

Committee in Session at 8:37 A.M. on Tuesday, May 1, 1979.

Senator Keith Ashworth in the Chair.

PRESENT: Chairman Keith Ashworth  
Vice-Chairman Joe Neal  
Senator Wilbur Faiss  
Senator Rick Blakemore  
Senator Clifton Young  
Senator Jim Kosinski

GUESTS: Ms. Myrl Nygren, Administrator, Health Planning and Resources  
Mr. Clinton Wooster, Attorney, Reno, Nevada  
Mr. Bill Thornton, property owner, Hillside Cemetery  
Ms. Peggy Westall, Assemblyman, District #31  
Ms. Prudence Muran, Private Citizen  
Mr. John Muran, Private Citizen  
Mr. Alfred Westfall, private citizen  
Mr. Bob Rusk, Assemblyman, District #28  
Mr. Al Edmundson, Bureau Chief, Health Protection Services  
Mr. John Polish, Assemblyman, District #35  
Dr. Sidney Zimmet, Physician, Sparks, Nevada  
Mr. Paul Virgin, Altadeena Dairyman, Los Angeles County  
Mr. Dick Serdoz, Department of Conservation and Natural Resources

Chairman Ashworth opened the hearing on A.B. 667.

Ms. Myrl Nygren, Administrator, Health Planning and Resources, stated if an application comes into their office for a certificate of need, the local health system agency must have a public hearing on the application. Health Planning and Resources, she said, have elected to let the public hearing of the local health system agency be their hearing also; once they reach a decision on the certificate of need for approval or disapproval there is provision for an appeal. She stated the purpose of A.B. 667 is to make it clear in the statute that the appeal is a hearing on the record. Chairman Ashworth stated the hearing officer is the final decision for purposes of judicial review, after he has heard it they cannot bring in any new evidence. Ms. Nygren said that is true, then it would have to go to the district court. She stated the certificate of need law states that no license can be issued until the letter of approval or certificate of need is given. She stated there is a hearing going on now in the district court that brought about this bill, the hearing officer has the responsibility for making the decision. This takes the decision making out of the local health system agencies and circumvents the intent of the law which is that the decision be made at the local level. She stated the greater Nevada Health System Agency is totally federally funded and it is non-profit. How the public hearings will be conducted are in their regulations, according to Ms. Nygren. Senator Kosinski requested she provide him with a copy of those regulations.

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There being no further testimony, Chairman Ashworth closed the hearing on A.B. 667.

Chairman Ashworth opened the hearing on S.B. 527.

Mr. Clinton Wooster, Attorney, Reno, Nevada, stated he has been designated by the Board of Regents of the University of Nevada as special legal counsel with regard to processing S.B. 527. He stated several people are present who can give information on this bill: Dr. Joe Crowley, President of the University of Nevada, Reno, Nevada; Mr. William Thornton who has donated the Hillside Cemetery in the City of Reno to the University of Nevada, this has created the reasons for this bill; and Mr. Jim Joyce representing Mr. Thornton.

Mr. Wooster showed the location of the Hillside Cemetery on a map stating it is the oldest cemetery in the City of Reno. He stated S.B. 527 will repeal attempted legislation in 1973 which enabled the City of Reno to deal with the Hillside Cemetery. Mr. W. Saunders was the owner of the cemetery, since 1882. He stated the cemetery was abandoned in 1940 but some of the Saunders heirs sold sites up to as late as 1959. He further stated the last burial took place about five years ago. The special act in 1973 prohibited any further burials. Mr. Wooster stated that a report from the City of Reno stated the cemetery had been vandalized and that roadways had been cut diagonally, both ways across the cemetery, without regard to graves or monuments. He stated the City of Reno wanted to acquire the cemetery by a tax deed and enacted a special bill in the 1973 legislature. He said this special act allowed the City of Reno to acquire the Hillside Cemetery from the Washoe County Treasurer through a tax deed and to relocate the gravesites onto a corner of the cemetery. This passed and the city was ready to do it, but in 1974 before the city could actually accomplish this relocation the Saunders heirs finally appeared, paid the back taxes and reclaimed the property. Subsequently the Saunders heirs became discouraged with the vast number of legal problems associated with the cemetery and sold the cemetery to their attorney Mr. Thornton. He further stated in 1978 the Thorntons deeded the cemetery as a gift to the University of Nevada, Reno. He stated with some minor modifications to the existing law NRS 451 they could accomplish either total relocation of the cemetery, if that were the University decision, or relocate the gravesites into a portion of the cemetery. A city ordinance would have to be made to relocate the cemetery. He stated the fight, whether the Hillside Cemetery should be relocated or not, should occur in City Hall in an enactment of a city ordinance to specifically allow the University of Nevada to relocate the cemetery. He said the bill S.B. 527 defines a cemetery authority. He said there is no ordinance that limits rights of interment in the Hillside Cemetery. In Section 2 there is surplus language and should be removed, according to Mr. Wooster, it should say the burial place in accordance with the public health, safety and welfare. He stated what the act does in NRS 451.070, 451.080, and 451.090, there is a requirement that the cemetery be relocated outside the city limits, but he sees no particular necessity for that, and simply relocating the remains in a portion of the cemetery appears to be agreeable with the University and the City. He further stated that the act

