

ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS, 55TH LEGISLATIVE SESSION,  
MINUTES OF MEETING MARCH 24, 1969

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

The meeting was opened by Vice-Chairman Lingenfelter in the  
Absence of Chairman Smith and Assemblyman Hilbrecht who were  
doing some bill research with the legislative counsel.

The following interested persons were in attendance:

Clarence Boyd, Chairman Clark County Library District  
Ernest G. Hawes, Board Chairman, Nevada Center for Cooperative  
Library Services  
Olive Keate, Clark County Library  
Lydia Maleolen, Henderson Public Library

Chairman Lingenfelter introduced Senator Titlow who requested to  
be heard again on SB 178. This bill, he said, only allows the  
establishment of a town board form of government by initiative  
petition when county commissioners do not act upon township  
requests. It sets the qualifications also for the town board  
members. Senator Titlow was asked if he would object to an  
amendment which would allow candidates to file 30 days prior  
to the election instead of 10 days as stated in the bill. He  
said he would have no objection.

Senator Titlow also asked to be heard on SB 244 which gives the  
Public Service Commission jurisdiction over public utilities  
owned by unincorporated towns. He said that some of these  
utilities do not provide the service always that is required  
and that this would give the people a public agency to approach  
the utility through.

Senator Titlow was thanked for his presentation and excused from  
the committee.

Assemblywoman Tyson was introduced for her comments on SB-5  
concerning the membership of the State Contractors' Board, the  
terms of members and other related matters. She traced the  
background of the bill for the members and indicated that the  
State Board and the Association of General Contractors are now  
separated. She said that since the separation the membership  
of the State Board has had two new appointments and is presently  
working very satisfactorily. She said that the Southern Nevada  
contractors favor staggering the terms of the State Board members  
and feel that the Governor should have complete freedom in  
selecting the membership. Therefore she said she would favor  
the amending of par. 2, Section 1 which specifies that two  
members of the board shall be general engineering contractors,  
two shall be general building contractors and three shall be  
specialty contractors. She was thanked for her presentation  
and excused from the meeting.

Mr. Clarence L. Boyd next introduced himself to the committee  
and addressed himself to AB 138 which permits certain library

and school district purchases by informal bids. Mr. Boyd outlined the advantages and savings in labor and money which are possible by permitting term subscriptions to periodicals. To this end he furnished the committee with copies of a letter from Chester K. Davis, Head of Technical Services and Acting Library Director in Clark County setting forth some examples. This letter is made a part of these minutes.

Mr. Boyd introduced Mr. Ernest Hawes also of the Clark County School District and Nevada Center for Cooperative Library Services. Mr. Hawes emphasized further the savings that could be realized by long-term subscription orders and standing orders.

He was asked by the committee if this process eliminates the little supplier. Mr. Hawes replied that the 5% differential requirement protects the small supplier as much as he can be protected in the competitive field.

The gentlemen were asked for their comments on SB 343 which authorizes merger of public libraries. They replied that this is simply a housekeeping bill which makes it possible for a city library to become a part of a county library building if it chooses. It also allows for regional contracts which would be an aid to metropolitan areas by eliminating duplication by merger.

Another of the library representatives told the committee that a tremendous saving had been effected and better service provided in Clark County in one area where a school and public library were able to merge.

SB 345 which authorizes state library to contract with the Nevada Center for Cooperative Library Services was commented on by Mr. Hawes. He told the committee that the purpose of this bill would be one of consolidating paperwork leading to labor savings. It was developed that the financial savings of this are minimal but the other savings make it highly desirable.

Mr. Boyd was asked to comment on SB 383 which modifies procedure of establishing law libraries in certain counties. His comment was that the bill merely clarifies procedures with regard to law libraries recognizing their unique quality as apart from regular libraries.

Assemblyman Getto questioned the gentleman on the informal bid procedures they seek in AB 138. It was developed that the informal bid process has built into it sufficient checks and balances to prohibit abuse.

