

MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON GOVERNMENT AFFAIRS

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
May 4, 1981

The Senate Committee on Government Affairs was called to order by Chairman James I. Gibson, at 2:00 p.m., Monday, May 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 Gene Echols
Senator Virgil Getto
Senator James Kosinski
Senator Keith Ashworth
Senator Sue Wagner

GUEST LEGISLATORS:

Senator Lawrence Jacobsen
Assemblyman Kenneth Redelsperger

STAFF MEMBER PRESENT:

Anne Lage, Committee Secretary

SENATE BILL NO. 560

Requires reconveyance of vacated street without charge if reconveyed to person who dedicated property.

Mr. Harvey Whittemore, Nevada Resort Association, presented his testimony to the committee in support of this bill.
(See Exhibit C.)

Mr. Whittemore reviewed an aerial map which pinpointed the problem that Summa Corporation had with a piece of property which they had originally donated to Clark County. When it was not used by Clark County, they requested that it be given back to Summa who owned all the surrounding property. A question was raised as to whether Summa should have to pay for the property. This bill would clear up this conflict.

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Senator Getto moved to reconsider Senate Bill No. 560.

Senator K. Ashworth seconded the motion.

The motion carried unanimously.

Senator Wagner moved "Do Pass" on Senate Bill No. 560.

Senator Getto seconded the motion.

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

SENATE BILL NO. 613

Provides for payment of annual leave to state employees under certain conditions.

Mr. Bob Gagnier, Executive Director State of Nevada Employees Association, testified that presently if a state employee has more than thirty days accumulated annual leave on December 31, he loses the excess over that on January 1.

This bill would provide if an employee had requested to take leave and was denied that leave, then he would be paid for any excess that he would normally lose.

Senator Ford questioned using November 15 for the date to put in a request. It seemed that this did not give the administration much leeway to arrange for time off. Mr. Gagnier stated that this date was arrived at through discussions with Personnel, but he was not adverse to changing it to an earlier date in the year. He stated that if the date was set back before November 1, then there should be a procedure to notify the employee that if his annual leave was not taken before the end of the year he would lose it.

Chairman Gibson referred to the fiscal note which estimated the cost for this provision. (See Exhibit D.) Mr. Gagnier questioned the amounts and stated that if they were true figures, then there must be much abuse going on presently.

Mr. Mitch Bruce, State Personnel Division, testified that the figures arrived at in the fiscal note was based on the number of employees and the number of hours which were forfeited this past year. It was about 600 employees and 10,000 hours.

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Mr. Bruce stated that the proper approach to this problem was proper planning and management. The time should be scheduled throughout the year rather than at the end. He stated that Personnel was opposed to this type of mechanism.

Senator Ford questioned how this problem could be alleviated. Mr. Bruce did not believe that it was a serious problem. The main problem area was with the prison system. He stated that there was a mechanism available wherein they could hire a replacement for the employee, but it was very costly.

Senator Kosinski asked if there were any rules or regulations whereby the supervisors should try to spread the annual leave throughout the year. Mr. Bruce stated that there was no policy but agreed that this would be a good idea to implement.

Chairman Gibson stated that the fiscal note applied only if the employees did not take their leave and were paid for it.

Senator Kosinski suggested using October 15 as the deadline for requesting to take annual leave and to require a notice be sent to the employee advising him of this law.

Senator Kosinski moved "Amend and Do Pass" on Senate Bill No. 613.

Senator Wagner seconded the motion.

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

Chairman Gibson stated that he would get with Personnel and Mr. Daykin to determine an appropriate time for delivery of the notices.

ASSEMBLY BILL NO. 484

Changes procedure for reconveying dedicated land and removes specific power of cities to buy, sell or exchange property to adjust streets.

Mr. Mike Cool, City of Las Vegas, presented his written testimony in support of Assembly Bill No. 484 to the committee. (See Exhibit E.)

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Senator Ford moved "Do Pass" on Assembly Bill No. 484.

Senator Echols seconded the motion.

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

ASSEMBLY BILL NO. 506

Broadens definition of "emergency" in provision governing permissible expenditures from emergency fund.

Colonel Kratt, Chief of Staff of the Military Department, testified that the Military Department, with the approval of the governor's office, designed this bill broadening the definition of emergencies in three areas. It would change natural disasters to disaster. It would also include breach of peace which was different than riot. It would add search and rescue.

This would authorize the board of examiners to pay for this.

