

MEMBERS PRESENT: Chairman Dini
Vice Chairman Schofield
Mr. Craddock
Mr. DuBois
Mr. Jeffrey
Mr. May
Mr. Mello
Mr. Nicholas
Mr. Polish
Mr. Prengaman
Mr. Redelsperger

MEMBERS ABSENT: None

GUESTS: Mr. W. E. Hancock, Public Works, Carson City
Mr. Mike Cool, City of Las Vegas
Ms. Joyce Devine, County Clerk, Washoe County
Mr. Stephen Tapogna, Local Gov. Purchasing Act
Mr. Joe Cathcart, City of N. Las Vegas
Mr. Bill Isaeff, Deputy Attorney General
Mr. Jack Warnecke, Carson City
Mr. Richard Williams, Carson City
Mr. Harold Jacobsen, Mayor, Carson City
Mr. Don Hataway, City Manager, Carson City
Mr. Bob Sullivan, Carson River Basin, COG
Mr. John Hawkins, Nevada School Board Assoc.
Mr. Dino Martini, Welfare Division
Mr. Gary Crews, LCB, Audit
Mr. Frank Halzhauer, Dept. of Human Resources
Mr. Gerry Colquhoun
✓ Jamie D. Goodhue
Mr. Ralph DiSibio, Human Resources
Ms. Alice Smith
Mr. T. Tanhavick, Dept. of Transportation
Mr. Sal Quilici, Dept. of Transportation
Senator Wilbur Faiss
Mr. Chuck Neely, Clark County School District
Mr. and Mrs. Dennis O'Connor
Mr. Bryn Armstrong, Parole Board
Mr. Jim Hannah, State Environmental Commission

Chairman Dini called the meeting to order at 8:03 A.M. with a quorum present.

The first bill to be heard will be AB-92 - Makes various amendments to charter of Carson City.

Mayor Jacobsen was the first testifier and he wanted to say that we have appreciated in Carson City the work of this committee, We get along very well and one of the things we have done is appointed a Charter Review Commission according to the way the law was changed last time by this committee and by the Legislature. The Charter Review Commission met six to eight times last spring and we do have some changes. The Chairman of the committee, Dick Williams, is in the audience and may want to add something, or you may want to ask him some questions. Today, the presentation will be made by our City Manager, Don Hataway.

Mr. Hataway indicated that what he would like to do is just go through it, section by section, and give you the changes that we are proposing. Some of the items that are bracketed or that have been changed are not necessarily ours, they are tinkering out of the legislative drafting office and you can probably expect, so I am only going to hit what we are proposing and then be happy to answer any questions that you have. Under Section I, this deals with Taxing Districts, boundaries and the methods of changing those boundaries. There are two basic changes. At the present time, the Charter, as it reads, requires that notices be sent to every property owner in the city where there is any change regardless of how minute or how large it is going to occur in a taxing district boundary. The last time we did this about two years ago, the material cost only was approximately \$2,600.00. We feel that it isn't necessary to send notices to everybody in the community in terms of a written invitation, but we are proposing that at least the people that are directly affected, those in the area that is going to be changed should continue to receive the written notice. Section I, Sub-paragraph 3, has been changed to require that everyone within the area to be affected would receive or continue to receive the written notices. On Page 2, Sub-paragraph 4, Line 3 - then puts into effect the public notice process that prior to the first reading of the ordinance to change the boundaries, at least two consecutive weeks prior, a notice of advertisement must be in the paper of general circulation stating the time, the place, the wherewithal of what the proposal is. We feel that the people directly affected by the boundary changes would be protected, but also, the general public would be notified. The cost would be substantially reduced then to the city. On urban-type subdivisions, we are requiring the subdivider to go through a district boundary change, so it is really the subdivider that is basically paying for this cost. There is a slight reduction on the cost of development by allowing only the people affected to be notified and the rest of the general public to be notified through the normal newspaper process.

Mr. Hataway stated that Section 2, beginning on Line 10, deals with one of the sections on the general powers of the city. Line 31 and 32 is proposed to be removed. This is the statement where the salary of an elected official cannot be changed during

the term of office. The Charter Commission basically concluded that it is really the Legislature that has the authority as to when salaries are going to take effect, anyway. There have been a couple of times where the Legislature has seen fit to change salaries of whatever elected official there is during mid-term. The proposal is to eliminate that conflict.

Mr. Hataway stated that Section 3 deals with ordinances and the enactment of those ordinances. Both sub-sections 1 and 2 refer to referring an ordinance to a committee. Since the city has been consolidated since 1969, the city is not operated with committee. The Board of Supervisors is the committee as a whole and, thus, there is really nothing to refer to. The proposal is to eliminate the references beginning on Line 39 and 40 and also 50 and continuing on to Page 3, Lines 1 and 2, dealing with committee programs. We may have committees in the future, but at the present time, it is inconsistent with what we do.

Mr. Hataway stated that under Section 4, Line 20, this deals with codification of ordinances. The way it is written now, the Board may codify ordinances and include the Charter bills in the municipal code. This will change it to be an absolute requirement. The Charter Commission felt that if philosophies changed, the code should be kept up to date, as well as the Charter to go with it. Lines 24 and 26 would be the lines modified.

Mr. Hataway indicated that Section 5 is a proposal that would give the city flexibility, although the city does not plan to do anything different as far as the Fire Department is concerned. This section deals with the power of the Board in regard to fire protection. At the present time, the wording is: 'organize, regulate, maintain and disband a fire department'. The Charter Commission felt that the city should have flexibility to speak to all or part of the Fire Department in terms of a contracting arrangement for that service. We have no desire or plans to do anything different that the full time paid department we have right now, but the Commission felt that it should be a flexible arrangement for the city.

Mr. Dini asked if Mr. Hataway had any background on any other cities that have gone to contract fire departments.

Mr. Hataway answered that the only one he was familiar with is the one in Scottsdale, Arizona, and you can talk to people on both sides of the fence and they will talk with equal vehemence as to the pros and cons of that type of operation. In the Los Angeles area, where they have contracted with the Los Angeles County Fire Department, that would not necessarily serve our services. In other areas, they have taken a segment, fire prevention, and contracted with a private firm.

Mr. May asked that even though you have no plans to contract the fire department services, do you anticipate that it would give you a better position to bargain from in a collective bargaining situation?

Mr. Hataway answered that it could possibly could have a potential effect.

Mr. Hataway continued with Section 6, Line 5, which deals with the power of the Board regarding the abatement of noxious items. We suggest a minor amendment to the Charter which speaks to the control or abatement of rats. The Charter Commission recommends that on Lines 11 and 13 this be modified to 'rodents' which would make it a broader situation. The word 'rats' on Line 9 needs to be corrected by being bracketed. This would give a broader definition to what the city can speak to as far as abatement of nuisances.

Under Section 7, Mr. Hataway indicated that this deals with the merit system of the city. In 1979, the Legislature considerably broadened it to include the Sheriff's Office in the merit system of the city. This, in my opinion, has eliminated many of the problems we have had, personnel-wise, with the Sheriff's Office. One area that we failed to recognize is on Line 5 and Line 6, Page 5. Under NRS, the employees of the Justice of the Peace and also the District Court are not under the jurisdiction of the Board of County Commissioners or, in this case, the Board of Supervisors. They are under the jurisdiction of the courts. We felt that the Charter should reflect that situation. Those employees, through agreement with the judges, are under our merit system, but this change merely recognizes that legal difference between what the Board of Supervisors has control over and what the judges have control over.

Mr. Dini asked if the existing employees in those categories are covered.

