

Senate

JUDICIARY COMMITTEEMINUTES OF MEETING HELDMARCH 14, 1967

A meeting of the Judiciary Committee was held at 2:30 P.M., Tuesday, March 14, 1967, in Committee Room 56, State Capitol, Chairman Monroe presiding.

Members Present: Warren L. Monroe, Chairman
V. L. Bunker
M. J. Christensen
Carl F. Dodge
Procter R. Hug
Coe Swobe
C. Clifton Young

Also Present: Senator Fisher
Wm. Hadley, Deputy Dist. Attorney, Washoe Co.
Bob Canfield, Asst. Dep. Dist. Attny.
Joe Jackson, Nevada State Journal

S.B. 226 "Provides for licensing of foster homes by certain counties and prohibits Welfare Division from refusing to license county-licensed foster homes."

Mr. Hadley stated that our present law does not provide for the licensing of foster homes by the county, it specifically provides for licensing by the State Department of Health and Welfare. He said that the county, Washoe County, was licensing under an ordinance. Senator Dodge asked if the State Department had any objection to the legislation. Mr. Hadley replied that he did not know, but that he knew they were studying the problem and they think it might be illegal, but, this has been the practise for years and years. Senator Dodge asked what the situation was in Las Vegas. Mr. Hadley replied that they do not license foster homes in Las Vegas, whereas in our County we handle many juvenile matters. Then there is a related problem between the local State Welfare Department and our Washoe County office. The State office is under the direction of Mr. Schlesinger and a problem has arisen concerning children who are taken from County foster homes and placed in State foster homes because it involves government funds. Many of the County licensed persons have asked that they be given a State license but Mr. Schlesinger has refused to issue a license to anyone holding a County license. However, if the person will give up their County license he will issue a State license. The other problem involved here is that some of the women operating a foster home under a County license take care of working parent's children, but, if they operate under a State license they are not allowed to do so. Also, the FELCO program was discussed, Mr. Hadley explained that federal funds were available for the care of long range type cases, of children who are adoptable or mentally retarded children. When the County has a child where they think it will be a long term the child is referred to the State for FELCO aid which relieves the County of the expense. Mr. Hadley suggested that the Committee consult Mrs. Shirley Richards and Mrs. Doris Carpenter.

S.B. 359 "Authorizes county welfare departments and juvenile agencies to assume duties of Welfare Division of Department of Health and Welfare relating to child abuse."

Mr. Hadley stated that this was a problem between the two agencies. Mrs. Richards brought it to his attention that since the new child beating law was passed that the Washoe County Welfare Department should be included under this act. The County is the best qualified to take care of investigating these matters; that they have been operating under it without challenge but would like to have it in the law.

S.B. 358 "Provides for effective enforcement of parent's duty to support dependent child."

Mr. Hadley stated that this Bill involved the Aid to Dependent Children program. He said that it was his understanding that in other states the Welfare Departments work very closely with the District Attorney's office -- in some large states such as California they may even have a man from the D.A.'s office working there full time with the Welfare people. In Washoe County we had a procedure over the past two years which was terminated December 1, 1966, by Messrs Emery and Schlesinger where the person making application for ADC was told to appear in the District Attorney's office to give a statement on the facts of the case. It might take 30 days from the date of application before any assistance was given and during that time their office could proceed to cite the non-supporting parent. He said that they had a fairly good rate of success with those cases; from July 1st to December 1st we were able to contact 50 out of 70 of these non-supporting parents. The main reason for the success was that they were able to talk to these people early, get a complete story, and then do whatever could be done immediately which saved the taxpayers some money. When the new policy was put into effect we were given as a reason that other District Attorney's in Nevada were not providing such service and so they were going to adopt a policy that would apply state-wide; plus, they wanted to concentrate on attempting to effect reconciliations. It was Mr. Hadley's opinion that one out of a hundred cases were reconcilable. He also mentioned that perhaps the State workers objected to asking the applicant to come down to the D.A.'s office because it was humiliating and degrading, but as a consequence the D.A.'s office is not notified of the case until after the Aid has been granted, then after they are notified they have to contact the woman as she is not told to make an appointment. Mr. Hadley also charged that the State Dept. is not abiding by the present law as it states that the "must send notification" but in certain cases they will not notify the D.A.'s office. Mr. Hadley stated that this proposed amendment covers the situation, it makes it clear what the State Welfare Department's duties are, what the District Attorney is supposed to do, and what the applicant is supposed to do. He mentioned that last year their office collected about \$200,000. Under the ADC program the federal government participates with a contribution of 75% of the amount granted by the State.

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S.B. 325 "Gives municipal courts and justices of the peace jurisdiction over juvenile traffic offenders."

The Committee agreed to Hold this Bill and consider A.B. 215 in lieu thereof.

A.B. 215 "Authorizes judges to impose fine or require attendance at traffic school of juvenile traffic offenders."

Disposition: ON MOTION of Senator Young, seconded by Senator Swobe, it was unanimously agreed to "Do Pass A.B. 215."

A.B. 71 "Revises criminal penalties and provides for determinate sentences."

Two of the amendments were discussed briefly: 1. Determinate sentences, and 2. Reducing the penalty for possession of marihuana from a felony to a gross misdemeanor.

Disposition: Held Over.

Chairman Monroe announced that he had arranged for a Hearing on S.J.R. 25, S.J.R. 24, and S.C.R. 24, for Thursday, March 16th.

The meeting adjourned at 4:05 P.M.