Senator Getto moved "Do Pass" on Assembly Bill No. 506.

Senator Ford seconded the motion.

Senator Wagner stated that the language in this bill did not track the language in Senate Bill No. 97. The committee decided to hold off taking any action until Mr. Daykin could explain this language.

ASSEMBLY BILL NO. 510

Requires reconveyance of vacated street without charge if reconveyed to person who dedicated property.

Assemblyman Joseph Dini was not available to discuss this bill so the committee decided to hold it until it could be explained.

SENATE BILL NO. 615

Repeals requirement on counties to publish claims allowed.

Senator Lawrence Jacobsen testified that he sponsored this bill. He distributed a copy of research done by Fred Welden with regard to the costs of publication by local governments. (See Exhibit F.)

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Based on this list of excessive costs to the counties, Senator Jacobsen believed this bill should be passed.

Mr. Corey Creasey, Douglas County, testified in support of Senate Bill No. 615. He stated that Douglas County currently spent approximately \$5000 per year. He stated that Senator Jacobsen had introduced this bill at Douglas County's request.

Mr. Don Wittard, publisher of the Record Courier in Gardnerville, testified that he was concerned about the changes stated in this bill. As Gardnerville has a large rural population it was very often difficult for these people to find the places where the information would be posted. He felt that the more people who knew about who was being paid and the amount being spent would act as a safeguard to insure fiscal responsibility by the counties.

Mr. Pete Kelly, Nevada State Press Association, testified that he was in opposition to Senate Bill No. 615. He distributed letters from Bill Roberts, President of Central Nevada Newspapers, Burt Buy, General Manager of the Las Vegas Sun and Curt Tuck, publisher of the Lahontan Valley News and Fernley News. All were in opposition to this bill. (See Exhibits G, H and I.)

Ms. Carol Pringle, Pershing County, testified in opposition to this bill. She felt that by publishing this information public officials were forced to be responsible. She cited the fact that because a reader had noticed one incident of waste in the jail system, eventually led to the recall of the the county sheriff.

She also testified that the handicapped could not enter the county courthouse as there were no ramps.

Mr. Joe Jackson, Retired Reno Newspaperman, testified that the first English speaking newspapers were published as a result of public notices. He stated that Washoe County ignored the law. This was just one more attempt to draw a "cloak of secrecy" around government.

Mr. Corey Creasey suggested amending the language to require that the newspapers print where the lists could be obtained within the county.

Mr. Terry Wade, Nevada Appeal Editor, testified that this information, while not the most widely read, was read with great intensity by certain people. It requires the public

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officials to be more aware of their actions.

ASSEMBLY BILL NO. 167

Consolidates and reconciles provisions for bonding and levy of special assessments.

Chairman Gibson reviewed the amendments to this bill.
(See Exhibit J and K.)

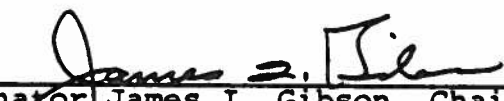
As there was no further business, the meeting adjourned at 4:00 p.m.

Respectfully submitted by:



Anne L. Lage, Secretary

APPROVED BY:



Senator James I. Gibson, Chairman

DATE: May 27, 1981

SENATE AGENDA

EXHIBIT A

COMMITTEE MEETINGS

Committee on Government Affairs, Room 243.
Day Monday, Date May 4, 1981, Time 2:00 p.m.

S. B. No. 560--Requires reconveyance of vacated street without charge if reconveyed to person who dedicated property.

S. B. No. 613--Provides for payment of annual leave to state employees under certain conditions.

S. B. No. 615--Repeals requirement on counties to publish claims allowed.

A. B. No. 484--Changes procedure for reconveying dedicated land and removes specific power of cities to buy, sell or exchange property to adjust streets.

A. B. No. 506--Broadens definition of "emergency" in provision governing permissible expenditures from emergency fund.

A. B. No. 510--Removes references to irrigation district bond commissions.

A. J. R. No. 24 of the 60th Session--Proposes constitutional amendment to conform constitutional state boundary to actual boundary.

