

Assembly

MINUTES

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

APRIL 14, 1975

The 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, Chancellor Neil Humphrey, Dr. Don Baepler, Justice Davis Zenoff, Alvin Wartman, Paul Schofield, Ed Pine, Howard Clodfelter, Gil Blonsley, Dr. Carr, Tom Ballow, Elrod Starley, Lyle McCartney, Dr. Sherigan, Ron Sparks, and Senator Floyd Lamb.

Mr. Dreyer made a motion to approve the minutes of April 1, 2, 3, 4, 7, 8, and 9, 1975. Mr. Weise seconded. Motion passed.

Law School - Dr. Baepler stated that the cost per legal student is not much more than any other on-going student. There are other areas that now exceed this figure. Nevada is the only state that does not have a law school and there is a great demand of Nevada students to receive a legal education. There are start up costs that will have to be met and the library costs will be funded through private subscriptions. They need authorization for the law school now in order to keep up the enthusiasm of people who are donating support. They would like to defer the start of the entering class until 1977 rather than 1976. They are also requesting \$50,000 to hire a dean and librarian in 1976.

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Justice Zenoff stated that his personal interest was generated by the vast number of High School boys and girls who desire an education in law but are denied the opportunity to get one. He has been called upon to write letters of recommendation for students to be accepted in other schools. He felt that the time is right to begin a law school. They have acquired \$200,000 for the law school and have commitments for almost \$800,000. Marquette Law School is also holding necessary law books to constitute 80% of a law library at about one-third the cost. University of Nevada - Las Vegas should have at least a law library. The State Bar had a 9-4 vote against the proposal for a law library, but in February 1973 he received a message from the Secretary of the State Bar expressing a desire for the law school. Students are being rejected for other law schools and those that are accepted have to pay about \$2500 per year minimum for tuition.

Dr. Humphrey stated that the Board of Regents approved a proposal for a law school. They would have about 210 students in a three year cycle. The University is ready to go once the Legislature give the green light.

Chairman Mello stated asked that if a resolution was passed calling for a veterinary school, would the Board of Regents be willing to carry it out.

Dr. Humphrey stated that they do not know what they would do if it was proposed. Also, the \$500,000 is conditional and they are not sure that a one year school would be acceptable.

Dr. Baepler stated that the UNLV's track record for receiving private funds that were pledged is above 90% and they are ranked fifth in the nation for receipt of this type of pledge.

Alvin Wartman stated that the Board of Governors, after passage of the resolution, appointed a committee to study the feasibility study that was done. The Board adopted the majority report which was against the school. They are seriously concerned about the cost and feel it will cost \$3/4 million for support of the law school plus the \$5 million for the building. He stated there is a surplus of lawyers and finding them a place or something to do is a big problem.

Paul Schofield felt that the law school would be good. He felt there

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is a greater need for lawyers not necessarily practicing attorneys. The study that was done did not show how many students would attend law school if there was one locally available. He questioned how many people would go to college if there was not one available. Nevada has the capacity, the opportunity and the students who want to go to law school. He stated, however, that if a law school is built it should be a first-class school.

Chairman Mello stated that it appears that the university is not being supported now and questioned why new programs should be started. He also asked where the money would come from since the budget has no Governor's recommendation.

Chancellor Humphrey stated that he felt it was not their obligation to tell the state how to get funds. They would like to be placed on notice that in 1977-1979 they will be requesting funds for a new building for the law school if approved.

Chairman Mello stated that it is the responsibility of the university and the people of the state to make suggestions as to how the money can be made available.

Justice Zenoff stated that he felt they did their part by raising almost \$1 million in private money.

Mr. Dreyer stated that those who want the law school have misrepresented the study. The study states that the classes open to students in other schools have not been applied for. Legal positions will have to be opened for these students and they are not available. He was told that only two classrooms would be needed for a law school and now they want to build a new building. He felt that with approximately \$200,000 an existing building could be remodeled for this purpose. The amount of lawyers has doubled, but the population has not and is against the law school.

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Dr. Baepler stated that for purposes of accreditation they need a separate building. Also Tonopah Hall which is being phased out would not be feasible for a law school. The law school will begin in this building but only until the new building is built. The Tonopah Hall would not allow for courtroom atmosphere or a good place for the law library.

Mr. Robinson stated that the entire proposal leaves many questions unanswered and it seems that the leadership of the university is more concerned about having a law school than the needs of the students. Under WICHE \$3000 could be appropriated per student. The law school would be used by out of state students also, but WICHE would be only to pay for Nevada students. There has been no proposal about financing the students under WICHE. Last year there were 135,000 students in law schools, 27,000 graduated and only 14,000 could receive jobs. He stated that the university should be switching fields and establish classes like they have at the community college. Universities are turning out many more teachers than are needed and the same would happen with law students. He questioned why WICHE was not pursued as an alternative as the report proves a law school is not feasible.