Mr. Hataway answered that they are covered. We handle through recruitment and pay situation, and as a matter of fact, they are part of the employees' association that we bargain with, etc. But, technically, they are not. The judges can do with them what they want. We do not necessarily agree with that, but this change merely recognizes the legal fact, not just for our county but for all counties in the state at the present time.

Mr. Jeffrey asked if these people are in classified service now.

Mr. Hataway replied the secretaries to the district judges are unclassified, the rest of the employees are classified. The majority of those are in the juvenile detention area.

There is that distinction as to who has the final say. Within the last two years, there has been one confrontation between the supervisors and the judges in terms of what pay should be, etc. This merely recognizes the legal technicality that is involved.

Mr. Jeffrey asked if this wouldn't then put these employees in classified service.

Mr. Hataway answered that from a legal point of view they are all in classified. However, with the understanding we have with the judges, they are classified and go through the merit program and the recruitment process and the evaluation process just like any other employee. To me, it is a fine line or fine tuning of what we do. This recognizes the legal realities, not necessarily the actual practice.

Mr. Jeffrey asked if these people are covered under the collective bargaining agreement now, aren't they.

Mr. Hataway indicated they were.

Mr. Jeffrey said that this change would take them out of it.

Mr. Hataway stated that they could be affiliate members. But we recognize them under the collective bargaining agreement that we operate under. The employee has a right to organize and associate himself with whatever organization he want to, and I would think, if they chose, and they have, to organize with the Carson City Employees Association that this would not change that. What would happen, is not only the Board of Supervisors have to recognize the collective bargaining agreement, but the judges would also, too, because part of the bargaining agreement relates to their own employees. That is where we would fine-tune it in that the judges would sign that collective bargaining agreement along with the Board of Supervisors.

Mr. Jeffrey stated that on Page 4, Line 44, it says that 'in the event of a conflict between the policies and procedures adopted pursuant to this section and the provisions of a collective bargaining agreement entered into pursuant to Chapter 288 of NRS, the provisions of the agreement prevail. There are exempted from the provisions of this section: ... (e) Employees who are appointed by either the justice of the peace or the district court'. From that language, it appears to me that if they are included in that list of exemptions, they are no longer covered under the collective bargaining agreement. They are only covered as long as the judges want the coverage.

Mr. Hataway stated that this is probably something we should check out from a legal point of view. We recognize that they are part

of the bargaining agreement and I feel that if the judges sign that agreement at the same time, that would tie it in. I will have to check that out.

Mr. May asked if Carson City had police judges or municipal judges.

Mr. Hataway answered that we have a justice of the peace. We do have in the Charter the flexibility to have a second judge to handle the police traffic court type of activity, but we are not at that point yet.

Mr. Hataway pointed out that Section 8, beginning on Line 7 deals with the duties of the Mayor Pro Tempore. There was a question as to where, how or when that person would perform his duties. Line 13 clarifies that by saying: 'hold the office and title at all times during the terms for which he was elected without additional compensation'.

Under Section 9, beginning on Line 17, this refers to the duties of the clerk-treasurer and under Section 12, Page 7, Line 3 are the duties of the controller of the city. In 1979, we went through a major reorganization with your approval of divorcing out the controller finance functions from the clerk-treasurer's office. There were two sections that were not changed that really should be. Lines 47, 48 and 49 on Page 5 read that the clerk-treasurer would still almost keep a complete set of books separate from the finance department, which is not the intent of the activity. The way it is now, the clerk-treasurer receives the funds, deposits them and invests them. He reconciles his cash balance to the cash balance of the bank when the statements come in. The finance director, on the other hand, is keeping a cash balance and an accounting process of all thirty-some funds that we have in the City. He reconciles the combination of all of those balances to the single cash balance of the clerk-treasurer's office. The way it now reads, he would have to keep a cash balance of every fund we have and that was not the intent for the clerk-treasurer. The change in the bill indicates keeping a record of the cash balance (singular) to clarify this. On Page 7, Lines 31 and 32 show that the controller shall reconcile cash balances with the treasurer's cash balance, to this should help the situation.

Under Section 10, Page 6, Line 6 deals with the duties of the recorder. Lines 16 and 17 indicates that the recorder acts as public administrator and keeps the fees that are collected. It was suggested that those fees would go to the general fund. The recorder has no problem with that because he deals so rarely in this area.

Under Section 11, Line 34, Page 6 and Lines 1 and 2 of Page 7, we merely brought the District Attorney into conformance with the

other elected officials of the city and also in conformance with the NRS as it now states that the District Attorney shall not engage in any other business or occupation while he is employed as District Attorney.

Mr. Dini asked if he has a private practice now.

Mr. Hataway answered 'no'. The Charter in fact also states that the deputy attorneys general shall not maintain outside practices.

Mr. Redelsperger asked if this rule was governed by the population factor.

Mr. Hataway indicated that he thought so, but that it did not extend all the way down to the smaller counties.

Mr. Dini stated that some counties have the option of giving them an increase in salary. Pershing, Churchill and Lyon Counties give an option to the district attorney to either go into private practice or more money.

Mr. Hataway indicated that the last section to be amended is Section 13, Line 34, Page 7 dealing with officers. The new wording does not change the intent, it just changes the sentence structure to make it read a little better. If an appointed official removes himself from office or absents himself for more than 30 days without leave from the board, the board can declare it vacant.

Mr. Dini asked how the controller thing work out for you. Is it working out well.

Mr. Hataway answered that it is working out very well. It is not without its problems and the fact that when you make a major change like that in terms of personalities and learning new ways of doing things, and also the fact that we are two miles apart in terms of one office from the other - we always have coordination problems. In the last two years, we have substantially reduced the problems, and the rest of them won't be solved until we get into some kind of central structure.

This concluded Mr. Hataway's testimony.

The next bill to be heard is AB-64 - Creates department of services to the aging, with testimony from Mr. Schofield. He stated that the creation of the department does not make any substantive changes in the current powers and duties of the aging services division. The only change is the new requirement that the new director be 65 years or older when he is appointed. The bill would symbolize a great state commitment to the elderly by making the agency a cabinet level department. There would be no new services or expenses.

There are eight states presently with a department of aging services. The whole theory behind this bill is the necessity to make a department of aging service to allow the participation of senior citizens in the program. Lines 28 and 29 on Page 2 describe the director's job and qualifications. By appointing a person who is 65 years or older would allow them to do more for people in that area because they are there. Sometimes there is a problem in appointing a younger person who really has not had the experience or at least the circumstances involved.

Mr. Mello stated that age 55 is considered a senior citizen. Why not 55?

Mr. Schofield said that if that were the case, my thought would be that it would give the citizens their own autonomy. 55 would be fine, as far as I'm concerned. The main crux of this, Mr. Mello, is to make the department director answerable to the Governor at a cabinet level.

Mr. Mello asked what prompted this. Is the current administrator not seeing the needs of the aging services of the seniors.

Mr. Schofield indicated that that really was not the case. It is really a case of making it a department instead of a division and allowing them the autonomy as a separate department to go ahead and transfer the various segments of the division. There is no discrepancy as far as the actions of the existing department of human resources. There was no problem there. It was at the urging of some of the senior citizens in the southern Nevada area that I have talked to considerably.

Mr. Mello stated that they must have told you there was a problem.

Mr. Schofield restated that they just want to have their own autonomy. They would like to have a department of their own. It is time because of the increase in that area in the state of Nevada.

Senator Faiss, District 2, spoke next. He stated that according to the 1970 census, there 31,000 Nevadans over 65 years of age. The state planning coordinator's office estimates that the number for 1980 is 62,328. The projected figure for 1985 is 78,475. People are coming in at a fast rate, mostly from Miami because they have found the climate is better and the food is cheaper. In 1980, there were 20 states that had established a department of aging and the Arizona legislature is now considering establishing one. Both California and Idaho have changed from a division to a department. The reasons for the change include: It increases the prestige of the aging services division by making it a department at no additional cost; it also increased interdepartmental cooperation.