Assemblyman Schouweiler was invited to comment on administrative control over health districts. He told the committee that it would clarify the legal position of the health districts. He told the committee that the Washoe County District Attorney's office was the requester of this bill. It seems that is a conflict between the Attorney General's opinion and the actual legal interpretation that is given to the rules and regulations of local health districts due to an ambiguity. Assemblyman Mack Fry brought into the committee and read the letter from Chief Civil Deputy Gene Barbagelata together with the opinion of the Attorney

General. These are made a part of these minutes. It was developed that there is a need to clarify the legality of the health district rules and regulations and that this bill provides that remedy.

Assemblyman Bryan was asked to comment also on AB 501 provides additional procedural requirements for meetings of certain public agencies. Mr. Bryan said that California has the Brown Law which sets up specific requirements for conformity to the "open meeting" concept for meetings of public agencies. The bill seeks to establish who is guilty if an open meeting is violated. It establishes as a misdemeanor the guilt of each person attending who does not report the suspected violation at that time. The bill also clarifies the procedures essential to giving notice for any open meeting.

Mr. Curt Blyth of the Nevada Municipal Association said he would appreciate an opportunity to consider some amendments with Assemblyman Bryan on AB 501. Mr. Bryan said he would be glad to. Mr. Bryan was then asked to comment on AB 457 which places certain local health rules and regulations on a parity with State Board of Health rules and regulations.

Mr. Bryan said the purpose of this bill was merely to establish that the legality of local health district rules and regulations is clarified when approved by the State Board of Health. This has been ambiguous in the law and this bill provides that remedy.

An amendment to AB 599 was presented to the committee. This bill pertains primarily to Washoe and Clark Counties both of whom have Public Works Departments. Assemblyman Lingenfelter told the committee the amendment had been researched and approved by George Oshima who is head of the Washoe County Public Works Department. The amendments remove those areas of public works that are not involved and also brings the bill into conformity with SB 4 in providing for one or more competent real estate appraisers. It clarifies the Public Works Department functions.

Dini moved Do Pass AB 599 as amended.  
Getto seconded.  
Motion unanimously passed.

The library bills were discussed.

Hafen moved Do Pass AB 138.  
Branch seconded.  
Motion unanimously passed.

Branch moved Do Pass SB 343.  
Wood seconded.  
Motion unanimously passed.

Wood moved Do Pass SB 345.  
Hafen seconded.  
Motion unanimously passed.

The committee agreed to consider SB 5 at a later time.

The committee considered AB 569 which permits housing authorities to

provide compensation for commissioners. Actually the bill allows them to come under the hospital plan and industrial insurance.

Wood moved Do Pass AB 569.

Motion seconded.

Motion unanimously passed.

Assemblyman Wood invited the committee's attention to AB 616 which provides for arbitration of disputes on public works contracts. It was developed that this provision would be in the terms of the contract permissively and that it would save the state a considerable amount of money by providing an arbitration process.

Wood moved Do Pass AB 616.

Branch seconded.

Motion unanimously passed.

Wood moved Do Pass AB 457.

Dini seconded.

Motion unanimously passed.

Dini moved AB 501 be indefinitely postponed.

Getto seconded.

Motion failed a majority.

Branch moved Do Pass AB 501.

Motion seconded.

Motion failed a majority.

Meeting adjourned.

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# Clark County Library District

1131 "J" East Tropicana  
Las Vegas, Nevada 89109  
Phone 735-6909

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Clarence H. Boyd,  
Chairman

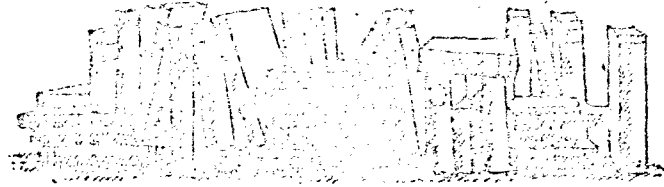
Earl Monsey

Louis Oloff

Donella Schiller

~~XXXX XXXXXXXX~~  
Pauline Dewey

Charles F. Atkins  
Library Director



March 17, 1969

Mr. Clarence Boyd  
Chairman  
Clark County Library District  
Las Vegas, Nevada

Dear Mr. Boyd:

The Purchasing Department of Clark County has informed me that various statutes prevent this library from taking advantages of certain savings in labor and money which are possible and common practices in libraries of all types throughout all parts of our nation. One of these practices involves taking advantage of long-term subscription price reductions for periodicals. The other is commonly referred to in libraries as "continuations" or "standing orders". I have been affiliated with four different libraries before coming to Nevada, and in all four, both of the above practices were regular parts of the acquisition program.

