

MEMBERS PRESENT: Chairman Horn
Vice Chairman Bedrosian
Mr. Barengo (late)
Mrs. Cavnar
Mr. Harmon
Mr. Hickey
Mr. Malone

MEMBERS ABSENT: None

GUESTS PRESENT: Mr. Frank Daykin, Legislative Counsel
Ted Sanders, Department of Education
Ray Ryan, Department of Education

Chairman Horn called the meeting to order at 3:00 p.m. He informed the committee that he had asked Mr. Frank Daykin to explain AB 212.

AB 212: Corrects conflicting statutory provisions relating to commission on crimes, delinquency and corrections.

Mr. Daykin explained that in 1977 the legislature enacted AB 278 which dealt generally with boards and commissions in state government and provided that all of them would have three year terms which would expire each year in two lots, one in June and one in October. As the bill passed through the legislature section 8 of the bill which dealt with the commission on crimes, delinquency and corrections was amended from its original form so that the commission does not have any terms but serves at the pleasure of the Governor. He added that one of the late sections of AB 278 referring to the terms expiring on October 30th was not amended and because the commission does not have any terms, those terms cannot expire on October 30th. In order not to have inconsistencies, he explained that AB 212 was submitted to remove the reference from the list of terms that expire on October 30th. He added that it makes no change in the substantive law as passed by the last session, but removes a conflicting reference.

Mr. Horn asked how to state this in simple language and Mr. Daykin responded that a reference to terms was being deleted because the members of the commission have no terms.

When Mrs. Cavnar asked if the intent of the legislature was not to have terms for this commission, Mr. Daykin replied that section 8 dealt specifically with that commission and took the terms away.

Since there were no further questions, Mr. Horn summarized AB 368 for the committee.

AB 368: Reduces filing fee for candidates for state board of education.

Mr. Ted Sanders, Superintendent of Public Instruction for the Department of Education, said that he and Dr. Ray Ryan, Deputy **189**

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Superintendent of Public Instruction, were in favor of AB 368. He read his prepared testimony which is attached to these minutes as Exhibit A.

When Mr. Harmon asked how long the term of office was for State Board of Education, Mr. Sanders answered he thought it was six years. Mr. Harmon then asked how many members there were and Mr. Sanders answered nine members of the State Board of Education. Mr. Harmon compared the cost of preparing the bill of about \$800 to the small amount of money that it would save nine persons.

Mrs. Cavnar questioned why member of the state board of education was mentioned on line 10 and then repeated on line 12 with a different monetary designation.

Dr. Ryan answered that the key words were "other than" in line 9 and excluded the state board of education from any state office.

Mr. Horn asked if basically this bill excluded the state board of education from a \$100 filing fee and reduced their filing fee to \$40. Dr. Ryan replied that this would be the effect.

Mr. Malone asked if this bill would affect the bill in the Education Committee changing the number of meetings each year from 8 to 12. Mr. Sanders answered no that it would have no effect.

Mr. Hickey asked if there was anyone representing the State Board of Education and Mr. Sanders explained that he had talked with Dr. Earnhart who was unable to attend at the last minute and that he was remiss in not explaining that he was representing Dr. Earnhart and the State Board of Education.

Mr. Horn thanked the guests for coming and asked Mr. Hickey if he had a letter from the Legislative Counsel Bureau concerning responsibility for burial of dead bodies.

Mr. Hickey stated that immediately after adjournment of the last meeting, he had asked legislative counsel to give an opinion and he read the letter he received which is attached to these minutes as Exhibit B. Mr. Hickey moved for the immediate draft of a bill by the committee to designate responsibility for burial where there now is no such designation, seconded by Mr. Harmon and unanimously carried by the committee.

After discussion by the committee as to who should be designated as responsible, Mr. Hickey said that he would talk with Samuel Mamet and ask for his opinion of where to place the responsibility and report back to the committee.

Since there was no further testimony, Mr. Horn asked if the committee wanted to take action on these two bills.

Mr. Harmon moved DO PASS on AB 212, seconded by Mr. Hickey and unanimously carried by the members.

Mr. Harmon moved to INDEFINITELY POSTPONE AB 368, seconded by Mr. Barengo.

Mr. Harmon reiterated his feelings that it was a waste of money to process this bill in order to save nine persons \$10 a year over a six year period.

