

Senate

HEALTH, WELFARE AND STATE INSTITUTIONS

Minutes of Meeting - February 7, 1975

The fourth meeting of the Health, Welfare and State Institutions Committee was held on February 7, 1975 at 12:00 p.m., Room 323.

COMMITTEE MEMBERS PRESENT: Chairman Lee E. Walker
 Senator Neal
 Senator Gojack
 Senator Hilbrecht
 Senator Schofield
 Senator Young

MEMBERS ABSENT: Senator Herr

See Exhibit A for list of others present.

Senator Walker advised the committee that five bills were resolved at the Interim Committee Study on Welfare, and the committee has been asked to introduce these bills. Senator Neal moved that we introduce these five bills; seconded by Senator Gojack; unanimously carried.

S.B. 57 -- Changes certain requirements for bureau of services to blind respecting vending stands and business enterprise contingent fund.

Merv Flander, Services to the Blind, stated three reasons for this bill: (1) The amended bill is to conform with the Randolph-Sheppard Act of 1974; (2) makes technical changes; and (3) Amends one section pursuant to recommendations of legislative auditors. Mr. Flander further advised that on page 1, line 22, the wording "the gross" should be changed to "net". Page 2, line 7 would provide greater flexibility in trying to achieve the goal of being a self-sustaining operation. Page 2, line 23 allows them to have parts on hand so that if a machine breaks down, they will have the parts on hand without having to order them -- enables them to repair the machine immediately rather than having to wait for the parts to arrive. Chapter 333 of NRS is the State Purchasing Act, and the section of this bill referring to this would exempt the BSTTB from all requirements of the State Purchasing Act.

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Peggy Glover and Terry Sullivan provided the committee with suggested amendment to the bill (see Exhibit B for suggested amendment). The suggested amendment would allow the Bureau flexibility, but would also give the Department of General Services the opportunity to purchase such items as can be in accordance with the State Purchasing Act. Mr. Sullivan advised the committee that the highest exemption they can give the Bureau is \$500; anything over that amount has to be bid.

Following further discussion, Senator Neal moved "Do Pass as amended" (deletion of "the gross" on page 1, line 22); seconded by Senator Hilbrecht; Senator Young voted "No"; motion carried.

S.B. 58 -- Consolidates two revolving funds in rehabilitation division, removes requirement for bond on deposits insured by FDIC and sets inventory requirement.

Mr. Flander advised that the Bureau now has two revolving funds; one being used for provisions for services to the clients, and the other maintains an inventory of aids and appliances used by the blind, which may be sold or furnished to clients. The legislative auditors recommend that these two be consolidated.

Mr. John Crossley commented that he does not oppose the amendment but would propose different language. On page two, line 17, the wording "in the state treasury" should be deleted. Mr. Crossley is to furnish the committee with a letter showing amended language. (See Exhibit C for original letter; second letter forthcoming).

Senator Hilbrecht moved "Do Pass as amended"; seconded by Senator Schofield; Senator Young voted "No"; motion carried.

S.B. 59 -- Authorizes bureau of services to blind to comply with federal requirements relating to vending stand program.

Mr. Flander advised the committee that this is to provide the authority needed to obtain approval for being the licensing agency for the Randolph-Sheppard Act. Senator Young asked for clarification on the Randolph-Sheppard Act; Mr. Flander replied that it is a federal act which provides for the establishment and operation of vending stands operated by the blind on federal and other property.

Senator Schofield moved "Do Pass"; seconded by Senator Young; unanimously carried.

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S.B. 8 -- Requires that public buildings and facilities have toilet facilities accessible to physically handicapped.

Robert Warren provided the committee with the following costs for implementing this bill in various Nevada locations:

Ely -- \$3,400
 Fallon--\$5,000 to \$6,000
 Lovelock--zero; rented facilities from county.
 Carlin--\$8,000
 Carson City--\$18,000
 No. Las Vegas--\$150,000
 Wells--\$10,500
 Winnemucca--\$12,150
 Yerington--Present building not capable of supporting this type of remodeling
 Las Vegas--\$95,000
 Boulder City--\$3,700

The total cost for Nevada would be \$3,000,000, without taking into consideration the schools.

