

MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON GOVERNMENT AFFAIRS

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
March 4, 1981

The Senate Committee on Government Affairs was called to order by Chairman James I. Gibson, at 2:00 p.m., Wednesday, March 4, 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 Virgil Getto
Senator James Kosinski
Senator Sue Wagner

COMMITTEE MEMBER ABSENT:

Senator Gene Echols (Excused)

STAFF MEMBERS PRESENT:

Frank Daykin, Legislative Counsel
Anne Lage, Committee Secretary

SENATE BILL NO. 232

Terminates certain licensing boards and removes requirement for license for certain businesses and professions.

Chairman Gibson explained that this meeting was not being held to determine whether the boards or commissions mentioned in Senate Bill No. 232 should stay in existence. The purpose of this bill was to provide for sunset provisions to allow review of the justification of the existence of a regulatory board or commission. Chairman Gibson indicated that testimony should not be concerned with reasons for the existence of the given board or commission, rather with reasons for whether or not they should be reviewed.

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Senator Kosinski, Chairman of the interim committee on sunset review, testified that during the last interim, a committee reviewed three state agencies in a pilot project to determine whether or not the sunset review process was a useful one for the state of Nevada. He explained that the sunset mechanism was a process designed to force a review of agencies, not to force the termination of those agencies. The outcome of those reviews were considered to be very beneficial to the agencies involved, as well as the legislature.

Senator Kosinski testified that boards or commissions would not be terminated until July 1, 1983. This would give the next legislative session the time to review recommendations made during the interim. It would also allow the agencies opportunity to defend their existence through hearings before the 1983 legislature.

Senator Kosinski noted a letter he had received from Albert Cartlidge, Certified Public Accountant, wherein Mr. Cartlidge stated his support of the sunset review process with concerns only for some of the mechanics of the bill. See Exhibit C.

Mr. Errol Hill, Secretary-Treasurer Nevada State Board of Architecture, testified that he agreed with the concept of the sunset review process, but felt the way the bill was written was "heavy handed".

Mr. George Anamoto, member of the Nevada State Board of Architecture, testified in defense of the need of the Nevada State Board of Architecture.

Mr. Chuck Saldino, President of the Board of Landscape Architecture, testified that they were not adverse to being reviewed. His board felt that the review process would be beneficial, but the language of section 1 had caused concern among the board's members. See Exhibit D and Exhibit E.

Mr. Tom Cooke, General Counsel for the Nevada State Contractor's Board, testified about the history of this board. He stated that his board would welcome being reviewed, but they did not like the "sword of Damocles" hanging over them by a hair. He did not like the language of the bill which would automatically terminate their board unless another bill was

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introduced to keep it in existence.

Mr. Charles Thomas, Secretary of the Nevada State Contractor's Board, testified that he reviewed the contents of Senate Bill No. 171 with his members. They were in support of the review process, but uncertain as to the meaning of Senate Bill No. 232. He felt that testimony regarding this bill had clarified the purpose of the sunset review process.

Mr. David Hoy, Attorney for the State Board of Professional Engineers, testified that he had fears that the 1983 legislature might get bogged down and the boards specified could be terminated due to lack of legislative action. He also mentioned that he has already had phone calls from out of state engineers questioning if their board was to be abolished. He believed that the provisions of this bill would cause engineers to avoid registering for their licenses if this bill would become a law. For that reason he was not in support of Senate Bill No. 232. However, he had no objection to being reviewed under the criteria of Senate Bill No. 171.

Mr. Charlie Johnson, member of the southern Nevada Home Builder's Association, testified about his concern over the terminating provisions of Senate Bill No. 232.

Mr. John Rhoads, President of the Nevada State Board of Accountancy, testified that he was in favor of accountability. He agreed with the concept and values of the sunset review process. However, he did not like the threatening language of this bill. He was also in opposition to the random selection of the boards to be reviewed.

Senator Kosinski responded to the concerns expressed regarding the forced date of termination. He explained that this was an action forcing device which was successfully used in other states. He also stated that the random selection process was used to avoid the problem of certain agencies feeling that they were being picked on.

Mr. Melvin Brunetti, General Counsel for the Nevada State Board of Accountancy, testified that Senate Bill No. 232 was a very complex, negative piece of legislation. He believed it would be more positive to amend Senate Bill No. 171 to include the specified boards mentioned in Senate Bill No. 232.

