

MEMBERS PRESENT

Chairman Dini
Mr. Marvel
Mr. Fitzpatrick
Mr. Harmon
Dr. Robinson
Mr. Craddock
Mr. Jeffrey
Mr. Getto
Mr. Bedrosian
Mr. Bergevin

GUESTS PRESENT

See Guest List attached

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Chairman Dini called the meeting to order at 8:00 A.M. He requested the record reflect the absence of Mrs. Westall due to illness.

Chairman Dini stated the first order of business would be AB 583 (REVISES PROVISIONS EXEMPTING CERTAIN COUNTY EMPLOYEES FROM MERIT PERSONNEL SYSTEM). However, Sam Mamet, representing Clark County, advised the Committee that the Ass't County Manager of Clark County wanted to testify on the Bill but due to a conflicting meeting of the Clark County Commission the County Manager requested deferment of his testimony until the next day, Wednesday, April 4th.

AB 584 - PROVIDES FOR SERVICE OF PROCESS ON EXECUTORS AND ADMINISTRATORS BY REGISTERED & CERTIFIED MAIL

SAM MAMET, Management Analyst, Clark County

Mr. Mamet advised the Committee that the Bill was proposed by the Clark County Clerk, Loretta Bowman. He stated the thrust of the Bill was basically modernization of the Probate Law. He advised the Committee that under the current statutes when an administrator or an executor is appointed to an estate, the office of the Clerk has general responsibilities to personally serve various papers on the executor or administrator of the estate, and must forward same by registered or certified mail. Mr. Mamet advised the thrust was to take out the requirement that the papers be personally be served by the Clerk's office

and just mail the papers by registered or certified mail. Mr. Mamet then proceeded to go over the specific sections.

Chairman Dini asked Mr. Mamet why Mrs. Bowman, the County Clerk, did not come up to testify, and Mr. Mamet responded he had requested her to do so and for a variety of reasons she could not make it up for the hearing.

Mr. Getto suggested there should be expert testimony on both sides because the issues deals with the Probate Law. Chairman Dini suggested to the Committee that the Bill be sent to Judiciary.

COMMITTEE ACTION:

AB 584- Mr. Getto moved to re-refer to Judiciary; seconded by Dr. Robinson, unanimously carried.

AB 585 - REMOVES EXEMPTION OF WELFARE DIVISION OF THE DEPT. OF HUMAN RESOURCES FROM PROVISIONS OF NEVADA ADMINISTRATIVE PROCEDURES ACT RELATED TO REGULATION MAKING

SAM MAMET, Management Analyst, Clark County.

Mr. Mamet stated the Bill was submitted on behalf of the County Welfare Directors Association, and the basic thrust of the Bill was that under the Administrative Procedures Act, amended substantially by the Legislature in 1977, the Welfare Division of the Dept. of Human Resources is specifically exempt from the provisions of the Act. He advised that the County Welfare Directors Assn. felt strongly that the Welfare Division should be included within the scope of the Administrative Procedures Act so that both the Legislature and local welfare agencies, county agencies, could have a chance to review various rules and regulations promulgated by that department.

Mr. Bergevin questioned why they were exempt to begin with and Mike Melner advised that he would try to explain when he gave his testimony. Mr. Melner advised they opposed the Bill and he might be able to clarify the question.

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MIKE MELNER, Supervising Deputy Attorney General,
Dept. of Human Resources, Welfare Division

EARL YAMASHITA, Welfare Division

Mr. Melner stated they were in opposition to the Bill. Mr. Melner advised the Committee they have a strong procedure which acts much more quickly than the Administrative Procedures Act; the regulatory changes are heard by the Welfare Board; the Welfare Board's meetings are publicly noticed under the open meeting law. Mr. Melner stated they are opposed to moving slowly; there are times when the state dollars are to be protected and it is necessary to move quickly.

Mr. Yamashita stated currently they mail notice of any Welfare Board meetings to anyone wanting to be on the list; copies of the minutes; exhibits if they are requested. He advised the Committee there are only one or two regulars at the meetings. He stated they give approximately two to three weeks notice. He advised if they wish to speak all they need do is advise of their intention and they are then placed on the Agenda.

Chairman Dini inquired what happened to cause the Bill to be introduced, and Mr. Mamet responded they indicated to him that they haven't been receiving the information in timely a manner as they feel they should and feel the regulations should be part of the Administrative Procedures Act. Mr. Bedrosian inquired if there was unanimous discontent throughout out the county and Mr. Mamet responded, "yes". He stated they seem to be dissatisfied the way the State Welfare Board is made up, its composition, the way they are being informed of meetings, and in being informed by the Department on just general information of what's happening at the state level.

Mr. Bergevin stated he was concerned because the people who instituted the Bill were not present to talk about it.

