

MINUTES OF THE  
MEETING OF THE SENATE COMMITTEE  
ON GOVERNMENT AFFAIRS

SIXTY-FIRST SESSION  
NEVADA STATE LEGISLATURE  
May 29, 1981

The Senate Committee on Government Affairs was called to order by Chairman James I. Gibson, at 2:05 p.m., Friday, May 29, 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 Kosinski  
Senator Sue Wagner

GUEST LEGISLATORS:

Assemblyman Jane Ham

STAFF MEMBER PRESENT:

Anne Lage, Committee Secretary

ASSEMBLY BILL NO. 340

Provides procedure for fixing salaries of justices of peace and police judges.

Mr. Tom Davis, Justice of the Peace Municipal Judge for Carson City, testified that he was substituting for Judge Kelly of North Las Vegas. Judge Davis stated that this bill primarily gives attention to the justices of peace and the municipal judges with reference to salaries.

This bill would allow full time justices of the peace to receive a salary in an amount which was not greater than 95 percent of the annual salary provided for district judges. Washoe County and Las Vegas would not be affected by this bill. He stated that they would like to see a minimum of at least 50 percent of the district judges' salary in the small counties.

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He stated that Senate Bill No. 440 had increased the fees by three times, so he felt this would cover any increases in salaries.

The committee decided to hold this bill for further consideration.

ASSEMBLY BILL NO. 284

Limits definition of "public work" and limits requirement for performance bonds for public works.

Mr. Steve Tapogna, Purchasing Manager for the City of Reno, testified in support of this bill as amended. (See Exhibit C.) Also included was a letter of support from Clark County. (See Exhibit D.)

Senator Wagner moved "Do Pass" on Assembly Bill No. 284.

Senator Getto seconded the motion.

The motion carried unanimously.

ASSEMBLY BILL NO. 524

Transfers personnel division from department of administration to department of general services.

Mr. Glen DuBois, Implementation Director of the Governor's Management Task Force, testified in support of Assembly Bill No. 524. This bill would transfer the Personnel Division from the department of administration to the department of general services. This change was thought to be necessary because of an organizational conflict. Personnel decisions may be subjugated by budgetary constraints. Although this does not seem to be a problem now, it could be in the future. Mr. DuBois indicated that this was an administration bill.

Mr. Jim Wittenberg, Personnel Administrator, testified that he had no objection to this bill. He did not feel there was any evidence of problems, but felt that this change would not be adverse to the Personnel division.

Senator Echols moved "Do Pass" on Assembly Bill No. 524.

Senator Getto seconded the motion.

The motion carried. (Senator Ford was absent for the vote.)

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ASSEMBLY BILL NO. 699

Makes various changes to law governing state personnel system.

Mr. Jim Wittenberg, Personnel Administrator, testified that this bill was a modification of an amendment to Assembly Bill No. 416. It was the result of negotiations with the State of Nevada Employees Association. This bill would bring the statutes in line with the Attorney General's opinion.

Mr. Wittenberg reviewed the suggested changes.

Mr. Bob Gagnier, Executive Director State Nevada Employees Association, testified that this bill was the product of extensive negotiations from last summer. Although they were not in total support of the bill, they felt the administration should have an opportunity to try these changes.

Senator Ford moved "Do Pass" on Assembly Bill No. 699.

Senator Kosinski seconded the motion.

The motion carried. (Senators Ashworth and Getto were absent for the vote.)

ASSEMBLY BILL NO. 186

Changes composition of board of trustees of Airport Authority of Washoe County.

Senator Wagner stated that Assemblyman Paul Prengaman had suggested an amendment to this bill which would remove the prohibition against elected officials serving on the airport authority. (See Exhibit E.)

Senator Wagner moved "Amend and Do Pass" with the suggested amendment by Assemblyman Prengaman.

Senator Ford seconded the motion.

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

SENATE BILL NO. 708

Defines boundaries of congressional districts.

Senator K. Ashworth moved "Do Pass" on Senate Bill No. 708.

Senator Ford seconded the motion.

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

ASSEMBLY BILL NO. 630

Simplifies election districts for county commissioners.

Senator Ashworth moved "Do Pass" on Assembly Bill No. 630.

Senator Wagner seconded the motion.

The motion carried unanimously.

ASSEMBLY JOINT RESOLUTION NO. 2

Proposes to amend Nevada constitution to require open and public legislative committee meetings and abolish executive sessions of senate.

Chairman Gibson distributed a copy of an amendment to this bill which he felt was acceptable. (See Exhibit F.)  
Speaker Barengo and Assemblyman Coulter had indicated that they would accept this amendment.

Senator K. Ashworth moved "Amend and Do Pass" on Assembly Joint Resolution No. 2.

Senator Getto seconded the motion.

The motion carried unanimously.

SENATE BILL NO. 57

Provides for observance of Columbus Day.

Senator K. Ashworth moved "Indefinite Postponement" on Senate Bill No. 57.