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Mr. John Butler, Nevada State Board of Engineers, testified that he would rather have section 1 read, "unless reviewed and approved for continuation by the review commission, the following boards shall be terminated on July 1, 1983".

Mr. Robert Weber, Director of Building and Zoning for Clark County, testified that the passage of Senate Bill No. 232 would cause confusion with the public perception and interpretation of this legislation. He stated that his agency would be faced with many problems if this bill passed.

Mr. R. N. Beatty, Nevada Association of Collection Agencies, testified that he was not in support of Senate Bill No. 232.

Mr. Rod Barbash, past President of the Nevada Collection Association, testified that he felt the agencies should be reviewed first and then terminated if that was necessary.

Chairman Gibson thanked those in attendance for voicing their opinions to the committee. He stated that consideration would be given to their concerns by the committee when they acted on this bill. He then requested Senator Kosinski to meet with Mr. Frank Daykin to try to come to a decision on how Senate Bill No. 232 might be amended, or if it would be possible to amend Senate Bill No. 171 to accomplish the sunset review process.

ASSEMBLY BILL NO. 143

Removes duplicative and obsolete statutory provisions concerning membership on certain state boards, commissions and similar bodies.

Mr. Frank Daykin, Legislative Counsel, explained the reasons for this bill.

Senator Wagner moved "Do Pass" on Assembly Bill No. 143.

Senator Getto seconded the motion.

The motion passed unanimously. (Senator K. Ashworth was absent for the vote.)

Chairman Gibson assigned Senator Getto to handle this bill on the floor.

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Senator Keith Ashworth asked the committee to consider having a bill drafted which was related to vacation or abandonment of streets or easements; providing that there should be no payment required for reversion of of vacated streets that were acquired by dedication.

The committee agreed to submit this to the bill drafters and have it be introduced by the committee.

BILL DRAFT REQUEST 22-1117 (S.B. 368)

Revises certain procedures for approval and payment of claims by metropolitan police departments.

BILL DRAFT REQUEST ~~22~~-1116 (S.C.R. 32)

Continues standing committee through interim to conduct studies.

Upon the request of the Chairman, the committee agreed to submit these bill draft requests for committee introduction.

SENATE BILL NO. 88

Clarifies requirements for reporting campaign contributions and expenses.

Senator Wagner moved "Do Pass" on Senate Bill No. 88.

Senator Ford seconded the motion.

The motion passed unanimously.

SENATE BILL NO. 124

Revises provisions for reports of campaign contributions.

Senator Keith Ashworth moved "Indefinite Postponement" on Senate Bill No. 88.

Senator Getto seconded the motion.

The motion failed to carry. (Senators Ford, Kosinski and Wagner voted "No".)

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SENATE BILL NO. 268

Limits local control over location of housing for mentally handicapped persons.

Senator Ford moved "Do Pass" on Senate Bill No. 268.

Senator Kosinski seconded the motion.

The motion passed unanimously.

Chairman Gibson advised the committee that the committee meeting on Monday, 3/9/81, would be held in Room 131.

There being no further business, meeting was adjourned at 4:50 p.m.

Respectfully submitted by:

Anne L. Lage
Anne L. Lage, Secretary

APPROVED BY:

James I. Gibson
Senator James I. Gibson, Chairman

DATE: 3/9/81

EXHIBIT A

SENATE AGENDA

REVISED 2/26/81

COMMITTEE MEETINGS

Committee on Government Affairs, Room 243.

Day Wednesday, Date March 4, Time 2:00 p.m.

S. B. NO. 232--Terminates certain licensing boards and removes requirement for license for certain businesses and professions.

A. B. NO. 143--Removes duplicative and obsolete statutory provisions concerning membership on certain state boards, commissions and similar bodies.