Mr. Joe Latimore commented that he has been in public service for some 36 years and has not received one complaint for not having facilities available for the handicapped. Mr. Latimore further stated that he feels it is necessary in new buildings.

Senator Hilbrecht commented that possibly we could decide which buildings should be remodeled; we should get someone in from the Public Works Board and the Department of Human Resources to advise us on this possibility.

S.B. 8 will be rescheduled, pending further information.

Being no further business at this time, the meeting was adjourned at 1:10 p.m.

Respectfully submitted,

Sharon W. Maher
 Sharon W. Maher, Secretary

APPROVED:

Lee E. Walker
 Lee E. Walker
 Chairman

ROOM # 323

DAY Friday, 2-7-75 DATE

43

<u>NAME</u>	<u>ORGANIZATION</u>	<u>ADDRESS</u>
RANDY WEBB	LEGIS. COUNSEL BUR.	
John Crossley		
Peggy Grover	General Services - Director	
Terry Sullivan	Purchasing Div.	
Ed Schorr	L C B	
Maynard Warner	Rehab Division	
Bob Rodolph	Services to the Blind	
Mary Flander	BSTB	
Blaire Sullivan	Rehabilitation Division	
Robert Karren	New League of Cities	Carson
Joe H. Latimore	City of Reno	Reno -
DENNIS BAUSHMAN	LAS VEGAS REVIEW-JOURNAL	

STATE OF NEVADA
DEPARTMENT OF GENERAL SERVICES

Room 205, Blasdel Building
Carson City, Nevada 89701

DIVISIONS
Purchasing
Printing
Data Processing
Accounting
Buildings and Grounds

4 February 1975

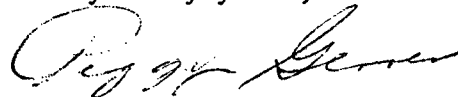
Senator Walker
Legislative Building
Carson City, Nevada

Dear Senator:

It is our understanding that Senate Bills 57 and 58 are going to be heard before your committee on Friday, February 7th at noon.

Mr. Terry Sullivan, Administrator of Purchasing Division and I would like to present the attached amendments.

Very truly yours,



Peggy Glover, Director
Department of General Services

PG/LL
attachment.

Exhibit B

STATE OF NEVADA
DEPARTMENT OF GENERAL SERVICES

Room 205, Blaisdel Building
Carson City, Nevada 89701

DIVISIONS
Purchasing
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Buildings and Grounds

4 February 1975

M E M O

TO: Senator Walker
Health, Welfare and State Institutions

FROM: Peggy Glover, Director
General Services

SUBJECT: SENATE BILLS 57 and 58

Paragraph 3 of Section 2, NRS 426.675, SB 57 reads as follows:
(Purchases made pursuant to paragraph (c) of subsection
2 are exempt from the provisions of Chapter 333 of NRS,
but the bureau shall:)

We would like to amend this as follows:

Purchases made pursuant to paragraph (c) of subsection
2 shall be exempt from the provisions of the State
Purchasing Act at the discretion of the chief of the
Purchasing Division of the Department of General Services
or his designated representative but the bureau shall:

This amendment is not intended to hamper the operations of the bureau.
We feel that we can authorize purchases of those items needed immediately
and that are franchized or sole source and the balance can go thru regular
channels.

We feel the same is true for SB 58, Section 1, Paragraph 3 NRS 426.565
which reads as follows:

(Purchases made for the purpose of providing and maintaining
the inventories authorized by subsection 1 shall be exempt
from the provisions of Chapter 333 of NRS.)

Our suggested wording would be:

Purchases made for the purpose of providing and maintaining
the inventories authorized by subsection 1 shall be exempt
from the provisions of the State Purchasing Act at the dis-
cretion of the chief of the Purchasing Division of the
Department of General Services or his designated representa-
tive but the bureau shall:

As I stated previously this change will allow the bureau the latitude they
need to operate efficiently, but will also give us the opportunity to see
that those items that can be purchased in accordance with the act are.

