to speak to it. I would appreciate if there are any questions directed from the floor that any member of the committee that can answer that question please stand and just say "Mr. Speaker". I frankly don't know if there is going to be any real opposition.

Mr. Redelsperger stated that he had not heard.

Mr. DuBois stated that there would be two or three votes perhaps on the basis of the cost.

Mr. Mello stated that he was ready for that.

Mr. Jeffrey stated that before the committee adjourned he would like to announce because there are so many people here from Economic Development and Economic Resources that the joint hearing on Monday, we won't be meeting at 2:00 P.M. We will be meeting at 8:00 A.M. We are swapping the time with Government Affairs.


Mr. May questioned AB 251.

Mr. Dini stated that the committee would have a hearing on that bill the week after next.

The committee took the following action on BDR 19-1512^{*} and BDR 23-1489^{**}. The following committee members favored committee introduction of both of the above BDRs: Mr. Dini, Mr. Schofield, Mr. Jeffrey, Mr. DuBois, Mr. Redelsperger, Mr. Mello and Mr. Polish.

There being no further business to come before the meeting, the meeting adjourned.

Respectfully submitted,


Barbara Gomez
Assembly Attache

*AB 495

**AB 494

ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE

GUEST LIST

Date 4-14-81

<u>PLEASE PRINT YOUR NAME</u>	<u>PLEASE PRINT REPRESENTING:</u>	<u>I WISH TO SPEAK</u>		
		<u>FOR</u>	<u>AGAINST</u>	<u>BILL NO.</u>
BOB GAGNIOR	SNEA	✓		431-439
JIM WENNER	STATE PERSONNEL DIVISION	aa	✓	431-439
Donna Sheehan	Dept. Motor Vehicles		✓	439
Al McNiff	Housing Div.			446
Richard [unclear]	AG - Housing Div.			440
Ken Kiter	New Assn Counties			AJR 31
Tracy Wilson	New Assn Counties			

ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE

GUEST LIST

Date April 14, 1981

PLEASE PRINT

<u>PLEASE PRINT YOUR NAME</u>	<u>PLEASE PRINT REPRESENTING:</u>	<u>I WISH TO SPEAK</u>		
		<u>FOR</u>	<u>AGAINST</u>	<u>BILL NO.</u>
<u>Paul Player</u>	<u>Washoe Co. Health Dept.</u>	<u>X</u>		<u>AB 392</u>
<u>V.A. SALVADORINI MD</u>	<u>chairman " " " " Board</u>	<u>X</u>		<u>9B-392</u>
<u>M. Carter</u>	<u>UNLV</u>			

ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE

LEGISLATION ACTION

DATE April 14, 1981

SUBJECT AB 93

MOTION

Do Pass Amend Indefinitely Postpone Reconsider

Moved By Mr. Schaffield Seconded By Mr. Craddock

AMENDMENT

Moved By _____ Seconded By _____

AMENDMENT

Moved By _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
MR. CRADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. DuBOIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. JEFFREY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. MAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. MELLO	<u>Abstain</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. NICHOLAS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. POLISH	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. PRENGAMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. REDELSPERGER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. SCHOFIELD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MR. DINI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

TALLY 8 2 1 abstain

ORIGINAL MOTION: Passed _____ Defeat _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

ATTACHED TO MINUTES DATED _____

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION		SENATE ACTION		Assembly	AMENDMENT BLANK
Adopted <input type="checkbox"/>		Adopted <input type="checkbox"/>		AMENDMENTS to	Assembly
Lost <input type="checkbox"/>		Lost <input type="checkbox"/>			Joint
Date:		Date:		Bill No. 367	Resolution No.
Initial:		Initial:		BDR 26-1390	
Concurred in <input type="checkbox"/>		Concurred in <input type="checkbox"/>		Proposed by	Committee on Government Affairs
Not concurred in <input type="checkbox"/>		Not concurred in <input type="checkbox"/>			
Date:		Date:			
Initial:		Initial:			

Amendment N^o 453



Amend section 1, page 1, by deleting line 4 and inserting:
"of equal value belonging to private persons. The values of the
lands which are to be exchanged must be established by an appraisal
conducted by an appraiser who is certified pursuant to NRS 361.221."

To: E & E
LCB File
Journal
Engrossment ✓
Bill

Drafted by DGS:smc Date 4-7-81

Exhibit A

218,

WASHOE COUNTY

"To Protect and To Serve"



DISTRICT HEALTH DEPARTMENT

WELLS AVE. AT NINTH ST.
POST OFFICE BOX 11130
RENO, NEVADA 89520
PHONE: (702) 785-4280

Testimony By V.A. Salvadorini, M.D.
Chairman, Washoe County District Board of Health
in support of AB 392

AB 392 would amend those sections of Chapter 439 of NRS which deal with the local administration of public health specifically the requirements and qualifications for District Health Officers.

The amendments proposed would allow the District Boards of Health greater flexibility in the selection and appointment for their District Health Officer. At present, NRS is interpreted to require that District Health Officers be physicians. Based upon our recruitment and management experiences in the Washoe County Health District, we believe that this mandate for a physician is not consistent with the State of the art in local public health management nor with the reality that the majority of physicians do not have the appropriate training to administratively lead a local public health agency.