Mr. Frank Daykin, Legislative Counsel

ATTENDANCE ROSTER FORM

COMMITTEE MEETINGS

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EXHIBIT B

PLEASE PRINT NAME	PLEASE PRINT ORGANIZATION & ADDRESS	PLEASE PRINT TELEPHONE
Ken Brown	3355 Spring Mt. #45 Las Vegas	871-1378
TONY TACAMINA	WASHOE COUNTY 1205 MILL	785-4214
SCOTT WADSWORTH	NECA SERVICES	3596373
John Baker	Baker Elec Contrs Co	
Robert Weber	Clark County Building & Zoning Dept.	386-4889 ✓
Charley Johnson	VTN Nevada 2810 W Sahara LV (Southern Nevada Homebuilders)	873-7550 ✓
BARBARA REEDY	NEVADA SOC OF ARCH 137 VIKSAR RENO 89502	329-7049
DAVID D. DALEDA	L.V. CHAPTER A.I.A. 1437 WESTERN L.V. 89102	734-1464
BILL D. HESTER	1755 E. PLUMB LN. SUELIANE HOASE	329 2552
Richard Rine	W.B.C. 3355 W. Spring Mt. Las Vegas	871-6560
JERRY E. BARNSON	VTN Nevada 2800 W. Sahara Las Vegas	873-7550
WALTER L. NEITZ	AGR INC. 2800 Vassar St. Reno	323-4202
NELSON E. MYER	DELTA ENGINEERING 4601-D W. SARAH LAS VEGAS 89102	876-0330
Betty Andersen	MEMBER OF NA Regional P O Bx 2435 RENO 89505	323-6167
Alpha Prains	✓	✓
Ron Andersen	Fallen Credit Bureau. Box 910-89400	423-6531
Jana Cootie	STATE CONTRACTORS BOARD	329-1766 ✓
Hersten Branken	Consulting Engr. Consul. of Nevada	386-6560
David Hoy	St. Bd. of Eng.	786-8000 ✓
John N. Butler	St. Bd. of Engineers	329-1955 ✓
Fred Daniels	Prof. Engrs & LS Board & Daniels Engineering	882-2779 ✓
Stanley Hansen	State Pres. NSPE & Hansen Engineering	882-5112 ✓
GEORGE BRIZENOVIC	CONSULTING ENG. COUNCIL & G & P. ENG. LV	735-5108 ✓

ATTENDANCE ROSTER FORM

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PLEASE PRINT	PLEASE PRINT	PLEASE PRINT
NAME	ORGANIZATION & ADDRESS	TELEPHONE
EPAUL HILL	NEV. STATE BOARD OF ARCHITECTURE	385-2123 ✓
HATFIELD Hill	1511 MACULAND PKWY LV	385-2123
LARRY CHAFEN	1078 RIVERVIEW CIE. RENO	329-6784
R.N. Beatty	Collection Bureau Central	789-7415 ✓
CHARLES THOMAS	NEVADA STATE CONTRACTORS BOARD	385-0101 ✓
ROSS de L. Khan	R.H.	323-1601
Esther Michelson	LWU	882-3703
William S. Newman	State Engineer	885-4580 ✓
Rod Barbash	Collect. Sec of Nev. & Mex. Collection Items	823-0764 ✓
KEN BRADLEY	COLLECTION CONSULTANTS, INC LAS VEGAS RENO	826-2770 ✓
Bill Corra	NEV. ASSOC. & REALTORS	329-6698
John A. Bonell	NEV Soc Prof Engrs	747-1448 ✓
JOHN F. RHODES JR	NEV STATE BOARD OF ACCOUNTANCY	786-1520 ✓
MELVIN BRUNETTI	NEV STATE BOARD OF ACCOUNTANCY	882-0202 ✓
Richard Alden	NEV. Soc. Prof Engineers	358-6931 ✓
Joseph O. Serigny	State of NV - Banking Div.	885-4260
Jurg Ormonat	NEV. ST. BORD OF ARCHITECT.	384-4361 ✓

CARTLIDGE, SHOOLROY & COMPANY

Certified Public Accountants, Ltd.

ALBERT E. CARTLIDGE, CPA
CLIFTON B. SHOOLROY, CPA

EXHIBIT C

1440 HASKELL STREET
RENO, NEVADA 89509
TELEPHONE 329-3496
AREA CODE 702

March 3, 1981

Senator James Kosinski
Legislative Building
Carson City, Nevada 89701

Dear Senator Kosinski:

S.B. 232 will be heard before the Senate Government Affairs Committee Wednesday, March 4 at 2:00 P.M. I had intended to testify in favor of the bill, however, now have a conflict with "Nevada Weekly," a KOLO TV Channel 8 panel discussion on low cost housing. I am vitally concerned and involved in attempting to provide low cost or affordable housing in the area as a Reno Housing Authority Commissioner and also as co-chairman of the Nevada Housing Coalition concerned about A.B. 30, a rent control measure.