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changes some of the provisions with regard to notification which must be given to anyone who is either buried in the cemetery in accordance with cemetery records, or who is buried in the cemetery as appears on the real property assessment role. They are extending the notification requirement and making it more extensive than the existing law. He stated this bill repeals the old special act that the City of Reno had that allowed them to take the property under a tax deed and allow them to relocate the cemetery. He said the City of Reno has abandoned all interest to do this, and no decisions have been made by the Board of Regents as to how to use the cemetery. He stated if S.B. 527 were passed it would take at least three years before this relocation could possibly be accomplished. He stated the act itself provides for a city ordinance regarding relocation of the public cemetery. He said the cemetery authority must give notice to all the discoverable heirs of any person buried within the cemetery notice of intent to relocate; the heirs then have 10 months in which to relocate themselves, if they so choose, notify the cemetery authority that they wish to be present when the relocation occurs, the cemetery, after the 10 months notice is given, may be relocated. He said the final step is a petition to the court for confirmation of the procedure, that is another public hearing. The entire procedure is very complex and time consuming. He further stated this bill S.B. 527 is needed to give the University of Nevada the flexibility to proceed, but it does not relocate the Hillside Cemetery. Chairman Ashworth asked if when the grave is relocated, if a deed is given for the new plot. Mr. Wooster stated he believed that would be the case. Senator Neal stated a cemetery is for burying bodies so how can it be considered abandoned, since the bodies are still there. He also questioned what the University plans were for the land that is deeded to them. Mr. Wooster said they have some preliminary recommendations and thought this land could be utilized for married students housing. The property has already been deeded to the University in December of 1978, as a gift from Mr. Thornton. He stated there are 7-1/2 acres entailed in the area. It is estimated it would cost approximate \$150 per grave to relocate. Mr. Wooster said the cemetery is now "abandoned" as there are no current burials in the cemetery and there is no one operating the cemetery.

Mr. Bill Thornton, property owner of Hillside Cemetery, stated that the problem with this cemetery is there has been no provision for perpetual care, no endowment. He stated there were fences which had been torn down. He stated he monitored the cemetery on Memorial Day and only three families had been there, and that people are burying their pets up there; and one of the fraternities has turned one area into a parking lot; and various other types of destruction. He recommends the relocation; a portion of the graves in a consolidated area, fence it, maintain it, put up a suitable memorial marker and try to restore it to its rightful place as a cemetery that can be cared for. The plan, he said, would be to take two and one-half of the seven and one-half acres and relocate the graves into that area. He also stated perpetual care would be provided for this new section. Senator Kosinski questioned why condemnation was not attempted to clear title to the deeds. Mr. Wooster said the City of Reno in 1973 decided to go for a special act, which they got, to relocate these grave sites.

Ms. Peggy Westall, Assemblyman, District #31, introduced Ms. Prudence Gould Muran. Ms. Muran stated she has 10 people in the Hillside Cemetery and she does not feel it is an abandoned cemetery. She stated she is very disturbed about S.B. 527, she feels it takes out all the protection of the bill of 1973. She stated it is just turning the cemetery over to the city to do with as they please. She stated when people purchase property in perpetuity they deserve more consideration than just reading in the paper that the cemetery has been donated to the University. Chairman Ashworth asked her if she felt the cemetery was in disrepair, to which she stated she visits regularly and the family monument has been toppled and gasoline set afire which ruined the front of the marker. She stated the City of Reno should put up a fence just to keep the vandals out. Chairman Ashworth said if they had one monument with the names that they knew on it and had perpetual care, that would be more humane.