SENATE COMMITTEE ON GOVERNMENT AFFAIRS

DATE: May 4, 1981

EXHIBIT B

PLEASE PRINT PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME	ORGANIZATION & ADDRESS	TELEPHONE
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Joe Jackson	NSPA Reno	826-3443
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Harvey Whittemore	Nev. Resort Assn	323-5050
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Maui Rabel	Douglas County	782-5176
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James Boudreau	" "	"
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Mick Bust	State Personnel	885-4050
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MIKE COOL	City of Las Vegas	483-0768
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TERRY WADY	NEVADA APPAL	882-2111
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SCOTT DOYLE	CLARK COUNTY - DISTRICT ATTORNEY'S OFF.	386-4761
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James M Bartley	CLARK COUNTY, D. A. S. OFF.	386-4765
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Thalia M. Donders	Clark County Commissioner	383-3500
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" "	" "	312-3500
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L. H. Walker	Metro	
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DONDENISON	METRO	386-3438
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EXHIBIT C

S.B. 560 was suggested by the Nevada Resort Association.

Adoption of S.B. 560 will eliminate a conflict between NRS 244.276 and NRS 278.480. Both deal with reversion of vacated streets to abutting property owners. NRS 244.276 clearly provides that when a street that was acquired by dedication is vacated, it reverts to the abutting property owners without charge. If the county acquired the property in the first place as a gift, it cannot turn around and make a profit on the gift.

The section of NRS 278.480 that S.B. 560 would amend appears to give the governing body the right to charge for a vacated street acquired by dedication in violation of NRS 244.276.

I am advised by zoning counsel for the Nevada Resort Association that, in their experience, the Clark County Commission has always followed NRS 244.276 and has never sought to impose a conditional charge for a vacated street acquired by dedication. Apparently, they realize that NRS 244.276, being adopted later in time, would control over NRS 278.480.

However, having the conflict between the two laws puts property owners who wish to have dedicated areas vacated in some jeopardy, as was demonstrated recently in Clark County.

A property owner who owned all the property adjacent to a small area that had been dedicated without charge and had never been used as a street or improved in any manner sought vacation. Another property owner located some distance away, who was in a fight with the first property owner, tried to harass his opponent by demanding the county commission charge full market value before vacating the partial street. He claimed the right to do so under NRS 278.480 as a public taxpayer, even though he was not an abutting property owner. The county commission went ahead and vacated the property without charge under NRS 244.276. However, this is an example of the mischief possible when statutes are in conflict.

Under both statutes, the local government must find it in the public interest to vacate a street. S.B. 560 simply puts them in agreement that no charge can be made for property that was given free of charge to the government.

(In virtually every case, these vacations involve right-of-ways that never were developed or used as public streets. It is usually a benefit to the local government to get them on the tax rolls.)

• STATE AGENCY ESTIMATES Date Prepared May 1, 1981

Agency Submitting State Personnel Division

EXHIBIT D

<u>Revenue and/or Expense Items</u>	<u>Fiscal Year 1980-81</u>	<u>Fiscal Year 1981-82</u>	<u>Fiscal Year 1982-83</u>	<u>Continuing</u>
		\$125,628	\$134,754	\$134,754
Total		\$125,628	\$134,754	\$134,754

Explanation (Use Continuation Sheets If Required)

This cost estimate is based on a forfeiture of approximately 10,088 hours in unused annual leave each year.

Local Government Impact YES NO

(Attach Explanation)

Signature [Signature]
Title _____

• DEPARTMENT OF ADMINISTRATION COMMENTS Date May 4, 1981

The above estimate appears to be reasonable.

Signature [Signature]
Title Howard E. Barrett
Director of Administration

• LOCAL GOVERNMENT FISCAL IMPACT Date _____
(Legislative Counsel Bureau Use Only)

Signature _____
Title _____

EXHIBIT E

AB 484 is sponsored by the City of Las Vegas with the intention of amending current statute affecting the procedure for reconveyance of dedicated land.

An example of this problem with reconveyance recently occurred when a half an acre of land was donated to the City of Las Vegas and dedicated for a public park. This parcel of land was deemed to small for a public park project which would adequately serve the rapidly expanding area near Rancho Road and Cheyenne Avenue in Las Vegas.

The Original donor of the land, Elsner Estates, did not wish to have the parcel back so the City has been maintaining the property for the last 18 months. During this period of time, an abutting property owner contacted the City wishing to purchase the property. Current statute does not specify procedures for reconveyance in this case. In addition, statute requires cities to petition electors and receive signatures of at least 51% of the number of those electors casting votes for the Congressional Representative at the last preceding general election in order to reconvey donated property.

In this case, it is estimated that sale of the 1/2 acre could net approximately \$20,000 but cost to print, advertise and solicit the petition would exceed sales proceeds by \$6,000.