Senior citizens supported creation of a department because it would be more responsive to their needs than the division was. The division inside a department is frequently used to perform other functions. The division lost touch with the people it was supposed to help. A division has much less visibility than a department.

Mr. Dini asked if that was in Nevada.

Senator Faiss indicated that no this is true in the 20 states that have changed. I am certain that there are problems in the Nevada division and you will be hearing from other people here today. If not, you will be hearing from them next Thursday when we continue our hearing in the Senate.

Mr. Mello said that Senator Faiss had mentioned no additional cost in other states where they made an administrator into a director. You will still need an administrator or will the director be in charge of aging services.

Senator Faiss indicated he did not know how that would function.

Mr. Mello felt that if he was a director and not an administrator that in itself would probably cost more. I don't think a director would want to make \$28,500. He would want to make as much as the other directors in the state.

Mr. Schofield felt in introducing this bill was to leave the level of salary as it existed at \$28,500.

Senator Faiss stated that a department of aging services may not be able to offer any more services than a division can, but it can certainly increase its ability to address the problems of its clientele. It can increase its staff and programs to accommodate the increasing number of senior citizens without having to compromise its budget to another department director. In short, a department would give aging services a separate identity. Finally, a department of aging services could concentrate exclusively on the problems of senior citizens. No longer would aging services have one eye on the seniors and the other on the director of the department. It would also show the commitment of the state to its seniors. He quoted from the Nevada State Journal issue of March 7, 1977. "Nevada is older faster. Nevada is getting older and getting older faster than any state in the union". Over 50% of the seniors in Las Vegas have lived in Nevada ten years or more. In the latest statistics in Clark County, seniors 55 years and older comprise the largest voting block in Clark County. They are now the majority in voting.

Mr. Redelsperger asked how long ago the 20 states changed over, budget changes, staffing. Senator Faiss indicated he would furnish that information.

Mr. Nicholas asked if it would be possible to have a copy of some of the statistics that you quoted to us today.

Senator Faiss indicated he would leave a copy with the secretary for the record. A copy is attached and made a part of these minutes as EXHIBIT A.

Mr. Nicholas asked how old the current supervisor of the organization is.

Senator Faiss answered that he did not know, but he personally felt that the age question could be changed or take to out, as far as he was concerned. He said that he had already proposed an amendment that this would not apply to the present administrator.

Mr. Prengaman asked where Senator Faiss obtained the figures about Clark County comprising the largest voting block of senior citizens.

Senator Faiss answered that it came from the Registrar of Voters.

Mr. Ralph DiSibio testified next. He is the Director of the Department of Human Resources under which Aging Service is a part. He stated that he came before the committee reluctantly because speaking against a bill creating a department for the aged for the state is tantamount to the classic 'motherhood and apple pie'. I am very much aware that the largest voting block in Las Vegas and Clark County are senior citizens and perhaps the Chairman might want to consider a voice vote on this issue at some point in time without a division of the house. It is a problem that is generated as much from perception as it is from anything else. I think people believe that perceptually if there is a department of aging, something positive will result, other than the cosmetic change. It seems to me that the present structure as it exists is a good management structure. I come to you ambivalently, as well, because having the kind of complex and difficult departments or divisions that I deal with within my department, I would be very pleased if you reduced one or two or perhaps even three, if I could select those, that you could take and make departments so I would not have the responsibility of handling them. About five to ten percent of my time is taken up with the Division of Aging. Frankly, I believe you would be doing a disservice to the senior citizens of this state, practically speaking. Cosmetically, I think it would look good and I don't think it would serve the senior citizens any more effectively.

He said he would explain what the division does. It is not a state run organization. The Division of Aging Services does not

handle services to the aged in the state of Nevada. It is a pass-through agency. Essentially, it takes in X number of dollars from the Federal Government. It then takes in proposals from all over the state at the local level, from individuals and groups, who would like to provide services at the local grassroots level to senior citizens. We then either approve, disapprove or adjust those proposals and pass the money through to those individuals, who then run programs at the local level for senior citizens. That's how the operation works. We don't provide - meaning the Division of Aging Services - as presently constructed, service for senior citizens. We don't serve one hot mean, we don't provide one piece of transportation. We don't really do very much of anything save for administering the funding and monitoring the programs to see that they are handled effectively. We also audit the programs. That is the value of the organization as presently constructed and I think it serves an excellent purpose. In addition to that, it serves in another capacity for ombudsman, that is to say, for the many senior citizens who are housed in long term care centers. We have two ombudsmen who go throughout the state. That is much better handled at the state level to be a true ombudsman and not have any affinity for any specific organization structure in any local facility. The present structure as it exists, if it continues to exist like that, requires a division and not a department. It would, quite frankly, be the smallest department perhaps in the nation, as far as I am concerned. There are only 15 to 16 people in it. To make a department out of that and handle the kind of services they provide, I think, is not very sound management procedures.

As for as the cost is concerned, Mr. DiSibio continued, it would seem to me that it would cost little if anything to make that change at present. But I would suggest to you that if that change were made, it would grow, as any department grows when it is created. Statistically, you can prove that around the nation. I don't think it is a money problem, frankly. If you want to do it for cosmetic purposes, that is all it would be. If you want to do it for political purposes to allow the people of the state to perceive itself as being more valuable and vital and important and having more visibility, that's okay. There are some downsides to that. There was talk in earlier testimony of better coordination. The fact of the matter is that the reverse is true. As the system exists, throughout the Department of Human Resources, we provide mental health services, medical health services through the Division of Welfare, rehabilitation services through the Division of Rehabilitation and the only one that doesn't affect the senior citizens is Juvenile Services. Beyond that, each division provides a whole raft of services to senior citizens - direct services to them. The mandate of the Division of Aging Services is to coordinate some of those services and have input. Imagine if you will for a moment a Department of Aging Services outside of the division where most of the money is spent on senior citizens, trying to have impact

into my divisions. It becomes extremely difficult. It poses a number of turf problems and a number of bureaucratic nightmares. Again, pragmatically, management-wise, bureaucracy-wise, it works best as it is, in terms of coordination. Cosmetically, I think you would lose that if you would to change it.

Mr. Mello asked if the current administrator is unclassified.

Mr. DiSibio answered that he was. It happened during the last legislative session.

Mr. Mello stated that he believes that bills are introduced for more than one reason. I know that you realize that they are having problems with the administrator. I have talked with the seniors in Washoe County that deal directly with the administrator and, frankly, they don't like to deal with him. Perhaps this is the reason this bill came along. I'm not saying that's the case. But I feel that it is because of more than one reason.

Mr. DiSibio said that it may indeed be the case. Again, I would tell you that the perception of the division is viewed differently by many constituents in society, but look at the aging population. Their expectations as to what is supposed to be provided by that division are skewed. That expectation is that they are supposed to provide all kinds of services. Well, that is simply not the case. And what ends up happening is, those expectations do not change because we explained that is not our situation. So when they call up to our offices, or call the present administrator, seeking additional support or additional help or additional dollars and they are refused, or they are told that cannot be done at this level, it looks as if, or it is perceived as being some kind of non-cooperation. I don't think that this is the case. As far as visibility is concerned, quite frankly, that division at this level is not supposed to be very visible. The visibility should occur at the local level where the services are being provided. If there is a change in the intent of the Legislature, that's fair enough, and we will handle it accordingly. Service delivery, however, ought to occur at the local level and not create a state bureaucracy that will then have the specter of controlling what's happening. I think that what is needed is an educational campaign to allow the citizens of the state to know what that division is supposed to be doing. After evaluating the division, it is doing what it is supposed to do. We have had federal auditors come in and we have gotten all A's in all of grades. That says something for the present administration.

