

MINUTES

WAYS AND MEANS COMMITTEE - NEVADA STATE LEGISLATURE - 58th SESSION

February 20, 1975

Meeting was called to Order by Chairman Mello at 8:00 A.M. in the Ways and Means Committee Room.

PRESENT: Chairman Mello, Mr. Bremner, Mrs. Brookman, Mr. Dreyer, Mr. Glover, Mr. Howard, Mr. Robinson, Mr. Weise and Mr. Wittenberg.

ALSO PRESENT: John Dolan, Bill Bible, Roger Trounday, Chief Justice Gunderson, Robert Davenport, William Richards, Barbara White, Paul Cohen, Maynard Yasmer, Del Frost, Robert Foster, Jack Penman, Jay Miller, Alex Forbes.

Chairman Mello read AB 246, "Makes supplemental appropriation from General Fund in state treasury to department of military." BDR S-792.

Mr. Wittenberg made a motion to recommend a "Do-Pass". Seconded by Mr. Robinson. Motion passed.

Chief Justice Gunderson presented the budget for the Supreme Court. He stated that additional positions requested are a law clerk, secretary and a senior law clerk to handle extraordinary writ and habeas corpus matters. In 1966, he stated they had 10 pre-trial habeas corpus cases and in 1974 there were 64. The Supreme Court handles 600 cases per year and with these new positions they could provide an extra effort on special cases and problems.

The Contractual Services is to institute a law student intern who would screen the appeals in order to clear places on the argument docket for substantial cases. This would also provide for the law student training and seminar.

Mr. Gunderson stated that he had contemplated requesting a merit increase for several of the employees, but did not do so as the Governor is proposing a 15% salary increase for state employees..

He explained the Dues and Registration is primarily for the dues to the Bar Association and membership in the National Center for State Courts.

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The Other Contractual Services is for IBM machine rentals and a new MTST.

Mr. Robinson stated that he felt there was a great discrepancy between the salaries for unclassified positions. He stated the Attorney General's salary is slightly above the assistant law clerk, the State Treasurer who has a highly specialized staff responsible for millions of dollars is slightly higher, the Tax Commissioner, The Insurance Commissioner has a PhD and has a tremendous impact on the people of the State and the Public Defender, who is an experienced attorney, are all just slightly higher in salary. He suggested that the discrepancies in these positions be noted and the qualifications of all these positions be considered in the sub-committee. He recommended we try to find out why we are mis-treating some of the state employees and rewarding others and feels there is an imbalance.

Mr. Gunderson stated that these salaries are in line with what is being paid by good law firms or the District Attorney's office. He stated that the Deputies will be receiving \$15,456 after July 1, 1975. Mr. Weise stated that the District Attorney is a four year term and he has contacted several law firms in Reno and they all stated they would not pay \$15,000 for a one year term. The Reno law firms only start their law clerks at \$12,000.

Mr. Weise questioned the \$5,000 for In-State travel if they hear cases only in Carson City. Mr. Gunderson stated that he travels to Las Vegas at least once a year to swear in the new members of the bar, He is requested to speak on administrative matters in Las Vegas and they are invited several times to speak in Reno. Chairman Mello asked how much

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the travel would increase if the Constitutional Amendment is passed which would provide for hearing Supreme Court Cases out of Carson City. Mr. Gunderson stated it would be less expensive to have the 5 Justices, 1 Clerk (or his deputy), 1 court reporter, and 1 law clerk to Las Vegas than it would to bring the lawyers to Carson City at Government expense. He stated they would not tie up the courtrooms, they would use the chambers in No. Las Vegas, the courtroom in the old postoffice, Commission chambers, etc. Chairman Mello felt that \$50,000 would be used for in-state travel if this was approved.

Mr. Weise requested a list of the case back-load including the breakdown of what the case back-load is, what is pending to be heard and what has been heard but awaiting a decision

Mr. Gunderson stated that the Court meets 10 months out of the year, four arguments are heard each day, five days a week, one week a month. The afternoons are free for administration purposes and getting out opinions. He stated that at present a case takes a little over a year to be heard and he felt this would be less with the screening process.

The District Judges Salaries were explained. Mr. Bible explained that the Retirement figure is so high because it is projected on the basis that all officials would belong to the Public Employees Retirement System. There are 24 judges and their salaries are set by law. The Out-of State travel expense is for the judges to attend conferences with other judges in other states, the National Conference for trial judges, and for ten judges to attend the tri-state judge's conference.

The Supreme Court Justice and Widow's Pensions were explained by Mr. Davenport. Presently they have two widows receiving benefits. Chairman Mello stated that SB 183 would provide an increase for widows in pensions from \$350 to \$400. Mr. Davenport also stated that legislation is being proposed to reduce the widow's age to 60 rather than 65. These are statutory set figures and presently there are six retired judges. The judges are under a Judicial Retirement System to which the judge's do not contribute. It is paid strictly by the state.

Barbara White then explained the Law Library budget. She stated that under New Positions she is requesting the half-time student position be made a full-time position as it takes a lot of time to train a student every year.

