

MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON FINANCE

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
March 10, 1981

The meeting of the Senate Committee on Finance was called to order by Vice Chairman James I. Gibson at 7:00 a.m., Friday, April 10, 1981, in Room 231 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

Senator James I. Gibson, Vice Chairman
Senator Eugene V. Echols
Senator Norman D. Glaser
Senator Lawrence E. Jacobsen
Senator Thomas R.C. Wilson
Senator Clifford E. McCorkle

COMMITTEE MEMBERS ABSENT:

Senator Floyd R. Lamb, Chairman (excused)

STAFF MEMBERS PRESENT:

Ronald W. Sparks, Chief Fiscal Analyst
Tracy L. Dukic, Secretary

OTHERS PRESENT:

(Please see Exhibit B.)

The presentation of the budget of the Public Service Commission, Department of Utility and Transportation Customer Representation, was continued from Thursday, April 10, by Mr. Heber Hardy, Chairman of the Public Service Commission, and Mr. Kenneth Smith, Chief of the Audit Division for the Public Service Commission. (Please refer to Exhibits C D and E for their presentation).

Mr. Smith addressed Senator Wilson's question from the previous day in which he asked if there was any needed legislation, and he said that the only needed legislation is a bill authorizing the Public Service Commission to employ their own legal counsel. He also mentioned Assembly Bill No. 58, which he said allows the Department of Motor Vehicles to conduct field enforcement of Commission rules and regulations involving motor carriers. He said that this bill has been endorsed by the Cresap Report and by the Governor's Task Force but was killed, and he feels that this legislation is important to the Commission to enable them to take care of the inspectors that they already have on board.

Senator Gibson asked Mr. Smith if the legislation for their legal counsel has already been drafted.

Mr. Smith replied that Assembly Bill No. 473 accomplishes this.

Senator Wilson asked why there was less money in the second year reflected in the line item providing assistance to employees for traveling here for interviews.

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Mr. Hardy replied that it is their opinion that whatever choices they will make as far as employment will be done in the first year of the biennium; therefore, more money will not be needed in the second year of the biennium. He also indicated that by utilizing strict screening criteria, they will narrow down the actual number of interviewees and only bring in a small portion of applicants for expense-paid interviews.

Senator Wilson asked Mr. Hardy how effective their merit-promotion policy is.

Mr. Hardy replied that this is extremely important to them; that it has been very beneficial in regard to morale and retention of employees. He said that they do not start new employees at the maximum levels corresponding with unclassified salaries; therefore, these employees have incentive and a goal to work for. He said that they are started at a negotiated salary which is arrived at on the basis of their prior experience and their qualifications, and then they are reviewed on a six-month basis.

Senator Wilson asked Mr. Hardy if they utilize their Deputy Commissioner to alleviate the hearing load.

Mr. Hardy replied that they do utilize him for hearings that do not involve rate matters. He stated that there is a specific prohibition preventing him from hearing these cases.

Senator Wilson asked if he was also utilized to hear tariff approval cases.

Mr. Hardy replied that he has been utilized more in the last two years in regards to the Federal National Energy Act hearings and hearings in regards to the Commission's rule making procedures, which has been neglected for some time.

Senator Wilson asked, of those hearings held on tariff approval matters, how many of those cases actually go to hearing.

Mr. Hardy replied that not that many of those cases go to hearing.

Senator Gibson asked what the basis for the PURPA expenditures was

Mr. Hardy replied that this is the National Energy Act, which mandated the Public Service Commission to hold certain hearings; it did not mandate the Commission to adopt the rate making standards. They also provide the monies to hold these hearing through a Federal Grant, but they do not pay the salary expense. He said that this grant usually total \$200,000 per year, regardless of how large the state is.

Senator Wilson asked if the Commission is gaining more time for other matters, such as hearing rate cases, by utilizing the Deputy Commissioner to a greater extent to hear non-rate related matters.

Mr. Hardy replied they feel that he has helped to alleviate much of the hearing burden; that they feel one Deputy Commissioner is sufficient at this time to handle the problem. He also indicated that they have been able to devote more time to rate cases since he has been on board.

Senator Gibson asked what happens to the budget of the Commission if Assembly Bill No. 58 passes.

Mr. Hardy replied that Assembly Bill No. 58, as proposed, will give the Commission authority to hire their own legal counsel and will authorize the Department of Motor Vehicles to carry out field enforcement responsibilities.

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Senator Gibson asked if the fiscal impact of the Consumer Advocate issue is completely outside of Assembly Bill No. 58's purview.

Mr. Hardy replied that it is, with the exception of the fact that Assembly Bill No. 58 calls for the Commission, in effect, loaning the new agency \$200,000. He said that this will not effect the Commission unless the repayment of that loan is not made in a timely fashion, the Commission may have to increase their mill assessment the second year of the biennium more than anticipated.

Senator Gibson asked, in light of the fact that the Consumer Advocate Board does not have an income, how will they repay this loan.

Mr. Hardy replied that they will have an income as a result of a mill assessment which will arrive around August 1st. He said that by the word of Assembly Bill No. 58, the Public Service Commission will assess the public utilities and the Public Service Commission will simply be a conduit to convey these quarterly assessment payments from the public utilities to the Consumer Advocate Board's special revenue account that has been established for them.

Mr. Sparks asked if the \$200,000 is just the start-up cost of the Board. Mr. Hardy replied that it is.

Senator Gibson noted that their balance is already substantially dropping. Mr. Hardy replied that they are utilizing a good portion of their carry-forward reserve for the funding for the next biennium.

Senator McCorkle asked about the new position of Consumer Representative and five positions that are Consumer Service Representatives on their regular staff; he asked if those positions will be deleted if the Consumer Advocate's Office is approved.

Mr. Hardy replied that they are not going to be deleted.

Senator McCorkle asked if, even with the formation of the Consumer Advocate Board, the Commission still has a consumer function.

Mr. Hardy replied that they do; that these aforementioned positions handle complaints regarding utilities as to whether or not they have been billed properly, whether or not they have a voltage level problem--things regarding the functioning of the utility industry operating as a normal business would.

Senator Wilson asked about the new position of assistant staff counsel and asked Mr. Hardy to give the reasoning behind this position.

Mr. Hardy replied that this individual would replace the Deputy Attorney General as legal staff counsel to the Commission.

Senator Wilson then replied that he had surmized from this statement that the staff counsel is a Deputy Attorney General.

Mr. Hardy replied that he is not; that they are proposing to replace the Deputy Attorney General as counsel to the Commission because of a conflict of interest in cases where the Attorney General's office has represented both the plaintiff and the defendant, and thereby represented and opposed the Commission simultaneously.

Senator Gibson asked if the hiring of two new Commissioners will alter their out-of-state travel budget.

Mr. Hardy replied that these positions will be prime candidates for the Water School in Michigan and the other educational resources that are available to aid the Commission in their understanding of utilities.

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Senator Gibson asked after the Commission goes to such great effort to properly educate their personnel, do they retain them in a sufficient number.

Mr. Hardy replied that this does not, unfortunately, always occur, but the Commission feels that this training is necessary for however long they retain these individuals in order to maintain the quality of their personnel. He said that there is no way to guarantee, when people are receiving this training, that they will remain with the Commission, but the Commission feels that it would be foolish to operate on the assumption that the training is not cost-effective because they do lose some personnel to other companies.

Senator Gibson asked if most of their personnel is located in Carson City. Mr. Hardy replied that they are; that they currently have six employees in their Las Vegas office and some office space in Fallon, but that is going to be deleted.

Senator Gibson asked if most of their activity is in Las Vegas.

Mr. Hardy replied that most of it is, but he said that they had their audit staff divided until four or five years ago, and they found that it was more important to centralize their staff and send their personnel out.

Senator Gibson noted that they had done a good job on presenting their budget, but he said that the one thing that bothers them is that they keep beefing up their staff in order to obviate the necessity of going to outside contract services, but there have been increases in the cost of outside contract services.

Mr. Hardy replied that this is true.

Senator Wilson asked Mr. Hardy to explain the difference between their financial analyst and their economist.

Mr. Hardy replied that the economist is primarily looking at forecasting the price signals to customers. The financial analyst is more concerned with accounting, cost of money and that sort of thing. He said that these positions are not called upon to give expert testimony.

Senator Jacobsen asked Mr. Hardy what his feelings are in regard to the abolishment of the Department of Energy by the Assembly Ways and Means Committee.

Mr. Hardy replied that he has no comment on that, but that this will require the Public Service Commission to become more involved in the area of energy conservation and planning, more so than in the past.

Senator Jacobsen asked if this would require the Commission to hire additional staff.

Mr. Hardy said that this will be the responsibility of the Engineering Department's analyst, but he said that they will not have the staff devoted to this particular subject as the Department of Energy does.

Senator Jacobsen asked how much the Cresap Study cost. Mr. Hardy replied that it cost \$62,500.

Senator Jacobsen said that Mr. Hardy seems to be using the Cresap Study as a justification for the organizational changes that they are proposing, and he asked him if he was aware of any of these imperfections prior to contracting for this study to be done.

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Mr. Sparks asked if Mr. Hardy had mentioned what the reclassification reserve was for.

Senator Gibson replied that that amount is the reserve in his fund or the reserve balance forward.

SENATE BILL NO. 20

Senator Gibson proposed that the committee have a concurrent resolution drawn up to develop a funding formula whereby they would be able to allocate the State's appropriation for their share of funding for the regional library programs that are going to lose Federal funding support. He said that once this is completed, the committee will hear the bill and, if satisfactory, kill Senate Bill No. 20 and enact this newly drafted concurrent resolution.

SENATOR JACOBSEN MOVED THAT THE PROPOSED CONCURRENT RESOLUTION BE DRAFTED.

SENATOR WILSON SECONDED THE MOTION

THE MOTION WAS CARRIED UNANIMOUSLY.

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SENATOR ECHOLS MOVED TO HOLD SENATE BILL NO. 20 UNTIL THE PROPOSED CONCURRENT RESOLUTION IS DRAFTED.

SENATOR JACOBSEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

SENATE BILL NO. 21

SENATOR MCCORKLE MOVED THAT SENATE BILL NO. 21 BE APPROVED.

SENATOR WILSON SECONDED THE MOTION.

THE MOTION WAS CARRIED UNANIMOUSLY.

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SENATE BILL NO. 22

A discussion ensued regarding the committee's concern as to the City of North Las Vegas and how it is to be governed, and how this will affect the outcome of this bill if it is passed.

Senator Gibson said that the bill should be amended by removing the brackets in Section 19 and the new language appearing on page 10 will become Item (K) in the bill.

SENATOR GLASER MOVED THAT SENATE BILL NO. 22 BE AMENDED AND APPROVED.

SENATOR JACOBSEN SECONDED THE MOTION.

THE MOTION WAS CARRIED UNANIMOUSLY.

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SENATE BILL NO. 23

THE COMMITTEE DECIDED TO HOLD ANY FURTHER ACTION ON THIS BILL UNTIL LATER.

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SENATE BILL NO. 26

SENATOR JACOBSEN MOVED THAT SENATE BILL NO. 26 BE APPROVED.

SENATOR ECHOLS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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The committee addressed the handout prepared by Senator Wilson entitled Legislative Proposals for Senate Finance Committee, regarding the reading, writing and mathematics deficiencies in primary and secondary school grades; (please see Exhibit F.)

Senator Gibson stated that he was worried because the committee has, in the past, solicited members, and he feels that members of such a committee as the one proposed by Senator Wilson would be best drafted from the educational system.

Senator Wilson said that he feels that if members are solicited, the committee will find that each member will take a defensive posture and not be as effective as someone who has been drafted by the committee and has the ability to be self-critical of the system he is part of.

Senator Jacobsen asked if Senator Wilson would have any objection to allowing the Standing Committee on Education make the choices of who to draft.

Senator Wilson responded that he would object; that he feels the Finance Committee should openly discuss this and make their own choices.

Senator McCorkle said that, in essence, Senator Wilson is proposing to have the committee pick the toughest individual from each of these disciplines.

Senator Wilson responded that he is proposing just that.

Senator Echols asked if the committee would want to appoint someone to represent the vastly increasing number of private schools in the State.

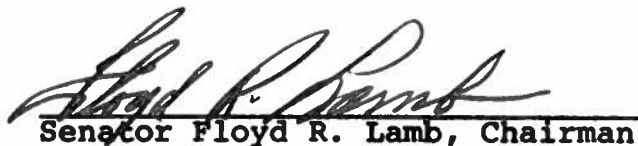
Senator Jacobsen responded that this might be accomplished by drafting someone to represent parochial schools.

There being no further business, the meeting was adjourned at 9:56 a.m.

Respectfully submitted by:


Tracy Duke, Secretary

APPROVED BY:


Senator Floyd R. Lamb, Chairman

DATED: Apr 22

SENATE AGENDA

COMMITTEE MEETINGS

Committee on FINANCE, Room 231.

Day (SEE BELOW), Date (SEE BELOW), Time 8:00 a.m.

TUESDAY, APRIL 7, 1981

1. Mental Health and Mental Retardation Subcommittee meeting.

WEDNESDAY, APRIL 8, 1981

1. A.B. No. 354 - Retains earned interest in fund for industrial development of small counties and facilitates allocation. (Ron Sparks)
2. S.B. No. 474 - Makes an appropriation for reproduction of Nevada Reports. (Art Palmer)
3. A.J.R. No. 26 - Memorializes Congress to enact legislation exempting certain retirement benefits from income tax. (Vernon Bennett)
4. A.B. No. 174 - Makes appropriation for system of filing and storage for vital statistics section of health division of department of human resources. (Paul Cohen)
5. A.B. No. 272 - Makes appropriation for working capital for The Nevada Magazine. (C. J. Hadley)
6. A.B. No. 316 - Makes appropriation for electronic scales for state mailrooms in Carson City and Las Vegas. (Bruce Greenhalgh)
7. A.B. No. 319 - Makes supplemental appropriation for the child welfare program. (John Duart)
8. S.B. No. 48 - Provides for reimbursement of Carson City for services rendered to state. (Senator Jacobsen)
9. S.B. No. 427 - Creates audit subcommittee in legislative commission. (John Crossley)
10. S.B. No. 161 - Authorizes borrowing by department of transportation from financial institutions. (Al Stone)

THURSDAY, APRIL 9, 1981

1. S.B. No. 20 - Establishes program of state support for public libraries. (All testimony by Joe Anderson)
2. S.B. No. 21 - Provides for formation of regional networks of libraries.
3. S.B. No. 22 - Revises laws governing administration and financing of libraries.
4. S.B. No. 23 - Directs submission to vote of people of proposal to issue state general obligation bonds for building and expanding public libraries and provides for construction grants from proceeds if issue is approved.
5. S.B. No. 26 - Revises provisions relating to distribution of official publications to libraries and governmental agencies.
6. Public Service Commission (Pg. 744 - Heber Hardy)
 - a. Department of Utility/Transportation Customer Representation (Pg. 749)

FRIDAY, APRIL 10, 1981

1. Closing of Budgets.

C

PUBLIC SERVICE COMMISSION OF NEVADA
PROPOSED ORGANIZATION, NEW POSITIONS, UNCLASSIFIED POSITIONS & SALARIES
1981-83 BIENNIUM

On June 12, 1980 the Public Service Commission received a report of a comprehensive management study from the firm of Cresap, McCormick and Paget, Inc., Management Consultants. This report was requested by the Commission for the consultants to evaluate the operations and management of the PSC so that greater efficiency could be achieved from total regulatory effort. The report has been furnished to the governor, legislature, the press and others who requested a copy.

A revised organization was recommended to be placed into effect. (Report Exh. IV-1) Based upon the report the following organizational structure is proposed and is shown on page 18.

- 1) Policy Staff - Includes Commissioners, Deputy Commissioner, Legal Counsel, Administrative Assistants, Financial Analysts, Public Education and Statistical Analyst, Utility Operations and Rate Specialist as well as clerical assistance. The Commissioners who are charged with the decision making responsibilities are assisted by the policy staff to analyze, research and evaluate filings, testimony and exhibits in each proceeding before the Commission.
- 2) Regulatory Operations Staff - Headed by a Director of Regulatory Operations who is assisted by specialists organized into Divisions to make recommendations, study service reliability, audit financial records, receive and assist in solving complaints and to generally help build a complete record for presentation to the Commission for its decision.

Change of Staff

Many of the Staff positions are recommended to become unclassified and the remaining employees will continue to be classified.

It is proposed to delete the following positions from the 1981-83 appropriation.

<u>Position Number</u>	<u>Position Title</u>
4	Utility Officer
42	Depreciation Engineer
30	Sr. Inspector Aviation
69	Sr. Management Analyst
22	Inspector)
24	Inspector)
31	Inspector) Transfer to DMV
32	Inspector)
46	Inspector)
54	Inspector)
Total 10	

New positions requested in the unclassified service.

<u>Position Title</u>	<u>Division Assigned</u>
Financial Analyst	Policy Staff
Public Education & Statistical Analyst	Policy Staff
Director Regulatory Operations	Regulatory Operations Staff
Data Processing Systems Analyst	Regulatory Operations Staff
Assistant Staff Counsel	Regulatory Operations Staff
Office Mgr. Consumer Rep.-L.V.	Regulatory Operations Staff
Manager Rates & Tariff	Regulatory Operations Staff
Senior Analyst	Regulatory Operations Staff
Consumer Representative - C.C.	Regulatory Operations Staff
Total 9	

New positions requested in Classified Service.

