

MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON GOVERNMENT AFFAIRS

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
February 25, 1981

The Senate Committee on Government Affairs was called to order by Chairman James I. Gibson, at 2:02 p.m., Wednesday, February 25, 1981, in Room 243 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, Chairman
Senator Jean Ford, Vice Chairman
Senator Keith Ashworth
Senator Gene Echols
Senator Virgil Getto.
Senator James N. Kosinski
Senator Sue Wagner

STAFF MEMBERS PRESENT:

Frank Daykin, Legislative Counsel Bureau
Gary Crews, Legislative Counsel Bureau
Gerry Colquhoun, Legislative Counsel Bureau
Anne L. Lage, Committee Secretary

Chairman Gibson informed the committee that he had been working with a committee from the Las Vegas Valley Water District and the Colorado River Resources regarding changes that were necessary in the Southern Nevada Water Project legislation.

At present the law states that the total operating responsibility for the Southern Nevada Water Project will pass from the Colorado River Resources Board to the Las Vegas Water District on completion of the project. It appears that the project will probably not be completed on July 1, 1982. It will probably not be completed until October, 1982. Chairman Gibson suggested delaying this authority until after the next session at which time a decision will be made. The committee agreed to have a bill drafted which would extend the date from July 1, 1982 to July 1, 1983.

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BILL DRAFT REQUEST NO. C-914 (S.J.R. 26)

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

The committee agreed to submit this bill draft request for committee introduction.

SENATE BILL NO. 192

Allows travel and moving expenses to certain state employees recruited from outside state.

Mr. Jim Wittenberg, Personnel Administrator, testified that this bill would provide relocation expense for new employees which were hired outside the state in difficult to recruit or critical manpower shortage areas. He stated that the lack of being able to pay for relocation has resulted in losing top candidates. He testified that approximately 1 to 3 percent of the people employed would be subject to this provision. It would only affect the critical areas of necessary employees.

Mr. Wittenberg recommended deleting the language on page 1, line 4, "where no qualified resident of this state is available to fill a position" and substitute "in a critical or manpower shortage area".

Chairman Gibson inquired why there weren't any provisions which would require a relocated employee to work for the state for a certain length of time. Mr. Wittenberg stated that an amendment to this effect would not create a problem. It was agreed to include an amendment stipulating if an employee left the state of his own accord, he must reimburse the state for all relocation expenses which he had received.

Senator Wagner questioned if there were a set amount set aside for this expense. Mr. Wittenberg replied that the agency which hired the new employee would pay for the relocation expense. After consideration that this might pose a problem, it was agreed to include using the board of examiners contingency fund if necessary.

Senator Echols suggested including the word "maximum" before

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the phrase "expenses for travel" in line 10.

The committee also decided to delete subsection (c) of section 4 and insert "with the consensus of the board of examiners or its delegates" after the word hiring in section 4, subsection (a).

Mr. Fred Davis, Greater Reno Sparks Chamber of Commerce, testified that he was in support of this bill, but he also felt the necessity of a time requirement of service when relocation expenses were met. Mr. Davis concurred that a minimum of one year's service would be adequate.

Chairman Gibson stated that he would ascertain whether this bill would also apply to the University of Nevada system and if not, make certain that it did.

Senator Ford moved "Amend and Do Pass" on Senate Bill No. 192.

Senator Wagner seconded the motion.

The motion carried unanimously.

Chairman Gibson assigned Senator Wagner to get the amendments agreed upon and bring the amended bill back to the committee.

ASSEMBLY BILL NO. 61

Amends Planned Unit Development Law.

Mr. Jack Warnecke, Chairman Carson River Basin Council of Governments, testified that at the request of their membership, they developed the concept of the bill and received approval for it at the state convention for the Nevada Association of Counties. See Exhibit C.

Mr. Bob Sullivan, Executive Director Council of Governments, testified that the original sponsor of the bill was Senator Dodge. Mr. Sullivan explained that currently they have no statutory authority to have ordinances for urban industrial and commercial planning and developments, only residential.

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Mr. John Poole, Carson City Planning Director, testified that he was in support of this bill.

Senator Wagner inquired as to the origin of the definition of Planned Unit Development. Mr. Sullivan replied that the definition had come from the Legislative Counsel Bureau.

Chairman Gibson requested Mr. Frank Daykin, Legislative Counsel Bureau, to address the committee on specific portions of this bill which were not fully understood.

Mr. Daykin explained the definition of Planned Unit Development. A Planned Unit Development begins by being owned by one person. It is intended for sale in units to different purchasers, but at the end there will be one or more areas that are not sold to any individual purchaser but either retained by the developer or conveyed to some sort of association or non profit corporation of the unit owners, whether its for recreational area or in the case of an industrial development, possibly for a parking area.