Mrs. Carnar agreed with Mr. Harmon and explained that filing fees were to cover the cost of the Secretary of State's office for processing candidates filing for state offices and this was a statewide office.

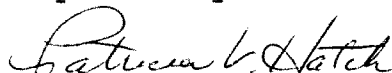
Mr. Hickey said that although he agreed with Mr. Harmon, he felt that the fees should be relative to the type of office.

Mr. Horn asked for a roll call vote on INDEFINITELY POSTPONING AB 368. Mr. Barengo, Mrs. Carnar, Mr. Harmon and Mr. Horn voted yes and Mr. Bedrosian, Mr. Hickey and Mr. Malone voted no. The motion to INDEFINITELY POSTPONE AB 368 passed by a vote of four to three.

Mr. Horn informed the committee that next week on March 12th the committee would hear the reports of the subcommittees on AB 89, AB 145 and AB 147.

There being no further business, Mr. Horn adjourned the meeting at 3:25 p.m.

Respectfully submitted,



Patricia Hatch
Assembly Attache

ASSEMBLY ELECTIONS COMMITTEE

LEGISLATION ACTION

DATE MARCH 5, 1979

SUBJECT AB 212: Corrects conflicting statutory provisions relating to commission on crimes, delinquency and corrections.

MOTION:

Do Pass XX Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Harmon Seconded By Mr. Hickey

AMENDMENT:

Moved By _____ Seconded By _____

AMENDMENT:

Moved BY _____ Seconded By _____

VOTE:	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
BEDROSIAN	<u>X</u>	_____	_____	_____	_____	_____
BARENGO	<u>X</u>	_____	_____	_____	_____	_____
CAVNAR	<u>X</u>	_____	_____	_____	_____	_____
HARMON	<u>X</u>	_____	_____	_____	_____	_____
HICKEY	<u>X</u>	_____	_____	_____	_____	_____
MALONE	<u>X</u>	_____	_____	_____	_____	_____
HORN	<u>X</u>	_____	_____	_____	_____	_____
TALLY:	7	0				

ORIGINAL MOTION: Passed XX Defeated _____ Withdrawn _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Statement of
THE NEVADA DEPARTMENT OF EDUCATION
to the
ASSEMBLY COMMITTEE ON ELECTIONS

Monday, March 5, 1979
3:00 p.m. Room #222

AB 368 -- Reduces election filing fee for member of
State Board of Education

Prior to the 1975 Legislature, candidates for the office of member of the state board of education were not required to pay the election filing fee because the holder of the office received no compensation.

The 1975 Legislature amended NRS 385.050 to provide for state board members compensation of \$40 per day for attending meetings, not to exceed eight meetings in any calendar year. The granting of compensation subsequently subjected candidates for office on the state board to the election filing fee of \$100 required of candidates for state office other than Governor or Supreme Court Justice.

The state board members feel that there is a great difference between their offices compensated on a meeting basis and other state offices which are full-time positions paying annual salaries.

Because of the small compensation involved and the possibility that the larger election filing fee may discourage the candidacy of other-wise qualified persons, the State Board of Education petitions the 1979 Nevada Legislature to reduce the required filing fee to \$40. The fee then would be comparable to that of candidates for local boards of school trustees.

The amendment to subsection 2 of NRS 293.193 as proposed by AB 368 will accomplish this exception. The State Board of Education urges your favorable consideration.

JPC/mb
3/5/79

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March 2, 1979

Assemblyman Thomas J. Hickey
Assembly Chambers

Dear Assemblyman Hickey:

The legislative counsel has requested that I respond to your request for information regarding the burial of deceased persons at public expense.

If the deceased has become the subject of interest of a coroner pursuant to NRS 259.050 because the death was from certain unnatural causes, the coroner is responsible to arrange for burial of the remains if it is to be done at public expense.

If the deceased was a medically indigent person under chapter 428 of NRS, the county commissioners are responsible to arrange for a decent burial at public expense, under NRS 428.090.

It seems that if a person has died of obviously natural causes or under circumstances which do not require an investigation or inquest by a coroner, and if the person was not being cared for at public expense while sick, there is no definite provision in the NRS which requires any officer or body to be responsible for burying the remains.

Very truly yours,

FRANK W. DAYKIN
Legislative Counsel

By David G. Stankow
David G. Stankow
Deputy Legislative Counsel