Management Assistant III	Regulatory Operation Staff
Engineering Technician (2 pos.)	Engineering Services
Total 3	

NEW POSITIONS - CLASSIFIED

MANAGEMENT ASSISTANT III - New Position - Classified

This position is assigned to the Director of Regulatory Operations to assist in the correlation of activities of the entire staff together with maintaining records, scheduling conferences and reporting sessions from division heads so that the director is fully advised of all current and pending activities of the staff. The position should be substantial enough to attract qualified and experienced candidates for the position.

ENGINEERING TECH. V - New Position, Classified

This position is assigned to the Engineering Division to investigate consumer complaints that require technical measurements related to electric, water and natural gas meters and C.A.T.V. components. Also this position will verify land descriptions of proposed utility service areas for possible overlap or conflict with existing service areas of other utilities. Other technical duties similar to the above would be assigned to this position.

ENGINEERING TECH. IV - New Position - Classified

This position is assigned to the Engineering Division to inspect routine natural gas pipeline construction that includes trench refill aggregate, cathodic protection methods, verification of certified welders' cards, and other natural gas pipeline safety functions under the direction of the Pipeline Safety Engineer.

UNCLASSIFIED POSITIONS & SALARIES:

The management report prepared by the consulting firm of Cresap, McCormick and Paget, Inc. refers to the subject of unclassified salaries in their recommendations on page IV-26 and IV-27. The statement from the report is quoted below:

"Personnel Management

Numerous improvements and refinements should be introduced into the personnel management systems of the PSCN.

- The implementation of many recommendations presented below should ultimately be delegated to the proposed Personnel Specialist in the Secretary's office.
- However, the Commissioners and the Director of Regulatory Operations (once employed) should assume the lead role in their development, in securing necessary external approvals, and in closely monitoring their implementation.

As noted in the preceding chapter, preference should be given in the long term to providing merit system career protection to most PSCN staff positions.

- Given the priority which must be attached to upgrading the Commission's staff resources, however, it would be unwise to defer upgrading or expanding the Commission's staff until more general problems in the state's classified service can be overcome.
- As an undesirable, but unavoidable interim measure, therefore, all professional and managerial positions of the PSCN staff should be made exempt for the next several years.

Thereafter, high priority should be placed on securing authorization for compensation levels for such exempt positions which will enable the PSCN to recruit, or retain, requisite staff capabilities.

Complete delineation of the salary levels which would be provided for all exempt positions by the state legislature lay outside the scope of this analysis; nevertheless, the following recommendations should be conveyed to the legislature by the Commission:

- Salary ranges set for all PSCN exempt positions should be sufficient to both: (1) render the compensation offered competitive under present market conditions for professional staff, and: (2) incorporate a realistic projection of inflation levels over the next biennium.

- The salary levels for PSCN Commissioners should be increased to levels above \$40,000 per annum (in 1980 dollars), or the legal relationship between staff salaries and Commission salaries should be severed."

The management report also recommended salary ranges for key positions in Staff. Recommendations page IV-28 of the report is quoted below:

- " - Base salary levels of up to \$40,000 (in 1980 dollars) should be established for the positions of Deputy Commissioner and Director of Regulatory Operations.
- Salary levels for professional positions should be established at levels which will enable the PSCN to attract well-qualified personnel; based on recent experience with the Audit Division; these levels should be reasonably comparable to those offered by jurisdictional utilities.
 - o Information presented in Appendix A should facilitate the development of comprehensive salary recommendations by the Commission, with staff assistance from the Secretary.
 - o Significant increases in salary ranges for engineers and senior attorneys should be reflected in these proposals.
- In considering these final recommendations, the state legislature should recognize that decisions regarding PSCN compensation will be a principal determinant of the Commission's regulatory effectiveness in the near future and for years to come."

The guidelines recommended by the consultant's comprehensive management study, have been used to set out the amounts for salaries and attendant payroll costs. An individual calculation of the proposed salary for each position is listed as follows:

CHAIRMAN - Currently unclassified. One Position.

The annual salary amount currently is \$34,815. Inasmuch as the study recommendation was that Commissioners' salaries be increased to levels above

\$40,000 (\$40,000 was recommended for Deputy Commissioner and Director of Regulatory Operations) and that the salary for the Chairman using 1980 dollars should be 5% higher than the salary for the Deputy Commissioner and Director of Regulatory Operations, therefore, a base amount (1980 dollars) of \$42,000 was determined. A modest inflationary rate of 10% was used for the year 1981 resulting in an annual salary of \$46,200. The following year of 1982 a modest increase of 10% inflationary rate was used to calculate an annual salary of \$50,820.

COMMISSIONER - Currently unclassified. Two positions.

The annual salary amount currently is \$33,233. The same rationale used for the Chairman's salary was used for the Commissioners' salaries except the base amount is \$41,000 or 2½% higher than the \$40,000 recommended for Deputy Commissioner and Director of Regulatory Operations. By applying a 10% inflationary rate to the base salary of \$41,000 for the year 1981, the annual salary would be \$45,100 and a 10% inflation increase for 1982 would result in an annual salary of \$49,610.

DEPUTY COMMISSIONER - Currently unclassified. One position.

The annual amount currently is \$31,650. The study recommends a salary of \$40,000 using 1980 dollars. Using a 10% inflation factor for 1981 and 1982 as set out for the Commissioners the resultant salary for 1981 would be \$44,000 and for 1982, \$48,400.

ADMINISTRATIVE ASSISTANTS - Currently unclassified. Three positions.

The annual amount currently is \$21,100 for two positions and \$20,256 for the third position. The study did not specifically set out a salary range for these positions, therefore in those instances where no recommendations using 1980 dollars was set out, an inflationary rate of 15% was used for the year 1981 and 10% for 1982. The salary for 1981 would be \$24,265 and for 1982 \$26,692.

FINANCIAL ANALYST - 2 New Positions - Unclassified

The Commission has set requirements for this position to be a C.P.A. or have considerable financial and accounting experience on a state or federal utility regulatory staff. This position is responsible to interpret and research critical points of finance contained in each rate adjustment application upon receipt by the Commission. This position will prepare financial schedules showing the analysis of technical issues, such as revenue requirement variations, results of new security issues on cost of capital, generally accepted accounting treatment of various proposals, and other financial issues on the record. Assistance from this position would be required to review proposed Commission Opinions and Orders for proper technical expression so that affected parties could readily understand the order and comply therewith. The salary determination is comparable to the Senior Auditor salary, therefore the actual authorized salary of the Senior Auditor for 1980 of \$30,384 was used and in this instance an inflation factor of 15% for 1981 and 10% for 1982 was used, resulting in annual salaries of \$34,942 and \$38,436 respectively.

UTILITY OPERATIONS AND RATE SPECIALIST - New Position - Unclassified

The Commission has set requirements for this position to have demonstrated ability to interpret technical engineering terms and procedures in connection with utility applications for (1) Certificates of Public Convenience and Necessity, (2) Permits Under the Utility Environmental Protection Act (UEPA), (3) Electric Generating Plant Construction and (4) Adequacy of Plant Design to provide required utility service. This position would also provide research of service level trends and energy conservation developments as well as utility and transportation rate design techniques used in various federal and state regulatory jurisdictions. Information gathered as heretofore stated is intended to keep the Commissioners up to date and advised in the area of utility operations.

Assistance from this position would be required to properly express technical engineering phraseology in the text of Commission Opinions and Orders.

Recommendations from this position would assist in the determination for a utility management audit. The salary is comparable to the Financial Analyst salary. The base salary for 1980 of \$30,384 was used and in this instance an inflation factor of 15% for 1981 and 10% for 1982 was used, resulting in annual salaries of \$34,942 and \$38,436 respectively.

PUBLIC EDUCATION AND STATISTICAL ANALYST - New Position - Unclassified.

This position would require extensive knowledge of the practices and methods of presentation by the media; analyze technical and informational material prepared by others so that the information could be published in terms that could be understood by the general public.

This position would be unique in that it would be necessary to have statistics and general information available to answer the numerous questionnaires from concerned citizens, and federal agencies as well as to provide Commissioners with up-to-date statistical and economic information.

The base annual salary rate of \$26,000 in 1980 dollars applied to an inflation rate of 10% for 1981 would be \$28,600 and using an inflation rate of 10% for 1982 the amount would be \$31,460.

DIRECTOR OF REGULATORY OPERATIONS - New - One position - Unclassified.

The management study on page IV-10 expresses the basic role of the Regulatory Operations Staff, quoted as follows:

" - The Regulatory Operations Staff, headed by a strong Director, would focus principally on the analysis, presentation, and disposition of cases filed by jurisdictional enterprises, and on the pursuit of investigations and other endeavors ordered by the Commissioners."

Page IV-12 and IV-13 show the duties of the Director of Regulatory Operations and is quoted as follows:

" Director Of Regulatory Operations

- ° The position of Director of Regulatory Operations should be established to provide firm supervision and clear direction of all remaining staff divisions and their operations.
- ° The Director should be accountable to the Commissioners for:
 - Organizing and managing the staff in an effective manner
 - Providing thorough staff analysis of, and effective staff presentations regarding, all case filings and other matters brought before the Commission
 - Employing and retaining competent staff, consultant support, and other resources throughout the organization
 - Assuring coordination and collaboration among the various elements of the staff.
- ° The heads of all staff divisions should report to the Director, who should, in turn, be responsible for evaluating their performance.
- ° The position of Director should be held by an individual with extensive experience in regulatory operations, and with demonstrated, successful experience in managing an interdisciplinary professional staff."

The study recommends a salary of \$40,000 using 1980 dollars. Using a 10% inflation factor for 1981 and 1982 as set out for the Commissioners the resultant salary would be \$44,000 and \$48,400 respectively.

DATA PROCESSING SYSTEMS ANALYST - New - One position to be unclassified.

The study recommends this position should be assigned lead responsibility for staff assistance in the development of general management systems proposed within the study. This position should also have lead responsibility for the development and maintenance of a PSCN "Operations Manual", formally documenting recommended management and operating systems. This position should also be responsible for liaison with the State Data Processing organization, and for guiding the further introduction of data systems technology within the Commission. This position would have no staff to supervise, therefore the salary would be 5% lower than that of a major division manager. This would amount to \$34,091 using 1980 dollars. By applying a 10% inflation factor for 1981 and 1982 as set out for the Commissioners, the resultant salary would be \$37,500 and \$41,250 respectively.

ECONOMIST - Presently Classified - One position to be unclassified.

This position assists staff with research in rate design, economic forecasts and other economic factors that are encountered by staff in the regulation of utilities. This position would have no staff to supervise, therefore the salary would be 5% lower than that of a major division manager. This would amount to \$34,091 using 1980 dollars. By applying a 10% inflation factor for 1981 and 1982 as set out for the Commissioners, the resultant salary would be \$37,500 and \$41,250 respectively.

SECRETARY AND MANAGER OF ADMINISTRATIVE SERVICES - One position -

Presently classified - to be unclassified.

The Commission Secretary is a statutory position for the purpose of being the official custodian of the Commission's formal records. The Secretary keeps the historical records and administers the legal notice requirements for all proceedings before the Commission.

As manager of Administrative Services, the Secretary should provide leadership and direction to the numerous system improvement recommendations presented in the management study report, and should be accountable for their successful and timely implementation.

The annual salary amount currently is \$29,267. The study did not specifically set out a salary range for this position, therefore in this instance where no 1980 dollar amount was recommended, an inflationary rate of 15% was used for the year 1981 and 10% for 1982. The salary for 1981 would be \$33,657 and for 1982 \$37,023.

STAFF COUNSEL - Unclassified

This position has a vital and significant role to represent the Department in all proceedings before the Public Service Commission. Together with consultation with the Assistant Staff Counsel this position would render legal counsel to other members of the Department operations staff. This would permit a leadership role in the case management system proposed in the management study. As case manager, Staff Counsel must organize and coordinate not only the activities of the Assistant Staff Counsel but must be able to understand and represent the various divisions of the Department in technical matters before the Public Service Commission.

This position is clearly comparable to that of a major division head such as Manager, Audit and Financial Services, and Manager, Engineering Services. The current annual statutory salary is \$35,026 for Chief Auditor and in this instance an inflation factor of 15% for 1981 and 10% for 1982 was used, resulting in an annual salary of \$40,280 and \$44,308 respectively.

MANAGER AUDIT AND FINANCIAL SERVICES - Unclassified

This position is responsible for the overall direction and supervision of the division. This division has the major role in all rate increase cases

that are filed with the Public Service Commission. All accounting and financial matters involving jurisdictional companies must be studied by this division, with a recommendation for action to be initiated. There are 15 positions to supervise in technical regulatory and rate making activities. This position assigns each case to specific audit teams for investigation, audit or compliance with statutes or orders of the Public Service Commission.

No specific salary amount for this position was recommended in the management study, so the annual salary for 1980 of \$35,026 was used and in this instance an inflation factor of 15% for 1981 and 10% for 1982 was used, resulting in annual salaries of \$40,280 and \$44,308 respectively.

MANAGER - ENGINEERING SERVICES - Unclassified

This position is responsible for the overall direction and supervision of the division. The division must make studies and investigations to determine the adequacy of service and efficiency of utility operations. The division has major responsibility for cases involving Certificates of Public Convenience and Necessity and amendments thereto. Certificates of Public Convenience and Necessity determine the service area of utility companies. No salary was specifically recommended in the management study. It was determined that the salary for the Manager of Engineering Services should be the same as the salary for Manager of Audit and Financial Services of \$35,026 was used and in this instance an inflation factor of 15% for 1981 and 10% for 1982 was used, resulting in annual salaries of \$40,280 and \$44,308 respectively.

MANAGER CONSUMER SERVICES - Unclassified

This position has supervisory and action responsibility for the division. There will be a total of three consumer representatives in Carson City and three consumer representatives in Las Vegas. This division takes consumer complaints and inquiries concerning utility and transportation service as well

as rates. The position must be knowledgeable in all tariff and rate schedule provisions and be able to properly interpret the rules to consumers and regulated companies.

There was no specific recommendation for an annual salary by the consultants for this position. The annual salary was established in the range of \$28,000 using 1980 dollars. Applying a 10% inflation factor for 1981 and 1982 as set out for Commissioners, the resultant salary would be \$30,800 and \$33,880 respectively.

MANAGER TRANSPORTATION REGULATION - Unclassified

This position's responsibilities will be redirected to focus on analysis of motor carrier regulatory policy issues, active review of motor carrier certificates and rate case filings and preparation of staff proposals in Commission proceedings. This position is the liaison for the division with other divisions on transportation matters. No salary amount was specifically recommended by the management study. Therefore the actual salary for 1980 of \$26,639 was used and in this instance an inflation factor of 15% for 1981 and 10% for 1982 was used, resulting in annual salaries of \$30,635 and \$33,699 respectively.

MANAGER RATES AND TARIFFS - Unclassified

This position heads up a new division established to provide a focal point for review of rate schedules and tariffs prepared pursuant to Commission orders and maintaining current rate and tariff files. This function was previously under the Engineering Division. In addition to staff involvement in rate schedules and other tariff areas, the division will monitor and make recommendations with respect to utilities' compliance with the terms and conditions of all Commission Orders.

The management study did not specifically recommend an actual salary amount for this position. It was determined that this position was in the range of the engineering positions and was set at \$30,909 using 1980 dollars. An inflation factor of 10% for 1981 and 1982 was used, and resulted in annual salaries of \$34,000 and \$37,400 respectively.

ASSISTANT STAFF COUNSEL - Unclassified - 2 positions

These positions would assist with the workload of Staff Counsel. Every case before the Commission has a representation by staff as a party of record. The preparation time required under the case management system recommended in the management study, as well as assistance in rendering legal counsel to Regulatory Operations Staff, requires a minimum of three attorneys on staff.

As case manager, Assistant Staff Counsel must prepare each technical case in cooperation with Audit and Financial Services, Engineering Services and other divisions of the Department. This position is clearly comparable to that of the Senior Auditor or Engineer. The current annual statutory salary for Senior Auditor is \$30,384 was used and in this instance an inflation factor of 15% for 1981 and 10% for 1982 was used, resulting in annual salary of \$34,942 and \$38,436 respectively.

SENIOR AUDITOR - Unclassified - 4 Positions

Each of these positions serve as a team leader for audit or investigation assignments made by the Manager of Audit and Financial Services. The Commission has previously set requirements for this position to be a C.P.A. After the audits are performed, the staff must testify before the Commission as to the findings of the audit team. This position has a key role in rate proceedings. The management study did not specifically designate a salary for this position. Therefore the actual salary for 1980 of \$30,384 was used and in this instance an inflation factor of 15% for 1981 and 10% for 1982 was used, resulting in annual salaries of \$34,942 and \$38,436 respectively.