Subscription offers from the publishers and distributors often include a monetary saving if the subscription is purchased to run for a two or three year period. Often, because of periodic raises in rates, a saving of as much as fifty per-cent in the total price is possible if a three year subscription order is placed instead of a one year order. In addition there is a saving in labor costs, since one requisition is prepared, mailed, and paid instead of three.

Continuations, or standing orders, involve the placing of one order with a publisher or distributor for the supply of all future volumes of a series over a long period of time until the series is completed or until the order is cancelled. Items such as the yearly WORLD ALMANAC, the annually published BEST PLAYS series and O. HENRY PRIZE STORIES series, the slowly and irregularly published NEW OXFORD HISTORY OF MUSIC, and the vast, never ending BEILSTEIN'S HANDBOOK OF ORGANIC CHEMISTRY are generally acquired by libraries through a standing order plan. Other typical examples are SCOTT'S STAMP CATALOGS, WHO'S WHO IN AMERICA, STANDARD & POOR'S, THOMAS REGISTER OF MANUFACTURES, and U.S. GOVERNMENT ORGANIZATION MANUAL, all of which are published annually. By placing a standing order the library is assured of receiving each volume as it is published without further labor or paper work except paying the invoice as each volume is received.

As an example, a continuation order placed for the WORLD ALMANAC would, over a twenty year period, provide a library with a complete twenty year run of annual volumes of this publication. The paper work would have consisted of the regular rather extensive bibliographic and source-price check made once, one requisition left open, and annual payments made against this always open requisition. Without a standing order arrangement, there would have been twenty bibliographic and source-price searches by the staff, twenty requisitions prepared, paid, and closed, and always the possibility of overlooking an occasional annual issue until too late to acquire it. There would be no difference in price between the two methods, since little or no discount is offered to libraries on reference type materials, but the savings in staff time would be considerable.

A medium-sized university in which I was formerly employed had subscriptions for over 4000 periodicals and over 300 standing orders or continuations, thus savings in staff time and subscription prices were considerable over individual orders and one-year subscriptions.

Fiscal control of standing orders is provided by making this category a separate part of the library's budget breakdown. The same may be provided for periodicals.

As a practical example of a savings in price that we are not presently allowed to enjoy, I append a copy of an advertisement recently received. I have circled the pertinent sections. Since we must now requisition only those items expected to be available within six months of requisitioning, we could now order only the first ten volumes of this set. By placing a standing or continuation order for this set the library would save \$ 700.00 of the total single-volume price of \$ 4425.00 for the complete set plus the index. Special offers of this type cross my desk regularly.

When our permanent building is completed and our branches and stations operating at expected capacity, this library system will be subscribing to approximately 300 periodicals, some of these in multiple subscriptions for the branches. There will also be approximately 200 series which should logically be on a standing order plan. The savings in labor and money will be considerable if necessary regulations can be effected.

Sincerely,

*Chester K. Davis*

Chester K. Davis

Head of Technical Services & Acting Library Director

# NEW YORK TIMES BOOK REVIEW

## 1896-1906

rich reference collection on turn-of-the century literature and thought

terminism of Stephen Crane day? What was the reaction of O. Henry, Jack London, effens, Edith Wharton? g critical evaluations of the ntury literature...views of that furnish perspective on are available to researchers, bound volumes of The New v. issues have just been reprinted ajor republication program e Book Review.\* The re-published over a three-year

Already public and college librarians have responded enthusiastically to this collection. "The browsing value of hard copy is enormous." "Helps us meet requests for reviews of titles for which we have little in-depth information." "The reappearance of formerly out-of-print titles increases the value of the set." "A must for our courses in literary criticism."