Chairman Gibson questioned why there were inconsistencies in the phrases "controlled by one owner" and "controlled by a land owner". Mr. Daykin stated that there weren't any reasons for this and it should be consistent.

Seantor Ford referred to Nevada Revised Statute 278A.070 and questioned why the word "residential" had not been removed as it had in all the other parts of the bill. Mr. Daykin replied that this was a separate definition of residential developments.

Mr. Daykin explained that "one or more public areas" referred to an area such as a park. "Quasi-public" might be a park which was confined to the residents of that development. "Commercial or industrial" would mean that a Planned Unit Development could include a shopping center or an industrial area within a development.

On page 8, line 4, Chairman Gibson inquired as to the meaning of "must run in favor of the city or county". Mr. Daykin explained that this meant that provisions for restrictions on the use of land or location or the intensity of use ratio could not be changed by the various owners

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at any time unless the city or county gave their approval.

Mr. Bill McDonald, District Attorney Humboldt County, testified that Humboldt County used Planned Unit Developments as zoning tools so they could put restrictions on the use of property. He stated that he was in support of this bill.

Ms. Deanna Doughty, Nevada Home Builders' Association, testified that she was in support of the concept of this bill.

Chairman Gibson reviewed the proposed amendments to this bill. He requested Senator Kosinski to work out an amendment that would require regulations to be a part of an ordinance.

Senator Ford moved "Amend and Do Pass" on Assembly Bill No. 61.

Senator Kosinski seconded the motion.

The motion carried unanimously.

Chairman Gibson assigned Senator Kosinski to get the amendments to this bill.

ASSEMBLY BILL NO. 102

Establishes single gift fund in Department of Human Resources.

Mr. Gary Crews, Legislative Counsel Bureau Audit Manager, introduced Mr. Gerry Colquhoun, Legislative Counsel Bureau Auditor, who explained the reasons for Assembly Bill No. 102. See Exhibit D.

Mr. Colquhoun testified that the amendments adopted by the Assembly had been recommended by the Legislative Counsel Bureau. He presented a statement from Dr. Ralph DiSibio wherein the Department of Human Resources supported this bill. See Exhibit E.

Senator Ford moved "Do Pass" on Assembly Bill No. 102.

Senator Getto seconded the motion.

The motion carried unanimously.

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Chairman Gibson assigned Senator Ford to present this bill to the Senate.

SENATE BILL NO. 129

Makes certain revisions concerning certificates required on maps for certain divisions of land.

Chairman Gibson reviewed the amendments on this bill, and it was decided that it was in accord with the committee instructions.

SENATE BILL NO. 124

Revises provisions for reports of campaign contributions.

Senator Wagner explained that she felt this bill should be amended further to include a provision which would make it necessary for a candidate running without opposition to begin reporting expenses and contributions from the first reporting period rather than the second which is how it is now handled.

Chairman Gibson reviewed the amendments to the bill. The committee decided to process the bill without Senator Wagner's suggested amendment and then include it afterwards if the Kosinski amendment was adopted. The bill was to be brought back to the committee for further work at that time.

There being no further business, meeting was adjourned at 4:00 p.m.

Respectfully submitted by:



Anne L. Lage, Secretary

APPROVED BY:



Senator James I. Gibson, Chairman

DATE: 3/2/81

SENATE AGENDA

Revised 2/24/81

COMMITTEE MEETINGS

Committee on Government Affairs , Room 243 .

Day Wednesday , Date February 25 , Time 2:00 p.m. .

S. B. No. 192--Allows travel and moving expenses to certain state employees recruited from outside state.

Jim Wittenberg, Personnel Administrator
Bob Gagnier, State of Nevada Employee's Association

A. B. No. 61--Amends Planned Unit Development Law.

Jack Warnecke, Carson River Basin Council of Governments
Bob Sullivan, Carson River Basin Council of Governments
John Hoole, Carson City Planning Director

A. B. No. 102--Establishes single gift fund in department of human resources.

Ralph DiSibio, Director, Department of Human Resources



RESOLUTION 80-11

EXHIBIT C

RE: INDUSTRIAL/COMMERCIAL PLANNED UNIT DEVELOPMENTS (PUD'S)

PRESIDENT
JACK R. PETITTI
CLARK COUNTY

VICE-PRESIDENT
SAMMYE UGALDE
HUMBOLDT COUNTY

BOARD OF DIRECTORS

JERALD ALLEN
EDWARD ARNOLD
DONALD BARNETT
PETER L. BENGOCHEA
HENRY BLAND
SAM BOWLER
JAMES F. BURKE
JOHN C. CARPENTER
MAX CHILCOTT
WILLIAM FARR
BERT GANDOLFO
DOUGLAS HAYKINS
JOHN HAYES
KENNETH KJER
MARIO PERALDO
JOHN POLI
CHARLES A. VACCARO