Mr. Nicholas stated that it may be that some of the good intent for our senior citizens involving this particular bill is being obscured by the direction involving the administrator. On a personal level, I would certainly hope that the administrator's

portion of this particular situation were a very small one. I would hate to think that our committee and this Legislature and this group were all convened for a problem that probably could be solved on an entirely different level if indeed it were a problem.

Mr. DiSibio closed his testimony by saying that he truly respects the motivation of all of those people who are supporting this piece of legislation, both in the Senate and in the House. I recognize that they, too, suffer from the same perceptions as the rest of the public. That is to say, it would seem to be logical to create a department that would be more effective and provide more service. I simply tell you as an administrator that this is not the case in this situation. Thank you.

Janice Goodhue, a resident of Carson City, was the next speaker. She indicated she had no quarrel with the bill. I would like to suggest one amendment, that whoever was qualified and mature, and I am not sure that there should be an age in it.

Mr. Orvis (Real) testified that the wording that should be out of there is the 65-year or older clause. You don't have to be 65 or older to manage this program. In fact, a lot of younger people would do a better job. As far as the present administrator is concerned, I have been dealing with him, not as a recipient of benefits, that as far as the committee I have been on for the last six years representing the retired people of Nevada, before I retired I was controlled by similar regulations as he is. Federal regulations that specified certain things that you can and cannot do. I believe in the management of his present program, he has been doing that and he has been in control of what he has been doing and as a result he is getting a lot of criticism. When the present administrator took over, all of the functions under his control were in two or more functions. By working on it, the functions were combined and reduced the administrative cost to the point where a lot more of the funds are going to the various people needing these funds. As far as the operation of the department as compared to a division, there will be extra costs.

Mr. Jack Warnecke indicated that in his capacity as chairman of the Carson River Basin Council of Governments, he is in effect the chairman of the committee that sponsors the RSVP program - the Retired Senior Volunteer Program - in Churchill, Lyon, Douglas, Storey and Carson City counties. Our organization, he said, has had excellent relationships with the Division of Aging Service as it is now constituted and I really feel that nothing positive would be gained by making a change. As far as this bill is concerned, it is disturbing to me to have it spelled out in the law that at age 62, I am too immature to taken on the responsibility of that kind of a job. I would not want to be restricted by this kind of a bill.

Alice L. Smith testified that we have had no problems with auditing our books. The money appropriated has been well spent. The people in the remote areas of the state have been well served. We have had competent persons in the division. It takes someone that can handle the administrator's job and what I am hearing it sounds like more of a personal affair. I believe he has done a terrific job. It seems that Nevada is the melting pot for all the seniors in the rest of the United States. We are overloaded with them. But take a look at what has been accomplished in the time this has been operating. There are many things done for senior citizens. It's age discrimination when you don't want a man because he isn't 65. Let's not discard young people because they are younger, then take a look at the books. Keep a close look at what's going on. One of the things is, you people don't get around to these places. Take time out and go to these nursing homes, these feeding sites, etc.

Catherine Lockland of Reno testified that she has been involved with four different boards on senior citizen projects. She concurred with Mrs. Smith's comments.

Mr. Mello stated that he was not trying to bring out personalities. He stated that he had met with the administrator two years ago and they discussed what positions should be classified or unclassified. At that time, I expressed a lot of concern that this particular administrator was coming under a lot of criticism by people in Washoe County. The administrator knew of some of those points and I think that he has made a lot of changes and should be given some credit for this.

Mr. DiSibio said he appreciated Mr. Mello's comments. He said we have worked very hard in the last two years to make that administrator more responsive and to develop some new programs there to reach out to the community.

End of testimony.

Mr. Dini indicated that the next bill to be heard would be AB-94.

Mr. Joe Cathcart, representing the Nevada League of Cities, was the first testifier, on behalf also of the study committees of the Local Government Purchasing Act. I have also spent four years as a committee member of the American Bar Association's model procurement code. We have tried to incorporate many of the things suggested in this model code within our statutes. One of the items we covered is the right to work with the wage labor rates throughout the United States. AB-94, with the amendment, is trying to clarify it and take some of the costs off the local governments.

Mr. Steve Tapogna, representing the Local Government Purchasing Study Commission for Northern Nevada, as well as the City of Reno, testified that the Statute 338.010, Paragraph 3 states that public works means new construction of repair of or reconstruction work on all public buildings. Our problem lies with the word 'repair'. The Attorney General stated an opinion that the word 'repair' and the word 'maintenance' were synonymous under the law. This means that if the City of Reno would like to contract out to replace a broken window or possibly wash windows, or replace a key in a door lock, this now becomes public works. It is bound by those provisions specified under statute 338, which requires that arbitration and fair labor clauses, hourly and daily rates must be stated. This becomes very time consuming and very costly to local government. The intent of the change is to remove the word 'repair' to allow us to do our day to day repairs when city crews or local government agency crews are not available to do this type of work and contract out on a day to day basis. As an example, when we go to have a window washed, I believe that the current labor rate for the basic labor is \$9.95 per hour, plus fringes. Certainly, we are not going to pay \$9.95 per hour to have windows washed. There are many mom and pop operations that can do this much more effectively. The \$5,000 limit that has been suggested in this legislation and the wording thereon is to bring it into parity with the Local Government Purchasing Act, NRS 332.

Mr. Dini stated that the amendment that has been proposed in Section 1, Page 1, Line 10, by inserting between 'project' and 'for', the phrase 'the estimated cost of which exceeds \$5,000'. Then on Line 11, delete the word 'repair'. On Line 15, delete Line 15 and insert 'publicly owned works and property'.

Mr. Tapogna stated that the basic reason for this change is that under the Attorney General's opinion, the words maintenance and repair are synonymous. It causes restraints when we try to do day to day maintenance. By bringing it into parity with the Local Government Purchasing Act, any project over \$5,000 has to go to public advertised bid. Through the League of Cities when the Local Government Purchase Act Commission proposed this legislation, our wording was a bit different. The definition is attached hereto and made a part of these minutes as EXHIBIT B.

Mr May stated that what Mr. Tapogna was trying to do was to provide when you have small jobs that you do not have to go through the rigamarole and thus avoid the red tape. Have you given any thought to redefining 'maintenance' or 'repair'.

Mr. Tapogna commented that the way the current Purchase Act reads we have specific bidding limits in the state with which we must comply on any project or job. You are saying that somewhere there

is a large gap where maybe there can be some abuse. Our law states that from 0 dollars to \$2,499.00, we merely have to go through good purchasing practices and obtain a vendor. From that point forward, from \$2,500 to \$5,000, we do have to do informal bids and by law keep them on record.

It is our intent to bring into parity this act with the Local Government Purchasing Act so that we can mesh and work under the same rules and regulations for both. It will cover only repair and maintenance.

Mr. Cathcart added that they are trying to standardize all the laws on contracts, administration and procurement within the statutes. The \$5,000 figure is really not one to buy very much. We have tried to open it up for some of the small business and minority contractors. They are having trouble in the bonding aspect of it. They can do the job but it is the financial end of it right now. Many cities have small contracts that can be done very economically. One of the reasons for the \$5,000 on this particular part of the Act on the public works is the paperwork, the inundation of the bureaucracy that we have to go through trying to justify everything we do.

Mr. Mike Cool, City of Las Vegas, testified about the financial impact on public works projects in Las Vegas. Of the \$12 million spent in the fiscal 1979-1980 budget, 6% was spent on projects that were less than \$5,000 that were repair projects by definition. Each job averaged approximately \$1,500 each.