AB484 proposes to bring NRS 268.050 in line with existing County statute, (NRS 244.290) which allows for the reconveyance of donated and dedicated land by resolution of the governing board if they determine ownership to be unnecessarily burdensome or that such reconveyance will be advantageous to the citizens of the County.

In addition, the City is proposing to go further than the existing statute by recommending the use of current planning commission procedures for public hearing and posting of any reconveyance proposals. (See section 1, para., 2, line 18).

I would suggest one amendment to AB484, being the inclusion of like language to section 4 of NRS 244.290 specifying procedures for reconveyance when the donor of property refuses to accept return of the donated property or is unable to accept return. (See handout.)

By consolidating City and County reconveyance procedures, those cases where the donated property is burdensome or costly to maintain can be virtually eliminated.

In addition, these proposed changes would allow a city to simplify trades or exchanges for other properties more advantageous to the needs of the citizens; an example being, finding a parcel more suitable for public park needs than that property donated.

The last section of the bill repeals NRS 268.060 since vacation and abandonment procedures are covered in NRS 278.48.

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710



ARTHUR J. PALMER, Director
(702) 885-5627

LEGISLATIVE COMMISSION (702) 885-5627
FRANK W. ASHWORTH, Senator, Chairman
ARTHUR J. PALMER, Director, Secretary
INTERIM FINANCE COMMITTEE (702) 885-5640
DONALD R. MELLO, Assemblyman, Chairman
RONALD W. SPARKS, Senate Fiscal Analyst
WILLIAM A. BIBLE, Assembly Fiscal Analyst

FRANK W. DAYKIN, Legislative Counsel (702) 885-5627
JOHN R. CROSSLEY, Legislative Auditor (702) 885-5620
ANDREW P. GROSE, Research Director (702) 885-5637

April 16, 1981

EXHIBIT F

MEMORANDUM

TO: Senator Lawrence Jacobsen
FROM: Fred W. Welden, Senior Research Analyst
SUBJECT: County Publication of Lists of Bills Paid

BACKGROUND INFORMATION ON THE STATUTE

NRS 354.210 requires counties in which a newspaper is published to publish a list of the bills that are paid by the county. The list must include the names of persons to whom the payments are made, the purpose of each payment, and the amount of each payment. The actual text of the statute is as follows:

NRS 354.210 Publication, posting of amount of bills allowed.

1. Except as provided in subsection 3, the board of county commissioners shall cause the amount of all bills allowed by it, together with the names of the persons to whom such allowances are made and for what such allowances are made, to be published in some newspaper published in the county.

2. The amount paid for such publication shall not exceed the statutory rate for publication of legal notices, and the publication shall not extend beyond a single insertion.

3. Where no newspaper is published in a county, the board of county commissioners may cause to be published, in some newspaper having a general circulation within the county, the allowances provided for in subsection 1, or shall cause the clerk of the board to post such allowances at the door of the courthouse.

[1:5:1893; A 1927, 33; NCL §1977] + [2:5:1893; A 1949, 155; 1943 NCL § 1978]--(NRS A 1957, 364)

The provision was originally enacted in 1893. It has been amended a couple of times, but the most recent change was made in 1957. This amendment was not of a substantial nature.

COUNTY COMPLIANCE AND COSTS

Each county has been contacted to obtain information about compliance with this law and costs involved. Although comments were not solicited, some were made by the local officials. Attached is a chart containing the information and comments.

In summary, thirteen counties publish lists of bills that they pay. Four counties do not publish these lists, but one of the four is exempt from having to do so. The publication costs range from approximately \$600 per year to about \$52,500 per year. In the rural counties, the administrative cost associated with preparing the lists in a format for publication was mentioned as an expense in several instances.

Officials or staff in twelve counties expressed opposition to the requirement for publishing lists of bills paid. In one case (Eureka County), support for the requirement was voiced. Officials in four other counties provided the requested information, but did not volunteer any comments. Roy Neighbors in Nye County and Pat Gallagher in Clark County expressed special interest in seeing this statute repealed.

MOST SIGNIFICANT REASONS EXPRESSED IN SUPPORT OF REPEALING NRS 354.210

In discussions with the county officials, they mentioned several reasons why they felt NRS 354.210 should be repealed. The most significant of these considerations were as follows:

- I. The costs of publication are excessive.
- II. The lists are so large that very few people read them.
- III. The detailed information is available to the public if they wish to review it.

- IV. The general information is published as required by the department of taxation pursuant to NRS 354.602.
- V. The publication causes administrative expenses in addition to the direct cost of publication.

