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MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON GOVERNMENT AFFAIRS

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
May 16, 1981

The Senate Committee on Government Affairs was called to order by Chairman James I. Gibson, at 10:38 a.m., Saturday, May 16, 1981, in Room 243 of the Legislative Building, Carson City, Nevada. As this was a work session, there was no agenda or 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 Kosinski
Senator Sue Wagner

GUEST LEGISLATORS:

Assemblyman Joseph Dini

STAFF MEMBERS PRESENT:

Frank Daykin, Legislative Counsel
Anne Lage, Committee Secretary

SENATE BILL NO. 386

Makes various changes to law governing metropolitan police departments.

Senator Ford explained that there was one amendment which had been inadvertently left out, and it was agreed upon by all interested parties. It was on page 10, section 19.3, where collective bargaining was provided for. On line 37, "and the sheriff or his designee" was to be inserted after the word "if".

Mr. Joe Denny was in attendance representing Clark County.
Mr. Russ Dorne was present representing the City of Las Vegas.
Mr. Jim Lien was present representing the Metropolitan Police Department.

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Mr. Jim Lien reviewed the highlights of provisions in Senate Bill No. 386. (See Exhibit A.) The committee discussed several mechanical changes as the bill was covered section by section.

Mr. Russ Dorne made the following statement regarding this bill: "My name is Russ Dorne, City Manager of the City of Las Vegas. On behalf of the Mayor and City Commissioners, we are in full support of Senate Bill 386 as amended today, and we can support everything amended today. It is the city's intention to implement the enabling portions to keep the Metropolitan Police Department together and follow the provisions of Senate Bill 386. I might add that the Mayor and Commission would like to thank Senator Ford and our committee of Senator Keith Ashworth and Senator Don Ashworth for their leadership and patience and the leadership and patience of the Senate Government Affairs Committee for working with the three entities and keeping the Metropolitan Police Department together through this vehicle Senate Bill No. 386."

Mr. Joe Denny, Clark County, made the following statement regarding this bill: "Joe Denny, Assistant County Manager, Clark County. On behalf of the County Manager, Bruce Spalding and the Board of County Commissioners of Clark County, we do support Senate Bill No. 386 as amended. And, in turn, it is our intent to initiate and implement the enabling legislation to bring about the Metropolitan Police Department. That commitment is bound to a status quo based upon the commitments that we have made financially relative to the absorption of the jail and to the statistics and load factors that have been involved in the Metropolitan Police bill."

Mr. Jim Lien gave the following statement in support of Senate Bill No. 386. "My name is Jim Lien, Business Manager Metropolitan Police Department. On behalf of the sheriff, I can indicate to you that he is in support of Senate Bill No. 386 as amended as the bill of course did originate with the department.

Senator Kosinski asked Mr. Dorne if he would be withdrawing the lawsuit now pending. Mr. Dorne stated that that suit was a citizens' suit, but the city commission felt that if Senate Bill No. 386 was passed, the Supreme Court decision would be moot.

Senator Ford moved "Amend and Do Pass" on Senate Bill No. 386.

Senator Getto seconded the motion.

The motion carried unanimously.

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Chairman Gibson assigned Senator Ford to meet with Frank Daykin and review all the amendments discussed this date.

ASSEMBLY BILL NO. 145

Permits sale by state of revenue bonds to support industrial development in cities and counties.

Chairman Gibson explained that this bill amends the city and the county bond act and sets up a new state bond act. Senator Ford stated that testimony was given by Mr. Al McNitt, Housing Administrator, indicating that on page 9, a through i would give local government the option to approve or disapprove as the board of finance had to have a finding which included approval by the local government.

Senator Echols referred to page 9, line 34. He voiced concern over allowing the city or county to enter into the project. He felt the people should operate the project. He did not think the city or county should even be involved in the construction.

Chairman Gibson stated that it did not necessarily mean it was the citys' or countys' project, they were only asking the director to issue industrial development revenue bonds. Senator Echols responded by saying they should do that only after they had been requested by a private enterprise.

Senator Kosinski moved that the bill be amended to delete the language relating to the state's involvement and leave the amendments to the city and county bonding laws to maintain the new language for the fire protection. Add an amendment to the appropriate section of N.R.S. to require the division of housing and other necessary state agencies to provide assistance to the small cities and counties that request it in issuing their own bonds.

Senator K. Ashworth seconded the motion.

