

ASSEMBLY
GOVERNMENT AFFAIRS
March 22, 1977
7:00am

MEMBERS PRESENT: Chairman Murphy
Mr. May
Mr. Craddock
Mr. Jeffrey
Mr. Mann
Mr. Moody
Mr. Robinson
Mrs. Westall
Mr. Jacobsen

Chairman Murphy called the meeting to order at 7:01am.

ASSEMBLY JOINT RESOLUTION 36

Assemblyman Kosinski, author of the measure, told the committee that if passed it would enact into our Constitution a concept which is presently part of the law of 28 states, 25 of which use both houses in the process. He thought of this kind of legislation while he was a bill drafter during the 1973 and 1975 sessions because many legislators would complain to him that the statutes which were drawn so carefully to implement certain programs did not result in the primary idea. This was because administrators would radically change the programs they were appointed to implement. There is a great deal of mistrust of the administrators by the legislative branch.

Assemblyman Mann commented that bill is strictly a veto power on appointments. His main problem with it is that Nevada has a part time legislature. He doesn't want to put that type of responsibility on the Legislative Commission.

Assemblyman Jacobsen commented that there were an awful lot of appointments made by the Governor during the biennium. Mr. Kosinski replied that this resolution would allow the legislature decide how many appointments they want to oversee.

This bill would not apply to elective offices that become vacant. Should only apply to the executive branch.

No opposition came forward to testify.

ASSEMBLY BILL 372

Linda Vlautin, President of the Nevada State Child Care Providers Association, told the committee that they are against the bill not because they want everyone who cares for children licensed. Regulation would be absolutely prohibited.

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Assemblyman Mann asked if her organization got together and passed a resolution against the bill. She told him that the northern organization met and the southern organizations met and voted. Assemblyman Mann asked to be provided with a copy of the minutes of the southern group's meeting when they voted to oppose this bill.

After a question by Assemblyman Jacobsen, Mrs. Vlautin said that the need that is not being met in Reno is the infant care which they are trying to get started. 95% of the facilities are not full and can take children now, their costs are not more than the babysitters usually charge. \$5 is what is approximately charged by child care facilities in Reno, that's less than 50¢ an hour included a lunch. It is not expensive to go to a licensed facility.

After a question from Mrs. Westall, Mrs. Vlautin explained that the Nevada State Child Care Providers Association is a group of child care providers throughout the state. There is a Clark County Child Care Providers Association and a Northern Nevada group has a group, those groups meet twice a year and combine into one group, a non-profit organization and become the Nevada State Child Care Providers Association. It is not an arm of the Welfare Division or a government agency.

Mrs. Westall asked if Mrs. Vlautin really felt that the need of all the people is being met with the 50 homes. Mrs. Vlautin replied that she felt people don't seek out a licensed facility for numerous reasons. Some of them are under a misconception that it's very expensive, others through ignorance, don't realize that they can find better care than what they're paying for now.

Mrs. Westall asked Mrs. Vlautin why more homes are not licensed. Mrs. Vlautin replied that they are afraid of it. But if they would really check into it they would find that it is not as terrifying as it looks (referring to the ordinance covering the matter). She added that it isn't that tough and those who have done it have gained benefits such as aid in their nutritional plans, safety factors, workshops etc. What the child care providers need is a good PR program to convince the public that it is not a terrifying process.

Assemblyman Jacobsen asked Mrs. Vlautin if she had any children of her own and if she had any problems with them. She replied that she has two, ages 6 and 13, with no problems. Her daughter, the 6 year old attends her school and is very happy.

Assemblyman May reminded Mrs. Vlautin that this meeting was a duly organized entity of the Nevada Legislature. He then asked if she she was asked, encouraged or hinted to in any way that it might be wise for her to come and testify in opposition to this bill by any department, department head, or employee of the State of Nevada or did

she come of her own volition to testify before the committee. She replied that she came to the first meeting on her own and at that point she asked Jane Douglas from the Child Care Services Division to let her know of any other hearings pertaining to child care. Ms. Douglas called her yesterday and simply informed her of this meeting and that is why she came.

Assemblyman Westall asked Mrs. Vlautin if the reason that she was opposed to this bill was that since she had already had to go to all the trouble of getting the license then everyone else should have to go to all of that trouble too. Mrs. Vlautin said that was not her position and that anyway she did not feel that getting her license involved "going to a lot of trouble".

Steven Stucker, representing North Las Vegas, told the committee that he was in mild opposition to the bill. The smaller homes might be inconvenienced under the present ordinances but not very much. 10 or 11 facilities would be covered under this bill in NLV. He commented that several of these regulations regarding child care would be advisable everywhere because they are there for the protection of the children involved, such as the care and administration of medicine to the children. This bill would totally take away any ability of the cities to regulate these facilities and he thinks there does need to be some regulation even if it's merely for the ability to inspect the facility for general safety precautions, fire safety, health safety of the children, to make sure the children are being kept in a safe environment. If is for the protection of the children that there should be some ability to regulate these facilities.

