

MINUTES OF THE  
MEETING OF THE SENATE COMMITTEE  
ON GOVERNMENT AFFAIRS

SIXTY-FIRST SESSION  
NEVADA STATE LEGISLATURE  
May 30, 1981

The Senate Committee on Government Affairs was called to order by Chairman James I. Gibson, at 1:08 p.m., Saturday, May 30, 1981, in Room 243 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda.

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

STAFF MEMBERS PRESENT:

Fred Weldon, Senior Research Analyst  
Anne Lage, Committee Secretary

SENATE BILL NO. 350

Revises provisions for factfinding and arbitration in disputes of local government employers and employees.

Mr. Fred Weldon, Senior Research Analyst, reviewed this bill and noted a few further amendments which would be necessary. On page 1, under the inclusions in the requests, it called for the requestor's assessment of the fiscal effect on the other party of the requestor's position. Mr. Weldon thought that this should be changed to his assessment of the fiscal effect on the local entity.

On page 2, section 3, subsection 3, the first sentence should be under subsection 2 in that time frame.

On page 2, section 3, subsection 4 should be a part of subsection 3.

In subsection 3, "commissioners" should be corrected to read "commissioner".

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Chairman Gibson stated that \$100,000 had been placed in this bill to the interim finance committee to pay the compensation expenses of the members of any panel.

Mr. Greg Rivet, Sparks Personnel Manager, stated that there were references to a "commissioner" and a "labor commissioner". He suggested inserting "Employee Management Relations Board" in front of all references to commissioner to clarify which commissioner was being referenced.

On page 2, the first sentence of subsection 3, Mr. Rivet asked if it was going to be the party's responsibility to notify the attorney and the accountant or was that to be left to the EMRB commissioner to do that. The committee agreed to clarify that the commissioner should do it.

On page 3, section 6, he asked if the firefighters were to be deleted from the mediation process. Chairman Gibson stated that that had been decided on by the committee.

On page 4, subsection 4 under lb, Mr. Rivet questioned how the figure of "50 persons" was arrived at. The committee decided to change "50" to "30".

Senator Echols moved "Amend and Do Pass" Senate Bill No. 350.

Senator Getto seconded the motion.

The motion carried unanimously.

Senator Kosinski explained that the criteria had been compiled from all the interested parties; cities, counties, school districts and employee groups. (See Exhibit B.)

Senator Kosinski stated that this criteria could be put in the form of a concurrent resolution and tie it into Senate Bill No. 350.

Senator Kosinski moved to have a concurrent resolution prepared which would incorporate these suggestions.

Senator Wagner seconded the motion.

The motion carried unanimously.

Senator Kosinski was assigned to follow up on this resolution.

ASSEMBLY BILL NO. 400

Revises Local Government Employee-Management Relations Act.

Mr. G. P. Etcheverry, Nevada League of Cities, testified that he was in support of this bill.

Chairman Gibson explained that the main thing that this bill did was to set up a hearing officer procedure which the EMRB had indicated would be helpful to them in handling the issues which came before them.

Senator Wagner moved "Do Pass" on Assembly Bill No. 400.

Senator Echols seconded the motion.

The motion carried unanimously.

SENATE BILL NO. 709

Increases salaries of public administrators.

Senator Echols moved "Do Pass" on Senate Bill No. 709.

Senator Getto seconded the motion.

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

SENATE BILL NO. 662

Makes various changes relating to local government finances.

Chairman Gibson stated that he had reviewed the Assembly amendments to this bill with Marvin Leavitt and he was in favor of the amendments. They were primarily technical amendments.

Senator Wagner moved "Do Concur" on the Assembly amendments to Senate Bill No. 662.

Senator Ford seconded the motion.

The motion carried unanimously.

SENATE BILL NO. 597

Makes various changes in provisions regarding elections.

The committee reviewed the Assembly amendments to this bill.

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Senator Wagner moved "Do Concur" with Assembly amendment No. 1128 on Senate Bill No. 597.

Senator Ford seconded the motion.

The motion carried unanimously.

Senator Getto moved "Do Concur" with Assembly amendment No. 1297 on Senate Bill No. 597.

Senator Kosinski seconded the motion.