### New Multi-Volume Index

A detailed, comprehensive index covering the entire 73-year series is planned for publication in late 1970. Work on this index, conceived as a major

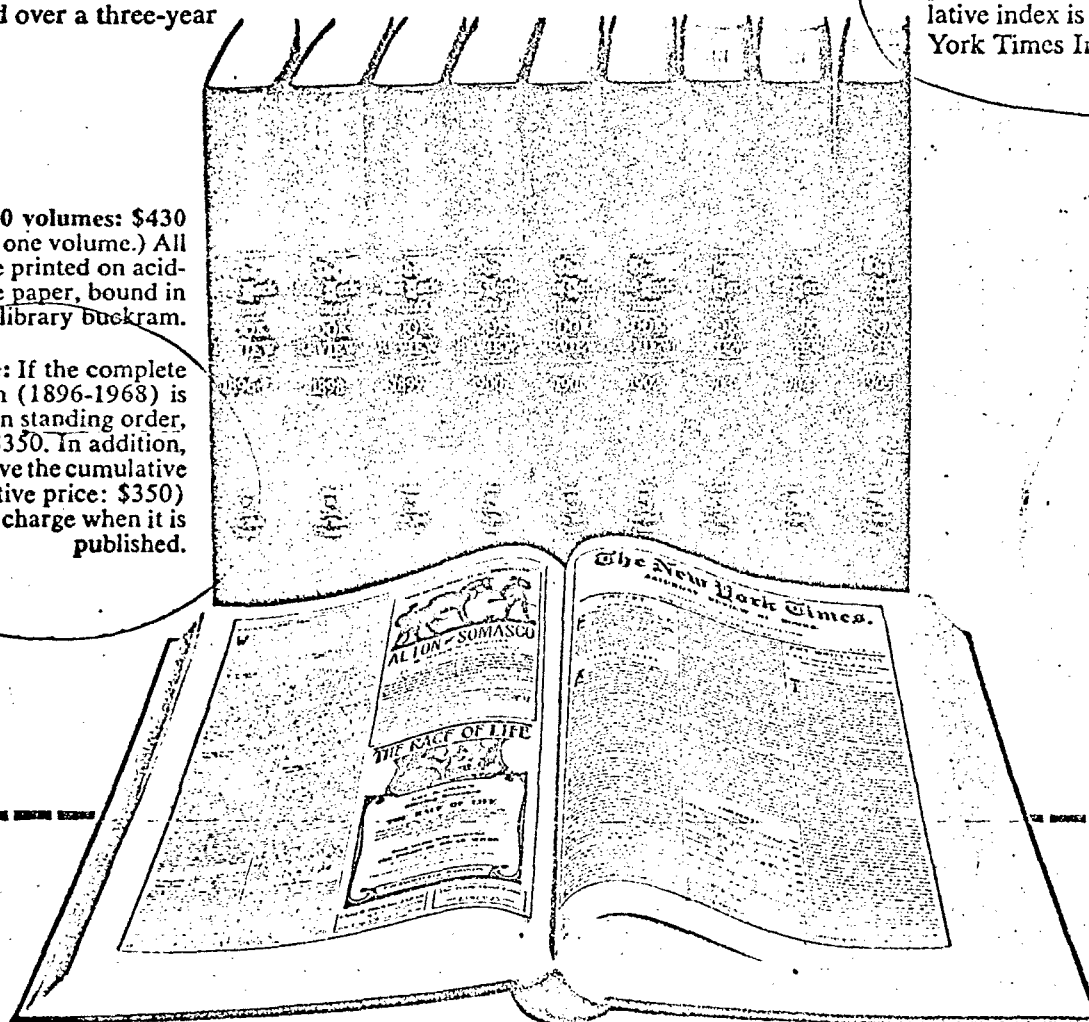
aid to literary research and scholarship, is already under way.

