

MINUTES OF MEETING, COMMITTEE ON GOVERNMENT AFFAIRS, ASSEMBLY 55TH SESSION, MONDAY, FEBRUARY 3, 1969.

Present: Smith, Hilbrecht, Lingenfelter, Bryan Hafen, Getto, Mello, Wood, Branch and Dini

Absent: None.

The following persons interested in the meeting's agenda were also present:

James R. Harding, Washoe County Administration  
Robert H. Alves, Society of Real Estate Appraisers  
R. E. "Skip" Hansen, American Right-of-Way Association, Chap. #46  
J. D. Eaton, Wedding Industry - Reverend Alfred Engelmann,  
George Flint, Wedding Industry - Carson City  
Esther Nicholson, League of Women Voters  
Jack W. Bay, President, Carson-Douglas-Tahoe Board of Realtors  
Pete Kelley, Nevada Association of Realtors  
Herb Matthews, National Association of Real Estate Boards  
Don McNelley, Real Estate Administrator, State of Nevada

Chairman Smith convened the meeting by announcing that further consideration of SB 26 authorizing public employees' retirement board to defer payments due from local governments on their securities would be delayed until the committee could join with the Senate Committee after this meeting. City Manager Clay Lynch of North Las Vegas is scheduled to make a further presentation to the joint committees at that time.

Assemblyman Homer was introduced as sponsor of AB 9 which would reduce vesting period for benefits under the public employees retirement system. He requested that the committee delay this bill for consideration until Thursday at which time others could be heard in behalf of the bill.

Also AB 15 providing for deposit of state board of nursing moneys was delayed for further consideration pending the appearance of Mrs. Frazzini, the assembly sponsor. No action was taken on AB 52 providing for observance of certain legal holidays on Mondays pending Assemblyman Close's appearance.

Assemblyman Homer was asked to give the committee his comments on AB 90. He told the committee that the bill which would create a simplified procedure for renewing of minister's certificates of permission to perform marriages had been given him by representative of the state fiscal officers. The intent is to make less cumbersome the renewal procedures which now require repetitive submission of qualifying documentation. Under this bill a renewal certificate may be issued upon the delivery to him of a written statement that the minister is still in good standing within his denomination and further, provided that the person who executed the initial evidence or his successor do the issuing.

Assemblyman Wood inquired whether such simplification would not contravene the intent of the present statutes in regulating and assuring bona fide ministers. Mr. George Flint representing the wedding chapel industry stated that following passage of the present

statutes a survey of the state indicated that there were 374 registered ministers in Nevada and that only six or eight at the most were found to be unqualified. Further he stated that of the five cases which have gone to the District Courts four cases upheld the applicant and only one case resulted in disqualification.

Reverend Engelmann told the committee that he shared Assemblyman Wood's concern and suggested that the proposed bill be amended to include: "The minister shall sign an affidavit that the performing of marriages is an incidental function to his or her ministerial duties". He further suggested that the county clerks have the added control of limiting the validity of the certificates to the county in which they are issued. Mr. Flint then advised the committee that that suggestion is covered by Sec. 2, par. 3 of AB 90.

Chairman Smith thanked those who had appeared on behalf of AB 90 and excused them from the meeting.

SB 4 relating to the sale of real property by counties and providing procedures for such sale was referred to the committee for consideration. Assemblyman Lingenfelter said he had been advised that the intent of this bill initially had been to delete the requirement that demands a certified appraisal on parcels of property the value of which is less than \$1,000. Presently this demand establishes and appraisal cost that boosts the sale price far beyond the real value of the property. Mr. Lingenfelter said that in the new bill however it is required that "three disinterested persons" be appointed to do the appraisal. This he stated should be changed. One competent appraiser could accomplish this.

Mr. George Alves of the Society of Real Estate Appraisers was asked to comment and said that he held the same view as that expressed by Mr. Lingenfelter. He gave an example from his own experience of a case where some Nevada property had been bequeathed by the deceased owner to relatives residing in Italy and when the sale of the Nevada property was contemplated on behalf of the heirs three disinterested persons, a bartender, a clerk, and another unprofessional individual, appraised the property at approximately \$100,000. Mr. Alves said he was then asked by the California authorities for a full appraisal and it was found that the property was worth considerably more due to highway frontals, mineral rights and improved property valuations. Thus he stated the need for competent appraisal is emphasized and urged the committee to support amendment to so provide.