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING
CARSON CITY, NEVADA 89701

LEGISLATIVE COMMISSION
LAWRENCE E. JACOBSEN, Assemblyman, Chairman
INTERIM FINANCE COMMITTEE
FLOYD R. LAMB, Senator, Chairman 46



ARTHUR J. PALMER, Director

PERRY P. BURNETT, Legislative Counsel
EARL T. OLIVER, Legislative Auditor
ARTHUR J. PALMER, Research Director

February 6, 1975

The Honorable Lee Walker
Senator
Chairman
Health, Welfare and State Institutions
c/o Nevada Legislature

Dear Senator Walker:

Senate Bill 58 is currently before your committee. We would like to suggest the following Legislative changes to that bill.

Page 1, Line 7: Insert the word "client" between the words "and vendors". It would then read "and client vendors".

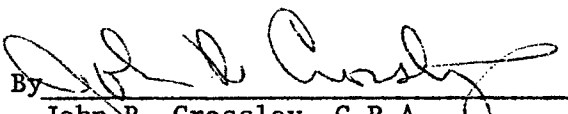
Page 2, Line 19: Insert the word "client" between the words "and vendors". It would then read "and client vendors".

Page 2, Line 17: Remove the words "in the state treasury". It would then read "There is hereby created the vocational..."

We are available to meet with you to discuss this matter at your convenience.

Sincerely yours,

EARL T. OLIVER, C.P.A.
LEGISLATIVE AUDITOR

By 
John R. Crossley, C.P.A.
Chief Deputy Legislative Auditor

ETO:JRC:mn

cc: Roger Trounday, Director
Department of Human Resources

5620
Exhibit C

S. B. 57

**SENATE BILL NO. 57—COMMITTEE ON HEALTH, WELFARE
AND STATE INSTITUTIONS**

JANUARY 29, 1975

Referred to Committee on Health, Welfare and State Institutions

SUMMARY—Changes certain requirements for bureau of services to blind respecting vending stands and business enterprise contingent fund. Fiscal Note: No. (BDR 38-110)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to the bureau of services to the blind of the rehabilitation division of the department of human resources; changing certain requirements respecting vending stands and the business enterprise contingent fund for the blind; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 **SECTION 1.** NRS 426.670 is hereby amended to read as follows:
2 426.670 The bureau shall:
3 1. Make surveys of public buildings or properties to determine their
4 suitability as locations for vending stands to be operated by blind persons
5 and advise the heads of departments or agencies charged with the main-
6 tenance of such buildings or properties as to their findings.
7 2. With the consent of the head of the department or agency charged
8 with the maintenance of the buildings or properties, establish vending
9 stands in those locations which the bureau has determined to be suitable,
10 and may enter into leases or licensing agreements therefor.
11 3. Select, train, license and install qualified blind persons to manage
12 or operate, or both manage and operate, such vending stands.
13 4. Execute contracts or agreements with blind persons to manage
14 or operate, or both manage and operate, vending stands, which agree-
15 ments may concern finances, management, operation and other matters
16 concerning such stands.
17 5. When the bureau deems such action appropriate, impose and
18 collect license fees for the privilege of operating such vending stands.
19 6. Establish and effectuate such rules and regulations as it may from
20 time to time deem necessary to assure the proper and satisfactory oper-
21 ation of such vending stands. Such rules and regulations shall provide a
22 method for setting aside funds from the gross revenues of vending stand
23 operations, and shall provide for the payment and collection thereof.
24 7. [If the] *The* bureau [does not have sufficient funds to establish
25 such vending stands, it] may enter into contracts *with vendors* for the

1 establishment and operation **[thereof.]** of vending stands. Such con-
 2 tracts shall include provision for payment of commissions to the bureau
 3 based on revenues of the vending stands. Such commissions may, at the
 4 discretion of the bureau, be assigned to licensed vending stand operators
 5 for maintenance of income purposes.

6 8. The bureau may, by rule or regulation, provide **[a method for**
 7 **amortizing and]** methods for recovering the cost of establishing vending
 8 stands.

