

Present: Wilson, T. Hafen, Frazzini, Homer, Swallow, Brookman,  
Espinoza, May, Foote

Absent: None

Guests: Richard Cassidy, State Welfare Division, Gloria Handley,  
State Welfare Division, Mr. Wahrenbrock, Dept. of  
Health Welfare & Rehab , Assemblyman Reid

Meeting called to order at 3:20 pm.

It has been brought to my attention that AB-550 and 555 are not in books and they do carry an appropriation. A motion is in order to refer these to Ways and Means.

Homer: AB-550 was my bill and it was called and referred when I wasn't present. All of these bills that have to do with public employees is in Government Affairs and they are having a hearing on all of these retirement plans.

Foote motioned to refer to Government Affairs AB-550 and AB-555.  
Homer seconded.  
Motion carried unanimously.

AB-586 - Authorizes social services on behalf of children placed in Nevada state children's home.

Wahrenbrock: There is no authority for any services to be rendered to any of the children in the children's home and do not have social worker staff to do it. The child welfare workers to work with the children in the children's home. This would primarily be services to the families of the children in the outlying areas.

Question was raised about possible cost in Section 4. This refers to the maintenance of the child in the children's home which is already provided for.

Handley: This is the chapter that does authorize the welfare division to make payment for foster home care. This maintenance refers to foster home care.

Wilson: In the foster home situation we have introduced a bill for payments to the foster homes for the care of the children. This bill related to the care of the children in the foster home as well as children in the children's home? "Yes".

Question raised about line 10, Page 2, whether if the superintendent were gone if there would be someone in charge to act. It was determined that there would be.

There was a discussion on the new language; determined that Section NRS.432.010 repealed and matter in italics not necessarily new.

AB-590 - Authorizes welfare division to disregard certain income in determining amount of old-age assistance; establishes presumption that property transfer was not made in good faith.

Wahrenbrock: Intent is to remove the three year period. Places burden of proof upon the applicant. It is presumptive that he has acted in good faith; if he hasn't, he must prove.

Mr. Cassidy brought out the tremendous difficulty in getting some of the property investigated. With this bill the department wouldn't have to spend all of its time and money investigating.

It was brought out that the three year limit not changed; only the burden of proof.

The increase in Social Security grants has to be exempt against a public assistance grant. The OAA law would read just the same as the AB.

Questioned about putting the burden of proof upon the individual because they would have no money for their proof. Cassidy pointed out that in a lot of cases are deliberately complicated so the welfare department can't understand.

Question on Paragraph 2, Section 2. After the enactment of the Federal act have to disregard all of the income and earnings of this person anyway? This would enable to come within the scope of the federal.

Question regarding the word "transferee". Cassidy pointed out that the transferee may be a son or a child.

Question regarding whether it was real property concerned with. Norm Samuelson, Attorney, to clarify.

Brookman moved to postpone until we get the legal advice on this. Frazzini seconded. Motion carried unanimously.

AB-708 - Prohibits sale of clothing made of flammable fabrics.

Section 7; question raised as to how many places in the state that manufacture clothing. Few in Las Vegas.

Section 4 definitions was questioned.

Reid: I want everyone to understand that most of my legal work is personal injury. This bill is against my best interest. I represented several companies in this regard. Gave example of a case where dress went up in flames from smoking a cigarette and the person died. Some clothing literally explodes walking past electric heaters or cigarettes. There are several cases that never reach the court. There has been communication with the Fire Marshall and the clothes manufactured in the state would have to meet certain standards.

Discussion regarding the definition of "fabric" in Sec. 4.  
Mr. Reid suggested that Dennis Wright could talk on this.

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Foote questioned what action the Fire Marshall could take in retail stores etc.

Reid pointed out that this is a criminal statute; civil suits can be brought about without this bill.

It was wondered what good it would be to have this code if the other states didn't also. There are not many states that have a code stricter than the Federal.

Brookman suggested that maybe this was a problem for Judiciary.

Section 10 was discussed concerning the state fire marshall. It was brought out that there were 10 or twelve bills in this session of the Legislature giving the fire marshall certain responsibilities. The fire marshall may have the chiefs act as deputies in performing his duties.

Foote brought out that the retail store owners are not going to sell clothing that will harm their customers. Would nylon be in this classification?

Wilson: Would like to check with someone with regard to the word "fabric". Also would like to know what actually in the Federal bill.

Question as to whether Health and Welfare maybe better qualified under Sec. 10; thought that the fire marshall would know more.

Brookman moved to postpone AB-708 for further investigation. Motion passed unanimously.

AB-683 - Provides compensation for victims of crime.

Close: Frank Young and I drafted 'close' bills and this is the one that we introduced. Basically, there are four other states that have bills similar, California being one. To fund this originally wanted to take fines of criminal penalties; but these all go to the Education fund. If this bill passes here, will have to go to Ways and Means. The purpose of this bill is so that if a person has a crime committed against; and in certain conditions may make a claim upon the state for compensation of their loss up to \$10,000. California's similar law cost them only \$57,000. The victim has to be pretty needy before any money is given out through this program. If this money weren't available, there is a possibility that they would go on welfare. The Board that acts on these cases is not a new board but would be the board of examiners that passes on all claims against the state. The state does have an obligation to protect people and has an obligation to help them. Another area to be included is if somebody helps policeman and gets injured in any way, they should be able to have some compensation.

There would be 10% investigatory fees.

Page 3, Section 15. That amount would come out of the applicant's share.

This restricts attorney's fees to 15% also.

The board would act within a reasonable time.

Hafen thought this was a good concept but don't think it is worth trying to make work. Just as well kill and save Ways and Means some time.

Brookman thought intent very good.

Brookman moved a "do pass" and referral to Ways and Means Motion carried with Frazzini and Hafen voting "no".

AB-586 - Authorizes social services on behalf of children placed in Nevada state children's home.

Homer moved a "do pass"  
Motion carried unanimously.

BDR 40 1866\*

This bill replaces BDR 16 1857 introduced March 21.

Brookman felt that this bill covered more of the actual intent than the other. It was brought out that doctors actually own interest in nursing homes; felt that disclosure of ownership should be made. It was noted that only licensing boards are made available this information but people can get this information from the board.

Frazzini moved that the committee introduce.  
Hafen seconded.  
Motion carried unanimously.

Brookman moved to rescind previous motion on BDR 16 1857.  
Frazzini seconded.  
Motion carried unanimously.

Wilson: We are very near the close of introduction of bills with regard to time limits for consideration by the Senate. If you concur, we should meet each afternoon this week and this way we can conclude our work and get it done by next Monday.

Any bills that any members of the committee have still in the committee, advise and I will see what I can do to get them out.

Agenda: AB 592, 462, 688, 686, 687, 689; SB 168, 297, 298.

Meeting adjourned.