Chairman Gibson read a letter from Mr. Hal Smith which was as follows: "When bonds are authorized in accordance with 244 A or 268 A, the local government may request the state as the issuer of convenience to issue the bonds and in such an event all the powers and duties granted the local governments are granted to the state. Any project which falls outside the scope of projects authorized in 244 A or 268 A, i.e., commercial, and only such projects may be financed by issuance of the state of Nevada economic development bonds with the concurrence of

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the local governments affected and in accordance with findings by the department of commerce and approval of the state board of finance. Without lengthy legislation tie the department of commerce back to the powers and duties granted in 244 A or 268 A.

Mr. Frank Daykin, Legislative Counsel, explained the benefits of this bill to the small cities and counties. It would give them the marketing agency for small bond issues which they might otherwise have difficulty in selling. It would give them a marketing agency that is used to dealing with the underwriters where they themselves were not.

Senator Wagner asked Assemblyman Joseph Dini if his original purpose was to help and aid the small counties and cities that did not have the expertise and bonding capacity. She voiced her concern over the expansion into other areas such as the commercial area.

Assemblyman Dini stated that including commercial was the only controversial area in the bill. He stated that this came about through discussions with the Administration and the Governor.

Senator Getto moved to amend Senator Kosinski's motion by passing the bill as it was written except on page 9, line 6, inserting "local government approval" and in sections 2 and 4, letting them ask for assistance short of issuing the bond.

Senator Echols seconded the motion.

The motion to amend Senator Kosinski's motion carried.
(Senators K. Ashworth, Kosinski and Wagner voted "No.")

Senator K. Ashworth moved to amend Senator Kosinski's motion further by deleting "commercial" on page 9.

Senator Wagner seconded the motion.

Senator Kosinski moved to withdraw his motion.

Senator Getto moved "Amend and Do Pass" on Assembly Bill No. 145.

Senator Echols seconded the motion.

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Senator K. Ashworth moved to "Amend" Senator Getto's motion to delete "commercial" on page 9.

Senator Kosinski seconded this motion.

The motion carried. (Senators Gibson, Echols and Getto voted "No".)

On Senator Getto's motion to "Amend and Do Pass" the motion carried. (Senators K. Ashworth and Kosinski voted "No".)

Chairman Gibson assigned Senator Getto to get the amendments to this bill. Mr. Daykin stated that he was aware of the amendments requested on this bill and would amend this bill accordingly.

SENATE BILL NO. 568

Provides for payment to contractors and subcontractors of interest earned by state on money withheld from progress payments on public works projects.

Senator K. Ashworth moved "Do Concur" on a conflict which had arisen in the Assembly with this bill.

Senator Kosinski seconded the motion.

The motion carried unanimously.

SENATE BILL NO. 97

Permits use of Nevada National Guard in search and rescue operations.

The committee agreed to concur with the language "substantial threat to life or property".

ASSEMBLY BILL NO. 512

Sets prerequisite for exercise of power of eminent domain by certain community redevelopment agencies.

Senator Kosinski stated that the City of Sparks agreed to the elimination of the power concerning eminent domain in section 1. They also agreed to delete section 2, 3, 4 and 5. They needed section 6 and 7. They did not need the repeal of Nevada Revised Statute No. 279.531 as that related to the power of eminent domain.

They concurred with Senator Kosinski's suggestion to take.

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Nevada Revised Statute No. 279.486 and provide in there that it can be used for publicly owned buildings.

Senator K. Ashworth moved "Amend and Do Pass" on Assembly Bill No. 512.

Senator Kosinski seconded the motion.

The motion carried unanimously.

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

ASSEMBLY BILL NO. 189

Establishes municipal bond bank in office of state treasurer.

Mr. Frank Daykin, Legislative Counsel, explained that on page 3, section 14, the legislature was saying that in order to protect and preserve the property and natural resources of the state and obtain the benefits thereof, the state treasurer may make loans to municipalities.

Mr. Daykin stated that this bill could be amended to provide that every bond issued under this act must include a provision that if the issue of bonds was found to be accountable against the state debt limit, then the obligation was void. This would result that no bond would ever be sold under it without a previous litigation to determine specifically as to that issue.

Mr. Daykin also explained that a provision could be written into this act which would require before any issue of bonds could be made under it, that particular issue would have to go through the process of the judicial confirmation law including an appeal to the Supreme Court of the state of Nevada.

Senator Ford moved "Amend and Do Pass" with the provisions discussed by the committee with Mr. Daykin.

Senator K. Ashworth seconded the motion.

The motion carried unanimously.

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ASSEMBLY BILL NO. 29

Provides for review by state agencies of water quantity and sewage disposal in planned unit developments.