AB 586 - REQUIRES ADMINISTRATOR OF AGING SERVICES DIVISION
OF DEPT. OF HUMAN RESOURCES TO COORDINATE ANNUAL
STATE PLAN WITH LOCAL GOVERNMENTAL ENTITIES

SAM MAMET, Management Analyst, Clark County

He stated the County Welfare Directors Assn. is proposing in this legislation that the Administrator should be responsible to coordinate the annual state plan for ageing services with cities, counties, and other local government entities. He stated the Association felt it

wasn't clear in the statute that the Administrator had the responsibility to do the foregoing.

Chairman Dini asked Mr. Mamet if the Division of Ageing Services was doing a good job in Clark County and if the Senior Citizens Program was pretty big. Mr. Mamet responded that of his own personal knowledge he does not know of any significant problems with the department, and there were a number of senior citizen programs that they administer.

WALLY ROANHAUS, Division For Ageing Services

Mr. Roanhaus advised the Committee they see nothing wrong with the Bill but are doing the things that the Bill proposes. Mr. Roanhaus stated by not having area agencies in the state they save approximately \$250,000 a year that can be applied to projects for the elderly. He stated they felt they have done a good job in Clark County as well as the state. He advised the Committee if they could continue to operate as a single state agency they have that \$250,000 to put into programs and not another layer of bureaucracy. He stated they do coordinate and when they hold public hearings they invite all local governments with a special invitation. He advised the Committee all the input from the public hearing is recorded, transcribed, and brought back to the office for final state plan.

Dr. Robinson stated he felt what they are asking for in the Bill is actually being done and it is his opinion the Bill is turned around. Mr. Roanhaus emphasized that it is being done and he stated they probably get less coordination from other agencies than his division gives to other state and local agencies; they are trying to get input from everyone. Mr. Roanhaus advised the Committee they are trying to do the best things possible for the aged.

Chairman Dini advised the Committee there was a problem with the posting of the Committee Agenda and Bob Guinn requested that he be allowed to come today and testify on AB 549.

BOB GUINN, Nevada Motor Transport Assn.

Mr. Guinn advised the Committee in 1965 there was a drive, particularly by Las Vegans, to get some funds, at the local level, to do something on streets and highways that could not be reached by the Dept. of Highways. He stated the highway users acquiesced to the legislation; to give 1¢ additional gas tax on an optional tax basis

and be restricted to improvements of major design. He stated it could not be used on patching, general maintenance or other minor repair. He advised the Bill served a useful purpose in that nine counties have imposed the tax, and proved satisfactory. Mr. Guinn stated this Bill, the way it is now drafted, would permit reduction or elimination of the amount of general funds being spent for maintenance and use the optional tax money to do it. Mr. Guinn went on to elaborate on the expenditures and the alternatives involved, and stated they seriously object to broadening the situation and defeating the original intent of the Bill. He advised the Committee it was his judgment that they are going to be disappointed if they think they are going to get improved maintenance and actually what will happen will be a transfer of burden from the general fund user to the highway user for the maintenance of streets and roads in the local areas. He suggested to the Committee that they consider broadening what can be done under subparagraph 7, line 22, page 2, to resurface the roads and at the same time eliminating using it on patching, general maintenance, and minor repair.

VIRGIL ANDERSON, Triple A (AAA)

Mr. Anderson stated they concur with Mr. Guinn's comments and would like to see a limitation and amendment with respect to the Bill. He stated amending it to include "resurfacing" would be a desirable objective.

JOHN MADOLE, Associated General Contractors

He stated Mr. Guinn pretty much stated their position and they have no problem with resurfacing but believe it should be done with private contractors. He advised the Committee he had studies which he would make available to the Committee which demonstrate that it is much more efficient to use private contractors. Mr. Craddock and Mr. Bedrosian requested they be furnished with the material.

COMMITTEE ACTION:

AB 586 - Mr. Jeffrey moved INDEFINITE POSTPONEMENT; seconded by Mr. Fitzpatrick, and unanimously carried.

AB 549 - Mr. Craddock moved to rescind action of DO PASS; seconded by Mr. Jeffrey, and unanimously carried.

Mr. Getto moved AMEND and DO PASS AB 549; seconded by Mr. Craddock, and unanimously carried. (Amendment to read "resurface").

Chairman Dini advised the Committee Mr. Marvel had some amendments on AB 113 and Chairman Dini read same into the record.

AB 113 - Mr. Marvel moved AMEND and DO PASS; seconded by Mr. Jeffrey, and unanimously carried.

Chairman Dini advised the Committee Monday, April 9, 1979, there would be a hearing on SB 323, and a work session thereafter, and the time would be 6:00 p.m.

There being no further business before the meeting, the same was adjourned.

Respectfully submitted,

Sandra Shatzman
Assembly Attache