Dr. Baepler stated that it would cost the same if the money was put into WICHE as it would to have their own law school, but without the benefits. He questioned why Nevada should support other states rather than their own. He stated that the dormitory, Tonopah Hall, is being phased out because it is not economically feasible. The university is now surrounded by apartments that provide the same services. They have 170 students and a 250 capacity. The cost is \$635 per student per semester. He also stated that there is now almost no attrition rate because the schools are becoming more selective in their acceptance of students.

Dr. Humphrey stated that in regard to the veterinary school, he felt it would cost \$10,000-\$12,000 per student in a veterinary medicine school as the cost is similar to a medical school. WICHE has guaranteed five spaces for students in veterinary school.

Chairman Mello stated that there are 402 attorneys in Clark County and 405 in the Reno, Tahoe and surrounding area and probably more who are not practicing law.

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The Tonopah Hall and Dining Hall combined cost \$1,198,000. The dormitory alone cost \$537,000.

SB 292 "Authorizes Board of Regents to use certain proceeds to compensate UNR student health services for its space in student union building."
BDR S-1101

Ed Pine stated that they hope to use 3800 square feet of the 21,250 square foot Jot Travis building. He stated that the students are in favor of this. Chancellor Humphrey stated that this authorizes them to use bond monies in a different manner than it was appropriated for.

Mr. Bremner made a motion to recommend a "Do-Pass". Mr. Robinson seconded. Motion passed.

Health Aid to Counties - Gil Blonsley, Clark County, stated that funds are needed to support programs that are being cut, such as child immunizations, venereal disease, maternity and child programs and air pollution control programs. These are either being reduced or almost eliminated. The program statement is the budget has been changed to read "This item establishes a concept of per capita funding for health services which transfer to the Washoe and Clark County Health Districts on a population formula, one dollar per person per year with the State Health Division utilizing the funds not so transferred to provide health services in the other counties. It is intended that these funds would not replace or eliminate any other category of funding or grants from or through the State Health Division. Further, population by county will be established by the Political Science Departments of the University of Nevada system as certified by the Board of Regents on an annual basis."

Howard Clodfelter stated that Washoe County concurs with the request for assistance per capital funding. They will not have the staff to continue the programs as staff funding has been reduced to almost nothing. Personnel has been reduced and will have to be reduced again if this is not approved. He cannot say what conditions the restaurants will be in if there is not enough staff to check them. They are presently only checked once or twice a year.

Gil Blonsley stated that they have 170 employees and Clark County might have to lay off 17. 21 of these employees are funded by other programs. There is a constant turnover in foodhandlers and they are faced with a continual education program. They immunized about 35,000 children last year but expect that this will be reduced to less than half. The immunization list is substantially long and includes polio, rubella, TB, etc.

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Mr. Clodfelter stated that the Family Planning program receives funds under Title X and gets very little assistance from the state.

Mr. Blonsley stated that Clark County receives 30,000 from the state. Clark County has more of a problem with the larger food establishments than the smaller ones, especially in the buffet lines. Less education and courses in foodhandling cause problems. This year from \$2,800,000 they received \$108,000 from the state and \$56,600 federal money through 314-D pipeline. Food service inspection is a state responsibility and they need the personnel to inspect the establishments on a regular basis. The state sought to consolidate the facilities and move the lab from the Health Department. Their principal concern is with the Venereal Disease program. They have an immediate need of test results while the patient is in the office, but with the lab in its new location they have to wait for the results to be returned. The building was built to accomodate the laboratory and equipment in the Health Department. Personnel is the biggest problem and they need qualified personnel to do the job on the scene.

Mrs. Brookman asked why more food inspectors were not requested if they are needed.

Dr. Carr explained that the two large counties handle their own priorities and they do not feel they should tell these larger counties how to run their offices. If a complaint is received it is relayed to the county.

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Chairman Mello asked for assurance that the restaurants will be inspected and better service provided if the Agency Request is approved.

Mr. Clodfelter stated that they will inspect the restaurants more frequently and will degrade a restaurant and give them a time limit to correct the problem. If they have the additional manpower the man could get back and check to see that it has been corrected in the time limit that was given.

Chairman Mello questioned if the restaurant owners will be kept in business as they have in the past if the requirements are not met. He stated that there was a restaurant in Sparks that was told to clean up and when it didn't it was given a class B rating just to be degraded to class C rather than be closed down. He stated that the excuse that they do not have enough help is not a good one. He did not want to put money into a program that was going to be operated the same way it has in the past.