Senator Wagner moved "Amend and Do Pass" on Assembly Bill No. 29 using the "Hoy" amendment which was included in the minutes of the April 13th meeting.

Senator K. Ashworth seconded the motion.

The motion carried unanimously.

SENATE JOINT RESOLUTION NO. 33

Proposes constitutional amendment to exclude certain obligations from limitations on state indebtedness.

Mr. Stan Colton, state Treasurer, testified that he had requested placing a period after the word "state" on page 2, line 7, deleting the remainder of the sentence.

Mr. Colton explained that this bill would open up the state's superior bond rating to local level governments for their major capital projects.

Senator Ford moved "Amend and Do Pass" on Senate Joint Resolution No. 33.

Senator Getto seconded the motion.

The motion carried unanimously.

SENATE JOINT RESOLUTION NO. 34

Memorializes Congress to deport Iranian aliens.

Senator Getto moved "Indefinite Postponement" on Senate Joint Resolution No. 34.

Senator Wagner seconded the motion.

The motion carried unanimously.

SENATE BILL NO. 615

Repeals requirement on counties to publish claims allowed.

Senator K. Ashworth moved "Indefinite Postponement" on Senate Bill No. 615.

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Senator Kosinski seconded the motion.

The motion carried unanimously.

SENATE BILL NO. 638

Prohibits public investments in banks or companies doing business in or with Republic of South Africa.

Senator Kosinski moved "Do Pass" on Senate Bill No. 638.

Senator Senator Ford seconded the motion.

The motion failed. (Senators Gibson, Ashworth, Echols Getto and Wagner voted "No".)

Senator Getto moved "Indefinite Postponement" on Senate Bill No. 638.

Senator Echols seconded the motion.

The motion carried. (Senators Kosinski and Ford voted "No".)

NEGOTIATIONS

Chairman Gibson stated that an expert on the mechanics of arbitration was coming to Monday's hearing to answer any questions the committee might have.

Chairman Gibson stated that there were five Senate bills related to negotiations. He then summarized the issues.

1. Binding arbitration, last best offer; Senate Bill No. 350.
2. Removing supervisorial employees from the bargaining unit; A. B. No. 55, S. B. No. 536, and S. B. No. 537.
3. Definition of "confidential employees"; A. B. No. 226, S. B. No. 536 and S. B. No. 537.
4. Narrowing scope of mandatory items of bargaining; S. B. No. 367, A. B. No. 55, S. B. No. 367, A. B. No. 452, S. B. No. 536 and S. B. No. 537.
5. Inclusion of state employees; S. B. No. 536 and S. B. No. 537.

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6. Employee Management Relations Board; S. B. No. 536.
7. Removal of the Governor from ending process; A. B. No. 400.
8. Election to determine members in bargaining unit;
A. B. No. 225.
9. Open meeting law; S. B. No. 536.
10. Not require membership in outside organizations;
S. B. No. 550.
11. Vote on settlement; S. B. No. 537.
12. Fiscal restraints on arbitration.

Senator Kosinski provided the members of the committee with information on the percentages of increase in teacher's salaries over a five year period. (See Exhibit B.) He also distributed copies of data on the firemen increases. (See Exhibit C.)

Senator Kosinski stated that the committee should try to determine whether the firemen negotiations had been successful, looking at both sides, employees and management.

The committee decided to consider the negotiation bills further on Monday, May 18, 1981.

As there was no further business, meeting was adjourned at 3:45 p.m.

Respectfully submitted by:



Anne L. Lage, Secretary

APPROVED BY:



Senator James I. Gibson, Chairman

DATE: June 17, 1981

HIGHLIGHTS OF PROVISIONS IN SB386 - Metropolitan Police Departments

Implementation Method

- .Permissive legislation - the governing bodies of each participating entity adopts an ordinance providing for the merger.
- .Withdrawal provision - any participating political subdivision may repeal the ordinance after at least six months advance notice, effective the beginning of a fiscal year.

Police Commission/Committee

- .Renamed from "Commission" to "Committee" - to be called Metropolitan Police Committee on Fiscal Affairs.
- .Composition - consists of two representatives from each participating political subdivision and an additional member selected from nominations by each participating political subdivision and the Sheriff.
- .Meetings - will be scheduled quarterly or more often upon call of the chairman.

Role of Sheriff

- .County Sheriff is the chief law enforcement officer of the department.
- . Sheriff is not a member of Fiscal Affairs Committee

Jails

- .The county is fully responsible for the capital cost of building a county jail and the operation and maintenance of it.
- .Each participating political subdivision is responsible for building, operating and maintaining any jail they may have.