AUDITOR - Unclassified - 9 Positions

Each of these positions serves as a staff auditor on the team headed by a Senior Auditor, who individually travel to the utility's place of business and made the audit of the books and records of the utility. This position may be called upon to testify before the Commission as to the audit findings. The management study did not specifically set an annual salary for this position. Therefore the actual statutory salary for 1980 was \$27,641 was used and in this instance an inflation factor of 15% for 1981 and 10% for 1982 was used, resulting in annual salaries of \$31,787 and \$34,966 respectively.

ENGINEER, COMMUNICATIONS - Unclassified

ENGINEER, WATER - Unclassified

ENGINEER, ELECTRIC - Unclassified

ENGINEER, GAS, PIPELINE SAFETY - Unclassified

Each position has a special field of expertise designed to assist staff in the various aspects of utility service. They would be expert witnesses in Commission proceedings on subjects such as energy load management, construction adequacy and cost, and service improvements required for reasonable service to the public. No salary amount was specifically recommended by the management study. It was determined that the engineer positions should be the same as that set for Senior Auditors of \$30,384 using 1980 dollars and in this instance an inflation factor of 15% for 1981 and 10% for 1982 was used, resulting in annual salaries of \$34,942 and \$38,436 respectively.

SENIOR ANALYST - Unclassified

This position is to work under the Manager of Engineering Services to assist in the capacity planning, emergency management and load management projects on behalf of the regulatory operations staff. The annual salary for this position uses the same criteria as that of the auditor position with a salary amount of \$31,787 for 1981 and \$34,966 for 1982.

CONSUMER REPRESENTATIVE -Unclassified - 5 Positions - (3 in Carson City and 2 in Las Vegas)

This position receives complaints and inquiries directly from the general public. The complaints are checked against approved tariff provisions to determine if there is a violation of the tariff by the utility or if there is discrimination involved. Employees in these positions must be aware and be able to explain the regulatory process to the members of the public in general and in understandable terms. The annual salary was set at \$22,727 using 1980 dollars and by applying an inflation factor of 10% for 1981 and 1982, the resultant salary would be \$25,000 and \$27,500 respectively.

OFFICE MANAGER - CONSUMER REPRESENTATIVE (LV) - Unclassified

This position would assume the duties of Office Manager in Las Vegas. This position would also function as a Consumer Representative. The salary will be 5% higher than the Consumer Representative salaries due to supervisory responsibilities. The annual salary recommended is \$23,864 using 1980 dollars and applying an inflation factor of 10% for 1981 and 1982, the resultant salary would be \$26,250 and \$28,875 respectively.

UTILITY RATE SPECIALIST - Unclassified

This position is a technical expert on utility tariffs. As the tariffs are filed in accordance with Commission orders, it is the responsibility of this position to verify and interpret the conditions set forth in the tariff filings. Recommendations are made through the Manager of Rates and Tariffs for the basis of staff's position on each utility tariff filing. The consultants did not recommend a specific annual salary for this position, therefore the present annual rate of the Utilities Officer will be transferred to this

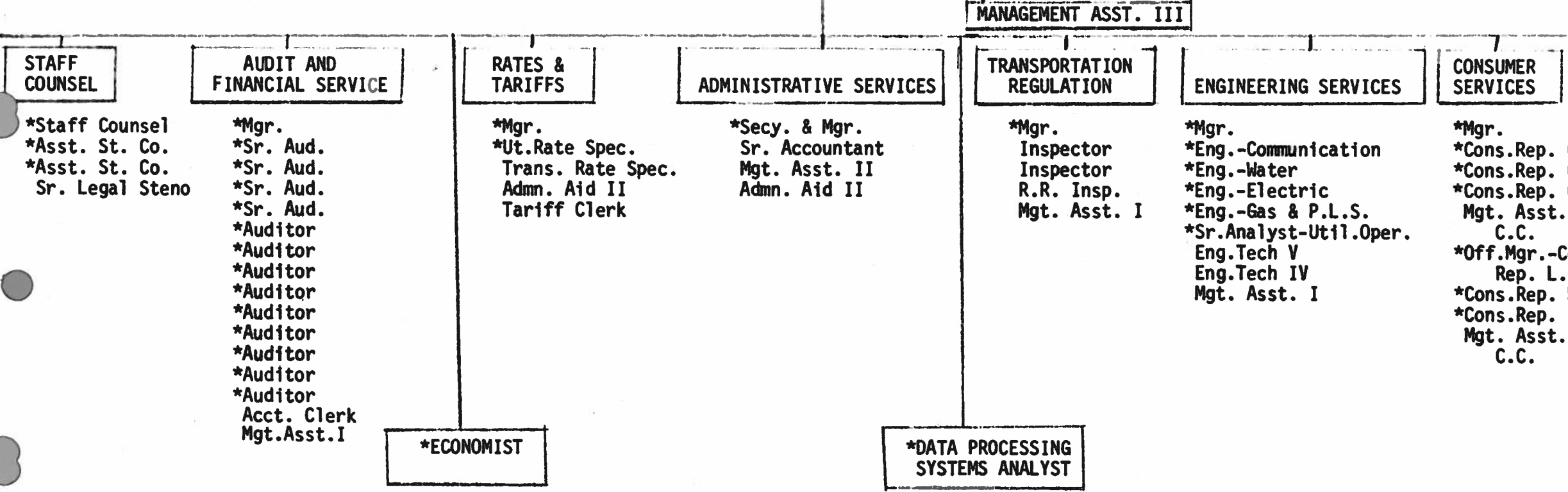
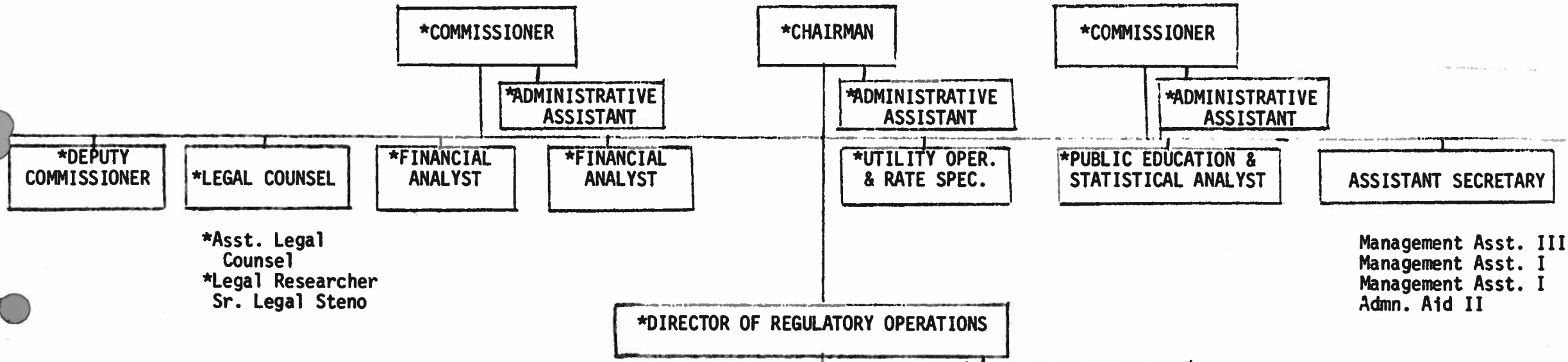
position. (The position of Utilities Officer will be deleted). The annual amount for 1980 was \$24,271 and applying a 15% inflation factor for 1981 and 10% for 1982, this will result in annual salaries of \$27,912 and \$30,703 respectively.

CONCLUSION - UNCLASSIFIED SERVICE

The introduction of higher salaries and unclassified service for staff auditors of the Public Service Commission was effectively made in the 1979 legislative session. Recruitment under unclassified service offering increased salaries resulted in over 137 applications being received within a four week period. The 1979 legislature made it possible for us to hire four well qualified, dedicated and impressive senior auditors who otherwise would not have been available.

The Public Service Commission staff lends itself well to unclassified service for professional and management employees. It is very helpful for building a qualified staff to allow the PSC to have the freedom to recruit, hire and retain its professional and management staff.

The beneficial results of the higher salaries and unclassified audit positions approved by the governor and legislature substantiate the need to further unclassify positions and increase salaries to assist in the implementation of an excellent plan of reorganization provided by the management study.



*Unclassified Positions - 51
 Classified Positions - 25
 Total 76

D

PUBLIC SERVICE COMMISSION OF NEVADA
Major Increased Expense Items
1981-83 Biennium

TRAVEL EXPENSE

02 - Out of State Travel

The Public Service Commission by its nature requires the Commissioners and Staff to be educated, updated, and trained in regulatory innovations used in other states. Practically all of the natural gas consumed in Nevada comes from outside the state. Electricity is produced in Nevada and some is sold to utilities outside the state. Electricity is also purchased from utilities outside the state. It is good business to keep informed and be able to discuss mutual problems with counterparts from other states at the National Association of Regulatory Utility Commissioners (NARUC) in order to do a better job here at home. The Commission hires professional experts who require continuing education courses in order to keep a valid license. Some of the meetings and courses are held in Nevada, but most are held outside the state. The budget request is very modest when compared to the benefits derived as a better informed Commission and Staff. The 1980-81 work program authorized \$13,500. We are recommending that \$27,450 be authorized for FY 1981-82 and \$30,195 for FY 1982-83.

There are 33 travelers that require out-of-state travel to keep up to date on changes in the national energy picture, new developments in rate, design and power load management as well as continuing education courses. All three Commissioners have been appointed to standing committees of NARUC and require travel to participate in NARUC courses and meetings in order to keep abreast of issues and information to accomplish good regulation under their direction and to make better decisions.

03 - In State Travel.

This travel category is used for Commissioners and Staff to preside and participate in:

1. Formal hearings held in various cities in Nevada;
2. Informal conferences to solve mutual problems of utility customers, utility practices and disputes over tariff provisions;
3. Audits of utilities and motor carriers whose books and records are located in Nevada;
4. Training sessions and seminars held in Nevada; and
5. Service and complaint investigations.

10 - Out of State Travel Audit.

This account is used much like a revolving fund in that out of state travel for audits of utilities whose records are located outside the state of Nevada are charged to this account. Subsequent to the audit trip the utility is billed for almost all of the cost of travel. With all Audit Staff positions filled and with increased emphasis being placed on compliance audits, the travel funds needed may exceed the unpaid billings to utilities by larger sums. A time difference between the actual travel and money received from utility reimbursement may reasonably expected to be 90 - 120 days. Fifteen thousand dollars (\$15,000) is needed to cover temporary cost of audit travel out of state.

04 OPERATING EXPENSE

Several changes are expected in operating expense costs included in the requested budget. Some operating costs result from changes in the number of employees, inflation, necessary and specific programs, moving of Carson City

office, and generally following the recommendations in the management study. The specific request by account uses the actual expenditures for the 1979-80 fiscal year as a base. This amount may be more or less than the budget figure.

During FY 79-80 the average number of employees was 61.67. The total number of employees requested in this budget is 76 including legal counsel. For purposes of estimating a budget figure and assuming that 75 positions would be filled during FY 81-82 and FY 82-83, some of the expense balances were brought to a FY 81-82 level of 75 employees before an inflation figure of 10% was applied to each fiscal year of the biennium. A more detailed explanation of each account is as follows:

7010 OFFICE SUPPLIES

The actual expended amount for FY 79-80 was \$7,348. An equivalent expenditure was calculated based on the FY 79-80 of 61.67 average employees to the expected 75 employees resulting in a new amount of \$8,936. Then by applying an inflation factor of 10% for FY 81-82 and 82-83 the requested amounts are \$9,830 and \$10,813 respectively.

7020 OPERATING SUPPLIES

The expended amount for FY 79-80 was \$8,177. An equivalent expenditure was calculated based on the FY 79-80 average employees of 61.67, to the expected 75 employees, resulting in a new amount of \$9,944. Then by applying an inflation factor of 10% for FY 81-82 and FY 82-83 the requested amounts are \$10,938 and \$12,032 respectively.

7030 COMMUNICATION - POSTAGE

The expended amount for FY 79-80 was \$10,141. Postage expense is not comparable to the number of employees of a given period. There will be a higher number of notices of filed cases sent out to interested members of the public and also the slight chance that postage rates may increase. A 10%

increase for additional business was used for each fiscal year of the biennium. The amount requested for 1981-82 is \$11,155 and for 1982-83 is \$12,270.

7031 COMMUNICATION - TELEPHONE EQUIPMENT

The expended amount for FY 79-80 was \$12,016. Telephone equipment costs for the Commission in the new office quarters will be almost the same as presently used during the 1979-80 fiscal year. The local service cost will be \$16.00/mo. per telephone for 75 telephones plus installation costs in the new building will be \$2,000. The FY 1981-82 requested amount will be \$16,400 and for FY 1982-83 the amount will be \$14,400.

7032 COMMUNICATION - TOLL

The expended amount for FY 79-80 was \$11,180. An equivalent expenditure was calculated based on the FY 79-80 average employees of 61.67 to the expected 75 employees, resulting in a new amount of \$13,596. Then by applying an inflation factor of 10% for FY 81-82 and FY 82-83, the requested amounts are \$14,955 and \$16,450 respectively.

7040 PRINT-STATIONERY

The expended amount for FY 79-80 was \$5,734. An equivalent expenditure was calculated based on the FY 79-80 average employees of 61.67, to the expected 75 employees, resulting in a new amount of \$6,974. Then by applying an inflation factor of 10% for FY 1981-82 and FY 82-83 the requested amounts are \$7,670 and \$8,437 respectively.

7041 PRINT-COPY COST

The expended amount for FY 79-80 was \$7,234. An equivalent expenditure was calculated based on the FY 79-80 average employees of 61.67, to the expected 75 employees, resulting in a new amount of \$8,798. Then by applying an inflation factor of 10% for FY 81-82 and FY 82-83, the requested amounts are \$9,678 and \$10,645 respectively.

7060 CONTRACTUAL SERVICES

The expended amount for FY 79-80 was \$115,942. It is projected that the full budgeted amount of \$178,000 will be spent in FY 80-81. The substantial increases in utility rates and charges has resulted in a public demand that all costs as well as efficiency in operations and management be more carefully scrutinized. Therefore, it is reasonable to expect that consulting services could increase to the level of \$200,000 per year over the next two years to assist the permanent staff in fulfilling its duties.

7070, 7071 OTHER CONTRACT SERVICES

The amount expended for FY 1979-80 was \$19,074. It is projected that expenditures for FY 1980-81 will be \$31,337.

The amount requested for purchase contracts on present equipment is expected to be maintained on a five year contract at the same rate. Presently the Commission uses an IBM word processor "System 6" to recall statistical data and some of the data control material, as well as presentation of Staff exhibits, testimony and opinions and orders of the Commission. We propose to replace the "System 6" with a more efficient and greater capacity word processing unit, the "Display Writer". The costs of the separate units are comparable. Maintenance of the existing equipment including calculators and typewriters are provided for on existing units with a 10% inflation factor on maintenance contracts. During FY 1981-82 existing furniture needs renovation at a cost of \$10,000.

The amount needed for contract services for FY 1981-82 is \$55,938 and \$47,255 for FY 1982-83.

(Schedule of equipment as follows:)

7070, 7071 OTHER CONTRACT SERVICES (Continued)

The amount expended for FY 1979-80 was \$19,074 (\$18,592 + \$482).

(7070) Purchase contracts needed to be maintained for FY 1981-82 are:

1 Copier III with collator @\$780/month	\$ 9,360
4 Mag Card II @\$763/month (group	9,161
1 Two Station Display Writer @\$760/month	9,120
6 Electronic "75" Typewriters @\$344/month	<u>4,128</u>
Total Purchase Contracts	\$31,769

(7070) Maintenance agreements needed for FY 1981-82 are:

9 Selectric Typewriters @\$73.50 each/year	\$ 662
1 Copier III with Collator @\$300/month	3,600
4 Mag Card II @\$612.50 each/year	2,450
6 Electronic "75" Typewriters @\$260 each/year	1,560
1 Two station Display Writer	<u>3,700</u>
Total Maintenance (1980 rates)	\$11,972
Increase 10% for inflation	<u>1,197</u>
Total Maintenance Agreements	<u>13,169</u>
Total Purchase and Maintenance Contracts	<u>\$44,938</u>

(7071) Maintenance of Calculators

25 @\$40/year	\$ 1,000
Renovating existing furniture	<u>10,000</u>
Total Account 7071	<u>\$11,000</u>
Total Contract Service <u>FY 1981-82</u>	<u>\$55,938</u>

Other Contract Services (7070) FY 1982-83	
Purchase Contracts same as FY 1981-82	\$31,769
IBM Maintenance Agreement FY 1981-82 (same)	\$13,169
Increase by 10% inflation	<u>1,317</u>
Total Maintenance Agreement	<u>\$14,486</u>
Total Purchase & Maintenance Agreement (7070)	\$46,255
Calculator repair 25 @\$40/year	<u>1,000</u>
	<u>\$47,255</u>

7080 7081 7082 LEGAL AND COURT EXPENSE

Legislation has been proposed to authorize the Public Service Commission to hire its own legal counsel. This budget proposal has been adjusted reflecting a transfer of Attorney General operating expense to Salary - Payroll. The amounts of \$38,773 for FY 81-82 and \$41,282 includes projected expenses for court reporters (\$11,434 FY 81-82 and \$12,577 FY 82-83) and publication of legal notices (\$27,339 FY 81-82 and \$28,705 FY 82-83). Court reporter expense for FY 79-80 was \$10,395 legal publication expense for FY 79-80 was \$24,410.