EXECUTIVE SECRETARY
THALIA M. DONDERO
VALLEY BANK PLAZA
SUITE 1111
303 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

AFFILIATES

NEVADA DISTRICT ATTORNEYS ASSOCIATION
ROBERT MILLER, PRESIDENT

NEVADA FISCAL OFFICERS ASSOCIATION
W.W. GALLOWAY, PRESIDENT

WHEREAS, in implementing their growth management role, counties are being asked to review planned unit developments of a commercial or industrial nature; and

WHEREAS, such developments are new to Nevada and require implementation of specific local ordinances to administrate and regulate the proposed developments; and

WHEREAS, private investors wishing to construct such developments urge local governments to develop local ordinances toward which proposals are designed; and

WHEREAS, the authority for local governments to develop such ordinances lies within the Nevada Revised Statutes; and

WHEREAS, the Nevada Revised Statutes do not speak to industrial/commercial planned unit developments and this void places doubt as to if such developments are legal in Nevada;

NOW, THEREFORE, BE IT RESOLVED that the Nevada Association of Counties requests the 1981 State Legislature to adopt an industrial/commercial planned unit development statute for incorporation under Nevada Revised Statute Chapter 278.

PASSED AND ADOPTED this 15th day of November, 1980.

Jack R. Petitti
JACK R. PETITTI, PRESIDENT

ATTEST:

Thalia M. Dondero
THALIA M. DONDERO, SECRETARY

AUDIT DIVISION
HUMAN RESOURCES GIFT FUND
AB 102

EXHIBIT D

In August 1980 we presented an audit report to the Legislative Commission on the Mental Hygiene and Mental Retardation Division Administrative Offices. In that report we identified 13 gift funds within the Department of Human Resources. Ten of these funds have been created statutorily, and 3 have been established without statutory approval. In addition, we noted the statutory approval of 3 funds which have not been established in the Controller's FMIRS system.

Each of these funds has computerized reports automatically generated by the Controller's Office and subsequently distributed to the agency using the fund. The most common of these reports are the Budget Status Report (F03.0), and the General Ledger Trial Balance (F07.0). In addition, to a certain degree duplication of accounting and clerical work is required for each fund.

From an accounting standpoint, as well as economics, we would like to see all of the Human Resources gift and trust funds which fall within the Controller's system consolidated under one trust fund, with separate budget accounts still maintained at the division or agency level. Consequently, by each agency retaining their own budget account to separately identify gift monies related to their agency, control over such monies will also be maintained at the agency level.

AUDIT DIVISION
HUMAN RESOURCES GIFT FUND
AB 102
(continued).

We have discussed the BDR with the agencies affected and the Director's Office of the Department of Human Resources, and they support the proposed legislation.

The following agencies will be affected by the bill.

	<u>Sections</u>
Department of Human Resources	1
Nevada Youth Training Center	2
Nevada Girls' Training Center	3
Welfare Division	4
Northern Nevada Children's Home	5
Southern Nevada Children's Home	5
Rehabilitation Division	6, 14, 15
Aging Services Division	7
Youth Services Division	8
Mental Hygiene and Mental Retardation Division	9, 10, 11, 12
Health Division	13



STATE OF NEVADA
DEPARTMENT OF HUMAN RESOURCES

CAPITOL COMPLEX
ROOM 600, KINKEAD BUILDING
505 E. KING STREET
CARSON CITY, NEVADA 89710
TELEPHONE (702) 885-4730

DEPARTMENTAL
DIVISIONS
AGING SERVICES
HEALTH
MENTAL HYGIENE-
MENTAL RETARDATION
REHABILITATION
WELFARE
YOUTH SERVICES

ROBERT LIST
GOVERNOR

RALPH R. DISIBIO, Ed.D.
DIRECTOR

February 5, 1981

EXHIBIT E

MEMO #31

TO: ASSEMBLYMAN JOE DINI
MEMBERS OF THE ASSEMBLY
GOVERNMENT AFFAIRS COMMITTEE

FROM: RALPH R. DISIBIO, Ed.D. *R*

SUBJECT: A.B. 102

This bill is the result of the Legislative Counsel Bureau's review of the many gift funds of the several agencies of the Department of Human Resources. The intent of the bill is to simplify and provide easier accountability and tracking of these special funds. The changes this bill will make do not effect the authority over the funds, in that the proposed language specifically retains the appropriate agency head as the signator to actions involving the accounts within that agency's responsibility.

This bill will help the Legislature, the Department of Administration, and our office to better be able to review these accounts in that all of the gift accounts being in a single fund will be reported in one section of a fund report rather than being scattered throughout the many different types of funds. This action will reduce the chance of error through omission. We fully support this bill.

R.R.D.

RRD/lr

cc: Gary Cruse, LCB
Mental Hygiene/Mental Retardation
Rehabilitation
Welfare
Youth Services Division