Mr. May: I am still a little bit concerned about this. Suppose the committee was desirous of considering an amendment that would allow local government without an ordinance to provide the types of reconstruction or revision that would be exempt from the provisions of the statute and any monetary limit in conjunction with that. I think I would like to see it tightened up a little bit. Out of the jobs you mentioned, I think you said the average was \$1,500, and we are still looking at \$5,000. Maybe, \$2,500 might be more realistic. I would hate to see an individual that might be offered some protection under the present statute, a working guy, lose that protection, either.

Mr. Cool said that if the committee so chose, we could work with your research staff and take a look at any possibilities.

Mr. Sal Quilici, with the Nevada Department of Transportation indicated some concern with the bill. He stated that on federal aided projects that we award, the Davis-Bacon wage scale applies and this would apply to those subcontractors with jobs that are

less than \$5,000, but are part of a larger job with the prime contractor. The employees of the prime contractor are subject to the prevailing wages as established by the State Labor Commission, with the fringe benefits associated with them. What we can foresee is a subcontractor, whose employees are working side by side on the same project, doing the same work in the same classification as those employees of the prime contractor, not having to pay the same wage package.

Mr. Dini stated that you are proposing the estimated cost which exceeds \$5,000 in the amendment in that other language that you had there is for a definite \$5,000. How about if we go to \$2,000, then everyone would be in compliance with the federal law?

Mr. Quilici stated that the \$2,000 would be in harmony with the Davis-Bacon requirement presently under our federal aid contracts.

Mr. Tapogna commented that again, that is not bringing our laws into parity with the Local Government Purchasing Act and there are several other things that must be thought of before making a decision like that. Today, bonding limits and costs to small contractors and minority contractors are extremely expensive. The \$2,000 limit would hamper us as much as it would help us. Again, the idea was to bring us under the same laws for the entire section, both the Local Government Purchasing Act and still hold the constraints of the intent of the law. I am sure it was not the intent of the law to literally be interpreted that for every broken window we have fixed, we need to issue a public works contract.

Mr. Jeffrey stated that he believes we are talking about two different things. We are talking about the Local Government Purchasing Act and talking about the public works projects under this definition, because the intent of the law is entirely different between the two. The government operates more efficiently in those areas, but in this case, you are talking about an entirely different subject matter that deals with the protection of people that work for contractors. \$5,000 in wages for a contractor that does a repair job that may be primarily wages, assuming that he may be doing the job that has a small material cost and high manpower cost, would be exempt in predetermined wage protection and would be exempt entirely from this chapter. That is quite a bit of money. Whereas, to the workman, to the individual workman, there is quite a bit of difference.

Mr. Dini stated that he was going to put this in a subcommittee as we need to do some work on it.

Joyce Devine, Purchasing Contract Administrator for Washoe County, testified that the issue is a housekeeping one. In the past, until we were notified of our requirement for compliance, functioned totally under the Local Government Purchasing Act, just as your state and universities do. Our compliance has proven to be an extremely costly thing and I think that this is the area of housekeeping that we are concerned about, not public works. If it were not for the Attorney General's opinion, that 'repair' and 'maintenance' were synonymous, we would not have a problem, because we could have withdrawn maintenance, housekeeping, janitorial contracts, etc. If the committee feels that public works and repair and maintenance are the obstacle, I think some provision has to be made to pull the housekeeping items away from public works projects, because housekeeping, by no stretch of the imagination can be considered a public works. I do not think this was the intent of the law. It is, frankly, restricting the business to the small business people. We are being besieged by small vendors who are no longer doing business with their local governments as they have done in years past. If we comply with our Local Government Purchasing Act, as written, we are now violating your public works laws. If we adhere to your public works law we are in conflict with the very law that concerns us at the local government level.

Mr. May stated that it appeared more and more to be a matter of definitions and what we might want to consider as a foundation is to write some new definitions in order to avoid conflict with the statutes.

Mr. Dini will form a committee for AB-94.

Mr. Dini indicated that Mr. Prengaman would speak to AB-101, he being the primary sponsor. It deals with public bodies receiving public comment at meetings.

Mr. Prengaman stated that AB-101 deals with NRS 241 which is known as the Nevada Open Meeting Law. That section of the law provides that meetings shall be open to the public and also sets forth notification requirements for those meetings. However, there is nothing in that chapter that speaks to or guarantees the public a right to testify at those meetings. All it says is that the meetings have to be public. There is no requirement that the presiding officer take any testimony from the public. Basically, at the present time, it is at the discretion of the presiding officer whether people may or may not be heard. In many cases, the presiding officer, in my experience with public meetings, does not ask if there is anyone present who wishes to testify. I, personally, have been denied the right to speak. Section 1, Paragraph 2, of the amendment

says that before a public body makes a decision on any matter over which it has supervision, control, jurisdiction or advisory power, the presiding officer of the body shall request comments from any members of the general public who are attending the meeting. The penalty provision (241.040) says that wrongful exclusion of any person or persons from a meeting is a misdemeanor. I don't feel it hampers the presiding officer's control over a meeting if, for instance, 200 people show up at a meeting. He may limit their speaking time to two or three minutes. He still has all the parliamentary procedures on his side and he also still is in control of the meeting. All it is designed to do is to guarantee a person's right to testify.

Mr. Dini stated that one of the problems is the definition of what the public hearing is and what type of hearings you would call to get everyone in this room to speak. There are administrative meetings like gaming control board meetings where it is taking up licensing and you certainly would not have the public input over licensing. It is a regulatory meeting and would come under a different definition.

Mr. Prengaman indicated that he understood and that this is just a beginning and that it needs clarification and the impacts on other agencies have to be considered.

Mr. Edward Grew, Associate Superintendent for Business, Clark County School District acknowledged that there must be a way to make certain that people can give their testimony. Our concerns in a school district where you have hot issues, such as transportation or zoning will generally generate a lot of interest and will probably fill your board room. It takes the chairman's discretion to know how to handle that. I have sat in meetings where it was two or three in the morning because the attempt was made to let everyone speak. Our board limits speaking time to three minutes with certain conditions when the board room is full. Our board has a regular agenda item, a public hearing process, and anyone that wants to speak to an issue is supposed to submit a card up to 3:00 o'clock that afternoon prior to the board meeting. The board, then, at their discretion, can allow anyone to speak at the time of the meeting. A good, strong chairman can control the meeting and still let everyone give their input and keep it within bounds. The second paragraph of the amendment, however, might take that discretionary power away from the chairman.

Mr. John Hawkins, representing the Nevada School Boards Association, stated that he concurred with the intent of the bill, but have some concern about the language. School boards are quite frequently facing legal and fiscal deadlines, even student safety deadlines

and they have to take action and, although they do encourage public participation in their meetings, they have to have some control over the meetings in order to meet these deadlines. We see a danger in this bill that harrassment could take place at a school board meeting which would result in preventing action from being taken over an extended period of time, almost tying up all type of action that might be forthcoming from the school board.

Mr. Prengaman stated that quite frankly, he was very surprised to see the school boards object to this. He noted a specific case in which he was involved where the school board heard a zoning problem. When the board got down to the final meeting after three months, they limited testimony to the spokesman of the group. The school board is a public body, elected officials, dealing openly with the public's business. Of course, a lot of the problems might stem from the chairman.

Mr. Hawkins stated that they were not in disagreement with that aspect of it. There have been times when a board has faced a very explosive issue, such as an employee-employer confrontation, where the board could be tied up. The wording of this bill allowing unlimited debate without the opportunity to try to restrict the debate or qualify testimony to new points, not covering old points.

Mr. Prengaman asked if a personnel matter would not have to be public.