Their general sentiment seemed to be summed up in a quote from White Pine County--"It's a waste of the taxpayers' dollars."

ALTERNATIVE COURSES OF ACTION

The range of alternative courses of action includes the following options:

- I. Repeal NRS 354.210 entirely.
- II. The portions dealing with publication could be repealed, but retain a requirement that the lists be posted.
- III. The portions dealing with publication could be made permissive; but retain a statement that if the lists were not published, they must be posted.
- IV. The portions dealing with publication could be repealed, but insert a statement that the information must be kept in a form so that it is easily accessible and understandable for public review.
- V. Leave the statute as it currently reads.

SIMILAR STATUTES RELATIVE TO CITIES

NRS 266.480(5) states that the city clerk shall:

"5. Cause to be published quarterly in some newspaper published in the city a statement of the finances of the city, showing receipts and disbursements, and bills allowed and paid. The statement shall be signed by the mayor and attested by the city clerk. If there should be no newspaper published in the county, the financial statement shall be published in a newspaper of general circulation in the county."

This language is less specific than that for the counties. A quick survey of a few of the cities indicates that these cities believe that publication of the general information required by the department of taxation under NRS 354.602 also satisfies the requirements of NRS 266.480(5). Generally, they are not publishing detailed lists of bills paid like the counties are.

If their interpretation is correct, NRS 266.480(5) is not necessary and could be repealed. From the opposite perspective, if they are correct, NRS 266.480(5) is not actually hurting anyone and could be left alone.

If the cities' interpretation is incorrect and legally they should be publishing detailed lists of bills paid, it might be advisable to treat NRS 266.480(5) of the cities in the same way that you decide to handle NRS 354.210 of the counties.

If you would like to discuss any of these options in greater depth, give me a call and I will be glad to help in any way I can.

FWW:jlc
Encl.

COUNTY PUBLICATION OF LISTS OF BILLS PAID

<u>County</u>	<u>Compliance with NRS 354.210</u>	<u>Estimated Cost Per Year</u>	<u>Comments</u>
I. Carson City	No	-----	The county published this type of list several years ago. Currently, they only publish the general financial information as required by the department of taxation pursuant to NRS 354.602. Publication of this summary information costs approximately \$800 per year.
II. Churchill	Yes	\$ 600	While the cost of publication is not great at this time, the secondary expense in staff time to prepare the information in a format for publication is considerable.
III. Clark	Yes	52,500	The lists are so long that they find it necessary to publish monthly. They believe the measure should be repealed.
IV. Douglas	Yes	4,000	They only recently started to publish the lists, after contacts from the newspaper concerning the requirements of the law.
V. Elko	Yes	1,000	None.
VI. Esmeralda	Yes	600	None.
VII. Eureka	Yes	2,400	They publish the list twice a month, and the person in the recorder's office felt that many people liked to review the list in the newspaper.

<u>County</u>	<u>Compliance with NRS 354.210</u>	<u>Estimated Cost Per Year</u>	<u>Comments</u>
VIII. Humboldt	No	----	They have not published lists in the past 10 years or so, because the cost became excessive and they do not have the capacity to produce the list in the format that the newspaper desires. They post this list of bills paid and publish the general information required by the department of taxation under NRS 354.602.
IX. Lander	Yes	1,200	They publish every two weeks. They would prefer not to publish, but the local newspaper has forced the issue.
X. Lincoln	Yes	1,200	They indicate that the clerical work is excessive, virtually no one reads the lists, and the records are available to the public without being published.
XI. Lyon	Yes	4,000	Some publications are monthly while others are quarterly, and they consider the cost to be substantial.
XII. Mineral	Yes	2,500	They publish twice per month.
XIII. Nye	Yes	4,000	They believe that the law was probably enacted in the distant past in an effort to assist small newspapers, and recommend that it be repealed.
XIV. Pershing	Yes	600	They object to the requirement to publish because it is an administrative burden and the records are available to the public for their review.

<u>County</u>	<u>Compliance with NRS 354.210</u>	<u>Estimated Cost Per Year</u>	<u>Comments</u>
XV. Storey	No	----	Storey County published these lists when a newspaper was being published in the county. They now post them as the law allows.
XVI. Washoe	No	----	They do not publish the lists because the information is available to the public, they publish the general information as required by the department of taxation pursuant to NRS 354.602, and the costs of printing a list of over 700 bills paid per week would be exorbitant.
XVII. White Pine	Yes	800	They believe it to be "a waste of the taxpayers' dollars," especially since the information is summarized in the publications which are required by the department of taxation under NRS 354.602.