20043

Please read this letter into the record. The Nevada State Board of Accountancy is included as one of the six agencies to be reviewed. *I am not representing the Board* The Board has ~~two~~ questions. [The first is, there appears to be no provision to delete NRS Chapter 628 or the accountancy licensing statutes. There appears to be provisions to delete other boards but not NRS 628.] Secondly, there are numerous deletions of references to Certified Public Accountant and/or Public Accountants registered under chapter 628. Additions are then included to several chapters indicating "as used in NRS --, Certified or Licensed Public Accountant means a person who is engaged in the practice of public accounting in Nevada." This addition does not seem to have been included in every chapter where references to certified or licensed public accountant has been deleted and, of course, should be. Further, we feel deletion of individual references to certified or licensed public accountants with the substitution of an additional section to each chapter will not be as good a reference or point of information to the reader as the present law now is with individual references to certified or licensed public accountants. In other words, the reader would have to find the section at the end of a particular chapter before he would know references to accountants means certified or licensed public accountants pursuant to NRS 628. We feel individual references are much more informational and ask that all proposed deletions to those references be themselves deleted as well as the proposed addition at the end of each chapter explaining the term licensed accountant.

I strongly urge adoption of Senate Bill 232, a companion bill to Senate Bill 171 already approved by the committee and passed by the Senate. Sunset Reviews do work and the accounting profession is heavily involved in reviews nationwide. Nineteen State Boards of Accountancy have been reviewed and with one exception, legislation resulting from the reviews, has been extremely useful. New Hampshire is the exception and legislation is now pending in that state. We strongly object to the review process adopted in New Hampshire and in particular, their attempts to eliminate a majority of the Boards and agencies reviewed so far.

March 3, 1981

I will be happy to reply to any questions the committee might have on the Sunset Review process. Incidentally, I testified before the committee on S.B. 171 and all of my remarks in connection with that testimony, apply to S.B. 232.

Sincerely,

A handwritten signature in cursive script, appearing to read "Albert E. Cartlidge". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Albert E. Cartlidge, CPA

AEC:sk



**NEVADA
STATE
BOARD
OF
LANDSCAPE
ARCHITECTURE**

305 STEWART STREET
RENO, NEVADA 89502
(702) 786-2581

President
Charles S. Saladino II, ASLA
Reno

Secretary
Dirick Van Gorp
Las Vegas

Member
George Charchalis, ASLA
Reno

Member
Harriett D. Smith
Las Vegas

Member
Richard D. Wood
Reno

March 4, 1981

EXHIBIT D

Senator James I. Gibson
Chairman, Senate Committee on Government Affairs
Legislative Building
Carson City, Nevada 89710

RE: Senate Bill 232

Dear Senator Gibson:

It is vital that when the State, a municipality, or any segment of the Nevada public retains the services of a design or contracting professional, that there be assurance that this person is a professional Architect, Landscape Architect, Contractor, Engineer or Land Surveyor.. that he can meet the rigid requirements of education, experience, training, testing, and professional competence. There must be consumer protection, and there must be environmental protection..for the state, for municipalities, for the general public. Legislation to protect the public without the available professionals to implement this legislation would not be in the best interest of the citizens of Nevada.

It is for the above reasons that we hereby request that the:

Board of Architecture
Board of Landscape Architecture
State Contractors Board
State Board of Registered Professional Engineers & Land Surveyors

be retained to provide the necessary professional services required by the citizens of this State.

Sincerely,

NEVADA STATE BOARD OF LANDSCAPE ARCHITECTURE

CHARLES S. SALADINO II, ASLA
President

CSSII:cw

cc: NSBLA Members

March 4, 1981

EXHIBIT E

Senator James I. Gibson
Chairman, Senate Committee on Government Affairs
Legislative Building
Carson City, Nevada 89710

RE: Senate Bill 232

Dear Senator Gibson:

We feel that both the designed/built and natural environments present or proposed in the State of Nevada will suffer without the aid of trained and registered professionals to protect the health, safety and welfare of the citizens of this State.

Therefore we oppose this bill and request the retention of the:

Board of Architecture
Board of Landscape Architecture
State Contractors Board
State Board of Registered Professional Engineers & Land Surveyors

Sincerely,



CHARLES S. SALADINO II, ASLA *
Registered Landscape Architect
Certificate #1, Nevada



DOROTHY NETTLE, ASLA *
Registered Landscape Architect
Certificate #100, Nevada

* (ASLA) The American Society of Landscape Architects, a national organization of professional landscape architects founded in 1899 for the advancement of education and skill in the professional practice of landscape architecture as an instrument of service in the public welfare.

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