Mr. Hawkins replied that there are very few items that are considered for closed meetings. The district that I am acquainted with is Carson City School District. We have policies that any person could place an item on the agenda prior to a meeting, they could speak to any item on the agenda and could speak to any item not on the agenda, however, the board would not take action until the following meeting. So it allows all kinds of participation, even student participation. I think school boards are receptive to this because they want the input. I think, though, the chairman of the board should have the option of determining the degree of debate and the testimony. I have been impressed by the legislative committees, the tolerance you have in the testimony that you receive and yet I feel very strongly that the chairmen of the various committees should have the option of limiting debate and cutting off time in regards to testimony because that is the only way there are going to be able to function.

Mr. Polish asked how you would handle written comments from the public to a meeting.

Mr. Hawkins replied that speaking of the Carson City School District again, and I am sure it applies to most districts, any citizen can submit a written request to a school board concerning a view on a particular issue or introduce an issue that they would like placed on a future agenda. They have an option at any time during a board meeting to submit written statements.

Mr. May stated that Nevada is known as the state with the best open meeting law. I support no further changes or additions to the law as it now stands.

Mr. Craddock spoke of personal experiences where at a hearing the chairman changed the rules for speakers midway through a meeting. The early speakers were allowed to speak with unlimited time. About 10:00 P.M., the chairman changed his mind and cut people down to two minutes. I sat through the meeting from 7:00 P.M. to 10:00 P.M. and never was allowed to speak.

Mr. Bryn Armstrong, of the Nevada Board of Parole Commissioners, indicated he was not speaking against the bill. I am sympathetic with the things that this bill wants to do, however, it creates a tremendous problem for my agency. Our hearings are held within the gates of the prison system with all the security gates, and we are a public body and our meetings are public open meetings. This bill would require that we open each one of those hearings to comment from relatives, ministers, from counsel, friends, etc. We try to hold ten hearings each day and a bill like this which would require public comment from everybody who is attending would reduce that to perhaps one or two a day, and then you run into a problem of time. How can we accommodate everyone in these circumstances on behalf of the parole applicant. If the District Attorney and the defense attorney want to testify, you could get into a situation where the trial is recapped. We would have a security problem in the parole hearing rooms with too many people attending.

Mr. Prengaman asked who was permitted to testify at the hearings.

Mr. Armstrong replied that the only people who speak at a parole hearing at the present time are the members of the commission and the parole applicant. If the parole applicant is unable to communicate for reasons of language, he may bring in another prisoner who can speak for him, staff member who is sympathetic. By and large, only the prisoner and the commission members are the ones who talk. The meetings are open, observers are not barred. In revocation hearings, we do have attorneys and witnesses. Written testimony from relatives, prospective employers, district and defense attorneys are encouraged to submit in writing their views.

Mr. Bill Hancock testified on behalf of Mr. E. H. Fitz, chairman of the State Public Works Board. He indicated that the board has no problem with subsection 1 of the amendment. Mr. Fitz asked that you consider an amendment on Line 9 to read: "the officer of the body shall request discussions on the motion from any members of the general public". We feel the word "comment" opens the door in the voting process to the point that you will never be able to get it resolved.

Mr. Bill Isaef, Deputy Attorney General, stated that their office is the focal point of attention under the open meeting law when citizens have complaints or inquiries where we have had to tell many citizens of Nevada that the law does not confer upon a statutory right to speak at a public meeting. It gives them only the right to attend and observe those proceedings. There are language problems which we think should be brought to the committee's attention, since we will be called upon to interpret it and administer it. The Attorney General does not think it would be appropriate for members of the public to have a right to necessarily intervene and speak at a meeting where one person is speaking against another and the board is sitting as a quasi-judicial tribunal, unless they are actually involved. One of the points we are really looking for here are the public in effect destroying the record that is being made there by raising points outside the scope of the hearing itself. The Attorney General feels that licensing and parole boards might have the need to limit the types of public meetings at which the public is invited to attend under Chapter 241. We also feel that the language of this bill would give an absolute, unlimited and unrestricted right to the public to participate in public meetings and we are unsure whether or not the parliamentary rules of the presiding officer would in fact still be applicable if the bill were enacted. If the committee and the Legislature want restrictions taken away completely, or want restrictions, you might want to consider language that would, then, empower the presiding officer to impose appropriate limitations. A judge could look at this statute and say that he doesn't see any restrictions. It says that 'these meetings shall receive this testimony' and the person might be allowed to speak until he decides he has said all that he cares to say on the subject.

Mr. Dennis O'Connor, with his wife, Marilyn, from Fallon, Nevada, spoke next. Their testimony is attached hereto and forms a part of these minutes as EXHIBIT C. His complaint was that at the hearing he was on the agenda, but was not allowed to speak because of a conflict of interest concerning the City Attorney.

Mrs. O'Connor indicated that they received a letter from Attorney General Brian giving his interpretation. A copy of this letter is attached hereto and made a part of these minutes as EXHIBIT D.

Mr. Jim Hannah, Executive Secretary of the State Environmental Commission and also the Chairman of the State Health Coordinating Council. Their policy says that anyone who wishes to speak may do so to the point of making time a secondary consideration. However, if we invite the public to testify in a quasi-judicial proceeding, it would develop problems.

End of testimony.

Mr. Dini stated that the next bill to be heard will be AB-102, establishing a single gift fund in the Department of Human Resources. Mr. Gary Cruse, Audit Manager, Legislative Council Bureau, handed out three letters, copies of which are attached hereto and form a part of these minutes as EXHIBIT E.

While Mr. Cruse was handling out EXHIBIT E, Mr. Dini asked Don Klasic to give us his expert testimony on the problems involved with the open meeting law. As Mr. O'Connor alleged before this committee that the Attorney General's office will not take action against, say, the City of Fallon for obvious violation of the open meeting law, do you want the Attorney General's office to stay out of those kind of cases?

The reply was that we will certainly enforce the law in the areas where we have to enforce it. The problem with the O'Connors is that they are totally confused as to the purpose of the open meeting law. There was an open meeting that particular day. They were allowed to attend and listen to what went on. The problem is they were not permitted to come forward and testify at that particular time. There is nothing in the open meeting law that requires that and so they didn't. They came to us and said they had a violation of the open meeting law and wanted us to prosecute. There was no violation and so we did not prosecute.

Mr. Dini asked: "That's your interpretation, even being on the agenda and not being able to speak?"

The reply was that Chapter 240 or 241, provides only that the meeting must be open. to the public.

The hearing then continued on AB-102. Mr. Cruse stated that the bill is a direct result of an audit performed on the Mental Hygiene and Mental Retardation Division. We identified about thirteen gift funds in the Department of Human Resources. Ten of these were created statutorily and three were established without statutory approval. Three others have not as yet been

established in the controller's system. Each of these funds require a computer report generated by the controller's office and distributed to the agency using the fund. This creates a duplication of effort. There are additional costs in distributing these reports and, consequently, we are recommending a consolidation of all the gift funds in the Department of Human Resources as one gift fund with individual accounts in that gift fund. The accounts already established would stay as they are, but the word 'fund' is changed to 'account'. An example, you have one fund, but you would have 400-500 accounts within that general fund. So with the gift fund, you would have one fund but ten or fifteen accounts. The authority to approve would still lie at the agency level with the administrator of that agency. EXHIBIT E includes a letter from Mr. DiSibio approving the change. An amendment in the wording is also included in this exhibit. This amendment would give the department the authority to establish more gift accounts within the one fund. Page 1, Line 8 of the bill speaks to this.

Mr. Frank Halzhauer, on Mr. DiSibio's staff, spoke next. He indicated that one of the reasons for the amendment involved a very special account set up by an individual. It had not been set up as a specific fund in statute.