The index will be several volumes totaling some 6,000 pages and will cover book reviews, essays, editorial matter and letters to the editor. Indexing will be by subject and selected categories of literature as well as by title and author, reviewer, essayist and letter-writer. A computer will be used to sort and cumulate the huge number of entries, and to produce the finished copy.

The price of the index has been set tentatively at \$350. But it will be provided at no charge to purchasers of the entire collection. Until the cumulative index is available, annual volumes of The New York Times Index may be consulted as a guide.

10 volumes: \$430 (1896/7 in one volume.) All volumes are printed on acid-free, long-life paper, bound in library buckram.

\* If the complete collection (1896-1968) is purchased on standing order, you save \$350. In addition, you will receive the cumulative index (tentative price: \$350) at no charge when it is published.



The New York Times/Arno Press, Box B2, 229 West 43d Street, New York, N.Y. 10036

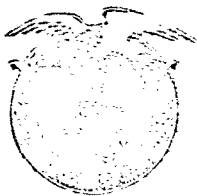
- ☐ Please enter a standing order for the complete collection of The New York Times Book Review 1896-1968, and bill us for each set as it is sent. This standing order entitles us to a \$50 discount on each of the seven sets, a total saving of \$350 on the complete collection. In addition, we will receive the cumulative index (tentative price: \$350) at no charge when it is published.

Send us the following individual sets and bill us as they are published:

- |   |   |
|---|---|
| <input type="checkbox"/> 1896/7-1906: \$430 (AVAILABLE NOW)     | <input type="checkbox"/> 1937-1946: \$630 (Available Sept. '70) |
| <input type="checkbox"/> 1907-1916: \$430 (Available June '69)  | <input type="checkbox"/> 1947-1956: \$630 (Available Feb. '71)  |
| <input type="checkbox"/> 1917-1926: \$570 (Available Nov. '69)  | <input type="checkbox"/> 1957-1968: \$755 (Available July '71)  |
| <input type="checkbox"/> 1927-1936: \$630 (Available April '70) |   |

Send volumes for the following individual years and bill us as they are published.

Library



William J. Raggio  
District Attorney

Courthouse  
Reno, Nevada 89505

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February 27, 1969

Honorable Leslie Mack Fry  
Assemblyman  
P.O. Box 2756  
Reno, Nevada

Dear Mack:

Pursuant to my conversation with you this morning whereby you informed me that Friday, the 28th day of February, 1969 would be the cut-off date for individual introduction of bills to the legislature, I would make the request on behalf of the Washoe County Commissioners that the administrative powers over the City-County Health District, specifically regarding the number of persons employed, equipment and salaries, be placed in the hands of the Washoe County Commissioners.

I believe that this is the feeling of the Reno City Counsel and I am sure that if the bill drafter would contact Clint Wooster he would provide most valuable aid in drafting proposed legislation.

I am also enclosing Opinion No. 68-1 of this office and Opinion No. 535 of the Attorney General's office which are in conflict with each other.

If for some reason the Las Vegas delegation does not wish such clarifying legislation, then we would ask in the alternative that the County be given the power to withdraw from the health district which has been formed. The power of withdrawal is now given to cities only and in my research I have not been able to find authority for county withdrawal.

Honorable Leslie Mack Fry  
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Your efforts on our behalf are greatly appreciated.

Sincerely yours,

WILLIAM J. RAGGIO  
District Attorney

By: 

\_\_\_\_\_  
GENE BARBAGELATA  
Chief Civil Deputy

GB:cs  
Encls.