SOME REVISIONS

SUMMARY--Repeals requirement on counties to publish claims allowed. (BDR 20-1227)
Fiscal Note: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

AN ACT relating to counties; repealing the requirement to publish all claims allowed; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 244.225 is hereby amended to read as follows:

244.225 The board of county commissioners shall publish quarterly a statement of the receipts and expenditures of the 3 months next preceding [, and the accounts allowed.] the publication. Publications [shall] must be made by making one insertion of the statement in a newspaper published in the county, but if no newspaper [be] is published in the county, then [such publication shall] publication must be made by posting a copy of the statement at the courthouse door and at two other public places in the county.

Sec. 2. NRS 354.210 is hereby amended to read as follows:

354.210 [1. Except as provided in subsection 3, the] The board of county commissioners shall cause the clerk of the board to post the amount of all [bills] claims allowed by it, together with the names of the persons to whom such allowances are made and for what such allowances are made [, to be published in some newspaper published in the county.

2. The amount paid for such publication shall not exceed the statutory rate for publication of legal notices, and the publication shall not extend beyond a single insertion.

3. Where no newspaper is published in a county, the board of county commissioners may cause to be published, in some newspaper having a general circulation within the county, the allowances provided for in subsection 1, or shall cause the clerk of the board to post such allowances at the door of the courthouse.



NSPA

NEVADA STATE PRESS ASSOCIATION

204 N. FALL STREET / P.O. BOX 722, CARSON CITY, NEVADA 89701 / (702) 882-1943

EXHIBIT G

Following is a statement in opposition to Senate Bill 615 from Bill Roberts of Tonopah, immediate past president of the Nevada State Press Association and president of Central Nevada Newspapers, Inc., which publishes weekly papers in Nye, Esmeralda, Lander and Eureka counties.

S.B. 615 represents a dangerous departure from legislative tradition in Nevada which has made it possible for Nevadans to know how their tax dollars are being spent. The publication of "claims allowed" makes it possible for each and every resident of a county to have access to information relative to county spending which that resident can review and study at length in his home, office or wherever he or she chooses. The posting of claims would make this impossible.

Unless the individual has the time to travel to the county seat and its courthouse to review the posted bills, he or she would no longer know how the county's funds are being spent. In the case of Nye county, our readers in Gabbs, Round Mountain, Manhattan, Beatty, Lathrop Wells and Pahrump now have ready access to this information through our newspaper. Should the claims be posted, some would have to travel as much as 175 miles to gain this same information which they now can review in their living room.

Nevada law traditionally has made it easy for state residents to have easy access to public information such as fiscal data which our residents have shown a keen interest in. They tell us that they want to know how their money is being spent and they want to have easy access to this information. Denying this ready access would be a dangerous blow to Nevadans' right to know how their tax dollars are being spent.

Las Vegas SUN

Southern Nevada's Only Home Owned Newspaper
HANK GREENSPUN, Publisher

P.O. Box 4275
Las Vegas, Nevada 89106
121 South Highland Drive
702-385-3111

May 1, 1981

EXHIBIT H

Mr. Pete Kelly
Nevada State Press Assn.
204 N. Fall Street
P. O. Box 722
Carson City, NV 89701

Dear Pete:

Re: SB 615, which rescinds the requirements on counties to publish claims allowed, with particular reference to proposed change that the list of claims would be posted on the door of the courthouse.

It is our strong belief that such a change would seriously erode the public's right to know and analyze the functions of government. To require people to come to the county courthouse for this information is unrealistic and highly impractical.

Hank Greenspun, publisher of the SUN, said it best in 1967 when similar legislation was proposed at past legislative sessions:

"The highest priority.

"One of the nation's great newspapers has for a slogan; 'You shall know the truth and the truth shall make you free.'

"This follows the widely accepted belief that a free people, to remain free, must at all times be aware of the actions of government so they can support desirable things and oppose with all their might, wrongful acts and corruption."

In support of measures like SB 615, the plea is that it will save public money.

The SUN publisher addressed that philosophy thus:

"It's true. But such legislation will also make it far more difficult than it is now for the public to learn what is going on in their own governments, and that is one of the real purposes of public officials who sponsor and support such legislation.