Ms. Westall stated the cemetery is not next to the University, but on the west side of Virginia Street, back several blocks. The family monument is approximately 20 feet high, and perhaps a portion of this monument could be maintained as a monument for that newly relocated area. She stated that she wished to turn the monument over to the historical society for this purpose. Ms. Muran stated that she was positive they had perpetual care, but she has been unable to locate the deed.

Mr. John William Muran, private citizen, stated that these graves have been up in the cemetery for over 100 years. His family found out about this bill on the 27th of April and they feel they are unprepared and would like more time to prepare their case. Mr. Thornton stated they have not been in touch with the people who are opposing the bill; but the area that Ms. Westall mentioned in the cemetery is the place where they were discussing for the relocation of the graves. The Nevada Historical Society is going to be asked for their advice; He said, "We would like to preserve the history of the cemetery. Chairman Ashworth asked if they needed this bill to accomplish this", to which he responded in the affirmative. Mr. Thornton stated the University has a grounds crew and could give the perpetual care to the cemetery.

Mr. Alfred Westfall, private citizen, stated this is a bad bill as it encompasses all cemeteries, and not the one specific cemetery that the University is interested in.

There being no further testimony, Chairman Ashworth closed the hearing on S.B. 527.

The hearing was opened on A.B. 600.

Mr. Bob Rusk, Assemblyman, District #28, stated the people who seek out raw milk are those who are allergic to pasturized milk and those who seek more nutritious foods. He stated people who are interested in nutrition often will not consume pasturized milk because they feel it is not beneficial to their health. This bill would allow California's raw milk being sold in Nevada and it also

allows Nevada dairies to produce this high standard of certified milk if the dairy wishes to meet the standards established by A.B. 600. He stated there are only three states who have dairies that have gone through the certified standard; one being New York, another Georgia and California. The production standards are so strict that few dairies want to qualify. He stated Page 2, Line 15, has a typographical error it states "Certify", it should be "Certified" raw milk. He pointed out Page 3, Line 17, which shows the high standards expected. This bill would not guarantee, but would allow only certified milk.

Mr. Al Edmundson, Bureau Chief, Health Protection Services, stated the Health Division wants to be on record as actually opposed to the sale of raw milk within the state. He stated there cannot be the guarantee of safety from disease from raw milk, be it certified, guaranteed, Grade A or otherwise as there is in pasturization. We want to be on record because, if a problem develops, they cannot guarantee its safety. He stated the cows are tested once a month, not daily. Chairman Ashworth asked if he knew of anyone in Nevada at the present time who wanted to produce raw milk. Mr. Edmundson stated he did not know of any dairy at this time. He stated the store would have to maintain a 45 degree cold in order to keep the milk fresh. Sampling of the milk is done in the stores once a month. He stated where the bacteria counts are too high they have the authority to remove all the milk from that dairy from the market.

Mr. John Polish, Assemblyman, District 35, stated he is a raw milk man and he drinks goat's milk. He stated pasturization only adds a few vitamins and water. He is definitely for A.B. 600 and hopes we can have a choice in the state of Nevada to get raw milk.

Dr. Sidney Zimmet, Physician, Sparks, Nevada, stated he came here to testify in favor of the bill. He stated raw milk is a complete food source as far as proteins are concerned. He stated that "certify is where your safety is!" He stated in pasturization the milk is heated to a temperature and the heat itself is what causes the breakdown and the destruction.

Mr. Paul Virgin, Altadeena Dairy, Los Angeles County, stated they are a producer of the raw certified milk in California. He stated certified milk originated within the medical profession many years ago when a medical doctor felt the need for a "safe milk". He stated the workers of the dairies receive a monthly physical examination. He further stated that all milk from a "fresh cow" must be withheld for a minimum of five days after "freshening". He stated raw milk costs 4 cents a quart more than the pasturized milk. He said they would be willing to help the people in the state of Nevada to start processing of raw milk, if they so choose.

There being no further testimony, the hearing was closed on S.B. 600.

Chairman Ashworth opened the hearing on S.B. 535.