9 SEC. 2. NRS 426.675 is hereby amended to read as follows:

10 426.675 1. The business enterprise contingent fund for the blind, a
 11 special revenue fund, is hereby created in the state treasury **[.]** and shall
 12 be managed by the chief.

13 2. Moneys received by the bureau under the provisions of NRS
 14 426.670, except commissions assigned to licensed vending stand oper-
 15 ators, shall:

16 (a) Be deposited in the business enterprise contingent fund for the
 17 blind.

18 (b) Except as provided in subsection **[3.]** 4, remain in the fund and
 19 shall not revert to the general fund in the state treasury.

20 (c) Be used for: **[the purpose of purchasing, maintaining or replacing**
 21 **vending stands or the equipment therein, and for such other purposes,**
 22 **consistent with NRS 426.640, as may be provided by rule or regulation.]**

23 (1) Purchasing, maintaining or replacing vending stands or the
 24 equipment therein;

25 (2) Maintaining a stock of equipment, parts, accessories and mer-
 26 chandise used or planned for use in the vending stand program; and

27 (3) Such other purposes, consistent with NRS 426.640, as may be
 28 provided by rule or regulation.

29 3. Purchases made pursuant to paragraph (c) of subsection 2 are
 30 exempt from the provisions of chapter 333 of NRS, but the bureau shall:

31 (a) Maintain current inventory records of all equipment, parts, acces-
 32 sories and merchandise charged to the business enterprise contingent
 33 fund for the blind;

34 (b) Conduct a periodic physical count of all such equipment, parts,
 35 accessories and merchandise; and

36 (c) Reconcile the results of the periodic physical count with the inven-
 37 tory records and cash balance in the fund.

38 **[3.]** 4. If the business enterprise contingent fund for the blind is
 39 dissolved, any moneys remaining therein shall revert to the general fund
 40 in the state treasury.

41 **[4.]** Purchases made pursuant to paragraph (c) of subsection 2 are
 42 exempt from the provisions of chapter 333 of NRS.

43 5. Funds from any source which may lawfully be used for the vend-
 44 ing stand program may be transferred or deposited by the bureau to the
 45 business enterprise contingent fund for the blind.

46 6. Fund transactions shall be accounted for in accordance with the
 47 generally accepted accounting principles for special revenue funds and
 48 the provisions of the Fiscal and Accounting Procedures Law.

49 SEC. 3. This act shall become effective upon passage and approval.

S. B. 58**SENATE BILL NO. 58—COMMITTEE ON HEALTH, WELFARE
AND STATE INSTITUTIONS**

JANUARY 29, 1975

Referred to Committee on Health, Welfare and State Institutions

SUMMARY—Consolidates two revolving funds in rehabilitation division, removes requirement for bond on deposits insured by FDIC and sets inventory requirement. Fiscal Note: No. (BDR 38-114)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to certain revolving funds of the rehabilitation division of the department of human resources; merging the rehabilitation of the blind revolving fund into the services to the blind revolving fund; removing requirement for bond on deposits insured by Federal Deposit Insurance Corporation; requiring an inventory; repealing NRS 426.566 relating to the rehabilitation of the blind revolving fund; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 426.565 is hereby amended to read as follows:
 2 426.565 1. There is hereby created the services to the blind revolving
 3 fund, *in the amount of \$10,000*, which shall be used by the chief for
 4 the [purpose of providing] purposes of:
 5 (a) *Providing* inventories of tools, aids, appliances, supplies and other
 6 accessories used by the blind [.] ; and
 7 (b) *Payment of the claims of clients and vendors, including mainte-*
 8 *nance, transportation and other rehabilitation services.*
 9 The chief shall sell such tools, aids, appliances, supplies and other acces-
 10 sories used by the blind at cost or cost-plus-administration cost and
 11 receipts shall be deposited forthwith in the services to the blind revolving
 12 fund.
 13 2. The chief shall deposit the money in the services to the blind
 14 revolving fund in a bank qualified to receive deposits of public funds
 15 under the provisions of chapter 356 of NRS. [, and the] *The deposit*
 16 *shall be secured by a depository bond satisfactory to the state board of*
 17 *examiners [.] , unless otherwise secured by the Federal Deposit Insur-*
 18 *ance Corporation.*
 19 3. Purchases made for the purpose of providing and maintaining the
 20 inventories authorized by subsection 1 shall be exempt from the pro-
 21 visions of chapter 333 of NRS.