Mr. Pete Kelly

-2-

May 1, 1981

"They will tell you that the county can save several hundred dollars a year by not publishing a list of claims paid, but their real concern is to keep the taxpayer from knowing that a public official has sold the county a few thousand board feet of lumber or a few tons of steel.

"Any newspaperman worth his salt checks the list of claims paid by local governing bodies and the interested public checks them too.

"We oppose any of those bills which eliminate any more requirements for publications of claims paid.

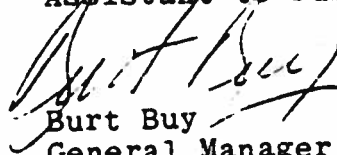
"And we will certainly look with suspicion upon any legislator who votes for the bills that serve the purpose of public officials who prefer to operate with great secrecy in the dead of night."

We heartily support the efforts of the Nevada State Press Association to defeat any legislation that would change the requirement that the list of claims be published in a newspaper of general circulation.

Very sincerely,



Ruthe Deskin
Assistant to Publisher



Burt Buy
General Manager

mg

Statement of Curt Tuck of Fallon, publisher of the Lahontan Valley News and Fernley News.

EXHIBIT I

I am opposed to Senate Bill 615 which repeals the requirement on counties to publish claims allowed. It is my belief that publication of these claims do county commissioners more good than any financial burden incurred. It shows where county funds have gone and it illustrates that they (the commissioners) are distributing purchases and services throughout the community and are not playing favorites with local businesses.

Publication of claims in our area is not a tremendous burden on the taxpayer. The sum in our area is relatively modest; about \$ 30 to \$40 monthly and I feel, a small amount to pay for open government. At this time in our history, when more and more elected officials are being called upon to defend their actions, this is no time to withdraw government actions from the people.

We have supported bills in the past which would reduce to an extent the number of legal publications required. We supported the publication of a synopsis of proposed ordinances, as an example, instead of publication of the entire ordinance. The adequate summary provided, we feel, is adequate to so notify people of what proposed new law are alike.

But to curb the publication of claims is going too far. In our area it is an inexpensive way of conveying information to the people; and I can assure you that the claims we publish are read very avidly by our subscribers.

I would urge this committee to reject Senate Bill 615.

ASSEMBLY ACTION	SENATE ACTION	Senate	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to	Assembly
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Bill No. 167	Joint
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	Resolution No.	
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	BDR 30-485	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	Proposed by	Committee on Government Affairs
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>		
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>		
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>		

Amendment No 763

Consistent with Amendment No. 764

Amend the Bill as a whole by adding a new section designated section 79, following section 78, to read as follows:

"Sec. 79. Subsection 2 of section 77 of this act shall become effective on July 1, 1983."

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ASSEMBLY ACTION		SENATE ACTION		Senate	AMENDMENT BLANK
Adopted	<input type="checkbox"/>	Adopted	<input type="checkbox"/>	AMENDMENTS to	Assembly
Lost	<input type="checkbox"/>	Lost	<input type="checkbox"/>	Bill No.	167
Date:		Date:			461st
Initial:		Initial:			Resolution No.
Concurred in	<input type="checkbox"/>	Concurred in	<input type="checkbox"/>	BDR	30-485
Not concurred in	<input type="checkbox"/>	Not concurred in	<input type="checkbox"/>	Proposed by	Committee on Government Affairs
Date:		Date:			
Initial:		Initial:			

Amendment No 764

Consistent with Amendment No. 763

Amend sec. 6, page 3, lines 46 and 47 by deleting "exceed by at least one-third" and inserting "at least equal".

Amend the Bill as a whole by adding a new section designated section 13.2, following section 13, to read as follows:

"Sec. 13.2. NRS 350.618 is hereby amended to read as follows:

350.618 Before selling any municipal securities publicly, the governing body shall:

1. Cause a notice calling for bids for the purchase of the securities to be published at least once (a week for 4 consecutive weeks by 4 weekly insertions a week apart, the first publication to be not more than 30 days nor less than 22 days next preceding) at least 10 days before the date of sale, in a newspaper published within the boundaries of the municipality, or if there is no such newspaper, in a newspaper having general circulation therein.

2. Cause such other notice to be given as the governing body may direct.

3. Cause, at least (3 weeks prior to) 1 week before the date fixed for the sale, a copy of the notice to be mailed to the department of taxation."