Mr. Dick Serdoz, Department of Conservation and Natural Resources, said S.B. 535 authorizes local hearing boards to subpoena information. He stated he has contacted the county air pollution control districts, they have been implementing this authority through existing statues. NRS 445.486 provides that the hearing board does go to court to get the subpoena, also in that section, it provides for compensation in accordance with NRS 50.225. Basically, he said he does not feel this bill is necessary, they already have the authority. Senator Blakemore questioned Page 1, Line 22, where the money would come from. Mr. Serdoz stated the money has been coming from the District Board of Health.

There being no further testimony, Chairman Ashworth closed the hearing on S.B. 535.

S.B. 534 (Exhibit "A")

Senator Neal moved to Do Pass S.B. 534.

Senator Young seconded the motion.

Motion carried.

Yeas - - 6  
Nays - - 0

A.B. 600 (Exhibit "B")

Senator Neal moved to Amend and Do Pass A.B. 600.

Seconded by Senator Young.

Discussion: The amendment is to change the word "certify" to "certified" on Page 2, Line 15.

Motion Carried.

Yeas - - 6  
Nays - - 0

S.B. 535 (Exhibit "C")

Senator Blakemore moved to Indefinitely Postpone S.B. 535.

Seconded by Senator Young.

Motion Carried.

Yeas - - 6  
Nays - - 0

Senator Kosinski asked that A.B. 667 be held for more information. He stated the agency in the north, that they are giving the hearing responsibility to, is not a government agency and he is concerned with protecting the rights of the health care facilities.

Chairman Ashworth stated to hold for feedback on S.B. 527.

S.B. 25 (Exhibit "D")

Senator Neal moved to Indefinitely Postpone S.B. 25.

Seconded by Senator Young.

Motion Carried

Yeas - - 6

Nays - - 0

A.B. 118 (Exhibit "E")

Senator Neal moved to Indefinitely Postpone A.B. 118.

Seconded by Senator Young.

Motion Carried.

Yeas - - 6

Nays - - 0

S.C.R. 24 (Exhibit "F")

Senator Neal moved to Do Pass and Rerefer to Finance.

Seconded by Senator Faiss.

Motion carried.

Yeas - - 4

Nays - - (Senators Blakemore, Young).

A.B. 431 (Exhibit "G")

Senator Kosinski moved to Amend and Do Pass A.B. 431.

Senator Neal seconded.

Motion lost.

Yeas - - 3

Nays - - (Senators Young, Neal, Blakemore)

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A.B. 502            (Exhibit "H")

Senator Faiss moved to Do Pass A.B. 502.

Seconded by Senator Kosinski and Senator Young.


Motion carried.

Yeas - - 6

Nays - - 0

Meeting adjourned at 10:45 A.M.

Respectfully submitted,

  
Jean Van Nuys

Approved:

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Chairman  
Senator Keith Ashworth



**S. B. 534**


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**SENATE BILL NO. 534—COMMITTEE ON HUMAN  
RESOURCES AND FACILITIES**

APRIL 26, 1979

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Referred to Committee on Human Resources and Facilities

**SUMMARY**—Corrects obsolete reference to fixing of salary of state health officer.  
(BDR 40-2097)

**FISCAL NOTE:** Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

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

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AN ACT relating to the state health officer; correcting obsolete reference to the fixing of salary; 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 439.120 is hereby amended to read as follows:  
2 439.120 The state health officer [shall:  
3 1. Be]:  
4 1. *Is* in the classified service of the state and [shall] *is entitled to*  
5 receive an annual salary. [not to exceed the amount specified in NRS  
6 284.175.\*  
7 2. Be]  
8 2. *Is* allowed the per diem expense allowance and travel expenses as  
9 provided by law.

(REPRINTED WITH ADOPTED AMENDMENTS)  
SECOND REPRINT

A. B. 600

ASSEMBLY BILL NO. 600—ASSEMBLYMEN RUSK, POLISH, BERGEVIN, RHOADS, PRICE, WEISE, MARVEL, MANN, HORN, SENA, CRADDOCK, PRENGAMAN, FIELDING, BANNER, ROBINSON, BRADY, GLOVER, WESTALL, JEFFREY, MALONE, WEBB, BREMNER, HARMON, BENNETT AND BEDROSIAN

MARCH 22, 1979

Referred to Committee on Agriculture

SUMMARY—Permits sale of raw milk under certain conditions.  
(BDR 51-1501)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.