1 4. *The bureau shall:*

2 (a) *Maintain current inventory records of all merchandise charged to*
3 *the services to the blind revolving fund;*

4 (b) *Conduct a periodic physical count of all such merchandise; and*

5 (c) *Reconcile the results of the periodic physical count with the inven-*
6 *tory records and cash balance in the fund.*

7 5. *After expenditure of money for payment of the claims of clients*
8 *and vendors, including maintenance, transportation and other rehabilita-*
9 *tion services, from the services to the blind revolving fund, the chief*
10 *shall present a claim to the state board of examiners to be passed upon*
11 *as other claims against the state. When approved by the state board of*
12 *examiners, the state controller shall draw his warrant in the amount of*
13 *such claim in favor of the services to the blind revolving fund and the*
14 *state treasurer shall pay the same. Such receipts shall be deposited forth-*
15 *with in the services to the blind revolving fund.*

16 SEC. 2. NRS 615.255 is hereby amended to read as follows:

17 615.255 1. There is hereby created in the state treasury the voca-
18 tional rehabilitation revolving fund in the amount of \$10,000 to be used
19 for the payment of claims of clients and vendors under procedures estab-
20 lished by the bureau.

21 2. Upon written request from the chief, the state controller is author-
22 ized and directed to draw his warrant from funds already appropriated
23 in favor of the chief in the sum of \$5,000, and upon presentation of the
24 same to the state treasurer, the state treasurer is authorized and directed
25 to pay the same from the general fund in the state treasury. When the
26 warrant is paid, the chief shall deposit the \$5,000 in a bank of reputable
27 [standing, which] *standing. The bank shall secure the deposit with a*
28 *depository bond satisfactory to the state board of examiners [.] , unless*
29 *it is otherwise secured by the Federal Deposit Insurance Corporation.*

30 3. After expenditure of money from the revolving fund, the chief
31 shall present a claim to the state board of examiners to be passed upon
32 as other claims against the state. When approved by the state board of
33 examiners, the state controller shall draw his warrant in the amount of
34 such claim in favor of the vocational rehabilitation revolving fund, to
35 be paid to the order of the chief, and the state treasurer shall pay the
36 same.

37 4. Moneys in the vocational rehabilitation revolving fund shall not
38 revert to the general fund at the end of the fiscal year, but shall continue
39 in the revolving fund from year to year.

40 5. Purchases paid for from the vocational rehabilitation revolving
41 fund for the purposes authorized by subsection 1 shall be exempt from
42 the provisions of the State Purchasing Act at the discretion of the chief
43 of the purchasing division of the department of general services or his
44 designated representative.

45 SEC. 3. NRS 426.566 is hereby repealed.

S. B. 59

**SENATE BILL NO. 59—COMMITTEE ON HEALTH,
WELFARE AND STATE INSTITUTIONS**

JANUARY 29, 1975

Referred to Committee on Health, Welfare and State Institutions

SUMMARY—Authorizes bureau of services to blind to comply with federal requirements relating to vending stand program. Fiscal Note: No. (BDR 38-112)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to the bureau of services to the blind in the rehabilitation division of the department of human resources; authorizing the bureau to comply with federal requirements relating to the vending stand program; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 426.590 is hereby amended to read as follows:
- 2 426.590 The bureau is hereby designated as the licensing agency for
- 3 the purposes of 20 U.S.C. § 107 (a-f), and acts amendatory thereto [.]
- 4 , and the bureau is authorized to comply with such requirements as may
- 5 be necessary to qualify for federal approval and achieve maximum federal
- 6 participation in the vending stand program under such federal statutes.
- 7 SEC. 2. This act shall become effective upon passage and approval.