cc: Mr. Clinton Wooster  
City Attorney  
P. O. Box 1900  
Reno, Nevada

cc: Mr. C. B. Kinnison  
County Manager  
1200 East 2nd Street  
Reno, Nevada

CRIMINAL DIVISION  
HERBERT F. AHLSTWEDE  
CHIEF DEPUTY

DAVID G. PARRAGUIRRE  
ENE R. BARBAGELATA  
HERBERT J. SANTOS  
VIRGIL D. DUTT  
DON V. PURKE

CIVIL DIVISION  
ROBERT GAYNOR BERRY  
CHIEF DEPUTY

PERRY P. BURNETT

OFFICE OF THE  
DISTRICT ATTORNEY  
COUNTY OF WASHOE  
COURT HOUSE  
RENO NEVADA 89501  
TEL. 785-4240

WILLIAM J. RAGGIO

DISTRICT ATTORNEY

April 18, 1968

NON-SUPPORT & WELFARE DIVISION

WILLIAM L. HADLEY  
CHIEF DEPUTY

ROBERT CANFIELD  
INVESTIGATOR

INTELLIGENCE DIVISION

RUSSELL SCHOOLEY  
CHIEF INVESTIGATOR

JOHN W. PEEVERS

Washoe County Commissioners  
Washoe County Courthouse  
Reno, Nevada

OPINION 68-1

Re: Administrative Power of Washoe County  
Commissioners over the City-County  
Health District

Gentlemen:

Pursuant to a resolution adopted by the County Commissioners on June 5, 1959, the City-County Health District was formed and was given the same powers and duties of the previously existing City-County Health Boards. The powers and duties of a county board of health are set forth in the following statutory provisions:

439.350 DUTIES OF COUNTY BOARD OF HEALTH. The county board of health shall:

1. Oversee all sanitary conditions of the county in which the board is created.
2. Make such rules and regulations as may be necessary for the prevention, suppression and control of any contagious or infectious disease dangerous to the public health, which rules and regulations shall take effect from and after their approval by the state board of health.

439.360 POWERS OF COUNTY BOARD OF HEALTH. The county board of health shall have the power:

1. To abate nuisances in accordance with law.
2. To establish and maintain an isolation hospital or quarantine station when necessary.
3. To restrain, quarantine and disinfect any person sick with or exposed to any contagious or infectious disease, dangerous to the public health.
4. To appoint quarantine officers when necessary to enforce quarantine, and shall provide whatever medicines, disinfectants and provisions which may be required, and shall arrange for the payment of all debts or charges so incurred from any funds available; but each patient shall, if able, pay for his food, medicine, clothes and medical attention.

It is clear from these provisions that the powers and duties of the District Health Board relate exclusively to problems of health, disease and sanitation conditions. There is no indication that the District should not be answerable to some other governmental body regarding administrative matters.

In 1963 our office issued an opinion that the Health District had the power to set its own per diem allowance for its personnel without regard to any of the limitations upon per diem allowances in Reno, Sparks, or Washoe County. However, this opinion was issued upon information that the Health District was truly a cooperative project of the three political subdivisions to the extent that Washoe County was furnishing only 30% of the funds for the budget of the District.

I have been advised by the County Manager, C. B. Kinnison, that since 1962-1963 there has existed an agreement between the cities of Sparks and Reno and Washoe County that the operations of the Health District would be funded solely by Washoe County, that the Health District submit its budget to the Washoe County Commissioners for approval and that the Washoe County Commissioners have the exclusive administrative control over the District. Furthermore, as an example of the County's involvement, there remains outstanding a County bond issued for the facility occupied and used by the Health District.

In view of the newly discovered facts as set forth above, it is my conclusion that the Health District is required to submit its budget to the County Commissioners for approval and is subject to the direction and control of the Washoe County Commissioners as to all other administrative matters.

*Wilbur H. Sprinkel*

WILBUR H. SPRINKEL - Deputy District Attorney

WHS:md

cc: Dr. William E. Winikow, Washoe County Health Department  
Dr. Frank C. Stokes, City-County Health District



STATE OF NEVADA  
DEPARTMENT OF ATTORNEY GENERAL  
CARSON CITY, NEVADA 89701

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HARVEY DICKERSON  
ATTORNEY GENERAL

September 9, 1968

OPINION NO. 535

District Health Boards - The administration of matters directly connected with the carrying out of functions related to public health are properly in the hands of the district health board, and not under the authority of the board of county commissioners.

James R. Brooke, Esq.  
City Attorney  
222 12th Street  
Sparks, Nevada 89431

Dear Mr. Brooke:

You have asked this office to more clearly define the powers and duties of district boards of health created by Chapter 184 of the 1939 Statutes of Nevada (NRS 439.370), and the powers and duties of the district health officer.

