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Assembly  
HEALTH & WELFARE COMMITTEE MINUTES

February 16, 1973

MEMBERS PRESENT: BENNETT, CRADDOCK, WITTENBERG, McNEEL,  
GETTO

MEMBERS ABSENT: FRY, HICKEY

GUESTS: Gloria Handley, Welfare Dept.  
Wendell D. McCurry, Health Dept.  
Earl Yamashita, Welfare Dept.  
Keith J. Henrikson, State Fire Advisory Bd.  
Joe Braswell, Inter-Tribal Council, Soc. Serv. Program  
O. A. Wahrenbrock, Dept. of H.W.R.  
Myrl Nygren, Div. of Health, Bur. of Health Facilities  
Mervin Flander, Div. Services to the Blind  
Assembly Speaker Keith Ashworth

Meeting called to order at 8:05 a.m. Chairman Bennett stated first order of business was discussion of AB 213.

Mr. Wendell D. McCurry, Assistant Chief, Nevada State Health Division, Bureau of Environmental Health, explained that the purpose of the bill was to clarify the authority of the Health Division of the State Department of Health, and the district and county health officers to supervise, inspect and regulate institutions that are state facilities.

Keith J. Henrikson, Chairman of Nevada Joint Legislative Committee of Peace Officers - Fire Fighters, stated he was also representing State Fire Advisory Board. He was questioning the word "safety" as used in the bill, as he felt it conflicted with the provisions of 477.035 pertaining to duties of Fire Marshal's office, as follows: (1) the state fire marshall shall (a) inspect all state buildings and order such fire-extinguishing and safety appliances as he deems necessary for the protection of property against fire." If the health division and state board of health are to enforce all safety regulations, the Fire Marshal's office should be relieved of responsibility.

The discussion was postponed until legal counsel could arrive to determine interpretation of word "safety".

The discussion turned to AB 179. Mr. D. T. Tomlinson of Welfare Department stated they had met with Mr. Wittenberg and felt that all questions with regard to the bill had been answered.

The next bill to be discussed was AB 187. Gloria Handley, Chief of Childrens' Services for the Welfare Department, stated that this bill was primarily to clean up previous legislation, and give the Welfare Department exclusive licensing authority for foster homes, and remove the responsibility from the Health Department. They have had a request to delete Sections 5 and 6 to further clarify the bill as these sections are only cross references to other bills. They are waiting for BDR from Health Dept. to come out which will compliment AB 187 and clarify statutes. They would be pleased to have the Committee hold the bill until the companion bill comes out and it will be easier to make judgment.

Keith J. Henrikson, State Fire Advisory Board, again objected to the bill on the grounds that it preempted the Fire Marshal's authority covering foster homes. If this bill passes "foster homes" should be deleted from responsibility of State Fire Marshal.

Mr. Joe Braswell, Inter-Tribal Council, Social Service Program, wants the bill clarified as far as the Inter-Tribal Council is concerned. It makes no provision for any emergency type operation they might have. Also, can foster homes on Indian Reservations be affected since they are not under State jurisdiction.

Mr. Henrikson was again questioned and again stated this bill was in conflict with 477.030 which provides for regulation of safety in licensing foster homes. Speaker Keith Ashworth asked if Fire Marshal was presently inspecting foster homes, and Mr. Henrikson's answer was "you bet". Mrs. Handley and Myrl Nygren both said "no". They are normally inspected by local authorities with each locality applying different standards. Speaker Ashworth suggested the Fire Marshal should be requested to testify.

Dan Quinan, State Fire Marshal, stated they do have local inspections but have no guide lines to follow. They have been trying to work with Welfare Dept. and set up such guide lines for different localities. His office is not equipped to inspect 500 or more foster homes so authority must be delegated locally. Speaker Ashworth stated he was in Legislature when Fire Marshal's office was set up and he thought it was primary duty to take care of outlying areas. Mr. Henrikson stated that the law says Fire Marshal shall adopt rules and regulations, but does not say he shall enforce them. Legislature has

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increased work load of Fire Marshal without proper manpower.

Chairman Bennett requested that the Fire Marshal and Welfare Department get together and work out a compromise and AB 187 would then again be discussed.

The discussion returned to AB 213 with Gary Owens of bill drafting department explaining different ways the bill could be amended to define the word "safety". It was agreed the wording should be changed to "safety pertaining to sanitary health and cleanliness", and Mr. Owens was to draw amendment.

All witnesses were dismissed.

Mr. Getto moved "Amend and do pass" on AB 183. Mr. Craddock seconded the motion. Yes votes: Bennett, Craddock, Wittenberg, McNeel and Getto. No votes: None. (A copy of the amendment to AB 183 is attached hereto and made a part hereof.)

Mr. McNeel made a motion "Do Pass" on AB 179. Motion seconded by Chairman Bennett. Yes votes: Bennett, Craddock, Wittenberg, McNeel and Getto. No votes: None.