7100 STATE OWNED BUILDING RENT

The expended amount for FY 1979-80 was \$67,484. This amount covered both the Carson City office and the Las Vegas office. It is proposed that new offices for Carson City will be included under 7110 other building rent.

The plans in the management study would transfer from the Las Vegas office one employee to Carson City and two employees to Department of Motor Vehicles. This move would reduce the number of square feet required in Las Vegas.

The Commission's office in the Bradley Building in Las Vegas will require 1944 square feet at 41¢ per foot totaling \$9,564. Per instructions from the budget office the 1981-82 fiscal year should have an increase of 20% over FY

79-80 or \$11,477. Also that the increase for FY 82-83 should be 38% over FY 79-80 or \$13,198.

7110 OTHER BUILDING RENT

The expended amount for FY 1979-80 was \$1,218. This amount covered office rental in Elko and Fallon. Personnel in these cities will be transferred to DMV.

The Commission needs additional space in Carson City to carry out its business. No more space is available in the Kinkead Building in Carson City. Requests have been filed with Buildings and Grounds for additional space. Space needed on a gross basis is 18,000 square feet to accommodate the Commission and Staff in the Carson City office. At the rate of \$1.00 per square foot the annual amount for FY 81-82 would be \$216,000.

The 1979-80 equivalent to the \$216,000 needed for FY 81-82 would be \$180,000, and was used to apply the 38% (per budget instructions) increase resulting in \$248,400 needed for 1982-83 fiscal year.

7140 BUILDINGS AND GROUNDS MAINTENANCE

The expended amount for FY 79-80 was \$1,288.

An equivalent expenditure was calculated based on the FY 79-80 average employees of 61.67, to the expected 75 employees, resulting in a new amount of \$1,567. Then by applying an inflation factor of 10% for FY 1981-82 and FY 1982-83 the requested amounts are \$1,724 and \$1,896 respectively.

7210 EDP SYSTEMS CHARGES

The expended amount for FY 1979-80 was \$3,415.

For the 1981-82 fiscal year the EDP equipment rental and lease/purchase amounts needed is \$5,820 for FY 1981-82 and \$8,790 for FY 1982-83.

Additionally, the charges for systems analysis and programming, operations (supplies, computer system time), and system development for enhancement of

case management, motor carrier operating authorities and economic analysis with Commission precedent research capability will be \$45,000 for FY 1981-82.

The cost for providing the same EDP assistance for FY 1982-83 with the additional system development for tariff reviewing and fuel cost monitoring will be \$60,000. To summarize, \$50,820 is needed for 1981-82 and \$68,790 is needed for 1982-83.

7300 DUES & REGISTRATION

The amount expended for FY 1979-80 was \$8,089. Annual dues for the National Association of Regulatory Commissioners are \$690, and the annual dues for the Western Conference of Public Service Commissions are \$50. The total dues for these two organizations are \$740 for FY 1981-82 and by applying an inflation factor of 10% for FY 1982-83, the amount needed is \$814.

The Public Service Commission by its nature requires the Commissioners and staff to be educated, updated, and trained in regulatory innovations used in other states. It is good business to keep informed and be able to discuss mutual problems with counterparts from other states at seminars and training schools so that Public Service Commission employees can do a better job here at home. The Commission hires professional experts who require continuing education courses in order to keep a valid license.

There are 33 employees that require registration fees for training sessions to keep up to date on changes in the National energy picture, new developments in rate design and power load management as well as the continuing education courses.

The amount needed for FY 1981-82 is \$10,736 and \$11,810 for FY 1982-83.

7380 EMPLOYEE TRANSFER & MOVING COST

There was no amount expended for FY 1979-80 in this account. As explained in Account 7110 - Other Building Rent it is necessary for the PSC to move its

Carson City office from the third floor of the Kinkead Building to new office space in Carson City. An estimate from a certificated household goods carrier indicated the cost will be \$4,700. It is expected that the move should take place in July, 1981 therefore this item should be in FY 1981-82.

As outlined in the management study on page IV-28:

"Concurrently with efforts to improve the competitiveness of PSCN salaries, the Commission should also request legislative relief from current policies precluding the payment of job-site visits and relocation expenses.

- ° Securing a waiver of current requirements in this area should also be regarded as an important step toward the development of a first-class regulatory staff."

7380 EMPLOYEE TRANSFER & MOVING COSTS (Cont.)

The Commission concurs with this quote from the management study, to reimburse professional candidates and newly hired employees for a portion of their moving costs. This proposal is intended to be a "pilot" program to attract qualified and experienced professional employees to the Commission staff. During the time period of the 1981-83 biennium new professional employees will be needed. Two existing engineers will be eligible for retirement, thereby creating additional openings that will require interview travel reimbursement and moving cost for replacement personnel. It is assumed that seven new employee positions will require moving cost reimbursement for FY 81-82 and three new employees for FY 82-83. There will be three or four candidates for each position opening that could require reimbursement of interview travel costs for job-site visits. The average travel cost reimbursement for new employee candidates would be \$250 for transportation only. Approximately twenty-four interview and job-site visits would be required at \$250 each for a total of \$6,000 for FY 81-82. Approximately ten interview and job-site visits would be required for FY 82-83 at \$250 each or \$2,500 for FY 82-83.

The moving cost reimbursement for seven new employees at \$3,000 each for FY 1981-82 would be \$21,000. Three new employees requiring "moving cost" reimbursement for FY 1982-83 would be \$9,000.

The total amount needed in this account for FY 81-82 would be \$31,700 and 11,500 for FY 82-83.

SENATE AGENDA

COMMITTEE MEETINGS

Committee on FINANCE, Room 231.

Day FRIDAY, Date April 10, 1981, Time 8:00 a.m.

CHANGE OF AGENDA

1. Subcommittee Meeting on Mental Health and Mental Retardation.

PUBLIC SERVICE COMMISSION REGULATORY FUND - 3920

(Revised 4/07/81)	1979-80 Actual	1980-81 Work Program	-----1981-82-----			-----1982-83-----		
			Agency Request	Governor Recommends	Legislature Approved	Adj. Agency Request	Governor Recommends	Legislature Approved
Highway Appropriation	476,288	462,023	337,621	337,621		367,248	367,248	
Bal Fwd from old yr	1,226,897	1,132,463	1,132,463	1,132,463		560,068	501,951	
Bal Fwd to New year	(1,132,463)							
Excess property sales	456							
Refunds	13,492	2,353						
PSC Reg. Assessments	1,250,564	1,409,492	2,293,906	2,293,906		2,840,915	2,840,915	
PSC Application Fees	23,791	23,000	24,000	24,000		26,000	26,000	
PSC Taxi Cab Fees	11,502	9,000	11,500	11,500		13,000	13,000	
Federal Funds	14,080							
Federal Gas Pipeline Safety	15,873	21,452	15,800	15,800		17,000	17,000	
Xerox Service Fees	1,567	1,400	1,600	1,600		1,600	1,600	
Tow Truck License Fees	11,955	10,000	12,000	12,000		12,000	12,000	
Warehouse Permit Fees	515	700	500	500		500	500	
Federal Railroad Safety		15,998	14,670	14,670		15,118	15,118	
PURPA Program	100,000	200,000	182,700	182,700		182,700	182,700	
Total Funds Available	\$ 2,014,517	\$ 3,287,881	\$ 4,026,760	\$ 4,026,760		\$ 4,036,149	\$ 3,978,032	

Existing Positions

Chairman	U	1.00	34,815	1.00	46,200	42,522	1.00	50,820	42,522
PSC Commissioner	U	1.00	33,233	1.00	45,100	41,610	1.00	49,610	41,610
PSC Commissioner	U	1.00	33,233	1.00	45,100	41,610	1.00	49,610	41,610
Dpty Commissioner	U	1.00	31,650	1.00	44,000	36,081	1.00	48,400	36,081
Admin. Asst	U	1.00	21,100	1.00	24,265	24,054	1.00	26,692	24,054
Admin Asst	U	1.00	21,100	1.00	24,265	24,054	1.00	26,692	24,054
Admin Asst	U	1.00	20,256	1.00	24,265	24,054	1.00	26,692	24,054
Senior Auditor	U	1.00	30,384						
Financial Analyst	U			1.00	34,942	34,638	1.00	38,436	34,638
Elect. Engineer III		1.00	19,251						
Util. Oper & Rate Spec.	U			1.00	34,942	34,638	1.00	38,436	34,638
Sec-Admin Officer		1.00	29,267						
Asst. Comm Secretary		1.00	19,251	1.00	19,251	19,251	1.00	19,251	19,251
Mgmt. Asst III		1.00	16,458	1.00	16,461	16,461	1.00	16,797	16,797
Prin. Clerk Steno		1.00	12,588						
Mgmt. Asst I				1.00	13,161	13,161	1.00	13,737	13,737
Senior Legal Steno		1.00	11,867	1.00	12,398	12,398	1.00	12,962	12,962
Tariff Clerk		1.00	13,405	1.00	16,745	16,745	1.00	16,797	16,797
Staff Counsel	U	1.00	26,375	1.00	40,280	39,930	1.00	44,308	39,930
Ass't Staff Counsel	U	1.00	25,320	1.00	34,942	34,638	1.00	38,436	34,638
Mgr. Consumer Services	U	1.00	24,001	1.00	30,800	30,532	1.00	33,880	30,532

PUBLIC SERVICE COMMISSION REGULATORY FUND - 3920

	1979-80	1980-81	-----1981-82-----			-----1982-83-----		
	Actual	Work Program	Agency Request	Governor Recommends	Legislature Approved	Adj. Agency Request	Governor Recommends	Legislature Approved
Senior Accountant	1.00	22,768	1.00	23,168	23,168	1.00	23,168	23,168
Account Clerk	1.00	9,718	1.00	10,142	10,142	1.00	10,573	10,573
Management Asst. II	1.00	15,346	1.00	15,346	15,346	1.00	15,346	15,346
Sub-Total		471,386		555,773	535,033	600,643	536,992	
Mgr. Transp. Reg.	1.00	26,639	1.00	30,635	30,369	1.00	33,699	30,369
Inspector PSC	2.00	43,224	2.00	42,220	42,220	2.00	42,220	42,220
RR Safety Inspector	1.00	16,372	1.00	17,134	17,134	1.00	17,935	17,935
Util. Rate/ Tariff Sp. U	1.00	26,639	1.00	27,912	27,670	1.00	30,703	27,670
Mgr. Engineering Serv. U	1.00	34,620	1.00	40,280	39,930	1.00	44,308	39,930
Elect Engin. III	2.00	54,555						
Engineer - Comm U			1.00	34,942	34,638	1.00	38,436	34,638
Engineer - Elect. U			1.00	34,942	34,638	1.00	38,436	34,638
Mechanical Eng.	1.00	26,639						
Engineer - Water			1.00	34,942	34,638	1.00	38,436	34,638
Gas Util. Engineer	1.00	26,639						
Eng. - Gas Pipeline Safety U			1.00	34,942	34,638	1.00	38,436	34,638
Consumer Serv. Rep	2.00	36,127						
Consumer Serv. Rep Tr	1.00	16,952						
Consumer Serv. Rep	1.00	16,258						
Consumer Serv. Rep U			4.00	100,000	99,132	4.00	110,000	99,132
Mgr. Audit Fin. Serv. U	1.00	35,026	1.00	40,280	39,930	1.00	44,308	39,930
Auditor - PSC U	9.00	248,769	9.00	286,083	283,599	9.00	314,694	283,599
Senior Auditor PSC U	4.00	121,536	4.00	139,768	138,552	4.00	153,744	138,552
Senior Legal Steno	1.00	13,941	1.00	14,583	14,583	1.00	15,251	15,251
Management Asst I	5.00	61,738	5.00	60,464	60,464	5.00	62,532	62,532
Supervising Admin Aid	1.00	14,032	1.00	14,032	14,032	1.00	14,032	14,032
Admin Aid II Range B	1.00	9,495	1.00	9,904	9,904	1.00	10,338	10,338
Admin Aid II Range A	2.00	18,719	2.00	19,532	19,532	2.00	20,370	20,370
Transp. Rate Spec.	1.00	16,797	1.00	18,396	18,396	1.00	19,251	19,251
Economist - PSC	1.00	28,962						
Economist - U			1.00	37,500	37,174	1.00	41,250	37,174

PUBLIC SERVICE COMMISSION REGULATORY FUND - 3920

	1979-80 Actual	1980-81 Work Program	-----1981-82-----			-----1982-83-----		
			Agency Request	Governor Recommends	Legislature Approved	Adj. Agency Request	Governor Recommends	Legislature Approved
<u>Deleted Positions</u>								
Utility Officer	1.00	34,271						
Sr. Aviation Inspector	1.00	23,168						
Deprec. Eng. III	1.00	26,639						
Sr. Management Analyst	1.00	19,251						
<u>Transfer ro 4717 DMV</u>								
M/C Inspector	6.00	117,464						
Sub-totals	\$1,287,350	71.00						
<u>New Positions</u>								
Financial Analyst U			1.00	34,942	34,638	1.00	38,436	34,638
Public Educ/Stat. Anal U			1.00	28,600	28,351	1.00	31,460	28,351
Dir. of Reg. Operations U			1.00	45,100	41,610	1.00	49,610	41,610
D.P. Systems Analyst U			1.00	37,500	37,174	1.00	41,250	37,174
Manager Admin Svcs U			1.00	33,657	33,365	1.00	37,023	33,365
Manager Rates & Tariff U			1.00	36,689	36,370	1.00	40,358	36,370
Asst. Staff Counsel U			1.00	34,942	34,638	1.00	38,436	34,638
Senior Analyst U			1.00	31,787	31,511	1.00	34,966	31,511
Consumer Rep - CC U			1.00	25,000	24,783	1.00	27,500	24,783
Off. Mgr. Cons. Rep. LV U			1.00	26,250	26,022	1.00	28,875	26,022
Eng. Tech. V			1.00	16,053	16,053	1.00	16,797	16,797
Eng. Tech. IV			1.00	14,677	14,677	1.00	15,346	15,346
Management Asst III			1.00	12,284	12,284	1.00	12,842	12,842
Legal Counsel U			1.00	39,930	39,930	1.00	39,930	39,930
Asst. Legal Counsel U			1.00	34,638	34,638	1.00	34,638	34,638
Legal Researcher U			1.00	17,000	17,000	1.00	17,000	17,000
Sub-Total Payroll			\$2,063,313'	\$2,029,250'		\$2,233,489'	\$2,038,844'	

PUBLIC SERVICE COMMISSION REGULATORY FUND - 3920

	1979-80 Actual	1980-81 Work Program	-----1981-82-----			-----1982-83-----		
			Agency Request	Governor Recommends	Legislature Approved	Adj. Agency Request	Governor Recommends	Legislature Approved
Industrial Insurance	10,207	24,269	40,590	40,585		49,547	45,874	
Retirement	101,437	126,068	162,313	162,340		176,169	163,107	
Personnel Assessment	11,101	13,397	17,246	3,653		18,718	3,670	
Group Insurance	34,471	54,672	68,376	69,603		74,844	76,049	
Payroll Assessment CLA	4,475	5,515	7,101	4,667		7,708	4,689	
Retirement Group Ins.			---	2,435		---	2,447	
Unemployment Comp.	3,202	3,940	5,073	8,523		5,505	8,563	
Overtime Pay (non Holiday)	193							
Unallocated Salary		1,948						
Salary Adjust Need		(30,614)						
Terminal Sick Pay	3,000							
Terminal Annual Leave	14,567							
Communication Exp	219							
Salary Adj. Res Non G.F.			70,804	171,877		73,560	277,894	
Longevity Pay	6,650	7,964	7,939	7,939		8,952	8,952	
Total Salary - Payroll	\$1,476,872	\$1,783,017	\$2,442,755	\$2,500,872		\$2,648,492	\$ 2,630,089	
Total Out-of-State Travel	11,863	13,500	27,450	27,450		30,195	30,195	
Total In-State Travel	77,568	90,000	82,580	82,580		90,838	90,838	
Off Supplies & Expense	7,347	5,926	9,829	9,829		10,812	10,812	
Operating Supplies	8,177	8,492	10,939	10,939		12,033	12,033	
Communication Expense	34,280	29,897	43,471	43,471		44,082	44,082	
Print Duplicating Copy	13,238	15,685	17,348	17,348		19,083	19,083	
Insurance Expense	1,316	1,352	1,651	1,651		1,796	1,796	
Contractual Services	115,942	178,278	200,000	200,000		200,000	200,000	
Other Contract Service	19,074	11,855	55,938	55,938		47,255	47,255	
Legal and Court Expense	96,942	87,951	38,773	38,773		41,282	41,282	
State Owned bldg rent	67,484	65,258	11,477	11,477		13,199	13,199	
Other bldg. rent	1,219	143	216,000	216,000		248,400	248,400	
Maint of bldg & grnds	1,408	500	1,724	1,724		1,896	1,896	
EDP Sys. Progr Fac. Chg.	6,153	25,600	50,820	50,820		68,790	68,790	
Other Gov't service:	1,714							
Dues & Registrations	8,089	3,894	10,736	10,736		11,810	11,810	
Employee Transfer			31,700	31,700		11,500	11,500	
Total Operating Exp.	\$ 382,383	\$ 434,831	\$ 700,406	\$ 700,406		\$ 731,938	\$ 731,938	