Senator Wagner seconded the motion.

The motion carried. (Senator Kosinski was absent for the vote.)

ASSEMBLY BILL NO. 645

Makes various changes in provisions relating to elections.

Assemblyman Jane Ham testified that this bill was proposed by the republican central committee members in Clark County. The democrats agreed on this bill.

Assemblyman Ham reviewed the bill for the committee.

Mr. Patrick Pine, Clark County, presented a memorandum from George Ullom, Registrar of Voters in Clark County, to the committee members. Mr. Ullom had objected to the original section 10 as far as placing relatively equal numbers from each party on all of these boards. (See Exhibit G.)

His primary objection was that some of these boards involved different types of elections, some of which were partisan and some which were non-partisan. They had various procedures for appointing people to these various boards depending on the type of election.

Chairman Gibson asked Mr. Pine if he would have objection to returning to the original language with regards to the "option". Mr. Pine had no objection to this.

Senator Ford reviewed the amendments which had been discussed. On page 2, take lines 36 to 42, leave within the brackets to be deleted all reference to a proxy, but keep the concept of time, the appointments to vacancies to the county or precinct from which they reside.

On the bottom of page 3 is conforming this process in appointing a vacancy to the two stage process that had been developed in taking care of vacancies once elected.

On page 5, restore the original language to allow the other boards to be optional.

On page 6, conform this language to track the language which has already passed in Senate Bill No. 597.

Senator Ford moved "Amend and Do Pass" on Assembly Bill No. 645.

Senator Wagner seconded the motion.

The motion carried. (Senators Ashworth and Getto were absent for the vote.)

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

As there was no further business, meeting was adjourned at 5:10 p.m.

Respectfully submitted by:

Anne L. Lage  
Anne L. Lage, Secretary

APPROVED BY:

James I. Gibson  
Senator James I. Gibson, Chairman

DATE: June 22, 1981

Library

EXHIBIT A

REVISED 5/28/81

SENATE AGENDA

COMMITTEE MEETINGS

Committee on Government Affairs , Room 243 .

Day Friday , Date May 29, 1981 , Time 2:00 p.m. .

A. B. No. 340--Provides procedure for fixing salaries of justices of peace and police judges.

A. B. No. 284--Limits definition of "public work" and limits requirement for performance bonds for public works.

A. B. No. 524--Transfers personnel division from department of administration to department of general services.

A. B. No. 645--Makes various changes in provisions relating to elections.

A. B. No. 699--Makes various changes to law governing state personnel system.

A. B. No. 630--Simplifies election districts for county commissioners.

ATTENDANCE ROSTER FORM

COMMITTEE MEETINGS

SENATE COMMITTEE ON GOVERNMENT AFFAIRS

DATE: May 28, 1981

EXHIBIT B

<u>PLEASE PRINT</u>	<u>PLEASE PRINT</u>	<u>PLEASE PRINT</u>
<u>NAME</u>	<u>ORGANIZATION &amp; ADDRESS</u>	<u>TELEPHONE</u>
TOM DAVIS	NEVADA JUDGES ASSOC.	887-2121



May 29, 1981

To: Senate Government Affairs Committee

EXHIBIT C

From: Nevada League of Cities, Local Government Purchasing Study Commission,  
Clark County, City of Las Vegas, City of North Las Vegas, and City of Reno

Subject: Amendment to AB-284

We wish to voice our support for AB-284 as amended:

Passage of the subject legislation will, in essence, reduce the administrative and add-on costs to public entities which process contracts for public works and will reduce expenses to contractors in administration and bonding costs which are subsequently passed on to the taxpayer.

The primary effect would be to help smaller contractors and minority businesses that vie for smaller government contracts and who do not have the cash flow and are not as affluent as large contractors.

A good example of this is a contract issued by the City of Reno for a ventilation system in the Police Department range with a quoted price of roughly \$4,335. The resultant ad-on costs for bonding and administration were \$260 which resulted in an escalated bid price of 6%. This increase need not have been incurred.

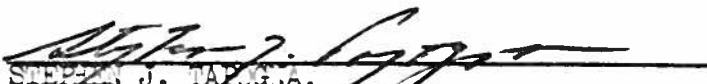
Not only does requiring bonds at a \$2,000 limit pose problems for small vendors regarding cash flow, but also an inordinate time delay for the contracting agency (in terms of time required to obtain bonds from independent insurance agencies).

By passage, the bonding limits will be brought into parity with the formal bidding limits of the Local Government Purchasing Act and will provide a more routine and cost effective method of contract administration.

It should be noted that the American Bar Association, in the preparation of their Model Procurement Code, specified in part that required limits for public works and capital projects should be established at a \$25,000 threshold unless preempted by federal law. As you can see our request is merely for a \$5,000 threshold; not an exorbitant amount.

In closing, the current \$2,000 threshold on bonding requirements is archaic and places an undue hardship, not only on small contractors vying for public jobs, but on the agency administering the contract and subsequently on the taxpayer by passing on the higher cost.

