

MEMBERS PRESENT: A quorum

GUESTS: Mr. Joe Fisher, NSEA
Senator Jean Ford
Mr. Marvin Leavitt, City of Las Vegas
Mr. G. P. Etcheverry, Nev. League of Cities
Mr. Chuck Neeley, Clark Co. Sch. Bd.
Mr. Dan Fitzpatrick, Clark County

Chairman Dini called the meeting to order at 9:06 A.M. He indicated that SJR-33 would be discussed and Senator Ford had volunteered to help with the testimony.

Senator Ford: SJR-33 is the companion bill to your AB-189, the bond bank. The constitution refers to not assisting local governments with their debts. On Page 2, the constitution is amended to let the state incur an obligation to finance the purchase of securities issued by a local government. This would enable us to have more flexibility at the state level.

Mr. Marvin Leavitt: This is a bill proposed by the Local Government Advisory Committee. The United States generally accepts accounting principles for local governments as set by a board called the National Council on Governmental Accounting. The Budget Act, as it was originally adopted, coincided very carefully with generally accepted accounting principles, as it had been promulgated by this Board. In the last two years, we have had a pronouncement by this Board which in effect changes the number of the definitions in accounting principles that relate to local government units. The main thrust of this bill is an attempt to bring our own statutory principles in line with generally accepted accounting principles. If local governments, for instance, are going to have an independent certified public accountant certify that the financial statements are in accordance with the generally accepted accounting principles, then we need in fact have the state law coincide with that. As we go through the bill, the various definitions of funds, etc., are almost word for word from the concurrent generally accepted accounting principles. The changes made by SB-411, as part of the new tax package, are incorporated into this bill. In general, the fund definition that was so important under SB-204 is no longer a part of the basic tax plan, so this has no effect on loosening up or making available to local governments things that were not available to them before.

On Page 1, Section 1 is the introductory section. Sections 2 through 7, are redefinitions in the statutes to correspond to the generally accepted accounting principles. These are

definitions we have not had in the statutes before. Section 8 covers the County Treasurer's procedure to get his report to the Board of County Commissioners. In Section 9, subsection 2, Line 35 of Page 2, covers the reporting of the county auditor. On Line 47 of that page, there was an amendment taking out the mandatory provisions and these should be put back in. Delete the bracket right after 2. on Line 47 and right after 3.310 on Line 50.

In Section 12, we are adding the word 'expenses'. Section 13 takes the definition of 'cash basis' and puts it in this section instead of in the general section, as it only applies in specific districts. The succeeding sections clarify definitions.

Section 42 was overlooked by the billdrafter and should be amended out completely.

Section 43 relates to school district accounts kept by the county. There is a provision now that in counties with population of less than 20,000, the school district can keep their own accounts.

Section 45 allows for the transfer within a fund, as long as it does not increase the appropriation of a fund between functions and programs.

Mr. Dini: On Page 13, Line 36, it says: The governing body shall by majority vote of all members of the governing body present at a meeting of the body?

Mr. Leavitt: That should be taken out; that is one that was intended to be removed on the other side. That same 'present' is on Line 47, too. That should be removed.

Mr. Dini: What this section does is allow local governments to augment the budget by merely complying with the open meeting law.

Mr. Leavitt: That is correct. We are removing that publication requirement currently in the law.

Section 57 has a whole group of repealers in it which relate to definitions that are currently in the statutes.

This concluded the testimony on SJR-33.

The next bill to be heard is AB-400.

Mr. Joe Fisher, Executive Director, Nevada State Education Association: I am speaking from the viewpoint of the teachers

that we represent and their regulation by NRS-288 in bargaining. The amendment is basically good in that the establishment of a hearing officer should be able to expedite the hearings of complaints could be less costly generally than having the whole board hear a case. But the way it is drafted at the present time, I think, establishes a second layer, unintentionally, in that it allows an appeal to the board which means that it can be very costly if due process takes you to two hearings to get a decision. Some small groups affected by this, for example, a unit of nurses in Washoe County of only 20 in the unit, or Lincoln County which only has 40 in the unit. They assess themselves fairly high dues to operate their organization, but even so, the two levels of hearing would be fairly costly to them. It could be corrected by simply eliminating in Section 3 subsection 2, at Line 19, Page 1, and on Page 2, on Line 12 of Section 5, by eliminating the words 'and for appeals'. Also in subsection 5 on Line 31, where it reads 'the board may decide', you would want to strike 'an appeal from an order of a hearing officer; and strike on Line 32, the word 'if'. In Line 33, after 'board', add 'or its hearing officer', and then it would read 'if previous decision or decisions were adopted.

Mr. Dini: If you leave it the way it was, that would do it, right?

Mr. Fisher: You might want to add 'or its hearing officer' on Line 33, after 'board'. All of the above would make a good change for NRS-288 for a complaint procedure.