PUBLIC SERVICE COMMISSION REGULATORY FUND - 3920

	1979-80 Actual	1980-81 Work Program	-----1981-82----- Agency Request	-----1981-82----- Governor Recommends	-----1981-82----- Legislature Approved	-----1982-83----- Adj. Agency Request	-----1982-83----- Governor Recommends	-----1982-83----- Legislature Approved
Off. Furniture & Equip	30,148	3,791	15,801	15,801		2,752	2,752	
Other Furniture & Equip	29							
Specialized Equipment	2,502							
Total Capital Outlay e.q.	\$ 32,679	\$ 3,791	\$ 15,801	\$ 15,801		\$ 2,752	\$ 2,752	
O/S Audits		10,000	15,000	15,000		15,000	15,000	
Per Diem Out of State	2,162							
M/P Out of State	25							
Public Trans Out-of-State	406							
Personal Vehicles Out-of-State	219							
Air Trans. Out-of-State	1,934							
Total for Sub Acct. 10	\$ 4,746	\$ 10,000	\$ 15,000	\$ 15,000		\$ 15,000	\$ 15,000	
PURPA		200,000	182,700	182,700		182,700	182,700	
Per Diem Out-of-State	1,406							
M/P Out-of-State	2							
Public Trans. Out-of-State	83							
Personal Trans. Out-of-State	495							
Air Trans Out-of-State	1,906							
Per Diem in State	589							
Motor Pool in State	15							
Public Transportation	16							
Air Transportation in State	1,663							
Communication Expense	142							
Communication Expense	23							
Contractual service	20,000							
Legal and Court Expense	768							
Legal and Court Expense	323							
Other building rent	50							
Dues & Registration	925							
Total for Sub Account 12	\$ 28,406	\$ 200,000	\$ 182,700	\$ 182,700		\$ 182,700	\$ 182,700	
Re-classification		87,111						
Reserve		665,631	560,068	501,951		334,234	294,520	
Total Agency Expenditures	\$2,014,517	\$3,287,881	\$4,026,760	\$4,026,760		\$4,036,149	\$3,978,032	

F

LEGISLATIVE PROPOSALS
FOR
SENATE FINANCE COMMITTEE

TO: Senate Finance Committee
FROM: Senator Wilson
RE: Education--reading, writing, math deficiencies
in primary and secondary school grades.

1. Senate Concurrent Resolution (BDR 1643) for legislative education study--see attachment--and naming committee members:

University of Nevada _____

a school principal _____

a primary teacher _____
(reading and writing)

a secondary teacher _____

Department of Education _____

Parent Teacher Association _____

Community College _____

legislator _____

legislator, chairman _____

2. Legislation (NRS 392.125) authorizing teacher and principal to retain and not promote a student. (see attachment)

3. Legislation requiring the Director of State Department of Education to review and make findings on:

A. the adequacy, standards and effectiveness of teaching programs in reading, writing and math

- 1) in primary and secondary schools
- 2) to advise school trustees
- 3) to advise school principals

and on:

- B. student retention and promotion policies and practices in primary and secondary schools in relation to the students' success or failure.

Legislative Proposals for
Senate Finance Committee
Page Two

4. Resolution--That the University of Nevada at Reno and Las Vegas, by its Board of Regents, determine minimum admissions standards for entering freshmen in the basic skills of reading, writing and math.
5. Legislation--That the University of Nevada at Reno and Las Vegas and the Nevada Community Colleges advise the Director of the Department of Education, the Board of School Trustees and superintendent and the principal of the high schools of those entering high school graduates who require "bonehead" english and who require remedial reading, writing or math courses.
6. Appropriate necessary funds to the budgets of the appropriate community colleges for courses in remedial or developmental reading, writing and math for students admitted to University of Nevada Reno and Las Vegas who require such courses.
7. Resolution--Encouraging the University of Nevada Reno College of Education to provide training sessions and workshops for teachers in instruction of reading, writing and math.
8. Resolution--That the University of Nevada Reno and Las Vegas provide leadership, guidance and the encouragement of minimum standards of academic achievement in Nevada's primary and secondary schools.

AMENDMENTS TO 392.125

RETENTION OF PUPIL IN SAME GRADE: TEACHER,
PRINCIPAL TO MAKE EFFORT TO MEET WITH PARENTS, GUARDIAN

Before any pupil enrolled in a public school may be retained in the same grade rather than promoted to the next higher grade for the succeeding school year, the pupil's teacher (or) and principal must make a reasonable effort to arrange a meeting and to meet with his parents or guardian to discuss the reasons and circumstances. The teacher and the principal in joint agreement shall have the final authority to retain a pupil in the same grade for the succeeding school year. The pupil shall not be retained more than one time in the same grade.

Note: [] brackets indicate deleted language
 underlined language is new language

2/18/81

SUMMARY--Directs legislative commission to study ways to improve reading and writing of pupils and students. (BDR 1643)

SENATE CONCURRENT RESOLUTION--Directing the legislative commission to study ways to improve the skills of pupils and students in reading and writing.

WHEREAS, There are significant indications that substantial numbers of high school graduates and students entering the University of Nevada are deficient in the skills of reading and writing, which warrant the concern of the legislature, the county school districts, the department of education, and the University of Nevada; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the legislative commission is hereby directed to study ways to improve the reading and writing of pupils and students in Nevada's public schools and the University of Nevada; and be it further

RESOLVED, That the study be conducted by a subcommittee composed of legislators and appropriate representatives of the county school districts, the department of education, including the state board of education, and the University of Nevada, including the community colleges; and be it further

RESOLVED, That the study include:

1. A review of the present methods used to teach reading and writing in the public schools of the state;
2. A review of the university's requirements and procedures for admission as they relate to skills in reading and writing;
3. An examination of the role and purpose of testing for competency in reading and writing in the public schools;
4. Recommendations regarding acceptable levels of performance in reading and writing for students entering the University of Nevada;

5. The identification of agencies responsible for coordinating the teaching of reading and writing within the state; and

6. A proposal designed to improve the reading and writing of Nevada's pupils and students, and a budget of the money needed to carry out this proposal; and be it further

RESOLVED, That the legislative commission make recommendations based on this study, from time to time during 1981 and 1982, to the governor, the University of Nevada, the department of education and the various county school districts; and be it further

RESOLVED, That the legislative commission report the results of the study and any recommendations for legislation to the 62d session of the legislature.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 21

SENATE BILL NO. 21—COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

JANUARY 20, 1981

Referred to Committee on Human Resources and Facilities

SUMMARY—Provides for formation of regional networks of
libraries. (BDR 33-73)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to regional networks of libraries; providing for agreements to form such regional networks for the purpose of facilitating regional cooperation, improved communications and sharing of resources among libraries; providing for the establishment of governing boards for regional networks; prescribing the powers and duties of such boards; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. Chapter 379 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 8, inclusive, of this act.
3 SEC. 2. *As used in sections 3 to 8, inclusive, of this act, "library"*
4 *includes public libraries, school libraries where authorized by school dis-*
5 *tricts, academic libraries, special libraries and the Nevada state library.*
6 SEC. 3. *The legislature declares:*
7 1. *That the state recognizes the desirability of supporting the exten-*
8 *sion of library services beyond the jurisdiction of any single library;*
9 2. *That the formation of a regional network of libraries is an effective*
10 *means of providing services beyond local boundaries; and*
11 3. *That all public libraries in this state should be linked to regional*
12 *networks to form a system of communications and provision of services*
13 *which will encourage cooperation and maximum use of available*
14 *resources.*
15 SEC. 4. 1. *The governing bodies of two or more libraries may enter*
16 *into an agreement to form a regional network of libraries for the purpose*
17 *of facilitating regional cooperation, improved communications and shar-*
18 *ing of resources. The purposes of the regional network may be furthered*
19 *by such activities as:*

1 (a) Developing and operating interlibrary systems to improve access to
2 dispersed library and information services.

3 (b) Applying new technologies for improved efficiency in the use and
4 availability of resources.

5 (c) Improving access to advanced research which will help increase
6 productivity and solve emerging problems of common concern.

7 2. An agreement to form a regional network of libraries is subject to
8 the provisions of the Interlocal Cooperation Act.

9 SEC. 5. 1. A regional network of libraries is governed by a board
10 consisting of one representative from each participating entity.

11 2. The board shall:

12 (a) Elect its own officers.

13 (b) Establish rules for its own governance and bylaws for the operation
14 of the regional network.

15 (c) Prepare an annual budget for the regional network.

16 (d) Develop, through a continuing process of planning, a master plan
17 for the regional network of libraries for the provision of regional services.
18 The master plan must be designed to extend 5 years into the future and
19 must be made current at least every 2 years.

20 SEC. 6. The governing board of a regional network of libraries has
21 primary responsibility for, and shall establish policies and procedures to
22 govern, library programs and activities which extend beyond the jurisdic-
23 tion of any single participating library. These programs and activities
24 include but are not limited to libraries, interlibrary loans, development of
25 data bases and utilization of new technologies for communication among
26 libraries.

27 SEC. 7. 1. Whenever a participating library seeks a grant of money
28 related to regional services from the state, the Federal Government or
29 another source, it must first submit the request to the governing board of
30 the regional network for review.

31 2. After review, the governing board of the regional network shall
32 forward the request to the granting agency along with its comments and
33 suggestions for priority. If the request is for a state grant, the granting
34 agency must consider the priority designated by the governing board.

35 3. The governing board may request and receive gifts or grants of
36 money from the state, the Federal Government or another source for
37 purposes of the regional network. Among requests for state grants,
38 requests from the regional network have priority over requests from par-
39 ticipating libraries.

40 SEC. 8. The governing board of a regional network of libraries may
41 enter into contracts with state agencies for:

42 1. The administration of grants of money for library purposes; and

43 2. The provision of library services,
44 in the region served by the regional network.

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

S. B. 22

SENATE BILL NO. 22—COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

JANUARY 20, 1981

Referred to Committee on Human Resources and Facilities

SUMMARY—Revises laws governing administration and financing of
libraries. (BDR 33-47)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: No.

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to libraries; revising the laws governing the establishment, administration and financing of the state library, public libraries and law libraries; providing for local and statewide master plans for public libraries; removing certain limitations on taxes and expenditures for library purposes; authorizing the issuance of bonds for county library districts; providing for greater public access to legal books and materials; and providing other matters properly relating thereto.

1 WHEREAS, Information is a local, state and national resource which
2 must be cultivated, organized and safeguarded as any other important
3 resource; and

4 WHEREAS, Publicly supported libraries of various types have been
5 established and maintained to provide free access to information and
6 related services for individual persons, business and industry, community
7 and professional organizations and government agencies and institutions;
8 and

9 WHEREAS, The public libraries and information centers of counties,
10 cities, towns and special districts provide materials for basic information,
11 circulation and reference and also act as centers for educational, recrea-
12 tional and cultural activities, serving Nevadans of all ages, local and
13 state government and private and public institutions and organizations;
14 and

15 WHEREAS, School libraries and media centers support and enrich the
16 curriculum of the public schools for pupils at all grade levels, promote
17 reading and teach pupils how to gain access to information as independ-
18 ent users of libraries; and

19 WHEREAS, The academic libraries of the University of Nevada System,
20 including libraries of the community colleges, are responsible for meeting
21 the educational and research needs of the faculty and students they serve

1 and also make their resources available to the general public, both
2 directly and through the state information network; and

3 WHEREAS, Special libraries provide materials to meet special needs in
4 specific subject areas such as law and medicine and in institutions such as
5 those for the mentally ill and for criminal offenders; and

6 WHEREAS, The Nevada state library is responsible for meeting the
7 informational and research needs of state government and for guiding
8 and coordinating the development of libraries and library services in the
9 state; and

10 WHEREAS, Certain changes in state law are needed to facilitate
11 improvements in the services these libraries provide; now, therefore,

12
13 *The People of the State of Nevada, represented in Senate and Assembly,*
14 *do enact as follows:*
15

16 SECTION 1. Chapter 378 of NRS is hereby amended by adding
17 thereto the provisions set forth as sections 2 and 3 of this act.

18 SEC. 2. 1. *The state librarian is responsible for the statewide pro-*
19 *gram of development and coordination of library and informational*
20 *services.*

21 2. *He shall:*

22 (a) *Collect, compile and publish statistics and information concerning*
23 *the operation of libraries in the state.*

24 (b) *Carry out continuing studies and analyses of library problems.*

25 (c) *Maintain a clearinghouse of information, data and other materials*
26 *in the field of library and informational services.*

27 (d) *Provide advice and technical assistance to public libraries, other*
28 *libraries, agencies of the state, political subdivisions, planning groups and*
29 *other agencies and organizations.*

30 (e) *Make available to public libraries advice and technical assistance*
31 *with respect to programs of public relations.*

32 (f) *Assist and cooperate with other state agencies and officials, local*
33 *governments, federal agencies and organizations in carrying out pro-*
34 *grams involving library and informational services.*

35 (g) *Encourage and assist the efforts of libraries and local governments*
36 *to develop mutual and cooperative solutions to problems with respect to*
37 *library and informational services.*

38 (h) *Administer such funds as may be made available by the legislature*
39 *for improvement of public library services, interlibrary cooperation or for*
40 *other library and information-transfer services.*

41 (i) *Subject to the approval of local governing bodies, designate certain*
42 *libraries as resource center libraries and develop and encourage coopera-*
43 *tive steps to link these centers with other libraries in a reference and*
44 *information network.*

45 3. *He may contract with agencies, organizations, libraries, library*
46 *schools, boards of education and universities, public and private, within*
47 *or outside the state, for library services, facilities, research or any other*
48 *related purpose.*

49 SEC. 3. *The state librarian shall develop:*

50 1. *Standards for public libraries which will serve as recommendations*

1 for those libraries with respect to services, resources, personnel and pro-
2 grams to provide sources of information to persons of all ages, including
3 handicapped persons and disadvantaged persons, and encourage continu-
4 ing education beyond the years of formal education. The standards must
5 take into account the differences in size and resources among the public
6 libraries of the state.

7 2. A statewide master plan for public libraries, including plans for
8 levels of library services and resources, which is developed through a
9 continuing process of planning in which representatives from public
10 libraries throughout the state participate. The master plan must be
11 designed to extend 5 years into the future and must be made current at
12 least every 2 years.

13 SEC. 4. NRS 378.080 is hereby amended to read as follows:

14 378.080 1. The state librarian is responsible for the Nevada state
15 library. [and the statewide program of development and coordination of
16 library and information services. His powers and duties shall be:

17 1. To administer] 2. He shall:

18 (a) Administer the state library in accordance with law and good library
19 practice.

20 [2. To withdraw] (b) Withdraw from the library collection and dis-
21 pose of any items no longer needed.

22 [3. To maintain] (c) Maintain the state library, including the
23 [selecting, acquiring, circulating] selection, acquisition, circulation and
24 [holding] custody of books, periodicals, pamphlets, films, recordings,
25 papers and other materials and equipment.

26 [4. To maintain] (d) Maintain a comprehensive collection and refer-
27 ence service to meet reference needs of public officers, departments or
28 agencies of the state, and other libraries and related agencies.

29 [5. To make] (e) Make and enforce [rules and] regulations neces-
30 sary for the administration, government and protection of the state library
31 and all property belonging thereto.

32 [6. To issue] (f) Issue official lists of publications of the state and
33 other bibliographical and informational publications as appropriate.

34 [7. To borrow] 3. He may:

35 (a) Borrow from, lend to, and exchange books and other library and
36 [information] informational materials with other libraries and related
37 agencies.

38 [8. To collect, compile and publish statistics and information con-
39 cerning the operation of libraries in the state.

40 9. To carry out continuing studies and analyses of library problems.

41 10. To maintain a clearinghouse of information, data and other mate-
42 rials in the field of library and information services.

43 11. To provide advice and technical assistance to public libraries,
44 other libraries, agencies of the state, political subdivisions, planning
45 groups and other agencies and organizations.

46 12. To assist and cooperate with other state agencies and officials,
47 local governments, federal agencies and organizations in carrying out pro-
48 grams involving library and information services.

1 13. To encourage and assist the efforts of libraries and local govern-
2 ments to develop mutual and cooperative solutions to library and infor-
3 mation service problems.

4 14. To contract with agencies, organizations, libraries, library
5 schools, boards of education and universities, public and private, within
6 or outside the state, for library services, facilities, research or any other
7 related purpose.

8 15. To accept,] (b) Accept, administer and distribute, in accord-
9 ance with the terms thereof, any [moneys,] money, materials or other aid
10 granted, appropriated or made available to the state library for library
11 purposes by the United States or any of its agencies or by any other
12 source, public or private.

13 [16. To administer such funds as may be made available by the leg-
14 islature for improvement of public library services, interlibrary coopera-
15 tion or for other library and information-transfer services.