The motion carried unanimously.

SENATE BILL NO. 652

Facilitates mechanics of annexation of cities in largest counties.

Assemblyman Janson Stewart testified that the city of Las Vegas did not have a problem with the amendment, but the problem was that it could not be used.

Senator K. Ashworth moved "Do Not Concur" with the Assembly amendment on Senate Bill No. 652.

Senator Kosinski seconded the motion.

The motion carried unanimously.

ASSEMBLY BILL NO. 145

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

Senator Kosinski explained problems the conference committee had had on this bill and stated that they had agreed to not concur with the Assembly amendments.

As there was no further business, meeting was adjourned at 2:30 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

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EXHIBIT A

SENATE AGENDA

COMMITTEE MEETINGS

Committee on Government Affairs, Room 243.  
Day Saturday, Date May 30, 1981, Time first adjournment

A. B. No. 400--Revises Local Government Employee-Management Relations Act.

POSSIBLE CRITERIA FOR EVALUATION OF IMPASSE RESOLUTION

- I. The number of contracts which have been negotiated within the time period of the study.
- II. The number of negotiating sessions conducted in each contract negotiation.
- III. The number of contract negotiations resolved prior to third party involvement.
- IV. The number of contract negotiations resolved during mediation.
- V. The number of contract negotiations resolved during advisory factfinding.
  - A. List of cases in which the factfinder's recommendations were accepted, modified, or disregarded.
  - B. In each case in which the recommendations were not accepted, an assessment of which party was unwilling to accept them and why.
- VI. The number of contract negotiations resolved during binding factfinding.
  - A. List of cases which were resolved after binding factfinding was ordered, but before the factfinder's decision was made.
  - B. List of cases which were resolved by award of the factfinder.
  - C. In each case where the factfinder made a binding award, an assessment of the acceptability of the award to the parties.
  - D. An assessment of the functioning and results of proceedings by the panels which have the authority to order binding factfinding.

- VII. The number of contract negotiations resolved during "last-best offer" procedures.
  - A. List of cases which were resolved after submission to factfinder, but before factfinder made recommendations.
  - B. List of cases which were resolved by acceptance of the factfinder's recommendations.
  - C. List of cases which were resolved after submission to arbitrator, but before final offers were made.
  - D. List of cases which were resolved by award of the arbitrator.
  - E. In each case which was submitted to arbitrator:
    - 1. An assessment of which party was unwilling to accept the recommendations of the factfinder and why.
    - 2. The party which submitted the case to the arbitrator.
    - 3. The party whose final offer was chosen to be the award of the arbitrator.
- VIII. The average time taken to reach settlement under binding factfinding and "last-best offer" procedures.
- IX. The number and type of issues which went through "last-best offer" and binding factfinding.
- X. An assessment of the impact of binding factfinding and "last-best offer" procedures on other bargaining units.

- XI. An assessment of the impact on local governments due to each award in the areas of:
- A. Fiscal impact.
  - B. Lay-offs.
  - C. Changes in other priorities.
- XII. Within each jurisdiction, a comparison of the provisions of the agreements reached early in the process with the provisions of the agreements reached later in the process.
- XIII. Within each jurisdiction, a comparison of the provisions of the agreements reached after binding factfinding was ordered or through "last-best offer" procedures with the provisions of the agreements reached through other procedures.
- XIV. Were "bad faith" bargaining charges filed?
- In each case, an assessment from the commissioner, the mediator, the factfinder, and the arbitrator, whichever are appropriate, as to the willingness of each party to negotiate. An assessment of whether each party complied with the "letter" and "spirit" of NRS chapter 288.
- XV. Compilation of a 10-year history of collective bargaining for each local entity in Nevada, including an outline of all major obstacles and problems which interfered with contract settlement.
- XVI. An investigation of serious labor-management problems during the past few years for local entities throughout the Nation, including evaluations of causes of such matters as school districts closing early in the school year or operating in a serious deficit condition because of adverse settlements.



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- XVII. An assessment of the costs of the collective bargaining procedures in the state.
- XVIII. Length of time for which negotiated contracts are in effect.
- XIX Additional changes which might be proposed to improve the existing procedure.

FW/llp:5.2.Impasse