Apportionment Plan

- .Exclusions - excluded from the apportionment plan are rural programs of resident officers, county jails and any program of contract services which is totally funded by the contracting agency or entity.
- * .Allocate cost by functions - the department's budget is divided into functions: Administration, Uniform and Investigative.

Apportionment Plan Cont'd.

Uniform - apportioned by unweighted average of comparative percentage relationship of population, calls for service and felonies reported.

Investigative - apportioned by percentage of felonies reported.

Administrative - allocated to the other categories in the ratio that the cost of each category bears to the combined costs of the other categories.

Property

- .Negotiable Notes - the department, with approval, may issue negotiable notes to acquire personal property. These are limited to a 5 year term and 12 percent interest.
- .Property for the purpose of law enforcement - the department may own personal property and may lease or rent real property.

* The bill contains a provision for an arbitration panel if the government bodies fail to approve the apportionment plan.

PERCENT OF INCREASE IN TEACHER SALARIES 1975-1980

EXHIBIT B

<u>CHURCHILL</u>					COL % change from previous year
<u>YEAR</u>	<u>BEGINNING SALARY</u>	<u>% INCREASE (DECREASE)</u>	<u>MAXIMUM SALARY</u>	<u>% INCREASE (DECREASE)</u>	
74	\$ 8,400		\$15,225		
* 75	8,904		16,536		
76	8,699	- 2.3%	15,788	- 4.5%	6.0
77	9,220	6.0%	16,700	5.8%	6.9
78	9,820	6.5%	17,790	6.5%	10.0
79	10,700	9.0%	19,358	8.8%	13.5
80	11,450	7.0%	20,740	7.1%	11.5
 <u>CLARK</u>					
74	\$ 8,432		\$16,864		
*75	8,600	2.0%	17,200	2.0%	
76	8,600	0.0%	17,200	0.0%	6.0
77	9,708	12.9%	19,416	12.9%	6.9
78	10,193	5.0%	20,386	5.0%	10.0
79	10,907	7.0%	21,813	7.0%	13.5
80	11,561	6.0%	23,122	6.0%	11.5
 <u>DOUGLAS</u>					
75	\$10,103		\$17,946		
76	10,103	0.0%	18,291	1.9%	6.0
77	10,175	0.7%	17,825	- 2.5%	6.9
78	10,380	2.0%	19,305	8.3%	10.0
79	11,107	7.0%	20,652	7.0%	13.5
80	12,130	9.2%	22,480	8.9%	11.5
 <u>ELKO</u>					
75	9,400		16,544		
76	8,800	- 6.3%	15,488	- 6.4%	6.0
77	9,775	11.1%	17,694	14.2%	6.9
78	10,264	5.0%	18,583	5.0%	10.0
79	11,085	8.0%	20,057	7.9%	13.5
80	12,200	10.0%	22,082	10.0%	11.5

<u>YEAR</u>	<u>BEGINNING SALARY</u>	<u>% INCREASE (DECREASE)</u>	<u>MAXIMUM SALARY</u>	<u>% INCREASE (DECREASE)</u>	<u>COL % change from previous year</u>
<u>ESMERALDA</u>					
76	\$ 9,000		\$16,100		
77	9,500	5.6%	16,600	3.1%	6.9
78	9,800	3.2%	16,900	1.8%	10.0
79	10,486	7.0%	18,083	7.0%	13.5
80	11,600	10.6%	19,650	8.7%	11.5
<u>EUREKA</u>					
75	\$ 8,500		\$17,600		
76	9,000	5.9%	18,100	2.8%	6.0
77	9,000	0.0%	18,100	0.0%	6.9
78	10,200	13.3%	18,200	0.6%	10.0
79	10,600	3.9%	19,100	4.9%	13.5
80	12,500	17.9%	21,900	14.7%	11.5
<u>HUMBOLDT</u>					
75	\$ 9,200		\$15,824		
76	9,400	2.2%	16,168	2.2%	6.0
77	10,100	7.4%	17,877	10.6%	6.9
78	10,706	6.0%	19,908	11.4%	10.0
79	10,825	11.1%	20,347	2.2%	13.5
80	11,908	10.0%	22,382	10.0%	11.5
<u>LANDER</u>					
75	\$ 9,500		\$16,625		
76	9,700	2.1%	16,975	2.1%	6.0
77	10,200	5.2%	18,360	8.2%	6.9
78	10,700	4.9%	19,260	4.9%	10.0
79	11,100	3.7%	19,980	3.7%	13.5
80	12,000	8.1%	21,600	8.1%	11.5
<u>LINCOLN</u>					
75	\$ 9,400		\$16,060		
76	9,400	0.0%	16,060	0.0%	6.0
77	9,770	3.9%	17,470	8.8%	6.9
78	10,161	4.0%	18,289	4.7%	10.0
79	10,821	6.5%	19,910	8.9%	13.5
80	11,795	9.0%	21,707	9.0%	11.5