16 17. To develop adequate standards for services, resources, personnel
17 and programs that will serve as a source of information and inspiration to
18 persons of all ages, including handicapped persons and disadvantaged
19 persons, and that will encourage continuing education beyond the years
20 of formal education.

21 18. Subject to the approval of local governing bodies, to designate
22 certain libraries as resource center libraries and develop and encourage
23 cooperative steps to link these centers with other libraries in a reference
24 and information network.]

25 SEC. 5. Chapter 379 of NRS is hereby amended by adding thereto
26 the provisions set forth as sections 6 to 8, inclusive, of this act.

27 SEC. 6. *It is the goal of the state's publicly supported libraries and*
28 *information centers to provide the resources and trained staff to meet the*
29 *informational needs of all citizens.*

30 SEC. 7. *The governing body of every public library in this state shall*
31 *develop, through a continuing process of planning, a master plan for the*
32 *library or libraries for which it is responsible, including plans for levels of*
33 *library services and resources, and shall submit the plan to the Nevada*
34 *council on libraries. The master plan must be designed to extend 5 years*
35 *into the future and must be made current at least every 2 years.*

36 SEC. 8. 1. *The board of trustees of a county library district may pro-*
37 *pose the issuance of general obligation bonds in an amount not to exceed*
38 *10 percent of the total last assessed valuation of the taxable property of*
39 *the district for the purpose of acquiring, constructing or improving build-*
40 *ings and other real property to be used for library purposes.*

41 2. *If the board desires the issuance of bonds, the proposal must be*
42 *submitted to the general obligation bond commission of the county in*
43 *which the district is situated, pursuant to the provisions of NRS 350.001*
44 *to 350.006, inclusive. If the commission approves the proposed issua-*
45 *ance, the question of issuing the bonds must be submitted to the registered*
46 *electors of the district in accordance with the provisions of NRS 350.010*
47 *to 350.070, inclusive. If a majority of the electors voting on the question*
48 *favors the proposal, the board of county commissioners shall issue the*
49 *bonds as general obligations of the county pursuant to the provisions of*
50 *the Local Government Securities Law.*

1 SEC. 9. NRS 379.005 is hereby amended to read as follows:
2 379.005 As used in [NRS 379.010 to 379.060, inclusive,] *this chap-*
3 *ter*, unless the context otherwise requires:

4 1. "County library" means a library established pursuant to NRS
5 379.010.

6 2. "District library" means a library established pursuant to NRS
7 379.021.

8 3. "*Public library*" means a county, district, city or town library, a
9 *group of libraries which have entered into an interlocal agreement or*
10 *any other library predominantly supported by public money.*

11 4. "Town library" means a library existing pursuant to NRS 379.-
12 023.

13 SEC. 10. NRS 379.010 is hereby amended to read as follows:

14 379.010 1. [Each] *The board of county commissioners of [the*
15 *several counties] each county may set apart a sum of money to be used*
16 *in the establishment and maintenance of a [free] public library in the*
17 *[county seat of each] county. [; and each] Each year thereafter the*
18 *board of county commissioners may set apart an amount of money [ade-*
19 *quately sufficient to maintain the same.] for the purpose of operating and*
20 *maintaining the library.*

21 2. The fund so created [shall be known as] *is the county library*
22 *fund.*

23 SEC. 11. NRS 379.020 is hereby amended to read as follows:

24 379.020 1. The board of county commissioners shall appoint five
25 competent persons who are residents of the county [, who shall be
26 known] *to serve as county library trustees. Three trustees shall hold*
27 *office for the terms of 1, 2 and 3 years respectively, and two trustees*
28 *shall hold office for terms of 4 years. Annually thereafter, the board of*
29 *county commissioners shall appoint one trustee who shall hold office*
30 *for a term of 4 years, except that in those years in which the terms of*
31 *two trustees expire, the board of county commissioners shall appoint two*
32 *trustees for terms of 4 years. County library trustees shall hold office*
33 *until their successors are appointed and qualified.*

34 2. No trustee may be appointed to hold office for more than two
35 consecutive 4-year terms.

36 3. All vacancies which may occur at any time in the office of county
37 library trustee [shall] *must be filled by appointment by the board of*
38 *county commissioners.*

39 4. County library trustees [shall] *serve without compensation [.] ,*
40 *except that the board of county commissioners may provide for com-*
41 *ensation in an amount of not more than \$40 per meeting, with a total*
42 *of not more than \$80 per month, and may provide travel expenses and*
43 *subsistence allowance for the members in the same amounts as are*
44 *allowed for state officers and employees.*

45 5. The board of county commissioners may remove any trustee who
46 fails, without cause, to attend three successive meetings of the trustees.

47 SEC. 12. NRS 379.021 is hereby amended to read as follows:

48 379.021 1. Whenever in any county a petition or petitions praying
49 for the formation of a county library district and the establishment of a
50 [free] public library therein setting forth the boundaries of the proposed

1 library district, certified by the district judge of any judicial district as
2 being signed by 10 percent of the taxpayers or by taxpayers representing
3 10 percent of the taxable property in the proposed county library district,
4 as shown by the last-preceding assessment roll of the county, is pre-
5 sented to the board of county commissioners of the county in which the
6 territory of the proposed county library district is situated, accompanied
7 by an affidavit or affidavits of one or more of the signers thereof that
8 the signatures thereto are genuine, the board of county commissioners
9 shall, at their next regular meeting after the petition or petitions are so
10 presented:

11 (a) Pass a resolution to the effect that a county library district with
12 properly defined boundaries is to be established and cause to be pub-
13 lished a notice thereof in a newspaper of general circulation within the
14 district once a week for a period of 2 weeks; and

15 (b) Allow 30 days after the first publication of the notice during
16 which all taxpayers of the district in which the district library is to be
17 situated **[shall]** have the right to file protests with the county clerk.

18 2. If the aggregate of protests is less than 10 percent of the taxpayers
19 voting in the last general election, the board of county commissioners
20 shall order the creation of such county library district and the establish-
21 ment of a **[free]** public library therein and levy taxes in support and con-
22 tinued maintenance of such library in accordance with subsection 5.

23 3. If the aggregate of protests is more than 10 percent of the tax-
24 payers voting in the last general election, the board of county commis-
25 sioners shall:

26 (a) Proceed no further with reference to the establishment of a county
27 library district without submitting the question to the voters; and

28 (b) Hold the election as soon as practicable and as nearly as may be
29 in accordance with the general election laws of the state.

30 4. If the majority of votes cast at **[such]** the election is against the
31 establishment of the county library district, **[it shall be deemed]** the
32 question is lost and the board of county commissioners shall proceed no
33 further. If the majority of votes is in favor of the county library district,
34 the board of county commissioners shall, within 10 days after such elec-
35 tion, order the creation of the county library district and establishment
36 of a **[free]** public library therein.

37 5. Upon the creation of a county library district and establishment
38 of a **[free]** public library therein, the board of county commissioners
39 shall, at the next time for levying taxes and in each year thereafter, at the
40 time and in the manner other taxes are levied, levy a tax upon all tax-
41 able property in the county library district **[of not more than 15 cents**
42 **in each \$100 valuation thereof,]** for the purpose of creating and main-
43 taining a fund known as the library fund.

44 SEC. 13. NRS 379.022 is hereby amended to read as follows:

45 379.022 1. After ordering the creation of a county library district
46 and the establishment of a **[free]** public library therein as provided in
47 NRS 379.021, the board of county commissioners shall appoint five com-
48 petent persons who are residents of such county library district **[who**
49 **shall be known]** to serve as district library trustees.

1 2. The term of office of the trustees appointed [after July 1, 1971,]
2 pursuant to subsection 1 is as follows:

3 (a) Three persons shall be appointed for a term of 2 years.

4 (b) Two persons shall be appointed for a term of 4 years.

5 Thereafter the offices of district library trustees shall be filled for terms
6 of 4 years in the order in which the terms expire. No person may be
7 appointed to hold office for more than two consecutive 4-year terms.

8 3. [A vacancy occurring because of the expiration of the term in any
9 office of district library trustee filled by election or appointment prior
10 to July 1, 1971, shall be filled by an appointment by the board of county
11 commissioners for a term of 4 years.

12 4.] A vacancy in the office of district library trustee which occurs
13 because of expiration of the term of office must be filled by appointment
14 by the board of county commissioners for a term of 4 years. A vacancy
15 which occurs other than by expiration of the term [shall] must be filled
16 by appointment by the board of county commissioners for the unexpired
17 term.

18 [5. District library trustees shall serve without compensation.]

19 4. The board of district library trustees may provide for compensa-
20 tion of members of the board in an amount of not more than \$40 per
21 meeting, with a total of not more than \$80 per month, and may provide
22 travel expenses and subsistence allowances for the members in the same
23 amounts as are allowed for state officers and employees.

24 [6.] 5. The board of county commissioners may remove any dis-
25 trict library trustee who fails, without cause, to attend three successive
26 meetings of the trustees.

27 SEC. 14. NRS 379.023 is hereby amended to read as follows:

28 379.023 1. Any free public library existing on July 1, 1967, which
29 was established in an unincorporated town pursuant to the provisions
30 of chapter 90, Statutes of Nevada 1895, or of NRS 379.070 to 379.120,
31 inclusive, may be maintained pursuant to NRS 379.005 to 379.040,
32 inclusive.

33 2. So long as such library is so maintained, the board of county
34 commissioners of the county in which such library exists shall each
35 year, at the time and in the manner other taxes are levied, levy a tax
36 [of not more than 15 cents on each \$100 of assessed valuation] upon
37 all taxable property in such unincorporated town for the purpose of
38 maintaining a fund to be known as the town library fund.

39 SEC. 15. NRS 379.025 is hereby amended to read as follows:

40 379.025 1. The library trustees of any county, district, [or] town
41 or other public library, and their successors, shall:

42 (a) Establish, supervise and maintain a library.

43 (b) Appoint a librarian.

44 (c) Hold and possess the property and effects of the library [and read-
45 ing room] in trust for the public.

46 [(b)] (d) In the case of a county library, submit annual budgets
47 to the board of county commissioners, containing detailed estimates of
48 the amount of money necessary for the operation and management of
49 the library for the next succeeding year.

1 [(c)] (e) In the case of a district or town library, prepare annual
2 budgets in accordance with NRS 354.470 to 354.626, inclusive.

3 [2. The library trustees may:

4 (a) Establish, supervise and maintain a library and reading room.

5 (b) Make purchases and secure rooms.

6 (c) Appoint a librarian and other officers and employ assistants.

7 (d)] (f) Establish bylaws and regulations for the management of
8 the library and their own management.

9 [(e)] (g) Manage all the property, real and personal, of the library.

10 [(f)] (h) Acquire and hold real and personal property, by gift,
11 purchase or bequest, for the library. [and reading room.

12 (g)] (i) Administer any trust declared or created for the library.
13 [and reading room.

14 (h)] (j) Maintain or defend any action in reference to the property
15 or affairs of the library. [and reading room.

16 (i)] 2. The library trustees may:

17 (a) Make purchases and secure rooms.

18 (b) Authorize the merger of a town or city library with a county
19 library district.

20 [(j)] (c) Do all acts necessary for the orderly and efficient manage-
21 ment and control of the library.

22 SEC. 16. NRS 379.027 is hereby amended to read as follows:

23 379.027 The librarian of any county, district or town library shall
24 administer all functions of the library, *employ assistants* and carry out
25 the policies established by the library trustees [.] , and may recommend
26 policies to the trustees.

27 SEC. 17. NRS 379.030 is hereby amended to read as follows:

28 379.030 1. All claims for indebtedness incurred or created by the
29 library trustees of any county, district or town library [shall:] must:

30 (a) Be audited and approved by a majority of the library trustees;
31 [and]

32 (b) Be presented to and acted upon by the board of county com-
33 missioners; and

34 (c) Be paid out of the appropriate library fund in the same manner
35 as claims against the county are presented, acted upon and paid.

36 2. [No indebtedness in excess of the amount provided for in NRS
37 379.010, 379.021 or 379.023, respectively, shall be incurred by the
38 library trustees or allowed by the board of county commissioners.] In
39 no case [shall] may any claim except for library and reading room pur-
40 poses be allowed or paid out of the appropriate library fund.

41 3. Any [moneys] money remaining in the county library fund on
42 June 30 of any year [shall revert] reverts to the general fund of the
43 county.

44 SEC. 18. NRS 379.060 is hereby amended to read as follows:

45 379.060 1. The library trustees of any county or district library
46 shall cooperate with and enter into contracts with the board of county
47 commissioners of any other county, or with any city or town in any other
48 county, or with any school district, when necessary to secure to the resi-
49 dents of such other county, or to the residents of such city or town in

1 such other county, or to the pupils of the school district, the same privi-
2 leges of the county or district library as are granted to or enjoyed by
3 the residents of the county or county library district, or such privileges
4 as may be agreed upon in the contract. The consideration agreed upon
5 [shall] *must* be specified in the contract, and [the same shall] *must* be
6 paid into the county or district library fund or a special fund for library
7 purposes of the county providing the service.

8 2. Any contracting county, city, town or school district may termi-
9 nate any such contract which may be entered into upon such terms as
10 may be agreed upon by the parties thereto.

11 3. Any county, city or town wherein a library has been established
12 may cooperate with and contract with the library trustees of any county,
13 district or town library to obtain for the residents of such county, city
14 or town an increase in library services or such privileges as may be
15 agreed upon.

16 4. The library trustees of any county or district library may cooper-
17 ate with and contract with the board of county commissioners of any
18 other county, relative to any phase of library service.

19 5. Any county, city or town contracting for such library service may
20 at any time establish a library for the use of its inhabitants, whereupon its
21 contract for such service may be continued or terminated on such terms
22 as may be agreed upon by the parties thereto.

23 6. The tax-levying body of any county, city or town contracting to
24 receive such library services [is authorized to] *may* budget for and levy a
25 tax [in an amount not to exceed 10 cents per \$100 of assessed valuation]
26 to meet the terms of the contract. The board of trustees of a school dis-
27 trict may budget to meet the terms of the contract.

28 7. The library trustees of the county or district library providing such
29 services may expend any amounts received in consideration of any such
30 contract in addition to the amount budgeted for the county or district
31 library.

32 [8. Any law which conflicts with the financial provisions of this sec-
33 tion shall not apply to any contract entered into under the provisions of
34 this section.]

35 SEC. 19. NRS 379.105 is hereby amended to read as follows:

36 379.105 [1.] The governing body of the city [shall determine
37 whether:

38 (a) To constitute itself] *is* the governing authority of the *city* library.

39 [; or

40 (b) To appoint a board of trustees as such governing authority.

41 2. If library trustees are appointed, they and their successors shall:

42 (a) Hold and possess the property and effects of the library and read-
43 ing room in trust for the public; and

44 (b) Submit annual budgets to the governing body of the city, contain-
45 ing detailed estimates of the amount of money necessary for the operation
46 and management of the library for the next succeeding year.

47 3. If appointed, the library trustees may:

48 (a) Establish, supervise and maintain a library and reading room.

49 (b) Make purchases and secure rooms.

- 1 (c) Appoint a librarian and other officers and employ assistants.
- 2 (d) Establish bylaws and regulations for the management of the library
- 3 and their own management.
- 4 (e) Manage all the property, real and personal, of the library.
- 5 (f) Acquire and hold real and personal property, by gift, purchase or
- 6 bequest, for the library and reading room.
- 7 (g) Administer any trust declared or created for the library and read-
- 8 ing room.
- 9 (h) Maintain or defend any action in reference to the property or
- 10 affairs of the library and reading room.
- 11 (i) Authorize the merger of a city library with a county library district.
- 12 (j) Do all acts necessary for the orderly and efficient management and
- 13 control of the library.] *The governing authority has the same powers and*
- 14 *duties with respect to the city library as district library trustees have with*
- 15 *respect to a district library.*

16 SEC. 20. NRS 379.106 is hereby amended to read as follows:

17 379.106 1. The governing authority of any city [free public] library

18 is authorized to establish with the city treasurer, as custodian, a special

19 fund, [which shall be] known as the "..... city library gift

20 fund." The moneys in such fund [shall] *must* be derived from all or any

21 part of any gift, bequest or devise, including the interest thereon. [Such]

22 *The gift fund [shall be] is a separate and continuing fund and no moneys*

23 *in [such fund shall] it revert to the general fund of the city at any*

24 *time.*

25 2. The moneys in a city library gift fund may be used for construc-

26 tion of new library buildings, capital improvements to library buildings,

27 special library services, or other library purposes. No expenditure from a

28 city library gift fund [shall] *may* be made until authorized by the gov-

29 erning authority.

30 3. The governing authority of a city [free public] library may invest

31 or reinvest all or part of the moneys in the city library gift fund in any

32 investment authorized for city and county moneys under chapter 355 of

33 NRS.

34 SEC. 21. NRS 379.107 is hereby amended to read as follows:

35 379.107 The librarian of any city [free public] library shall admin-

36 ister all functions of the library, *employ assistants* and carry out the poli-

37 cies established by the governing authority [.] , *and may recommend*

38 *policies to the governing authority.*

39 SEC. 22. Chapter 380 of NRS is hereby amended by adding thereto

40 the provisions set forth as sections 22 and 24 of this act.