SB 69 was discussed. Mr. McNeel moved "Do Pass". Seconded by Mr. Getto. All members present voted "yes".

Meeting adjourned at 9:25 a.m.

Respectfully submitted,

Jane Dunne, Secretary

ASSEMBLY

AGENDA FOR COMMITTEE ON HEALTH & WELFARE  
Friday  
Date Feb. 16, 1973 Time 8:00 a.m. Room 240

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel requested*</u>
<u>AB 213</u>	<u>Clarifies the authority of state &amp; local health offices to supervise, inspect and regulate institutions</u>	<u></u>
<u>AB 179</u>	<u>Reconciles financial responsibility provisions in public welfare law.</u>	<u></u>
<u>AB 187</u>	<u>Puts foster homes under exclusive licensing authority of welfare division of the department of health, welfare and rehabilitation.</u>	<u></u>
<u>SB 69</u>	<u>Broadens opportunity for establishment of vending stands operated by blind persons.</u>	<u></u>
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\*Please do not ask for counsel unless necessary.

HEARINGS PENDING

Date \_\_\_\_\_ Time \_\_\_\_\_ Room \_\_\_\_\_  
Subject \_\_\_\_\_

Date \_\_\_\_\_ Time \_\_\_\_\_ Room \_\_\_\_\_  
Subject \_\_\_\_\_

424.090 Applicability of NRS424.010 to 424.100, inclusive.

NRS424.010 to 424.100, inclusive, shall not apply to homes in which:

1. Care is provided only for a neighbor's, friend's, or relative's child on an irregular, occasional, and non-recurring basis for a brief period of time, not to exceed 60 days. A relative is a parent, grandparent, brother, sister, step-parent, step-sister, uncle, aunt, first cousin.
2. Care is provided by the legal guardian.
3. Care is provided for an exchange student.
4. Care is provided to enable a child to take advantage of educational facilities that are not available in his home community.
5. Any child or children are received, cared for and maintained pending completion of proceedings for adoption of such child or children, except as provided for in NRS-127.280, 6.

57TH NEVADA LEGISLATURE

HEALTH AND WELFARE COMMITTEE  
LEGISLATION ACTION

DATE Feb. 16, 1973

SUBJECT AB 183

MOTION:

AMEND &

Do Pass  Amend  Indefinitely Postpone  Reconsider

Moved By Getto Seconded by Craddock

AMENDMENT:

Moved By \_\_\_\_\_ Seconded By \_\_\_\_\_

AMENDMENT:

Moved By \_\_\_\_\_ Seconded By \_\_\_\_\_

VOTE:

	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Bennett, M.	<input checked="" type="checkbox"/>					
Craddock, R.	<input checked="" type="checkbox"/>					
Hickey, T.						
Wittenberg, A.	<input checked="" type="checkbox"/>					
Fry, L.						
Getto, V.	<input checked="" type="checkbox"/>					
McNeel, R.	<input checked="" type="checkbox"/>					

TALLY:

Original Motion: Passed  Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_

Amended & Passed \_\_\_\_\_ Amended & Defeated \_\_\_\_\_

Amended & Passed \_\_\_\_\_ Amended & Defeated \_\_\_\_\_

Attach to Minutes Feb. 16, 1973  
(Date)

57TH NEVADA LEGISLATURE

HEALTH AND WELFARE COMMITTEE  
LEGISLATION ACTION

DATE Feb. 16, 1973

SUBJECT AB 179

MOTION:

Do Pass x Amend      Indefinitely Postpone      Reconsider --

Moved By McNeel Seconded by Bennett

AMENDMENT:

Moved By                      Seconded By                     

AMENDMENT:

Moved By                      Seconded By                     

VOTE:

	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
Bennett, M.	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Craddock, R.	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Hickey, T.	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Wittenberg, A.	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Fry, L.	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Getto, V.	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
McNeel, R.	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>

TALLY:

Original Motion: Passed x Defeated      Withdrawn     

Amended & Passed      Amended & Defeated     

Amended & Passed      Amended & Defeated     

Attach to Minutes Feb. 16, 1973  
(Date)

57TH NEVADA LEGISLATURE

HEALTH AND WELFARE COMMITTEE  
LEGISLATION ACTION

DATE Feb. 16, 1973

SUBJECT SB 69

MOTION:

Do Pass x Amend      Indefinitely Postpone      Reconsider --

Moved By McNeel Seconded by Getto

AMENDMENT:

Moved By                      Seconded By                     

AMENDMENT:

Moved By                      Seconded By                     

VOTE:

	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Bennett, M.	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Craddock, R.	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Hickey, T.	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Wittenberg, A.	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Fry, L.	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
Getto, V.	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>
McNeel, R.	<u>x</u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>

TALLY:

Original Motion: Passed x Defeated      Withdrawn     

Amended & Passed      Amended & Defeated     

Amended & Passed      Amended & Defeated     

Attach to Minutes Feb. 16, 1973  
(Date)