Respectfully submitted,

  
STEPHEN J. TAFOGNA,  
Purchasing Manager / City of Reno

SJT:lew

1453



# Clark County

## Purchasing Department

EARL HAWKES, C.P.M.  
DIRECTOR

300 SOUTH FOURTH STREET, SUITE 501  
LAS VEGAS, NEVADA 89101  
(702) 388-4425

May 20, 1981

EXHIBIT D

Mr. Stephen J. Tapogna  
Purchasing Manager  
City of Reno  
P. O. Box 1900  
Reno, NV 89505

RE: AB 284

Dear Steve:

The purpose of this letter is to inform you that Clark County supports the passage of AB 284 as cost-reducing legislation.

This legislation will reduce local government costs primarily in the area of internal administration. This will happen by increasing the statutory requirement for the contractor showing proof of paying prevailing wage rates to \$5,000. Also, performance and payment bonds will not be required for those jobs under \$5,000. The current requirements place an administrative burden on local governments in terms of paperwork and manhours which are not justified on "small jobs."

Cost savings will also accrue as a result of the contractors on these jobs not having to pass along their administrative and actual costs for bonds which serve no purpose.

Another positive aspect of this legislation is the fact that the \$5,000 figure is in line with the Local Government Purchasing Act, which will help alleviate confusion.

The net result of this legislation will be to save money and time for the contractors and the governmental agencies.

Sincerely,

A handwritten signature in cursive script that reads "Earl Hawkes".

EARL HAWKES, C.P.M.  
Director of Purchasing

EH:mjd

### COMMISSIONERS

Manuel J. Cortez, Chairman • David B. Center, Vice-Chairman  
Thelma Dondero, Jack R. Petitti, R.J. "Dick" Ronzone, Woodrow Wilson, Bruce L. Woodbury  
Bruce W. Spaulding, County Manager • Joseph C. Denny, Assistant County Manager

1451

AMEND THE BILL AS A WHOLE BY DELETING SECTIONS 1 AND 2, AND SUBSTITUTE A NEW SECTION:

SECTION 1. SECTION 6 OF THE ABOVE ENTITLED ACT, BEING CHAPTER 474, STATUTES OF NEVADA 1977, IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 6. 1. Each member of the board shall file with the county clerk;

(a) His oath of office.

(b) A corporate surety bond furnished at authority expense, in an amount not to exceed \$5,000, and conditioned for the faithful performance of his duties as a member of the board.

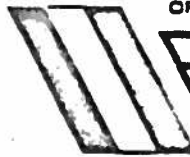
2. No member of the board, during his term thereon, may [hold any elective office,] have any financial interest in the aviation industry or be interested as a private purveyor in any contract or transaction with the board or the authority.

3. Each member of the board is entitled to receive \$160 per month or \$40 for each regular board meeting attended, whichever is less.

Sec. [3] 2. This act shall become effective at 12:01 a.m. on July 1, 1981.

Art. 4 [Sec:] Sec. 6. Each House shall be the judge of the qualifications, elections and returns of its own members, choose its own officers (except the President of the Senate), [determine the rules of its proceedings and] may punish its members for disorderly conduct, and with the concurrence of two thirds of all the members elected, expel a member. Each house shall determine the rules of its proceedings, but laws shall be passed to govern the proceedings of committees of both houses.

[Sec:] Sec. 15. The doors of each House shall be kept open during its session, [except the Senate while sitting in executive session,] and neither shall, without the consent of the other, adjourn for more than three days nor to any other place than that in which they may be holding their sessions.



May 18, 1981

M E M O R A N D U M

TO: PATRICIA MULROY, Management Analyst  
FROM: GEORGE ULLOM, Registrar of Voters *GUW*  
SUBJECT: Assembly Bill 645

Object to line 13 through 19 on page 6.

To allow each major party to select a member of the following boards - Computer program and processing accuracy board; Central ballot inspection board; Absent ballot mailing precinct inspection board; Ballot duplicating board; and Ballot processing and packaging board poses many problems.

Selection in the past to all boards, except the computer program and accuracy board, has been made from a list of qualified persons in the Data Processing and Election Departments.

In partisan elections each party has been requested to furnish a member of the computer program and processing accuracy board. In city elections, the city clerks of the four cities along with an Election Department representative serve as the computer program and processing accuracy board.

In other non-partisan elections, such as Special Bond Elections, Bond Counsel and representative of the opposing side serve with an Election Department representative on the computer program and processing accuracy board.

By the language "he shall appoint to each board a person nominated by the chairman of the county central committee of each of the major political parties", makes it mandatory for the county clerk (Registrar of Voters) to place these persons on these important boards without regard to ability.

NRS 293.170 provides that "not less than 60 days before a primary or a general election" central committees may recommend persons to act as election board officers.

Page Two  
Memo - AB 645

Something of a similar nature would be acceptable.

We are opposed to AB 645 as written.

GU/daw