41 SEC. 23. 1. *The state librarian shall adopt by regulation a list*

42 *of legal books and materials which are considered primary sources and*

43 *which he has determined should be available in every county to the inhab-*

44 *itants of that county.*

45 2. *Each board of county commissioners shall ensure that all of the*

46 *legal books and materials listed by the state librarian are available for use*

47 *during normal business hours by the inhabitants of the county, in either*

48 *the law library or a public library. The place where they are located must*

49 *be plainly marked as an area accessible to the general public.*

1 SEC. 24. *The librarian of any law library shall administer all func-*
2 *tions of the library, employ assistants and carry out the policies estab-*
3 *lished by the governing body of the library, and may recommend policies*
4 *to that governing body.*

5 SEC. 25. NRS 380.010 is hereby amended to read as follows:

6 380.010 1. The board of county commissioners of any county may
7 establish by ordinance a law library to be governed and managed by a
8 board of law library trustees in accordance with the provisions of this
9 chapter.

10 2. The board of county commissioners of any county with a popula-
11 tion under 20,000 may establish by ordinance a law library to be gov-
12 erned and managed as prescribed by the board of county commissioners
13 of that county. Such board may exercise or delegate the exercise of any
14 power granted to a board of law library trustees under this chapter.

15 3. Any law library established pursuant to subsection 2 is subject to
16 the provisions of NRS 380.110 and 380.130 to ~~380.200,~~ 380.190,
17 inclusive ~~[,]~~, and section 24 of this act.

18 SEC. 26. NRS 380.020 is hereby amended to read as follows:

19 380.020 1. Any law library established by ordinance as provided by
20 subsection 1 of NRS 380.010 ~~shall~~ must be governed and managed by
21 a board of law library trustees.

22 2. A board of law library trustees ~~shall~~ must consist of not less
23 than five nor more than seven members. The district judge ~~or judges~~
24 of the judicial district in which the county is situated ~~shall be ex-officio~~
25 or, if the district has more than one district judge, a maximum of three
26 district judges designated by all the judges of the district from among their
27 number, are ex officio trustees, and the board of county commissioners
28 shall appoint a sufficient number of trustees to complete the board ~~from~~
29 members of the bar of the county.], including at least two who are not
30 attorneys at law.

31 3. Appointive members of the board ~~shall~~ must be appointed by
32 the board of county commissioners at the first meeting of the board of
33 county commissioners in each January, ~~and shall~~ to serve for terms of
34 1 year.

35 SEC. 27. NRS 380.030 is hereby amended to read as follows:

36 380.030 The board of law library trustees, by a majority vote of all
37 the members recorded in the minutes with ayes and noes at length, ~~shall~~
38 have power:] may:

39 1. ~~To remove~~ Remove any trustee who ~~may neglect~~ neglects to
40 attend the meetings of the board, or who ~~may absent~~ absents himself
41 from such meetings.

42 2. ~~To fill~~ Fill all vacancies that ~~may~~ occur in the board from any
43 cause ~~.]~~, but the board must at all times include at least two persons
44 who are not attorneys at law.

45 SEC. 28. NRS 380.110 is hereby amended to read as follows:

46 380.110 1. Any ordinance of a board of county commissioners
47 establishing a law library under the provisions of this chapter ~~shall pro-~~
48 ~~vide~~ must require that, from the fees received by the county ~~clerks of~~
49 the several counties] clerk pursuant to chapter 19 of NRS, a sum ~~cer-~~
50 tain, as shall be] established by the ordinance, not exceeding [the sum

1 of] \$15 in any case, [shall be set aside] *must be allocated* by the county
2 clerk [, which shall be] *to a fund* designated as the law library fund.
3 [Such sum, as fixed by the ordinance, may be allocated by the ordinance]
4 *These allocations may be made* from the fees collected by the county
5 clerk for the commencement in or removal to the district court of the
6 county, of any civil action, proceeding or appeal, on filing the first paper
7 therein, or from the fees collected by the county clerk for the appearance
8 of any defendant, or any number of defendants, answering jointly or
9 separately, or from both of such sources as may be determined by the
10 ordinance.

11 2. All [moneys] *money* so set aside [shall] *must* be paid by the
12 county clerk to the county treasurer, who shall keep [the same] *it*
13 separate [and apart] in the law library fund. [Moneys]

14 3. *The board of county commissioners may transfer from the county*
15 *general fund to the law library fund such amounts as it determines are*
16 *necessary for purposes of the law library.*

17 4. *Money* in the law library fund [shall] *must* be:

18 (a) Expended for the purchase of law books, journals, periodicals
19 and other publications.

20 (b) Expended for the establishment and maintenance of the law
21 library. [at the county seat.]

22 (c) Drawn therefrom and used and applied only as provided in this
23 chapter.

24 SEC. 29. NRS 380.160 is hereby amended to read as follows:

25 380.160 The law library [shall] *must* be free [:

26 1. To the judiciary, without payment of dues.

27 2. To county officials of the county, without payment of dues.

28 3. To] *to* all inhabitants of the county. [, upon payment of such
29 dues and under such conditions as may be prescribed by rule or regula-
30 tion by a] *The board of law library trustees, or [by] the board of*
31 *county commissioners in a county having no board of law library*
32 *trustees [.] , may prescribe regulations imposing restrictions on the*
33 *privilege of borrowing books and materials from the library but may not*
34 *restrict the accessibility of the library to the general public.*

35 SEC. 30. NRS 380.190 is hereby amended to read as follows:

36 380.190 1. Whenever the board of county commissioners of any
37 county in which a law library has been established pursuant to the pro-
38 visions of this chapter [shall desire] *desires* to discontinue [such] *the*
39 law library, the board of county commissioners shall discontinue the law
40 library by the enactment of an ordinance. The ordinance [shall] *must*
41 provide for:

42 (a) The discontinuance of the law library.

43 (b) The transfer of the law library books to the chambers of the
44 district judge or judges of the county [.] *or to other appropriate loca-*
45 *tions in the county.*

46 (c) The keeping thereafter of such books in the judges' chambers [.]
47 *or other locations.*

48 (d) The transfer of all [moneys] *money* in the law library fund to
49 the county school district fund.

50 (e) The abolishment of the offices of law library trustees, if any.

1 2. After such an ordinance [shall take] takes effect, the county
2 clerk shall not set aside the fees provided for in NRS 380.110.

3 3. *The discontinuance of a law library does not alter the duty of*
4 *the board of county commissioners to provide, at a publicly accessible*
5 *location, all legal books and materials which the state librarian has*
6 *determined, pursuant to section 22 of this act, should be available in*
7 *every county.*

8 SEC. 31. NRS 380A.031 is hereby amended to read as follows:

9 380A.031 The Nevada council on libraries, consisting of [the state
10 librarian and] six members appointed by the governor, is hereby
11 created. The council is responsible to the governor and may make recom-
12 mendations to the legislature of the State of Nevada.

13 SEC. 32. NRS 380A.041 is hereby amended to read as follows:

14 380A.041 1. The governor shall appoint:

15 [1.] (a) Two members who are librarians in active service.

16 [2.] (b) Two members who are trustees of legally established librar-
17 ies or library systems.

18 [3.] (c) Two members who have an active and demonstrated inter-
19 est, knowledge and understanding of libraries and library service.

20 2. *A person may not serve as a member of the council for more*
21 *than two consecutive terms.*

22 SEC. 33. NRS 380A.061 is hereby amended to read as follows:

23 380A.061 The council shall elect a chairman *and a vice chairman*
24 *at the first meeting held after July 1 of each year. The state librarian*
25 *shall serve as [vice chairman and] secretary [.] of the council but is*
26 *not entitled to a vote. The secretariat [shall be] is the Nevada state*
27 *library, where all files and records of the council [shall] must be main-*
28 *tained.*

29 SEC. 34. NRS 380A.071 is hereby amended to read as follows:

30 380A.071 1. The council shall meet [not more than semiannually
31 or] *at least twice each year and, within the limits of legislative appropri-*
32 *ations, may hold additional meetings upon call of the chairman.*

33 2. Each member of the council is entitled to receive a salary of
34 \$40 for each day's attendance at a meeting of the council and the per
35 diem allowance and travel expenses provided by law.

36 3. Payments [shall] *must be made upon duly itemized and verified*
37 *claims approved by the state librarian from funds appropriated to the*
38 *Nevada state library.*

39 SEC. 35. NRS 380.200 is hereby repealed.

40 SEC. 36. This act is not intended to interrupt the existence of any
41 law library established by law before the effective date of this act.

42 SEC. 37. The master plans required by section 7 of this act must be
43 completed by July 1, 1983.

SENATE BILL NO. 26—COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

JANUARY 20, 1981

Referred to Committee on Human Resources and Facilities

SUMMARY—Revises provisions relating to distribution of official publications to libraries and governmental agencies. (BDR 17-49)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: Yes.

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to official publications; revising provisions for distribution of certain publications to libraries and governmental agencies without charge; providing for sale of certain publications at a reduced price; authorizing the preparation and distribution of microform copies of certain publications; requiring that executive orders be included in the Nevada Administrative Code; and providing other matters properly relating thereto.

- 1 WHEREAS, Access to public documents is important to the people of
2 this state; and
3 WHEREAS, Libraries are the principal establishments where public
4 documents are available to the general public; and
5 WHEREAS, It is in the interest of the state to make public documents
6 available to libraries without charge or at a reduced price; now, therefore,
7
8 *The People of the State of Nevada, represented in Senate and Assembly,*
9 *do enact as follows:*
10
11 SECTION 1. NRS 2.345 is hereby amended to read as follows:
12 2.345 1. The following persons and agencies are entitled to *receive,*
13 *automatically,* the supreme court decisions in pamphlet form without
14 charge:
15 [1.] (a) Each of the judges of the District Court of the United
16 States, one copy.
17 [2.] (b) The supreme court law library, two copies.
18 [3.] (c) Each state officer, district judge, district attorney, county
19 clerk, justice of the peace and police judge in this state, one copy.
20 [4.] (d) Each public library in this state, *including each branch*
21 *library and other library predominantly supported by public money,* one
22 copy.
23 [5.] (e) Each library in the University of Nevada System, one copy.
24 [6.] (f) *The Nevada state library, one copy.*

1 (g) *Each law library in this state, one copy.*

2 2. *The clerk of the supreme court annually shall notify each of the*
3 *following entities that it is entitled to the supreme court decisions in*
4 *pamphlet form without charge for the following year if it submits a*
5 *request for them, and the clerk must provide the decisions if they are*
6 *requested:*

7 (a) *The Nevada historical society, one copy.*

8 (b) *The libraries of the department of prisons, the Nevada mental*
9 *health institute, the Nevada youth training center and the Nevada girls*
10 *training center, one copy each.*

11 (c) *Each school district in this state, one copy for the library of each*
12 *high school of the district.*

13 (d) *Each newspaper published in this state, and each commercial tele-*
14 *vision and radio station transmitting in this state, one copy. [upon its*
15 *annual request therefor.]*

16 SEC. 2. NRS 218.460 is hereby amended to read as follows:

17 218.460 1. All requests for mailing or distribution of bills and legis-
18 lative publications [shall] *must* be filed with the director of the legisla-
19 tive counsel bureau who shall request the superintendent of the state
20 printing and records division of the department of general services to
21 print a sufficient number of bills and legislative publications to supply
22 the requests, together with such number as may be necessary for legisla-
23 tive requirements. The superintendent of the state printing and records
24 division shall print only that amount of bills and legislative publications
25 necessary for such requests and requirements.

26 2. Except as otherwise provided in this section, no bill or other legis-
27 lative publication [shall] *may* be distributed without payment therefor
28 of a sum fixed by the director of the legislative counsel bureau. Any per-
29 son, office or organization, except for those for which provision is other-
30 wise made in this section, may receive upon request free of charge in any
31 one calendar year a maximum of two copies of each individual bill or
32 resolution specified by bill or resolution number or of each daily history,
33 daily journal or index.

34 3. There is no limitation upon the number of bills or of such other
35 legislative publications, or copies of either, that may be distributed, free
36 of charge, to:

37 (a) Members of the legislature.

38 (b) The secretary of the senate and the chief clerk of the assembly for
39 the proper functioning of their respective houses.

40 (c) The legislative counsel bureau.

41 4. [Township, school and municipal] *School* officials may have dis-
42 tributed, free of charge, the number of copies of any bill or of such other
43 legislative publication that is approved by the legislative functions com-
44 mittee of either the senate or assembly.

45 5. The following persons shall, automatically, receive free of charge
46 in any 1 calendar year two copies of any bill or resolution or of any daily
47 history, daily journal or index, and additional copies upon approval of
48 the legislative functions committee of either the senate or assembly:

49 (a) Elected state officers.

1 (b) County clerks, district attorneys, sheriffs, treasurers, assessors,
2 recorders and auditors.

3 (c) Justices and the clerk of the supreme court.

4 (d) Judges and clerks of the district courts.

5 (e) *The Nevada state library.*

6 (f) *Public libraries in this state, including branch libraries and other
7 libraries predominantly supported by public money, libraries of the
8 University of Nevada System and law libraries in this state.*

9 (g) *The supreme court law library.*

10 6. *The director of the legislative counsel bureau shall, before each
11 regular session of the legislature, notify each of the following persons, offi-
12 ces [or] and organizations [, upon request, shall] that he or it is entitled
13 to receive free of charge in any one calendar year two copies of any bill
14 or resolution or of any daily history, daily journal or index [and] if he
15 or it submits a request for them, and the director must provide the copies
16 if they are requested. He shall also notify each of these persons, offices
17 and organizations that he or it may obtain additional copies upon approval
18 of the legislative functions committee of either the senate or assembly:*

19 (a) *Offices of other county officials.*

20 (b) *Offices of all state agencies and departments.*

21 (c) *Municipal officers.*

22 (d) *Districts and other governmental agencies.*

23 (e) *Justices of the peace.*

24 (f) *The Library of Congress.*

25 (g) *[County and city libraries and libraries of the University of
26 Nevada System.*

27 (h) *The Nevada State Library.*

28 (i) *The Nevada historical society.*

29 (h) *The libraries of the department of prisons, the Nevada mental
30 health institute, the Nevada youth training center and the Nevada girls
31 training center.*

32 (i) *Each school district in this state, for the library of each high school
33 of the district.*

34 (j) *Accredited members of the press.*

35 7. *The director of the legislative counsel bureau shall fix the cost of
36 such bills and publications, including postage, and such [moneys] money
37 as may be received by him [shall] must be remitted to the legislative
38 counsel bureau for deposit in the legislative fund. [Prior to] Before each
39 session of the state legislature, the director of the legislative counsel
40 bureau shall reanalyze the cost of such bills and publications, including
41 postage, and establish a cost schedule that, as nearly as practicable,
42 reflects the estimated cost to be incurred during the session.*

43 8. *The costs of such distributions, including postage, [shall] must
44 be paid from the legislative fund.*

45 SEC. 3. NRS 218.500 is hereby amended to read as follows:

46 218.500 1. *The secretary of state shall furnish to the superintendent
47 of the state printing and records division of the department of general
48 services, within 3 days from the time he receives each one from the gov-
49 ernor, after approval, a copy of all acts, joint and concurrent resolutions,
50 and memorials passed at each session.*

1 2. The director of the legislative counsel bureau shall:

2 (a) Distribute one copy of each act as printed to each county clerk,
3 district judge, district attorney and justice of the peace in the state.

4 (b) Immediately upon the adjournment of the session, collect and
5 have printed and bound advance sheets of all acts, resolutions and
6 memorials passed at the session.

7 (c) Distribute one copy of the advance sheets, without charge, to:
8 [each]

9 (1) Each justice of the supreme court, the attorney general [,] and
10 the state public defender; [, and to each]

11 (2) Each county clerk, district judge, district attorney, county public
12 defender, justice of the peace, city attorney and police or municipal judge
13 in the state [, deliver]; and

14 (3) The supreme court law library, the Nevada state library, each
15 library in the University of Nevada System, each public library in this
16 state, including each branch library and other library predominantly sup-
17 ported by public money, and each law library in this state.

18 (d) Deliver to the supreme court law library without charge a number
19 of copies of the advance sheets appropriate to secure the exchange of
20 similar publications from other states. [, and establish]

21 (e) Upon the conclusion of each regular session of the legislature,
22 notify the following entities that each is entitled to one copy of the
23 advance sheets without charge if it submits a request for them and the
24 director must provide the copies if they are requested:

25 (1) The Nevada historical society.

26 (2) The libraries of the department of prisons, the Nevada mental
27 health institute, the Nevada youth training center and the Nevada girls
28 training center.

29 (3) Each school district in this state, for the library of each high
30 school of the district.

31 (f) Establish the price at which the advance sheets [shall] will be sold
32 to other persons.

33 3. The legislative counsel shall, immediately upon the adjournment
34 of the session, prepare statutory tables and an index of all acts, resolu-
35 tions and memorials passed at the session.

36 4. The superintendent, upon receipt of the statutory tables and
37 index, shall prepare bound volumes of the Statutes of Nevada as pro-
38 vided in NRS 218.510.

39 SEC. 4. Chapter 220 of NRS is hereby amended by adding thereto the
40 provisions set forth as sections 5 to 7, inclusive, of this act.

