

The Judiciary Committee was called to order at 7:10 pm by Chairman M. C. Close with the following members present:

Mel Close, Carl Dodge, Marge Foote, Thomas Wilson,  
Richard Bryan and Gary Sheerin

ASSEMBLY BILL 667: Changes name of county advisory board to youth services commission and specifies its functions.

Assemblywoman Jean Ford appeared to testify in behalf of the bill. She stated this measure was introduced at the request of the Clark County Juvenile Court. She explained they presently have a five member committee known as the 'county advisory board', however the statute is a little brief and they would like to suggest that the name be changed to something that better describes their activities.

They would like to have some positive language in the law that would encourage the provisions in lines 13 thru 24 of the proposed bill defining the purpose and functions of the board. The Las Vegas area has active groups that are doing this kind of thing and would like to expand their activities into a central clearing house, referral center, coordination between agencies and school district, etc.

Accompanying Mrs. Ford was Mr. Ned Solomon from the Juvenile Court Services who expressed complete agreement with the statements made.

A motion was introduced by Senator Bryan to recommend 'do pass' seconded by Senator Wilson and carried unanimously.

ASSEMBLY BILL 563: Makes express statutory provisions for transfer of rights and burdens of contract obligations.

Speaking in behalf of the measure were Messrs. Keith Hendrickson Mack Fry and Ron Barbash, all representing the Nevada State Collection Agencies.

Mr. Hendrickson stated the agencies he represented were in complete agreement with this measure. Mr. Fry gave comparative statistics on what other states are doing with assignment of rights. The collection agencies he represents want to make certain this right exists through the statutes.

Senator Dodge introduced a motion to recommend 'do pass' to the Senate, seconded by Senator Wilson and carried unanimously.

ASSEMBLY BILL 638: Creates administrative hearing division of department of administration.

Mr. Bob Gagnier, speaking in behalf of the State of Nevada Employees Association, testified his group was in agreement with the bill with the exception of Section 10. This section repeals NRS 284.091 and would provide that there would be one hearing officer for all employees of the state.

Under this measure the hearing officer and his staff would be appointed by the State's Personnel Director. Persons having complaints would then be appealing management decisions to a management

appointee. Originally the hearing officer was only going to speed things along but they would have individual hearing officers. Now that is being taken away.

He advised the committee there was an average of one hearing per month lasting eight hours. Some have lasted as long as three days and some as short as 30 minutes; he does not feel this would warrant a full time person.

There was no action taken on the bill, however, it was determined that additional information would be required. Assemblyman Bob Barengo, Howard Barret, State Budget Director and Mr. Dick Bartolin of the Nevada Industrial Commission will be requested to appear and discuss this with the Committee.

REQUEST FOR BILL: Mr. Nat Adler, Public Administrator for the County of Clark appeared before the committee requesting legislative assistance in solving a financial problem dealing with his office.

He explained that his office is run on a 24-hour basis and covers a large area (including Mesquite, Overton, etc.) He employs four people to assist him in responding to calls when a death occurs and there is no provision for monetary compensation for any of them.

During his five and one-half months in office, it has become necessary for him to invest in property for storing personal property that became his responsibility through deaths of individuals; this includes large items such as trailer, trucks boats, automobiles, etc. All of this expense has been incurred with little or no reimbursement.

He explained that he receives 6% of the first \$1,000 of an estate; 4% of the next \$4,000; and 2% of anything over \$2,000. His remuneration is based on a commission rather than a salary.

In addition, he explained he is responsible for administering guardianships which requires him to pay expenses on estates during the year and he receive no money on these until the end of each year.

He explained he has prepared a budget of what it would cost to set up an office to handle this job and came up with a figure of a quarter of a million dollars. He would like to see that state take over the responsibility of maintaining this office and its functions.

During the discussion, it was pointed out by Mr. Adler that his predecessor, Phil Cummings, still acts as administrator of certain estates and has not turned over the documents to Mr. Adler for them. According to the provisions creating this office, these documents are to be turned over in an "expeditious" manner, however, to date, he has been unable to find anyone that will assist him in determining just what an "expeditious" manner means. The members of the committee felt this matter should be clear up by some means and suggested that Mr. Adler pursue this through his legal counsel.

There was considerable discussion on the needs suggested by Mr. Adler, however, it was explained to him that the time for the session is rapidly coming to a close and it would be pretty difficult to get a bill through this session.

Mr. Adler was advised that the committee would further consider this request and see what help they can give him.

ASSEMBLY BILL 723: Provides for care and protection of abused and neglected elderly persons.

Assemblyman John Vergiels and Mrs. John Kimball were present to testify in behalf of this bill. They explained the purpose of the measure was to get some protective help for the senior citizens of the area.