Mr. G. P. Etcheverry: AB-400 was originally prepared as a submission of the Employee-Management Relations Board Advisory Committee and we recognize that that has pretty well been defeated. The Nevada League of Cities concur with the amendments submitted by Joe Fisher. However, on Page 1, Lines 11, 12 and 13, we do have the same concerns that Joe Fisher indicated to you about the costs. The approach about a hearing officer may be within 288 now, with the Commissioner, who is actually the hearing officer for the Governor on EMRB related cases and to determine binding factfinding. He is already on salary and is full time staff for the Governor and the state in that position.

Mr. Chuck Neeley, representing Clark County School District: We can go along with the amendments recommended this morning. We are in favor of this and the Chairman read off the amendment we had. If there is a hearing officer and rather than limiting him to \$150.00 a day, that he should be paid according to the salary received by other arbitrators. We have no problem with the state hearing officer.

2504

Mr. Dini: I think we will need a subcommittee to work on this. Jeffrey, Redelsperger and myself. We will work on some language to bring back.

This concluded the hearing on AB-400.

Mr. Dini: The subcommittee on AB-661 has a report, do you?

Mr. May: We talked about a rough draft of a letter to be signed by the members of the committee regarding our recommendations on this bill. (The final draft of the letter, signed by all members of the Government Affairs Committee, is attached hereto as EXHIBIT A, and made a part of these minutes.) Recess followed.

Mr. Mello: I would like to make a motion that it being such a late date in the session, this committee not consider any charter changes for the City of Sparks. The motion was seconded by Mr. Jeffrey. The Charter Committee and the Council have not been able to agree on the differences and as far as I am concerned, I don't want to get into their squabbles. I represent the City of Sparks and that's the way I feel about it. Motion carried.

Mr. May: On AB-661, I would like to read the letter mentioned before the recess addressed to the County Commissioners of Lyon and Storey Counties. (Mr. May read the letter).

Mr. Dini: I will entertain a motion that no further action be taken on AB-661. Mr. May so moved, seconded by Mr. Schofield, motion carried.

On AB-610, Mr. Dini stated: I had drafted just for future reference because it is a Connecticut plan regarding revenue bonds. No action is needed on this bill and I would like a motion to this effect. Mr. Mello moved for INDEFINITE POSTPONEMENT of AB-610, seconded by Mr. Jeffrey. Motion carried.

On AB-436, Mr. Dini stated: No action on that.

On AB-420, Mr. Dini stated: Yesterday, we gave the Gaming Control Board \$900,000 to do their thing, so they don't need AB-420. This was the alternative bill. Mr. Mello moved for INDEFINITE POSTPONEMENT, seconded by Mr. Jeffrey. Motion carried.

On SJR-33, Mr. Dini stated: This is a companion bill to our bill, so it is necessary to get this on its way. Mr. Nicholas moved a DO PASS, seconded by Mr. Schofield. Motion carried.

SB-681: Mr. Dini stated: This is a City of Las Vegas bill.

Mr. Leavitt: This is a bill that amends the charter of the City of Las Vegas. Section 1 of the bill defines the committee that reviews all proposed ordinances. Section 2 resolves a problem we have had as relates to ordinances and it provides that the

ordinances will be filed with the librarian at the Supreme Court Law Library. Section 3 relates to fire services, and the location of explosives and inflammable. It also provides specific teeth where the city can provide by ordinance for the regulation and protection against fires. Section 5 relates to the control of railroad and streetcars in the city and expands the meaning to include means of transportation which has a fixed guide or rail upon, over or under any right of way (public). The next provision relates to debt issues. Right now, the state general law provides that short term financing is approved by the Board and does not necessitate a vote of the people. We have always assumed this to be the case in the City of Las Vegas. The charter, however, is not really clear on this point and this would clarify that provision. On revenue bonds, payable from revenues from a sewer plant or offstreet parking garage, etc., could be issued without a vote of the people. This just brings it into compliance. Section 4 relates to the offstreet parking garages.

Mr. Schofield moved a DO PASS on SB-681, seconded by Mr. DuBois. Motion carried.

On SB-662, Mr. Nicholas moved to AMEND AND DO PASS. Mr. Dini suggested that the amendments be reviewed first. Mr. May then moved to change the 10 day notice period to 3 days to conform with the open meeting law. This is on Lines 40 through 45. This motion included deletion of the brackets. Mr. Mello seconded. Motion carried. Mr. Mello seconded Mr. Nicholas' motion to amend and do pass. Motion carried.

Mr. Dini indicated that the next bill to be heard is SB-652. Mr. Schofield reported on his subcommittee's work on the bill: NRS-268.572 does speak of the legislative intent and the subsequent amendments made to this chapter relating to counties with 250,000 or more in population. I think this would alleviate the problem that both governments have down there and so I move that we DO PASS SB-652. Mr. Jeffrey indicated he wanted to amend the motion. (Mr. Nicholas seconded the motion). Mr. Jeffrey: I agree that there is some arbitration needed here, but throughout the testimony, the City of Las Vegas indicated that they were not interested in soliciting either on the strip or in unincorporated towns and those are problem areas for, I think, in Clark County, no matter what area you represent. A population shift in a significant size, it is going to make a significant difference in the tax basis of the other unincorporated cities in the county and if there is a revenue shift, it will make a major difference to the county, itself. My amendment is to read: In counties of over 250,000, cities may solicit for purposes of annexation in unincorporated areas outside of incorporated towns.