41 SEC. 5. 1. Each of the following libraries is entitled to one complete
42 set of Nevada Revised Statutes without charge:

43 (a) The supreme court law library.

44 (b) The Nevada state library.

45 (c) Each law library in this state.

46 (d) Each library of the depository system of this state.

47 2. The director of the legislative counsel bureau shall distribute the
48 sets to the eligible libraries as soon as they become available and shall
49 provide replacement or supplementary pages, as issued, to each of those
50 libraries without charge.

1 3. Upon the conclusion of each regular session of the legislature, the
2 director shall notify each public library, including branch libraries and
3 other libraries predominantly supported by public money, and each
4 county and city in this state that it may purchase one complete set of
5 Nevada Revised Statutes at one-half the regular price, and the director
6 must provide the sets if they are requested. He shall provide replacement
7 or supplementary pages, as issued, at one-half the regular price for sets
8 purchased at half price pursuant to this section.

9 SEC. 6. 1. Each of the following libraries is entitled to one complete
10 set of the annotations to Nevada Revised Statutes and one set of the
11 digest of cases without charge:

12 (a) The supreme court law library.

13 (b) The Nevada state library.

14 (c) Each law library in this state.

15 (d) Each library of the depository system of this state.

16 2. The director of the legislative counsel bureau shall distribute the
17 sets to the eligible libraries as soon as they become available and shall
18 provide replacement or supplementary pages, as issued, to each of those
19 libraries without charge.

20 3. The director shall notify each public library, including branch
21 libraries and other libraries predominantly supported by public money,
22 and each county and city in this state that it may purchase one set of the
23 annotations and one set of the digest of cases at one-half the regular
24 price, and the director must provide the sets if they are requested. He
25 shall provide replacement or supplementary pages, as issued, at one-half
26 the regular price for sets purchased at half price pursuant to this section.

27 SEC. 7. 1. The legislative commission may direct that microform
28 copies of Nevada Revised Statutes, the annotations thereto and the
29 digest of cases, and corresponding sets of replacement or supplementary
30 pages as issued, be prepared for distribution to libraries.

31 2. If microform copies become available, the director of the legisla-
32 tive counsel bureau shall notify each public library, including branch
33 libraries and other libraries predominantly supported by public money,
34 that it is entitled to one microform copy of each publication, and cor-
35 responding replacement or supplementary pages, without charge if it
36 submits a request therefor, and the director must provide the copies if
37 they are requested.

38 SEC. 8. Chapter 223 of NRS is hereby amended by adding thereto
39 a new section which shall read as follows:

40 Whenever the governor issues an executive order, including an order
41 which amends or rescinds a previous order, he shall submit to the legis-
42 lative counsel a copy for incorporation into the Nevada Administrative
43 Code. This provision does not apply to proclamations.

44 SEC. 9. NRS 233B.062 is hereby amended to read as follows:

45 233B.062 1. It is the policy of this state that every agency regula-
46 tion be made easily accessible to the public and expressed in clear and
47 concise language. To assist in carrying out this policy, every permanent
48 regulation [shall] must be incorporated, excluding any forms used by
49 the agency, any publication adopted by reference, the title, citation of

1 authority, signature and other formal parts, in the Nevada Administra-
2 tive Code, and every emergency or temporary regulation [shall] *must*
3 be distributed in the same manner as the Nevada Administrative Code.
4 2. The legislative commission may authorize inclusion in the Nevada
5 Administrative Code of the regulations of an agency otherwise exempted
6 from the requirements of this chapter.

7 3. *The executive orders of the governor must be included in the*
8 *Nevada Administrative Code.*

9 SEC. 10. NRS 233B.065 is hereby amended to read as follows:

10 233B.065 1. The legislative counsel shall prescribe the numbering,
11 page size, style and typography of the Nevada Administrative Code. For
12 convenience of reproduction in the code, he may prescribe the same
13 matters in original agency regulations.

14 2. The legislative counsel shall prepare or cause the superintendent
15 of the state printing and records division of the department of general
16 services to prepare [four] *a number of sets of the Nevada Administra-*
17 *tive Code and of supplementary pages as required from time to time [,*
18 *which shall be kept respectively:] sufficient in his opinion to meet the*
19 *requirements of this section and shall provide one set without charge to:*

20 (a) [By the] *The secretary of state, to be kept as the master copy;*

21 (b) [By the] *The secretary of state for public use;*

22 (c) [By the] *The attorney general for his use and that of the execu-*
23 *tive department; [and]*

24 (d) [By the] *The legislative counsel for his use and that of the legis-*
25 *lature [.] ;*

26 (e) *The Nevada state library;*

27 (f) *The supreme court law library;*

28 (g) *Each law library in this state; and*

29 (h) *Each library of the depository system of this state.*

30 The legislative commission may direct the preparation of additional sets
31 or pages, or both, and specify the places where such sets or parts of sets
32 are to be kept and the uses to be made of them.

33 3. *The legislative counsel shall notify each public library, includ-*
34 *ing branch libraries and other libraries predominantly supported by public*
35 *money, that it may purchase one set of the Nevada Administrative Code*
36 *at one-half the regular price, and he must provide the sets if they are*
37 *requested. He shall provide supplementary pages, as issued, at one-half*
38 *the regular price for sets purchased at half price pursuant to this section.*

39 4. Each agency shall reimburse the legislative counsel bureau and
40 the state printing and records division of the department of general
41 services for their respective costs in preparing and keeping current that
42 agency's portion of the Nevada Administrative Code in the number of
43 copies required for agency, official and public use. [If additional sets
44 or pages are sold, the] *The legislative commission shall set sale prices*
45 *sufficient to recover at least the cost of production and distribution of*
46 *the additional sets or pages.*

47 SEC. 11. NRS 244.118 is hereby amended to read as follows:

48 244.118 1. Two copies of the county code [shall] *must* be filed
49 with the librarian of the supreme court law library after [such] *the code*
50 *becomes effective.*

1 2. The board of county commissioners shall provide, without charge,
2 one copy of the county code to:

- 3 (a) The Nevada state library.
- 4 (b) Each library in the University of Nevada System.
- 5 (c) Each law library in this state.
- 6 (d) Each public library located in the county, including branch libraries
7 and other libraries predominatly supported by public money.

8 SEC. 12. NRS 244.119 is hereby amended to read as follows:

9 244.119 1. The county code may, by ordinance regularly passed,
10 adopted and published, be amended or extended. All general ordinances
11 passed after the adoption of a county code [shall] must be amendments
12 or extensions thereof. No section of the code [shall] may be amended
13 by reference only, but the section, as amended, [shall] must be reen-
14 acted and published at length.

15 2. Three copies of any amendment or extension [shall] must be
16 filed with the county clerk and two copies of any amendment or exten-
17 sion [shall] must be filed with the librarian of the supreme court law
18 library.

19 3. The board of county commissioners shall provide, without charge,
20 one copy of each amendment or extension to each library which receives
21 a copy of the county code pursuant to the provisions of NRS 244.118.

22 SEC. 13. NRS 266.160 is hereby amended to read as follows:

23 266.160 1. The city council [shall have the power to] may codify
24 and publish a code of its municipal ordinances in the form of a municip-
25 al code, which [code] may, at the election of the council, have incor-
26 porated therein a copy of this chapter and such additional data as the
27 council [may prescribe.] prescribes. When [such a publication] the
28 code is published, two copies [shall] must be filed with the librarian of
29 the supreme court law library.

30 2. The ordinances in the code [shall] must be arranged in appropri-
31 ate chapters, articles and sections, excluding the titles, enacting
32 clauses, signature of the mayor, attestations and other formal parts.

33 3. The codification [shall] must be adopted by an ordinance which
34 [shall] must not contain any substantive changes, modifications or alter-
35 ations of existing ordinances and the only title necessary for the ordin-
36 ance [shall be] is "An ordinance for codifying and compiling the
37 general ordinances of the City of....."

38 4. The codification may, by ordinance regularly passed, adopted and
39 published, be amended or extended. Two copies of any amendment or
40 extension must be filed with the librarian of the supreme court law
41 library.

42 5. The city council shall provide, without charge, one copy of the
43 municipal code and one copy of each amendment or extension to:

- 44 (a) The Nevada state library.
- 45 (b) Each library in the University of Nevada System.
- 46 (c) Each law library in this state.
- 47 (d) Each public library in the county in which the city is located,
48 including branch libraries and other libraries predominantly supported by
49 public money.

1 SEC. 14. NRS 268.014 is hereby amended to read as follows:

2 268.014 1. The city council or other governing body of an incorpo-
3 rated city [shall have the power to] *may* codify and publish a code of its
4 municipal ordinances in the form of a municipal code, which [code]
5 may, at the election of the council or other governing body, have incor-
6 porated therein a copy of this chapter and such additional data as the
7 council or other governing body [may prescribe.] *prescribes*. When
8 [such a publication] *the code* is published, two copies [shall] *must*
9 be filed with the librarian of the supreme court law library.

10 2. The ordinances in the code [shall] *must* be arranged in appro-
11 priate chapters, articles and sections, excluding the titles, enacting
12 clauses, signature of the mayor, attestations and other formal parts.

13 3. The codification [shall] *must* be adopted by an ordinance which
14 [shall] *must* not contain any substantive changes, modifications or alter-
15 ations of existing ordinances, and the only title necessary for the ordi-
16 nance [shall be] *is* "An ordinance for codifying and compiling the
17 general ordinances of the City of....."

18 4. The codification may, by ordinance regularly passed, adopted and
19 published, be amended or extended. *Two copies of any admendment or*
20 *extension must be filed with the librarian of the supreme court law*
21 *library.*

22 5. *The city council or other governing body shall provide, without*
23 *charge, one copy of the municipal code and one copy of each amend-*
24 *ment or extension to:*

25 (a) *The Nevada state library.*

26 (b) *Each library in the University of Nevada System.*

27 (c) *Each law library in this state.*

28 (d) *Each public library in the county in which the city is located,*
29 *including branch libraries and other libraries predominantly supported by*
30 *public money.*

31 SEC. 15. NRS 269.168 is hereby amended to read as follows:

32 269.168 1. Two copies of the town code [shall] *must* be filed with
33 the librarian of the supreme court law library after [such code] *it*
34 becomes effective.

35 2. *The town board or board of county commissioners shall provide,*
36 *without charge, one copy of the town code to:*

37 (a) *The Nevada state library.*

38 (b) *Each library in the University of Nevada System.*

39 (c) *Each law library in this state.*

40 (d) *Each public library located in the county in which the town is*
41 *located, including branch libraries and other libraries predominantly sup-*
42 *ported by public money.*

43 SEC. 16. NRS 269.169 is hereby amended to read as follows:

44 269.169 1. The town code may, by ordinance regularly passed,
45 adopted and published, be amended or extended. All general ordinances
46 passed after the adoption of a town code [shall] *must* be amendments
47 or extensions thereof. No section of the code [shall] *may* be amended
48 by reference only, but the section, as amended, [shall] *must* be reen-
49 acted and published at length.

1 2. Three copies of any amendment or extension [shall] must be
 2 filed with the town or county clerk and two copies of any amendment or
 3 extension [shall] must be filed with the librarian of the supreme court
 4 law library.

5 3. The town board or board of county commissioners shall provide,
 6 without charge, one copy of each amendment or extension to each
 7 library which receives a copy of the town code pursuant to the provi-
 8 sions of NRS 269.168.

9 SEC. 17. NRS 269.605 is hereby amended to read as follows:

10 269.605 1. Copies of the ordinances of an unincorporated town
 11 [shall] must be available from the chairman of the town advisory board
 12 or from the county clerk.

13 2. If the ordinances are codified into a town code, the board of
 14 county commissioners shall provide, without charge, one copy of the
 15 town code and one copy of each amendment or extension to:

16 (a) The Nevada state library.

17 (b) The supreme court law library.

18 (c) Each library in the University of Nevada System.

19 (d) Each law library in this state.

20 (e) Each public library located in the county in which the town is
 21 located, including branch libraries and other libraries predominantly
 22 supported by public money.

23 SEC. 18. Chapter 345 of NRS is hereby amended by adding thereto
 24 a new section which shall read as follows:

25 1. The legislative commission may direct that microform copies of
 26 the Statutes of Nevada be prepared for distribution to libraries.

27 2. If microform copies become available, the director of the legisla-
 28 tive counsel bureau shall notify each public library, including branch
 29 libraries and other libraries predominantly supported by public money,
 30 that it is entitled to one microform copy of each volume available, with-
 31 out charge, if it submits a request therefor, and the director must provide
 32 the copies if they are requested.

33 SEC. 19. NRS 345.010 is hereby amended to read as follows:

34 345.010 Upon publication of the Statutes of Nevada, the director
 35 of the legislative counsel bureau shall distribute [them as follows:]
 36 without charge:

37 1. To each of the judges of the District Court of the United States
 38 for the District of Nevada, one copy.

39 2. To the supreme court law library, two copies.

40 3. To each justice of the supreme court, clerk of the supreme court,
 41 district judge, county clerk, district attorney, justice of the peace and
 42 police judge in this state, one copy.

43 4. To each public library in this state, including branch libraries and
 44 other libraries predominantly supported by public money, one copy.

45 5. To each library in the University of Nevada System, one copy.

46 6. To each law library in this state, one copy.

47 7. To the Nevada historical society, one copy.

48 [7.] 8. Upon request, to any state, county or municipal officer.

49 SEC. 20. NRS 345.020 is hereby amended to read as follows:

50 345.020 Upon receipt of copies of each volume of Nevada Reports

1 from the superintendent of the state printing and records division of the
2 department of general services, the director of the legislative counsel
3 bureau shall distribute [them as follows:] *without charge:*

4 1. To each of the judges of the District Court of the United States
5 for the District of Nevada, one copy.

6 2. The supreme court law library, two copies.

7 3. To each justice of the supreme court, clerk of the supreme court,
8 district judge, district attorney, county clerk, justice of the peace and
9 police judge in this state, one copy.

10 4. To each public library in this state, *including branch libraries and*
11 *other libraries predominantly supported by public money*, one copy.

12 5. To each library in the University of Nevada System, one copy.

13 6. *To each law library in this state*, one copy.

14 7. To the Nevada historical society, one copy.

15 [7.] 8. Upon request, to any state, county or municipal officer.

16 SEC. 21. NRS 345.120 is hereby amended to read as follows:

17 345.120 1. Each of the documents required by NRS 345.070, 345.-
18 090 and 345.100 [shall] *must* be distributed without charge to:

19 [1.] (a) The governor.

20 [2.] (b) Each elected state officer.

21 [3.] (c) Each member of the legislature.

22 [4.] (d) Each state department or other agency of the executive
23 branch.

24 [5.] (e) The clerk of each city and of each county.

25 [6.] (f) The legislative counsel bureau.

26 [7.] (g) Each public library in the state [.] , *including each branch*
27 *library and other library predominantly supported by public money.*

28 [8.] (h) Each library in the University of Nevada System.

29 (i) *The Nevada state library.*

30 (j) *Each law library in this state.*

31 2. *Each time these documents become available, the state planning*
32 *coordinator shall notify each of the following agencies that it is entitled*
33 *to a copy of each document without charge if it submits a request there-*
34 *for, and he must provide the documents if they are requested:*

35 (a) *The Nevada historical society.*

36 (b) *The libraries of the department of prisons, the Nevada mental*
37 *health institute, the Nevada youth training center and the Nevada girls*
38 *training center.*

39 (c) *Each school district in this state, for the library of each high school*
40 *of the district.*

41 SEC. 22. NRS 378.180 is hereby amended to read as follows:

42 378.180 1. Every state agency shall, upon release, deposit [a speci-
43 fied number of] 12 copies of each of its state publications *which was not*
44 *printed by the state printing and records division of the department of*
45 *general services* with the state publications distribution center to meet the
46 needs of the depository library system and to provide interlibrary loan
47 service to those libraries without depository status. [This distribution
48 shall be required only if sufficient funds are appropriated for the printing
49 of these materials.]

1 2. For each item printed by the state printing and records division
2 of the department of general services, ~~50~~ 12 additional copies ~~shall~~
3 ~~be authorized to~~ *must* be printed by the division, these to be collected
4 by the state publications distribution center and distributed to public and
5 university libraries within the state.

6 3. All city, county, *school district*, *special district* and regional
7 agencies shall, upon release, deposit at least ~~one copy~~ *six copies* of
8 each of its publications with the state publications distribution center and
9 a list of its publications for a calendar year.

10 SEC. 23. NRS 380.170 is hereby amended to read as follows:

11 380.170 The director of the legislative counsel bureau ~~is authorized~~
12 ~~to~~ *may* transmit to the county clerk of each county, for the use of the
13 law library established therein pursuant to the provisions of this chapter:

14 1. A copy of each publication provided in NRS 345.050 ~~.]~~ *for*
15 *which free distribution to law libraries is not provided by law.*

16 2. A copy of each volume of Nevada Reports and the Statutes of
17 Nevada theretofore published.

18 The legislative counsel bureau shall charge and collect for such
19 volumes the prices established pursuant to NRS 345.050.

20 SEC. 24. NRS 2.390 and 382.040 are hereby repealed.