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

AN ACT relating to dairy products; establishing county milk commissions to regulate the production and sale of certified raw milk; requiring the state board of health to adopt regulations governing inspections of the production process; 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. Chapter 584 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 3 of this act.  
3 SEC. 2. 1. *Certified raw milk is unpasteurized, marketed milk which*  
4 *conforms to the regulations and standards adopted by the county milk*  
5 *commission for the production and distribution of certified raw milk and*  
6 *certified raw milk products in the county in which they are produced.*  
7 2. *In each county in which certified raw milk or certified raw milk*  
8 *products are produced for public consumption, there must be a county*  
9 *milk commission to regulate the production and distribution of those*  
10 *products. The board of county commissioners shall appoint to the com-*  
11 *mission three members for terms of 4 years all of whom are eligible for*  
12 *reappointment. The members must all be residents of the county and*  
13 *have the following respective qualifications:*  
14 (a) *One member must be a physician licensed in this state and a mem-*  
15 *ber of the medical society of the state;*  
16 (b) *One member must be a veterinarian licensed in this state and a*  
17 *member of the county or regional veterinarian association; and*

**S. B. 535****SENATE BILL NO. 535—COMMITTEE ON HUMAN  
RESOURCES AND FACILITIES**

APRIL 26, 1979

Referred to Committee on Human Resources and Facilities

**SUMMARY**—Authorizes local air pollution control boards to issue subpoenas and fix witness fees and mileage. (BDR 40-2098)**FISCAL NOTE:** Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.**EXPLANATION**—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to local air pollution control boards; authorizing such boards to issue subpoenas and authorize payment of witness fees and mileage; 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 445.481 is hereby amended to read as follows:  
2 445.481 1. The governing body of any district, county or city  
3 authorized to operate an air pollution control program under NRS  
4 445.401 to 445.601, inclusive, may appoint an air pollution control  
5 hearing board.

6 2. The air pollution control hearing board appointed by a county,  
7 city or health district shall consist of seven members who are not  
8 employees of the state or any political subdivision of the state. One  
9 member of the hearing board shall be an attorney admitted to practice  
10 law in Nevada, one member shall be a professional engineer registered  
11 in Nevada and one member shall be licensed in Nevada as a general-  
12 engineering contractor or a general building contractor as defined by  
13 NRS 624.215. Three shall be appointed for a term of 1 year, three  
14 shall be appointed for a term of 2 years and one shall be appointed  
15 for a term of 3 years. Each succeeding term shall be for a period of 3  
16 years.

17 3. *Each local air pollution control hearing board constituted under*  
18 *this section may:*

19 (a) *Issue subpoenas for the attendance of witnesses and the production*  
20 *of all books, papers, records and other items relevant to any matter*  
21 *pending or scheduled before the board; and*

22 (b) *Authorize payment of witness fees and mileage to all witnesses*  
23 *summoned.*

S. B. 25

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SENATE BILL NO. 25—COMMITTEE ON HUMAN  
RESOURCES AND FACILITIES

JANUARY 17, 1979

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Referred to Committee on Human Resources and Facilities

SUMMARY—Revises provisions relating to public elementary and secondary education and private elementary, secondary and postsecondary education. (BDR 34-59)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

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

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AN ACT relating to education; revising provisions relating to public elementary and secondary education, private elementary, secondary and postsecondary education and education of handicapped persons; clarifying the powers and duties of the state board of education and the superintendent of public instruction, the state board for vocational education and its executive officer and the commission on postsecondary institutional authorization and its administrator; deleting obsolete provisions; 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. Chapter 385 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 6, inclusive, of this act.  
3 SEC. 2. *As used in this Title, unless the context otherwise requires:*  
4 1. "Department" means the department of education.  
5 2. "Public schools" means all kindergartens and elementary schools,  
6 junior high schools and middle schools, high schools and any other  
7 schools, classes and educational programs which receive their support  
8 through public taxation and whose textbooks and courses of study are  
9 under the control of the state board.  
10 3. "State board" means the state board of education.  
11 SEC. 3. *When required, the attorney general shall give his opinion*  
12 *in writing and without fee to the state board and the superintendent of*  
13 *public instruction on matters relating to the powers and duties of the*  
14 *department.*  
15 SEC. 4. *The state board shall establish policies to govern the admin-*  
16 *istration of all functions of the state relating to supervision, management*  
17 *and control of public schools not conferred by law on some other*  
18 *agency.*