Chairman Smith asked Mr. Alves what qualifies a competent appraiser within the industry. Mr. Alves stated that basically he must be at least 25 years of age, possess a bachelor's degree in either economics of business administration or be a high school graduate with at least five years experience in real estate at least two of which include appraisal experience.

Mr. R. E. "Skip" Hansen was introduced to the committee as a representative of the American Right-of-Way Association and supported Mr. Alves' suggestion that the bill be amended to provide for at least one competent appraiser.

At the suggestion of Mr. Hilbrecht the committee discussed the proposed amendment with the industry representatives who were present. Chairman Smith then thanked them for their appearance and they were excused from the meeting.

Hilbrecht moved that SB 4 be amended as follows: Line 18, delete "unless" and insert "If"; line 19, delete "less" and insert "more"; line 20, delete "three disinterested persons" and insert "one or more disinterested, competent appraisers". SB 4 as amended, Section 1, par. 2 would read: If the board of county commissioners by its resolution further finds that the property to be sold is worth more than \$1,000, the board shall appoint one or more disinterested, competent appraisers to appraise the property, and shall not sell or exchange it for less than the appraised value. Lingenfelter seconded. Motion to amend unanimously passed.

Chairman Smith asked Assemblyman Bryan Hafen if he was prepared to offer anything further on behalf of AJR 11 of the 54th Session proposing annual legislative sessions with even-numbered year sessions to be 30 days and limited to budget items. Assemblyman Hafen said that his views were known to the committee, that he felt very strongly that this bill was preferable to the Senate bill, and that he had no further presentation to make.

Chairman Smith told the committee that Esther Nicholson of the League of Women Voters has asked to be heard on this resolution and she was introduced.

Miss Nicholson thanked Chairman Smith and stated that she had asked to present the views of the League of Women Voters. She said that her organization had completed a two-year study of the legislature. She said they felt that the legislature should meet for a fixed time on an annual basis. The League opposes AJR 11 of the 54th Session and supports SJR 9 of the 54th Session. Due to the growth of the State and the complexity of governmental problems, the League is convinced that the job of carrying the legislative responsibilities cannot be done in meetings every two years.. It is felt that the remedy will lie in the voter's responsibility to choose competent legislators who are willing to devote full attention to their job. The League feels that AJR 11 is less desirable than SJR 9 in that it limits one of the annual sessions to budget items only. This may not be in the public interest.

Chairman Smith asked what the League's feelings were with regard to the Governor's proposal that an interim Finance Committee be created to handle financial recommendations between legislative sessions. She stated that, though unofficial, she felt the League opposed this on the ground that it placed too much power in the hands of a few appointees. This control should remain with the legislature.

Chairman Smith thanked Miss Nicholson and she was excused from the meeting.

Before adjourning to the Senate Committee hearing on SB 26 Assemblyman Hilbrecht said he was prepared to report back on AB 42 and AB 44. He said he had researched AB 42 and found that the intent was limited to assurance that the Controller be brought into the flow-chart for

notification of legislative appropriations. Assemblyman Wood again voiced his concern over why the legislative counsel is chosen as the agency to so notify when in fact it is the Governor's office responsibility. The committee agreed to hold AB 42 for further investigation of this phase of the problem.

Assemblyman Hilbrecht then stated that he had found that the intent of AB 44 is as stated to eliminate redundant language relating to fees of county clerks.

Wood moved Do Pass AB 44.

Branch seconded.

Motion unanimously passed.

The committee was asked to act upon AJR 11 of the 54th Session.

Lingenfelter moved AJR 11 of the 54th Session be postponed indefinitely.

Getto seconded.

Motion passed over the objection of Bryan Hafen.

The meeting adjourned with the committee agreeing to join the hearing on SB 26 in the Senate. Chairman Smith stated that Senator Farr would appear at a later meeting in behalf of SB 3.