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Paul Cohen, Chief of the Bureau of Alcoholism and Drug Rehabilitation, explained that budget. He stated this was a continuation of the University of Nevada's Drug Education program. He stated that they are asking for the same One-Shot appropriation to be placed in the Bureau's budget to be able to implement a program necessary for the establishment of a long-term, on-going project in the public schools. Mr. Robinson questioned why this was again a One-Shot and not placed in the budget. Mr. Bible explained that this was started in 1971 Legislature with two One-Shot years and again in 1973. They anticipate that state involvement would end this biennium and that the program would be absorbed by the local school districts. Mr. Cohen stated that they have reached 11,000 fifth and sixth grade students and 450 seventh grade students which does not include other programs in the education field which have reached over 15,000 students.

Mr. Cohen stated that the drug abuse program is to formulate, coordinate and implement a state plan for the prevention and treatment of alcohol and drug problems. There are four main categories: 1. State/Federal Compliance, 2. Data reporting process, 3. Statewide training program, 4. Occupation Assistant Project, and 5. Education. He explained that the first category, Compliance, would enable them to develop a state plan which would make the Bureau eligible for federal funds over approximately \$300,000. He stated that these funds are then given as grants for local programs. 2 and 3 are concerned with Quality of Service and establishing a statewide data collection system. 4 and 5 are directed at education - prevention and intervention and works with the Occupational Assistance Program.

Mr. Del Frost explained the Committee to Hire the Handicapped. He stated that this is a state attempt to follow the President's program and there is a need for an office for this Committee. This program would not just

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find jobs for the handicapped but would help with industries in this state in creating an attitude of what it means to hire the handicapped. There is a need to create jobs for these people. Dr. Robert Foster, member of the Governor's committee and Principal of Helen J. Stewart School for the mentally retarded, cited a case showing how difficult it is for the handicapped to obtain a job, but when they do they prove to be a great asset to the employer. He stated they spend money education the young people but there are no jobs available for them after they are trained.

Chairman Mello felt that the Employment Security Department and Rehabilitation programs should be handling this. He felt that the existing agencies should be doing this rather than beginning a new budget and duplication in Government should not occur. As a new budget is created it increases every year, whereas, if it was placed in the Rehabilitation Budget, the costs could be controlled. He stated he sees the need for the handi-capped programs but felt it should be handled by the existing agencies.

Mr. Frost stated that ESD has placed less than 1% of the handi-capped population in jobs. He also stated that nationwide there is a problem with unemployment, and the handi-capped are the first to go. Mr. Robinson suggested they explore the private employment agencies to help provide employment and perhaps give them bonuses each time a handi-capped person is placed in a position.

Mr. Weise stated that if a new budget is started, the money would be consumed in employees and equipment rather than to the people.

Mr. Frost then explained the Developmental Disabilities. He stated that \$100,000 is a minimum allotment from the Federal Government under the Developmental Disability Act. They are asking this be matched with \$10,000 of state money. The purpose of the program is to develop a statewide plan in an effort to meet the needs of the Mentally Retarded, Neurologically Handi-capped, Cerebral Palsy and Epileptic group. The Federal Government requires that they have a Governor's Planning Advisory Counsel which develops a plan using the staff of the state agency. The In-State and Out-of State travel was explained and it was explained that the Developmental Disability grants of \$93,000 would be reduced and put in the travel expense. He stated they would provide the committee with a breakdown of the travel expenses.

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Social Security Disability Adjudicator budget was explained by Mr. Frost who stated that this is 100% Federally funded. He stated the New Position request is quite conservative as they do not need all the positions recommended by the Federal Government although it would mean more money, but it couldn't be used for anything but these positions. Mr. Jack Penman, Chief of the Bureau stated that they have a 22% referral rate under the SSI program. SSI is the Supplemental Security Income program designed to help the needy, aged, and disabled. This income is based on need and they cannot exceed certain income or certain resources. They have to be currently working or have worked five years out of the past ten.

Mr. Frost explained that on page 49 of the Legislature's Analysis Report, the budget under New Programs shows a Governor's Recommendation of \$199,000, this should be \$99,000.

Jay Miller explained the Girls School in Caliente budget. He explained Project 75-18 which would provide two new cottages because of the population increase. He stated that they have had to make direct administrative releases of girls when they were not ready to be released. This involved 14 girls who had a place to go and who were accepted at home. They are now back to 92 girls, but they need more room. He also stated that Project 75-36 for the additional classroom is requested only if the two cottages are received.

The New Positions requested are Business Manager I, Senior Storekeeper, Senior Account Clerk and Stock Clerk. Also, Overtime has to be paid for time over 60 hours a week and must be paid in cash. The Contractual Services are for a dentist and two doctors. The food prices have increased and it costs them .50 per meal per girl. They are requesting a new van in the second year and they need a new truck. The Maintenance Buildings and Grounds is to repaint the buildings. Mr. Miller stated that the Psychologist that was approved last session has proved to be a great asset

in doing research and providing training programs for the staff and counseling the girls.

Mr. Miller explained the Youth Parole-Girls School. Chairman Mello stated there is a Supplemental appropriation for this and also SB 175. Mr. Alex Forbes stated there has been an increase in communication, telephone and rent.

They are requesting a new position of Youth Parole Counselor as one man is presently handling three jobs including this one.

The meeting adjourned at 11:00 A.M.