**A. B. 118****ASSEMBLY BILL NO. 118—COMMITTEE ON EDUCATION**

JANUARY 18, 1979

Referred to Committee on Education

**SUMMARY**—Clarifies functions of state board of education and superintendent of public instruction. (BDR 34-36)**FISCAL NOTE:** Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.**EXPLANATION**—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to the state department of education; revising provisions relating to powers and duties of the state board of education, the superintendent of public instruction and the state department of education; clarifying that the function of the state board is to establish policies and the function of the superintendent is to carry out administrative, technical and procedural activities in accordance with such policies; 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. Chapter 385 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 3 of this act.
- 3 SEC. 2. *The state board of education shall establish policies to govern*  
4 *the administration of all functions of the state relating to supervision,*  
5 *management and control of public schools not conferred by law on some*  
6 *other agency.*
- 7 SEC. 3. *The superintendent of public instruction shall:*
- 8 1. *Execute, direct or supervise all administrative, technical and pro-*  
9 *cedural activities of the state department of education in accordance with*  
10 *policies prescribed by the state board of education.*
- 11 2. *Employ personnel for the positions approved by the state board*  
12 *and necessary for the efficient operation of the department.*
- 13 3. *Organize the department in a manner which will assure efficient*  
14 *operation and service.*
- 15 4. *Maintain liaison and coordinate activities with other state agencies*  
16 *performing educational functions.*
- 17 5. *Perform such other duties as are prescribed by law.*
- 18 SEC. 4. NRS 385.010 is hereby amended to read as follows:  
19 385.010 1. A state department of education is hereby created.  
20 [The state department of education shall function under the direction

**S. C. R. 24****SENATE CONCURRENT RESOLUTION NO. 24—  
SENATORS FORD AND LAMB**

MARCH 22, 1979

Referred to Committee on Human Resources and Facilities

**SUMMARY—Urges board of regents of University of Nevada to continue preparations for establishment of law school. (BDR 1749)****EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.****SENATE CONCURRENT RESOLUTION—Urging the board of regents of the University of Nevada to continue preparations for and make current a prior study concerning the establishment of a law school.**

- 1     **WHEREAS**, The legislature in 1973 declared that a law school should  
2 be established at the University of Nevada at Las Vegas, and that a study  
3 of the feasibility of such a school should be undertaken by the board of  
4 regents; and
- 5     **WHEREAS**, The law school study completed in 1974 documented the  
6 legitimate need "to provide opportunity for legal education for young  
7 Nevadans, to provide a center for legal studies and research for Nevada,  
8 to provide Nevada with its own law-trained graduates to serve in public  
9 and private assignments, to enrich the university and to provide the State  
10 of Nevada with a professional school of great promise of public service  
11 and benefit to the State"; and
- 12     **WHEREAS**, The factors leading to the conclusions of that study have  
13 not diminished and it continues to be increasingly difficult for Nevada  
14 students to enter law schools that are restricting the number of out-of-  
15 state students; and
- 16     **WHEREAS**, More than 70 Nevada residents applied for the 18 law  
17 scholarships available through the Western Interstate Commission for  
18 Higher Education in 1977; and
- 19     **WHEREAS**, The board of regents, in December 1978, reaffirmed their  
20 support of the creation of a law school and its inclusion in the University  
21 of Nevada at Las Vegas' Comprehensive Plan for 1977-1983; and
- 22     **WHEREAS**, Members of the community, including the gaming industry,  
23 have indicated a willingness to make sizeable contributions toward meet-  
24 ing the financial needs of such a law school; and
- 25     **WHEREAS**, It appears that the Moyer Student Union Building at the  
26 University of Nevada at Las Vegas will be available for remodeling and  
27 possible utilization as a law school facility within the next few years; and
- 28     **WHEREAS**, It continues to be the intent of the legislature to authorize

— 2 —

1 the establishment of a law school at the University of Nevada at Las  
2 Vegas, although the time of the establishment is as yet undetermined;  
3 now, therefore, be it

4 *Resolved by the Senate of the State of Nevada, the Assembly concur-*  
5 *ring,* That the board of regents is urged to continue to make preparations  
6 for the establishment of a law school at the University of Nevada at Las  
7 Vegas, the preparation to include seeking commitments of money and  
8 other contributions from private and governmental sources and develop-  
9 ing plans for the necessary physical plant, faculty and library; and be it  
10 further

11 *Resolved,* That the board of regents, after consultation with the State  
12 Bar of Nevada, the University of Nevada at Las Vegas Pre-Law Asso-  
13 ciation and other interested persons and groups, revise the law school  
14 study submitted to the 58th session of the Nevada legislature to make it  
15 current and resubmit the study, as so revised, to the 61st session of the  
16 legislature.