Mr. Blonsley stated that the MGM Grand Hotel alone has 50 restaurants and it takes two weeks to inspect all 50. He felt that the immunization field was more important.

SB 111 Creates administrative division within state department of agriculture provides for its function and makes an appropriation." BDR 50-210

Tom Ballow stated that the Livestock industry pays for the Livestock Inspection Fund and are paying for some of the personnel. The industry is not in a very good state and should not have to continue paying most of this fund.

Mr. Howard stated that they will be taking and readjudicating these funds so they will not be using these funds for administrative and operational funds.

Mr. Ballow stated that it would take \$54,889 in the first year and \$54,943 in the second year from the General Fund to accomplish **this and relieve** the livestock inspection fund.

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Mr. Weise felt that this would give future money committees and departments a better accounting of where the money is going.

Elrod Starley, Vice-President of the Cattle Association and Chairman of the Brand Inspection Fund stated that they endorse this bill and the transfer of the three persons that they are carrying that do not work with them. They cannot ask for another raise from the ranchers.

Lyle McCartney stated that they agree with the Cattleman's Association and are definitely behind this and feel this is the direction that should be taken.

Mr. Howard made a motion to recommend a "Do-Pass". Mr. Weise seconded. Motion passed.

SB 389 "Makes appropriation from state general fund to department of human resources." BDR S-1449.

Dr. Sherigan stated that the money will be used to compliment the existing funds. This is needed because of the Federal Court decision. The people will remain in California until the mental facility is completed.

Mr. Bremner made a motion to recommend a "Do-Pass". Mr. Robinson seconded. Motion passed.

SB 358 "Provides uniform rate of compensation for members of certain governmental bodies." BDR 54-1352.

Ron Sparks explained that this would have no affect on the boards that receive compensation in excess of \$40 and it equalizes compensation for the boards. Bill Bible stated that they have 160 boards but not all will be compensated.

on Sparks stated that a new fiscal note has been drafted and the one in the book is the latest.

Senator Lamb stated that the purpose is to try and take care of everyone so they all receive the same. On the last page, Section 51 would take care of anyone who was missed in other sections. The \$40 figure was picked because it seemed to be the amount it was costing and what was needed to take care of anyone who has been on the board.

Chairman Mello asked if the per diem would be the \$28 that was passed.

Senator Lamb replied that it would.

Mr. Robinson made a motion to recommend a "Do-Pass". Mr. Dreyer seconded. Motion passed. Mr. Weise voted no and Mr. Bremner is recorded as not voting.

SB 422 "Repeals provision for reversion of certain appropriation for rewards." BDR S-1468.

Bill Bible explained that it is recommended that the reversion restriction be repealed so that this amount will remain until the \$25,000 has been exhausted.

Mr. Howard made a motion to recommend a "Do-Pass". Mr. Bremner seconded. Motion passed.

The meeting adjourned at 11:00 A.M.

**DISTRICT HEALTH DEPARTMENT**

P.O. BOX 4426 • 625 SHADOW LANE • LAS VEGAS, NEVADA 89106 • 702-385-1291

April 14, 1975

Refer to: 5-4-003

Assembly Ways and Means Committee
Nevada State Assembly
Carson City, Nevada 89701

Attn: Assemblyman Don Mello, Chairman

Dear Assemblymen:

The Clark County Health District appreciates the opportunity to provide commentary concerning the establishment of the concept of per capita funding for local health services, as found on Page 284 of the proposed budget document under the category of "Health Aid to Counties" (263-3641).

The State Health Division originally proposed the idea of per capita funding in its budget submission to the Governor, as is reflected in the line item entitled "Regular Appropriation" - Agency Request for 1975-1976 and 1976-1977.

It is critically important to all people of Nevada that these funds be made available to support the vital public health programs which are being cut back or eliminated because of the reduction or cancellation of federal funding, which has traditionally supported these services.

Funds for child immunizations have all but disappeared, support for venereal disease and tuberculosis control remains stagnant, 314(d) block grant monies may not be continued, Maternal and Child Health services funding will probably be reduced, and air pollution control funding has been cut by one-third.

There would be adequate funding for this concept, which would make up much of the loss in Federal funding, if the Assembly Ways and Means Committee were to approve these amounts -- \$581,505 for the first year and \$604,443 for the second. The other line items under this section would not be altered by this proposal.

5-3-003

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April 14, 1975

As a Program Statement, we would suggest the following:

This item establishes a concept of per capita funding for health services which transfer to the Washoe and Clark County Health Districts on a population formula, one dollar (\$1.00) per person per year with the State Health Division utilizing the funds not so transferred to provide health services in the other counties.

It is intended that these funds would not replace or eliminate any other category of funding or grants from or through the State Health Division.