<u>YEAR</u>	<u>BEGINNING SALARY</u>	<u>% INCREASE (DECREASE)</u>	<u>MAXIMUM SALARY</u>	<u>% INCREASE (DECREASE)</u>	<u>COL % change from previous year</u>
<u>LYON</u>					
75	\$ 8,800		\$15,136		
76	8,800	0.0%	15,136	0.0%	6.0
77	9,111	3.5%	15,663	3.5%	6.9
78	9,900	8.7%	17,098	9.2%	10.0
79	10,700	8.1%	19,070	11.5%	13.5
80	11,500	7.5%	20,500	7.5%	11.5
<u>MINERAL</u>					
*75	\$ 8,700		\$15,312		
76	8,950	2.9%	15,752	2.9%	6.0
77	9,250	3.4%	16,280	3.4%	6.9
78	9,600	3.8%	16,896	3.9%	10.0
79	10,350	7.8%	18,216	7.8%	13.5
80	11,300	9.2%	19,888	9.2%	11.5
<u>NYE</u>					
75	\$ 9,400		\$16,050		
76	9,400	0.0%	16,050	0.0%	6.0
77	10,340	11.0%	16,990	5.9%	6.9
78	10,340	0.0%	16,990	0.0%	10.0
79	11,167	8.0%	20,617	21.3%	13.5
80	12,172	9.0%	22,478	9.0%	11.5
<u>ORMSBY</u>					
75	\$ 9,402		\$16,845		
*76	9,684	3.0%	17,350	3.0%	6.0
77	9,700	0.2%	17,350	0.0%	6.9
78	10,379	1.4%	18,565	7.0%	10.0
79	11,106	7.0%	20,966	12.9%	13.5
80	12,048	8.5%	22,744	8.5%	11.5

<u>YEAR</u>	<u>BEGINNING SALARY</u>	<u>% INCREASE (DECREASE)</u>	<u>MAXIMUM SALARY</u>	<u>% INCREASE (DECREASE)</u>	<u>COL % change from previous year.</u>
<u>PERSHING</u>					
75	\$ 9,300		\$16,300		
76	9,300	0.0%	16,300	0.0%	6.0
77	9,350	.054%	16,750	2.8%	6.9
78	9,550	2.1%	17,800	6.3%	10.0
79	10,700	12.0%	19,250	8.1%	13.5
80	11,500	7.5%	21,800	13.2%	11.5
<u>STOREY</u>					
75	\$ 8,800		\$16,800		
76	8,800	0.0%	16,800	0.0%	6.0
77	9,680	11.0%	18,200	8.3%	6.9
78	9,680	0.0%	18,200	0.0%	10.0
79	10,455	8.0%	19,955	9.6%	13.5
80	11,700	11.9%	21,700	8.7%	11.5
<u>WASHOE</u>					
74	\$ 8,200		\$17,020		
* 75	8,700	6.1%	18,570	9.1%	
76	8,325	- 4.3%	17,775	- 4.3%	6.0
77	9,000	8.1%	19,490	9.6%	6.9
78	9,659	7.3%	20,809	6.8%	10.0
79	10,200	5.6%	22,613	8.7%	13.5
80	11,135	9.2%	24,560	8.6%	11.5
<u>WHITE PINE</u>					
* 75	\$ 9,120		\$16,238		
76	9,220	1.0%	15,307	- 5.7%	6.0
77	9,351	1.4%	16,641	8.7%	6.9
78	10,100	8.0%	18,940	13.8%	10.0
79	10,810	7.0%	20,265	7.0%	13.5
80	11,783	9.0%	22,088	9.0%	11.5

* Designates School Districts who went to binding arbitration and percent of salary increase from previous year.

CLARK COUNTY

EXHIBIT C

974 Fire Fighter	Monthly 1011	
975 Fire Fighter	Took Paid Retirement in lieu of pay raise 8.5%	
976 Fire Fighter	1138	(12.5%)
977 Fire Fighter	1238	(8.7%)
978 Fire Fighter	1354	(9.3%)
979 Fire Fighter	1553	(14.7%)
980 Fire Fighter	1696	(9.2%)
981		(6%)

1979 Thru 1981 is a Three Year Contract.