Upon the resignation of the Washoe County District Health Officer in August of 1977, the Washoe County District Board of Health began a recruitment process for a new District Health Officer. Only three (3) applications were received and even though offered a salary of approximately \$50,000 with liberal benefits including moving costs, the applicant selected declined the job. The other two applicants were not considered suitable for the position. Recruitment continued

until December of 1978 but the very few applicants who responded were just not of the caliber that the District Board of Health was hoping to attract . During those 16 months of recruitment, the District Health Department functioned on a day-to-day basis under the administrative direction of a nonphysician with a local physician fulfilling the role of the required District Health Officer on a limited part time basis. The District Board of Health felt that they had sincerely attempted a prolonged nationwide recruitment, offering reasonable salary and benefits but with only minimal response. The District Board of Health felt in December of 1978 that having a nonphysician as the administrative head of the District Health Department was the best way to go and decided to continue with the system of a part time District Health Officer to be responsible only for medical consultation and direction of clinical programs.

The public health literature in recent years reports a national trend towards such nonphysician leadership. The National Advisory Council on Public Health Training identified the role of the public health administrator as including "planning, organizing and evaluation; allocating resources, operating facilities and managing personnel; consultation, communication, education and public information; contributing to solutions involving public policy and legislation; developing standards, regulatory and enforcing, and integrating health services into the social setting." The American Journal of Public Health in a January 1980 editorial noted that "The concerns confronting local health agencies today constantly involve complex problems requiring an understanding of the physical,

biological, behavioral and social sciences." That editorial further states that "the public health world does not suddenly disintegrate with the arrival of nonphysician health directors."

The July-August 1980 issue of Public Health Reports states "As the mission of public health agencies changes and their organizational structures are modified, obviously the qualifications of those in leadership positions will change also." A national survey reported on in that same issue of Public Health Reports notes that 27 states report that nonphysicians can be considered for appointment as local health directors.

The Washoe County District Board of Health believes that there are a very limited number of physicians nationwide with the experience and skills both necessary and desirable to be the administrative head of a local public health agency. The salary and fringes necessary to attract such an applicant are very high (\$65,000 to \$75,000 per year) and the benefit derived from the standpoint of improved organization efficiency and effectiveness vs that derived from a nonphysician administrator, at an appropriate cost of \$40,000 to \$45,000 per year, is doubtful. We believe that the statutory mandate limiting the qualifications for a District Health Officer to a physician, which were established in 1919, are not consistent with the organizational needs of 1981. The District Board of Health which is the responsible body for the policy development and direction of the District Health Department is in the best position to determine what the true qualifications of the District Health Officer should be and should have the flexibility to address its management needs through the appointment of the

best candidate for District Health Officer regardless of particular academic background. The District Board of Health should also have the direct responsibility and authority to establish the salary for that appointee.

As Chairman of the Washoe County District Board of Health and a member of that body for 5 years, I strongly urge the positive support of AB 392 by this committee.

ELKO DAILY FREE PRESS 4.9.81

County favors killing wedding chapel bill

The Elko County Commission voted unanimously this morning to recommend a bill be killed which would mandate longer hours of operation for the marriage license bureau.

Commissioner John Carpenter said he had been contacted by the bill's author, Assemblyman Joe Dini of Yerington, and asked his feelings about it.

Dini's bill originally called for the sheriff to issue marriage licenses when the county clerk's office is closed. It also would have prohibited the justice of the peace from performing marriages in the same building where licenses are issued.

Elko Wedding Center operators had vowed they would seek such legislation when the commission refused to allow longer hours of operations for the clerk's office on weekends.

At a legislative hearing last month, Carpenter, Justice of the Peace E.F. Lunsford, Assemblyman Dean Rhoads and State Senator Norm Glaser all appeared in opposition to Dini's bill.

Dini subsequently amended it to require longer hours for the clerk to remain open for the issuance of marriage licenses.

Carpenter said at this morning's meeting he favored Dini letting his bill die and letting Elko County handle the situation locally.

He said commissioners would go along with longer hours if the business warranted it.

He pointed out, however, the number of marriage licenses was down dramatically in March from previous months. "And they had promised we'd be busier when they opened up," Carpenter said of the wedding chapel operators.

The motion to recommend killing the bill was made by Commissioner Ernie Hall, and Commissioner Bill Gibbs joined with Carpenter in voting for the motion.

In other business this morning, the commission:

★ Expressed no objections to Bureau of Land Management plans for a wastewa-

ter treatment plant at Wells and for desert land entries in Ruby Valley.

★ Learned the state board of forestry and fire control would like to place two additional full-time firemen in Spring Creek because of population growth. The county already pays for two there, announced County Manager George Boucher. He said there is also an extensive volunteer force there.

★ Allowed Elko General Hospital to continue to use a bank account separate from the county's account.

★ Learned from the BLM that preliminary planning meetings for the proposed Sierra Pacific power plant on the old Winecup Ranch are planned for May 11 and 12.

The May 11 session will be held in Wells, and the May 12 meeting in Elko. Both will deal with the projected environmental impact statement required by the BLM for the project. BLM-controlled lands are interspersed with Sierra Pacific land in a checkerboard pattern, explained Boucher.