Further, population by county will be established by the Political Science Departments of the University of Nevada system as certified by the Board of Regents on an annual basis.

We would be pleased to provide any additional information the Committee requires, and we thank you for your interest and assistance in trying to put together a workable and responsible public health program for the people of our State.

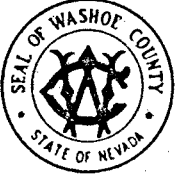
Respectfully submitted,


Gill Blonsley
Administrative Officer

GB/kg

WASHOE COUNTY DISTRICT HEALTH DEPARTMENT

10 KIRMAN AVENUE • RENO, NEVADA 89502
(702) 785-4290



April 11, 1975

The Honorable Don Mello
Chairman, Ways and Means Committee
Nevada State Assembly
Legislative Building
Carson City, Nevada

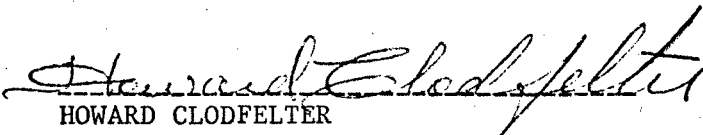
My dear Mr. Chairman and Members:

Again, we are requesting your assistance in establishing a per capita funding for local health services. This item was included in the State Health Division budget under the category Health Aid to Counties (263-3641), on Page 284.

If this Committee does approve the amounts of the Agency's request (\$581,505 for 1975-76 and \$604,443 for 1976-77), it is recommended that the other line items under the Section (263-3641), remain the same.

It is also recommended that additional information be included under Program Statement such as, "It is intended that these funds would not replace or eliminate any other category of funding or grants from or through the State Health Division".

Sincerely,


HOWARD CLODFELTER
Assistant Administrator

HC:dc



MARQUETTE UNIVERSITY

1103 WEST WISCONSIN AVENUE / MILWAUKEE, WISCONSIN 53233 / 224-7090

March 21, 1975

LAW SCHOOL

OFFICE OF THE DEAN

Hon. David Zenoff
Associate Justice
Supreme Court of Nevada
Carson City, Nevada 89701

Dear Dave:

Re: Milwaukee County Law Library

I spoke with County Executive John Doyne yesterday concerning the possible acquisition by the State of Nevada for its new law school of substantially all of the books in the Milwaukee County Law Library. As you know, we have proposed to the County a merger of our Library with the County Library and a sale of surplus volumes which would be the result of such a merger, with the proceeds to be used to enrich the combined University-County collection. Mr. Doyne advises me that he considers this proposal still very much alive and that he expects the climate in favor of such a merger to improve to the point where the plan can likely be implemented. Of course, this merger would have to be approved by the Milwaukee County Board and also by the County judiciary.

I asked our librarian to provide me with information concerning the advantages to the State of Nevada in acquiring the basic collection of a law library in a sale of this kind from a single source. Professor Starz makes the following points which I am sure will be of interest to you:

1. Many of the materials required by the accreditation standards are out of print, requiring a search of many secondhand sources with no guarantee of success. Large segments of time, both professional and clerical, would have to be devoted to the acquisition process if it was carried out in this fashion. The volumes in the Milwaukee County collection would satisfy most of the accreditation standards without further search.
2. A great saving in professional time is made possible by the inclusion of the present card catalogue system in the sale to the State of Nevada. The present classification scheme at the County Library is a home-made system which in time the librarian of the Nevada Law School would probably want to change, but it could be used on an interim basis while the collection is gradually reclassified into a more sophisticated system.
3. In the case of materials which are not out of print and are currently available, there would be a significant saving particularly in the area of periodicals, where the accreditation standards require at least 200 periodical titles. The market in periodicals has been substantially captured by 3 lawbook dealers who sell periodical sets at a markup of about 25 to 33 1/3% over the new cost of the volumes from the periodical publisher, usually a university law review. For example, in our own case, the 57 volumes

Hon. David Zenoff

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March 21, 1975

of the Marquette Law Review would cost new, if we had them to sell, \$684. The lawbook dealer to whom we have assigned our back issues and sales rights has our law review on the market for \$1140. The same books could be acquired as part of the Milwaukee County collection for approximately \$300. This sort of saving, the difference between \$300 and \$1140, can be multiplied by several hundred periodicals and reaches quite a significant figure.

4. While the exact number of volumes which would be available to Nevada in the event of a merger of Marquette and Milwaukee County Library collections is not known, we do know that enough books would be available to bring the Nevada Law Library to within about 20% of the number of volumes required to meet the accreditation standards.

I hope that the above information may be of some assistance to you.

Sincerely yours,



Robert F. Boden
Dean of Law School

RFB/mrw