Mr. Dini: Before we vote on this, I would like to have those from the county and the city come up and give us their thoughts on this amendment.

2506

Mr. Dan Fitzpatrick, Clark County: The testimony presented by Commissioner Lurie yesterday stressed rather clearly that their concerns were not to annex or to petition or solicit annexation in our unincorporated towns; specifically, they used examples that it would be difficult at best right now to do that on the strip and other areas. Their concern focused toward principally vacant land in the unincorporated areas of the northwest sections of town where there are some islands and some municipal service delivery concerns. To that end, we can support an amendment as suggested by Assemblyman Jeffrey. Our commissioners' concern, very strong concern, is in our unincorporated towns. If that is deleted, that the city may not solicit or circulate petitions in our unincorporated towns, but in only unincorporated areas, as was suggested by the maps, we find that acceptable.

Mr. Dini: They could still be solicited by areas in the unincorporated towns.

Mr. Fitzpatrick: Yes, right now, if anyone in the hotels or if anyone wants to sit down with the city, all they have to do is type up a letter, sign it and bring it in and sit down and talk to the city as long as they want about annexation. That's in essence the petition. What we don't want is the process going the other way in our towns, because there is a very significant and delicate balance in our tax base in the county.

Mr. Dini recessed the meeting for five minutes to review the maps.

Mr. Dini reconvened the meeting. He said: It's time to be on the floor - the meeting is adjourned at 10:55 A.M.

Respectfully submitted,

Barbara Gomez
Barbara Gomez
Assembly Attache

2507



Nevada Legislature

SIXTY-FIRST SESSION

May 26, 1981

TO: The County Commissioners of
Lyon and Storey Counties:

Assembly Bill No. 661, copy attached, was introduced on May 13, 1981, and referred to the Committee on Government Affairs on that date.

The bill was scheduled and heard on May 21, 1981.

There were various witnesses testifying with regard to both the positive and negative portions of the bill and at the conclusion of the public hearing, Chairman Dini appointed a subcommittee of Messrs. Paul May and Jim Schofield to meet further with interested parties and try to reach a neutral ground that would draw positive action from the governing bodies of both counties involved and, furthermore, would bring fair and equitable results to residents of both counties.

The subcommittee discussed this situation several times informally, and discussed it individually with other interested individuals outside the legislative body and have reached the following conclusions:

1. The matter is one that should be handled by inter-local government agreement by the governing bodies of Lyon and Storey Counties;
2. Both governing bodies have not only a vested, moral and monetary obligation concerning this subject, but also a governmental responsibility;
3. The best interest of the citizens of both counties is not being achieved by the reluctance of the two governing bodies to reach some equitable solution regarding this subject;
4. We feel it very inappropriate to establish by law, percentage distribution of the water to be utilized by the two


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and Storey Counties
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counties in question.

5. We feel it unfair to place the State Engineer, primarily because of tremendous demands on his time in other areas, to act as arbitrator in a purely inter-county dispute.

However the undersigned members of the Assembly Committee on Government Affairs have taken official note of this situation and by this correspondence do STRONGLY recommend to the governing bodies of both counties that they do immediately enter into negotiations that will resolve through inter-local government agreement, as such be deemed necessary, provisions that will bring harmony, equity and mutual benefit to the residence who reside in the affected areas of the two counties.

We further request that such action as results from this mandate be reported to the Assembly Committee on Government Affairs during the first thirty days of the 62nd Session of the Nevada Legislature.



Joseph E. Dani, Jr.
Chairman



James W. Schofield
Vice-Chairman



Donald R. Mello



Paul W. May




John E. Jeffrey



Robert G. Craddock



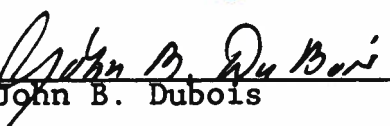
John Polish



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COMMITTEES
CHAIRMAN
TAXATION
MEMBER
GOVERNMENT AFFAIRS
LEGISLATIVE FUNCTIONS

Nevada Legislature

SIXTY-FIRST SESSION

May 25, 1981

The members of the Government Affairs Committee wish to congratulate and give special credit to Chairman Joe Dini for scheduling and proceeding with the hearing concerning A.B. 661.

From the very onset of testimony, it was quite apparent that this was a difficult situation for Joe Dini inasmuch as his assembly district encompasses the residents of both Lyon and Storey Counties.

The dispute with water service referenced in the bill concerned the constituencies in these two counties.

Mr. Dini is to be sincerely congratulated and praised for his honesty and sensitivity in allowing this matter to be heard.

A handwritten signature in cursive script, reading "Paul W. May".

Paul W. May, Chairman
Government Affairs Sub-committee
Assembly Bill No. 661