The original act was amended in 1959 (Chapter 96 of the 1959 Statutes) so as to provide that the board of county commissioners and the governing bodies of any incorporated city or cities, town or towns, in such county, and with the approval of the State Board of Health, could establish a district board of health (Section 5.3).

The act, as amended, goes on to provide that:

"When any county and one or more incorporated city or town within such county establish a district board of health, the county board of health, and the board of health of such city or cities, town or towns, shall thereupon be abolished, and the district board of health shall have the same power and duties and authority that such county board of health had prior to the establishment of such district board of health."

It is our understanding that prior to the adoption of the district board of health by Washoe County, Reno, and Sparks, there was a county board of health. The composition of the county board of health consisted of the Board of County Commissioners, the Sheriff, and the County Health Officer (NRS 439.280). Thus, the County Commissioners had a great

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James R. Brooke, Esq.  
September 9, 1968  
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deal to say as to how the duties and powers of the board should be carried forward, including the making of rules and regulations governing health matters (NRS 439.350).

Under the district board of health statutes, the composition of the board is set at two members from each county, city or town which participated in establishing the district, to be appointed by the governing body of the county, city or town wherein they reside, together with one additional member to be chosen by the members so appointed (NRS 439.390.1).

The county commissioners, in appointing the two county representatives, must appoint as one of such members a physician (NRS 439.390.2). Thus, we see that the five county commissioners comprising a part of the county board of health are reduced to, at most, one member. This would seem to indicate a belief on the part of the legislature that the power of a board of health should be charted into channels remote from a full board of county commissioners, when the county health board was abolished and a district health board formed with representatives from all political entities involved.

Under NRS 439.410, the powers of the county health board are transferred to the district health board, and the newly created board is awarded jurisdiction over all public health matters in the district. Under NRS 439.010, the provisions of Chapter 439 NRS shall be administered by the State Health Officer and the Health Division of the Department of Health, Welfare and Rehabilitation, subject to administrative supervision by the Director. Thus, we have a direct line of authority running from the Director of Health, Welfare and Rehabilitation to the State Health Officer to the District Health Officer.

The local health officers, which includes the District Health Officer of the Washoe County, Reno, Sparks Health District, are subject to the supervisory powers of the Health Division of the Department of Health, Welfare and Rehabilitation.

The health and welfare of the people is of paramount importance. It outweighs every other requirement of civilized government, and thus those in charge of establishing rules and regulations to perpetuate and preserve the health of the citizenry, are given the broadest possible powers in conformity with the ends to be achieved. Thus, the boards of health established by the legislature are weighted by the appointment of physicians to membership on such boards.

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James R. Brooke, Esq.  
September 9, 1968  
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Thus the administrative power over local health boards is primarily with the State Board of Health. NRS 439.200.1(e) reads as follows:

"To govern and define the powers of local boards of health and health officers."

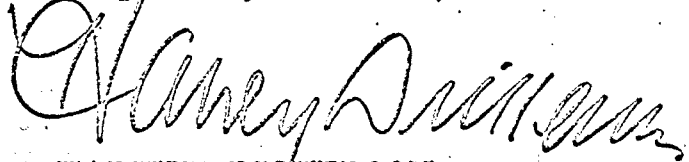
In giving the State Board of Health the power and authority to adopt rules and regulations to promote and protect the public health generally, the legislature wisely provided that such rules and regulations would have the force and effect of law, and supersede all local ordinances and regulations inconsistent therewith.

For local administrative agencies to interfere with the administration of district health boards would be inimical to the welfare of the general public, and the divided authority would lead to confusion in the area of direction of procedures directly applicable to the health and welfare of the people.

#### CONCLUSION

It is therefore the opinion of this office that the administration of matters directly connected with the carrying out of functions related to public health are properly in the hands of the district health board, and not under the authority of the board of county commissioners.

Respectfully submitted,



HARVEY DICKERSON  
Attorney General