Amend the bill as a whole by adding a new section designated section 13.4, following section 13.3, to read as follows:

"Sec. 13.4. NRS 350.630 is hereby amended to read as follows:

350.630 1. As the governing body may determine, any bonds and other municipal securities issued hereunder, except as otherwise

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provided in the Local Government Securities Law, or in any act supplemental thereto, [shall:] must:

(a) Be of a convenient denomination or denominations;

(b) Be fully negotiable within the meaning of and for all the purposes of the Uniform Commercial Code—Investment Securities;

(c) Mature at such time or serially at such times in regular numerical order at annual or other designated intervals in amounts designated and fixed by the governing body, except as herein otherwise provided;

(d) Bear interest at a rate or rates of not more than 9 percent per annum, payable annually, semiannually or at other designated intervals, but the first interest payment date may be for interest accruing for any other period;

(e) Be made payable in lawful money of the United States, at the office of the treasurer or any commercial bank or commercial banks within or without or both within and without the state as may be provided by the governing body; and

(f) Be printed at such place, within or without this state, as the governing body may determine.

2. General obligation bonds [shall mature serially] must mature within not exceeding 30 years from their respective dates and if they mature serially, commencing not later than the [third] fifth year thereafter, in such manner as the governing body may determine.

3. Special obligation bonds [shall] must mature within not exceeding 50 years from their respective dates."

Amend sec. 31, page 14, line 33, by deleting "board of county commissioners" and inserting "governing body".

Amend sec. 31, page 14, line 41 by deleting "board of county commissioners" and inserting "governing body".

Amend sec. 31, page 14, line 45 by deleting "board of county commissioners" and inserting "governing body".

Amend sec. 31.5, page 15, line 8 by deleting "county" and inserting "municipality".

Amend sec. 31.5, page 15, line 10 by deleting "county." and inserting "municipality."

Amend sec. 31.5, page 15, line 16 by deleting "county".

Amend sec. 31.5, page 15, line 22 by deleting "county".

Amend sec. 31.5, page 15, line 24 by deleting "board." and inserting "governing body."

Amend sec. 31.5, page 15, lines 25 and 26 by deleting "board, the county treasurer" and inserting "governing body, the treasurer".

Amend sec. 31.5, page 15, line 31 by deleting "county".

Amend sec. 31.5, page 15, line 34 by deleting "county".

Amend sec. 31.6, page 15, line 43 by deleting "county".

Amend sec. 31.6, page 15, line 44 by deleting "board" and inserting "governing body".

Amend sec. 31.6, page 15, line 46 by deleting "county".

Amend sec. 31.6, page 16, line 2 by deleting "county" and inserting "municipality".

Amend sec. 31.6, page 16, line 3 by deleting "county" and inserting "municipality".

Amend sec. 31.6, page 16, line 14 by deleting "county" and inserting "municipality".

Amend sec. 31.6, page 16, line 16 by deleting "county" and inserting "municipality".

Amend sec. 31.6, page 16, line 17 by deleting "board" and inserting "governing body".

Amend sec. 74, page 40, line 21 before "extending" by inserting an open bracket.

Amend sec. 74, page 40, by deleting line 24 and inserting "systems.] acquiring water projects."

Amend the bill as a whole by adding a new section designated section 74.5, following section 74, to read as follows:

"Sec. 74.5. Section 25 of chapter 167, Statutes of Nevada 1947, as added by chapter 446, Statutes of Nevada 1963, at page 1196, is hereby amended to read as follows:

Sec. 25. As used in [sections 26 to 45, inclusive,] section 25, "improvement" means the construction, extension and improvement of water mains, lines, pipes, conduits and appurtenances and water distribution systems, [and] the acquisition of existing and operating private water companies and mutual water-distributing systems [.] , and generally the acquisition of any water project."

Amend sec. 77, page 42 by inserting between lines 30 and 31:

"(a) Sections 5.3, 5.5 and 5.6 as added by chapter 401, Statutes of Nevada 1957, at page 773, and last amended in part by chapter 646, Statutes of Nevada 1971, at page 1515.

Amend sec. 77, page 42, line 31 by deleting "(a)" and inserting "(b)".

Amend sec. 77, page 42, line 33 by deleting "(b)" and inserting "(c)".

Amend sec. 77, page 42, line 35 by deleting "(c)" and inserting "(d)".

Amend sec. 77, page 42, line 38 by deleting "(d)" and inserting "(e)".

Amend sec. 77, page 42, line 43 by deleting "(e)" and inserting "(f)".

Amend sec. 77, page 42, line 45 by deleting "(f)" and inserting "(g)".