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**A. B. 431****ASSEMBLY BILL NO. 431—ASSEMBLYMEN MANN,  
SENA, POLISH AND CHANEY**

FEBRUARY 20, 1979

Referred to Committee on Health and Welfare

**SUMMARY**—Provides for monitoring and reporting by state health officer of certain activities of department of prisons. (BDR 16-71)**FISCAL NOTE:** Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: Less than \$2,000.**EXPLANATION**—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to prisons; requiring that the state health officer examine periodically certain activities of the department of prisons and report his findings to the governing board; 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. Chapter 209 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 1. *The state health officer shall periodically examine and shall report*  
4 *to the board semiannually upon the following operations of the depart-*  
5 *ment of prisons:*  
6 (a) *The medical and dental services and facilities, based upon the*  
7 *standards for health and care facilities as provided by law.*  
8 (b) *The nutritional adequacy and palatability of the diet of incarcer-*  
9 *ated offenders taking into account the religious or medical dietary needs*  
10 *of an offender and the adjustment of dietary allowances for age, sex and*  
11 *level of activity.*  
12 (c) *The sanitation, healthfulness, cleanliness and safety of its var-*  
13 *ious facilities.*  
14 2. *The board shall take appropriate action to remedy any deficien-*  
15 *cies reported under subsection 1.*



(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 502

## ASSEMBLY BILL NO. 502—ASSEMBLYMAN HORN

MARCH 5, 1979

Referred to Committee on Government Affairs

SUMMARY—Limits county relief to indigents who are or intend to become residents of county. (BDR 38-1227)

FISCAL NOTE: Effect on Local Government: Yes.  
- Effect on the State or on Industrial Insurance: No.EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to indigents; reducing the requirement of residence; providing for involuntary changes of location; 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 428.040 is hereby amended to read as follows:

2 428.040 When an application is made by any pauper to the board of  
3 county commissioners of any county for relief, the board of county com-  
4 missioners shall require of the pauper [satisfactory evidence that he has  
5 been a resident of the State of Nevada for 3 years and of the county for  
6 6 months immediately preceding the day upon which such application is  
7 made, or if such is not the case, satisfactory evidence in regard to where  
8 the pauper last resided for 6 months prior to arrival in the county where  
9 such application is made.] *a statement that he is or intends to become a*  
10 *resident of that county.*

11 SEC. 2. NRS 428.060 is hereby amended to read as follows:

12 428.060 1. If it [shall appear] *appears* to the satisfaction of the  
13 board of county commissioners that a pauper applying for relief has not  
14 [been a resident of the state and county for the times required by NRS  
15 428.040, but that the pauper, previous to removing to the county where  
16 the application was made,] *established his residence and came to the*  
17 *county for some other purpose, but before coming to the county was a*  
18 *resident of some other county of this state, [as required by NRS 428.-*  
19 *040,] the board shall provide temporary relief for the pauper in accord-*  
20 *ance with the policies and standards established and approved by the*  
21 *board of county commissioners and within the limits of funds which may*  
22 *be lawfully appropriated thereby for this purpose pursuant to NRS 428.-*  
23 *050, and shall notify immediately the board of county commissioners of*  
24 *the county where the pauper last had a residence. [for 6 months.]*

1     2. The notice [shall] *must* be in writing, duly attested by the clerk  
2 of the board of county commissioners, and deposited in the post office,  
3 addressed to the board of county commissioners of such county.

4     3. The board of county commissioners receiving the notice [shall]  
5 *may* cause the pauper to be removed immediately to that county, and  
6 shall pay a reasonable compensation for the temporary relief afforded. If  
7 the board of county commissioners [neglects or refuses] *chooses not* to  
8 remove the pauper, the county affording relief [shall have] *has* a legal  
9 claim against that county for all relief necessarily furnished, and may  
10 recover [the same] *it* in a suit at law.

11     [4. After service of such notice, as provided in subsection 2, no  
12 pauper shall be entitled to relief from such county, unless the board of  
13 county commissioners shall deem it absolutely necessary.]