Assemblyman Mann asked if this bill were to pass would the state regulations on child care facilities still be in effect. He was told that they would be in effect as far as child care facilities of 5 or more are concerned.

Assemblyman Mann asked that the record show that the material requested at the last hearing on this bill from the ladies from the southern organization had not been provided.

Jane Douglas, Child Care Services Administrator, asked for clarification of the material that Mr. Mann said he did not receive because she did submit the petitions and letters and reports that were requested by Mr. Jeffrey. Mr. Mann said that he requested a list of at least 10 child care centers in Clark County that were taking care of children under the age of 2. Ms. Douglas replied that she thought that he had wanted the information from Las Vegas and that she had written in a memo to him that Las Vegas proper does not have infant care or toddler care facilities.

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Ms. Douglas then directed her attention to the bill itself and reminded the committee that all the regulations were adopted through statewide public workshops where they went over every word. Consumers were there as were child care providers, child development experts and anyone else that wanted to come. They were well advertised and there were also many specialized workshops when the possibility of registration was considered.

After a question from Mr. Mann it was brought out that the Clark County Child Care Providers Association is much more formal than the Association in Northern Nevada.

Assemblyman Jacobsen asked Ms. Douglas if many of the applicants for a license had backed away when they saw the regulations. She replied that she had no knowledge of anyone who was afraid of the document after they had actually looked at it.

Tom Moore, Clark County, restated their opposition to the bill because they feel that there's a need to regulate the child care facilities under 5. They fear that problems with child abuse is critical and regulations are needed.

This concluded testimony on A. B. 372.

ASSEMBLY BILL 441

Secretary of State Swackhamer told the committee that this bill would repeal obsolete requirements. The County Assessor no longer has a need for it. He clarified that a foreign corporation was an out of state corporation and that the local person never had to comply with the regulation anyway.

ASSEMBLY BILL 425

Bill Isaef, Deputy Attorney General, told the committee that he authored the bill on behalf of the Attorney General's office. This issue of unclaimed property is a way to make money for the state. He explained the bill and said that this is not an escheat statute, it is a custodial statute. The owner may always lay their claim. One facet of the bill regards stock dividends which are unclaimed. The problems with the current Nevada law are 1) it only escheats the dividends of Nevada domestic corporations (foreign corporations are not covered at all by present law) 2) there is no reporting requirement and without the report we are subjected to voluntary compliance. Another portion of the bill provides for annual reports on unclaimed property to the Dept. of Taxation if the property is \$10 or more. This is a change from the Uniform Act which is \$3 or more. The initial report to be filed after A. B. 425

becomes law would cover all property which would be presumed abandoned if this law had been in effect for the last 10 years. So the initial report will look forward to having a retroactive effect on the law. Section 28 follows the escheat law practice in that there would be no interest income etc. due the owner of the property after the State take custody. The state would always have the benefit of any interest income from the property. The bill does not purport to touch tangible personal property. It speaks primarily in terms of money or intangible property. The question of whether interest should be paid is really a policy matter. The Uniform Act does not regard interest.

Mr. Isaeff summarized by saying that the Act looks toward an Abandoned Property Trust Fund. The monies and property coming from the sale and proceeds of certain properties will be placed in the Fund. At the end of each fiscal year any amount in excess of \$25,000 will be paid into the state general fund. Therefore in the future all claims against the fund will be paid from the \$25,000 Fund. He suggested an amendment to paragraph 2 of section 33 of the bill which would add after the word "paid" (delete the period and add the following language)"or if such trust fund shall be insufficient it shall be paid out of the general fund of the state." This is the same language in the statutes relating to abandoned insurance proceeds.

Elmer Vacchina, First National Bank, Nevada Bankers Association, would like to see a two year study because we don't really know how much we are talking about and we need to look into the mechanics of transfer.

Chairman Murphy repeated that it is the intention of the Chair to refer this matter to a two year study.

COMMITTEE ACTION

ASSEMBLY BILL 425 - Holding until the resolution requesting a 2 year study is available.

ASSEMBLY BILL 372 - Mr. Mann moved for a DO PASS, seconded by Mrs. Westall, the motion passed 5-4 with Mr. Jeffrey, Mr. Moody, Mr. Robinson and Mr. Jacobsen voting no.

ASSEMBLY BILL 441 - Mr. Jacobsen moved a DO PASS, seconded by Robinson, passed unanimously.

ASSEMBLY JOINT RESOLUTION 36- Mr. Jacobsen moved to INDEFINITELY POSTPONE the bill, seconded by Mr. Jeffrey, passed 8 to 1 with Mr. Mann voting no.

There being no further business to come before the committee, the meeting was adjourned at 9:05am. Respectfully submitted,

Kim Morgan
Kim Morgan, Committee Secretary