There was considerable discussion on some of the language contained in the bill, specifically in the area of 'legal responsibility' in Section 7. It was determined that the preferred language would be "one who has agreed to undertake the care of . . .".

It was noted there was not a fiscal note on the bill and Mr. Vergiels explained that this would not be a cost item to the state but rather would be administered through a Title 20 program under the Protective Services Division.

Senator Dodge stated he felt it doesn't seem to set up any guidelines and standards in a lot of areas. For example in Section 15 where the agency determines that the elderly person needs protective services, is that a matter of a judgment by just anyone, or who makes that decision.

Senator Close inquired as to who is going to pay for the services provided under Section 15. Mr. Vergiels explained that with the help of professionals they do not expect a great many of them to go through the complete legal process, that is, through the court procedure. They intend to rely a great deal on using public services and direct the people to the proper agencies.

At the conclusion of the discussion, it was felt that additional information was required as to financing the services and programs called for under the measure and the Committee requested that Mr. John McSweeney with the State Aging Services be asked to meet with them.

There was no action taken on the bill.

ASSEMBLY BILL 97: Changes definition of capital murder.

Brief discussion held on the bill; it was determined that further information is required. Request for Assemblyman Barengo to discuss the measure with them at the next meeting.

ASSEMBLY BILL 625: Permits mobile home buyer to rescind contract with dealer within specified time period.

This measure has been previously discussed, therefore, a motion was introduced by Senator Wilson to postpone action indefinitely. Motion seconded by Senator Bryan and carried unanimously.

ASSEMBLY BILL 516: Provides method of disposing of certain physical evidence prior to trial.

Senator Dodge pointed out a technical flaw in the bill on the bottom of the first page. He stated you can't keep property for evidence in a trial as it calls for in the bill.

It was the feeling of the committee that they would like to discuss this further with Messrs. Bart Jacka and Howard McKibben. A meeting will be set up with the committee.

ASSEMBLY BILL 662: Authorizes executors and administrators to make certain contracts with brokers or multiple group of agents or brokers.

Brief discussion on the rate that is called for in the bill. It was concluded that Senator Sheerin would contact several brokers and find out what the current rate is.

There was no action taken.

ASSEMBLY BILL 446: Authorizes visiting justices of the peace from other townships or counties under specified circumstances.

There was no action taken pending a report back from Senator Bryan on information to be obtained from Justices of the Peace Mahlon Brown and Bob Legakes on current practices.

ASSEMBLY BILL 691: Modifies debt adjustment contracts; authorizes debtor to cancel contract subject to charge of additional 30 days' service fee.

Assemblyman Zel Lowman will be requested to meet with the committee on the measure prior to any action.

ASSEMBLY BILL 741: Expands provisions constituting unlawful interference with legislative process and prescribes conditions and indemnification for actions against legislators, public officers, and employees.

Senator Dodge stated one provision in this under subsection 'd' was unconstitutional. It was the feeling of the committee that we should have Larry Jacobsen meet with the committee prior to taking action.

ASSEMBLY BILL 679: Establishes form of undertaking in civil actions.

Brief discussion at the conclusion of which a motion was introduced by Senator Wilson, seconded by Senator Bryan to recommend 'do pass'; motion carried unanimously.

ASSEMBLY BILL 725: Amends Motor Vehicle Safety Responsibility Act to require proof of financial responsibility only after driver's license revocation.

A request was made to have more information on the measure from the Department of Motor Vehicles. No action was taken.

SENATE BILL 98: Clarifies rights of handicapped people.

A motion was made by Senator Dodge to hold the bill in committee; seconded by Senator Foote with a tie vote. Voting "aye" were Senators Dodge, Foote and Close. There was no interest in sending a recommendation to the floor which resulted in no action taken on the bill.

ASSEMBLY BILL 486: Provides compensation for members of Nevada Commission on Equal Rights of Citizens.

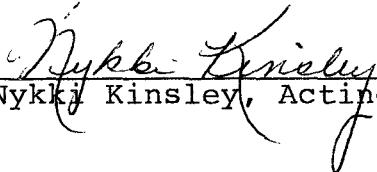
Senator Bryan introduced a motion to recommend 'do pass'; seconded by Senator Wilson and carried unanimously.

ASSEMBLY BILL 634: Provides penalty provisions in laws pertaining to public utility regulation.

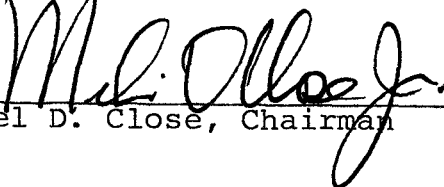
After a brief discussion, it was determined that additional information was required and Mr. Neel Clark and Assemblyman Hickey will be asked to meet with the committee on the measure.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
Nykki Kinsley, Acting Secretary

APPROVED BY:

  
Mel D. Close, Chairman