End of testimony.

Mr. Dini stated that the next bill to be heard would be AB-103, requiring notice to certain property owners upon sale of property by county for taxes.

Diane Campbell, representing the small miners through the Nevada Miners and Prospectors Association. As small miners, we have a stake in the counties that we live in and we don't want to put this burden on the counties. As an explanation, in mining, if there is mining group that does not pay their taxes and it goes up for auction, there is a possibility of four other mining claims surrounding it that sometimes pyramids into thirty-two owners, and if one of those dies of owners, there may be untold heirs to deal with. It is hitting the poorer miners who are now fighting for survival. We just don't need something like this bill that is going to tip the balance.

Mr. Dini asked if you just notified the principal owner of these mines....

Ms. Campbell said you are thinking of ranches, but there are a lot of mining claims that go up for auction.

Mr. Dini noted that every sale must be posted in at least two public places in the county, including one at the courthouse. In the old days the notices would be posted in the farthest away place and it was inconvenient for the owners to come in.

Mr. Redelsperger stated that in Nye County where my residence is 165 miles away from the county seat. Notices are put in the local newspaper which very few people in our area receive. And as far as some people getting preferential treatment, this would open up a can of worms because it is a hot subject down there.

Ms. Campbell indicated that it requests that people be notified by certified mail and if they say they did not receive notice, is the county liable.

Mr. May stated that what it was trying to solve was where a piece of property was bordered by three counties and where only one county noticed and not the other where the owner resided.

Mr. Lyle Campbell, Pershing County, stated that mining claims alone could tear this whole county up. You could have thirty-two legal owners to four mining claims and if you must notify each one of those, you are talking about a process where you are going to have to start sending letters six months or a year ahead of time. If you can in fact ever get a return receipt that they were notified, the county would then not be able to sell this piece of property at all. And if they did, they would be liable. This section would have to be eliminated the way it is.

This concluded testimony.

The next bill to be discussed is AB-64.

Mr. Mello indicated that he had talked to his colleague, Mr. Schofield regarding this bill. No matter what you do with it if you are intent on getting it out of committee must revert to the money committee because of the Human Resources budgets involved. My recommendation would be to re-refer AB-64 to the Ways and Means Committee, without recommendation. I did talk to Mr. Schofield about an amendment, taking Page 65 out but if we do that we are causing some problems with bill drafting. This can be taken care of by Mr. Schofield testifying before the Ways and Means Committee. Mr. Mello stated this was in the form of a motion. Seconded by Mr. Nicholas. Motion carried unanimously. The motion was to re-refer to the Ways and Means Committee without recommendation.

The next bill as AB-92 - Makes various amendments to charter of Carson City.

Mr. Dini asked what was the pleasure of the committee on this bill. Regarding the contract for hire portion involving the fire department, this committee may not be very strong about that language.

Mr. Jeffrey indicated that he did not get a very satisfactory answer regarding the judges' employees. If they want to insure the separation of function between the legislative and judicial then I think that could be done somewhere else rather than exempting them from classified service.

Mr. Mello stated that Mr. Hataway indicated he would be back with further research in regard to Chapter 288. So I move that this bill be held to the discretion of the Chairman. Mr. Schofield seconded. Mr. Dini stated that this will go to a subcommittee. He said there are some real definite problems in that law and I think the subcommittee should handle this and look at the three sections of the law.

Mr. Dini stated that AB-101 will be held until for further clarification.

Mr. Dini stated that AB-102 needs a technical amendment there. Mr. Schofield moved to AMEND AND DO PASS. Mr. Jeffrey seconded. Motion carried.

Mr. Dini stated that AB-103 needs clarification in Lines 15-20. We will hold this bill for a day or two for more information.

Mr. Dini stated that we took up AB-48 the other day and it has been put in a subcommittee. He discussed a letter from Noel Clark regarding life cycle cost analysis on buildings over 20,000 square feet. With the testimony we received the other day, this solves the problems and makes it workable. Anything smaller than 20,000 square feet would not be cost effective, anyway.

Mr. Prengaman voiced concern with Line 8. He asked if it meant that the lowest cost system has to be adopted.

Mr. Jeffrey stated that it requires that they do the analysis on anything over 20,000 square feet. Those results shall be considered - they would be part of the general consideration. It does not mandate the study.

Mr. Schofield moved to AMEND AND DO PASS. Mr. DuBois seconded.

Mr. May indicated than on Line 7 after 'renewable sources' add "and advanced conservation techniques".

Mr. Dini said: "let's not take action on this today. Let's post it again and we will get more testimony.

Mr. Dini asked if there was anything else the committee wished to discuss at this time. There being none, the meeting as adjourned at 11:40 A.M.

Respectfully submitted,

Lucille Hill
Lucille Hill
Assembly Attache

ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE

GUEST LIST

Date February 12, 1981

<u>PLEASE PRINT YOUR NAME</u>	<u>PLEASE PRINT REPRESENTING:</u>		<u>I WISH TO SPEAK</u>		<u>BILL NO.</u>
			<u>FOR</u>	<u>AGAINST</u>	
<u>W. E. Harrock</u>	<u>Public Works</u>	<u>X</u>			<u>AB 101</u>
<u>MIKE COOL</u>	<u>City of Las Vegas</u>	<u> </u>	<u>✓</u>		<u>AB 94</u>
<u>Joseph Levine</u>	<u>Washoe County</u>	<u>X</u>			<u>AB 94</u>
<u>TAPOGNA</u> <u>Allyson [unclear]</u>	<u>City of Reno</u>	<u>X</u>	<u>✓</u>		<u>AB 94</u>
<u>Joe Colkoff</u>	<u>City of North Toiyabe</u>	<u> </u>			<u>AB 94</u>
<u>Bill L. R. F.</u>	<u>D. A. G.</u>	<u> </u>	<u>✓</u>		<u>AB 101</u>
<u>Jack Warnerke</u>	<u>Las Vegas City</u>	<u>X</u>			
<u>RICHARD WILLIAMS</u>	<u>Las Vegas City</u>	<u>X</u>	<u>✓</u>		<u>AB 92</u>
<u>Harold [unclear]</u>	<u>"</u>	<u> </u>	<u>✓</u>		<u>AB 92</u>
<u>Don Katerway</u>	<u>"</u>	<u> </u>			<u>AB 92</u>
<u>[unclear]</u>	<u>"</u>	<u> </u>			
<u>John Lankier</u>	<u>"</u>	<u>X</u>			<u>AB 101</u>
<u>[unclear]</u>	<u>"</u>	<u> </u>			
<u>GARY CREWS</u>	<u>LCB - Alder</u>		<u>✓</u>		<u>AB 102</u>
<u>Frank Holzhauser</u>	<u>Dept. of Human Resources</u>				<u>AB 102 & AB 104</u>
<u>Berry</u>	<u>"</u>		<u>✓</u>		<u>AB 102</u>

ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE

GUEST LIST

Date 3/12/21

<u>PLEASE PRINT YOUR NAME</u>	<u>PLEASE PRINT REPRESENTING:</u>		<u>I WISH TO SPEAK</u>		<u>BILL NO.</u>
			<u>FOR</u>	<u>AGAINST</u>	
	constitutional issue	X	✓		A.B. 101
Bryan Armstrong	Parents Board	X		X	AB 101
Tim Hawitt	STATE ENVIRONMENTAL COMMISSION	X			AB-101

ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE

GUEST LIST

Date 2-12-81

<u>PLEASE PRINT YOUR NAME</u>	<u>PLEASE PRINT REPRESENTING:</u>	<u>I WISH TO SPEAK</u>		
		<u>FOR</u>	<u>AGAINST</u>	<u>BILL NO.</u>
<i>Arthur Laine</i>	<i>Senato</i> +	<input checked="" type="checkbox"/>		<i>Dept of Aging</i>
<i>CHUCK NEELY</i>	<i>Williamson Special Dis</i>	<input checked="" type="checkbox"/>		<i>AB 101</i>

ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE

GUEST LIST

Date _____

<u>PLEASE PRINT YOUR NAME</u>	<u>PLEASE PRINT REPRESENTING:</u>		I WISH TO SPEAK		
			FOR	AGAINST	BILL NO.
Jamie D. Goodhue	Public	Y			
Debra L. Sines	Human Resources	Y		X	Dist. of Power
Alice J. ...	Public - ...	Y		X	
T. Tankard	...	Y			
Sal Quilina	" "	Y			

ARTHUR J. PALMER, *Director*
(702) 885-5627



FRANK W. DAYKIN, *Legislative Counsel* (702) 885-5627
JOHN K. CROSSLEY, *Legislative Auditor* (702) 885-5620
ANDREW P. CROSE, *Research Director* (702) 885-5637

February 11, 1981

MEMORANDUM

TO: Senator Wilbur Faiss
FROM: Matthew Fanuef, *Legislative Intern*
SUBJECT: Creation of a Department of Aging Services

Population Statistics

According to the 1970 census there ~~are~~ 31,000 Nevadans over 65 years of age. The Nevada state planning coordinator's office estimates that the number for 1980 is 62,328 - an increase of more than 100 percent.

The projected figure for 1985 is 78,475. The 1980 estimates, by county, are enclosed for your reference. This increase might justify the creation of a department because typically a department can increase its staff and the number of programs more easily than a division can.

States With A Department of Aging Services

In 1980 there were 20 states that had established a department of aging and the Arizona Legislature is considering establishing one (a list of the states with a department is enclosed).

Reasons for Establishing a Department

California and Idaho both changed from a division to a department and legislation in Arizona is proposing to do the same thing. The reasons for the change include:

- (1) Increases the prestige of the aging services division by making it a department, and at no additional cost. It also increased interdepartmental cooperation;
- (2) Senior citizens supported creation of a department because it would be more responsive to their needs than the division was; and

Exhibit A

- (3) A division inside a large department is frequently used to perform other functions. The division lost "touch" with the people it was supposed to help. A division has much less visibility than a department.

While a department of aging services may not be able to offer any more services than a division can, it can certainly increase its ability to address the problems of its clientele. Also, it can increase its staff and programs to accommodate the increasing number of senior citizens without having to compromise its budget to another department director. In short, a department would give aging services a separate identity.

Finally a department of aging services could concentrate exclusively on the problems of senior citizens. No longer would aging services have one eye on seniors and the other on the director of the department. It would also show the commitment of the state to its seniors.

MF:jlc
Encl.

3-7-77

38.7. US

Ageing

Nevada's

Older

Faster

NSJ 3-7-77

WASHINGTON (UPI) — Nevada is getting older, and getting older faster than any other state in the union.

The U.S. Census Bureau said Sunday the greatest increase in older citizens — 52 per cent — occurred in this state, which jumped from 31,000 persons over age 65 in 1970 to 47,000 last July.

Five other states experienced similar increases of more than 30 per cent in their elderly population since 1970, the Census Bureau reported. All are western states, with the exception of Florida.

Other states with large increases in the elderly population were: Hawaii, 38 per cent; Alaska, 36 per cent; Arizona, 46 per cent; New Mexico, 34 per cent and Florida, 40 per cent.

The listings were a followup to an earlier survey showing Americans are getting older, with every region reporting an increase of the over-65 population and a drop among children under 5 years of age.

FROM NEW DEPT. of Aging Services
**SENIOR CITIZENS PROTECTIVE SERVICES
 CLIENT PROFILE**

Name: COMPOSITE (N=20)

Study Number FY 79-80

Race: White: 70% Black: 15% Am. Indian: Spanish Surname: 15% Other:

Age: 74 Education: 0-6 yrs. 20% 6-12 yrs. 75% Coll/Tech: 1 2 3 4 5

Length of Residency in La. Vegas:
0-3 months 15% 3-6 months 10% 6 months - 1 yr. 5% 1-5 yrs. 10%

5-10 yrs. 10% 10 yrs. or more 50%

Family Income (Thousands) \$4389.00

Lives with:
Alone 75% Spouse 10% Family Member 15% Non-related

Referral Source:
Self 10% Other Agency 45% Family Member 10% Police Concerned Citizen 35%

Presenting Problem:
Abuse/neglect 25% Exploitation 10% Health Problem 15% Psychological Problem
Agency Problem Housing 5% Lack of Income Nursing Home Placement
N 45%

Family Resources:
Family members willing to assist 40% No family members willing to assist 35%

No surviving family 25%

Social/Environmental Assessment:

	<u>Good</u>	<u>Fair</u>	<u>Poor</u>
a. Shelter	<u>70%</u>	<u>20%</u>	<u>10%</u>
b. Contact/Friends	<u>50%</u>	<u>45%</u>	<u>5%</u>
c. Contact/Relatives	<u>20%</u>	<u>20%</u>	<u>60%</u>
d. Housekeeping Standards	<u>50%</u>	<u>35%</u>	<u>15%</u>
e. Physical Appearance	<u>35%</u>	<u>55%</u>	<u>10%</u>

STATE OF NEVADA

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	37960	36577	74538	4.76	4.58	9.34
5-9	32531	31369	63900	4.08	3.93	8.01
10-14	31235	30235	61470	3.91	3.79	7.70
15-19	36117	34570	70687	4.53	4.33	8.86
20-24	41889	40666	82556	5.25	5.10	10.35
25-29	38498	37461	75959	4.82	4.69	9.52
30-34	32992	32964	65955	4.13	4.13	8.27
35-39	27447	27013	54461	3.44	3.39	6.83
40-44	22877	21796	44673	2.87	2.73	5.60
45-49	19851	19050	38901	2.49	2.39	4.88
50-54	18648	18290	36937	2.34	2.29	4.63
55-59	17340	17778	35118	2.17	2.23	4.40
60-64	14940	15477	30418	1.87	1.94	3.81
65-69	11949	12967	24916	1.50	1.63	3.12
70-74	8153	9522	17676	1.02	1.19	2.22
75+	7733	12001	19734	0.97	1.50	2.47
TOTAL	400163	397736	797899	50.15	49.85	100.00

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

CARSON CITY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	1745	1682	3427	5.5	5.3	10.7
5-9	1307	1260	2567	4.1	3.9	8.0
10-14	1226	1199	2426	3.8	3.8	7.6
15-19	1368	1246	2614	4.3	3.9	8.2
20-24	1746	1720	3466	5.5	5.4	10.8
25-29	1810	1837	3647	5.7	5.7	11.4
30-34	1432	1429	2861	4.5	4.5	9.0
35-39	1138	1095	2233	3.6	3.4	7.0
40-44	807	849	1656	2.5	2.7	5.2
45-49	705	674	1379	2.2	2.1	4.3
50-54	590	636	1226	1.8	2.0	3.8
55-59	624	620	1244	2.0	1.9	3.9
60-64	471	517	988	1.4	1.6	3.1
65-69	395	483	878	1.2	1.5	2.7
70-74	274	366	641	0.9	1.1	2.0
75+	245	461	707	0.8	1.4	2.2
TOTAL	15884	16075	31959	49.7	50.3	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

CHURCHILL COUNTY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	709	683	1392	5.1	4.9	10.0
5-9	564	546	1110	4.1	3.9	8.0
10-14	501	530	1031	3.6	3.8	7.4
15-19	602	552	1155	4.3	4.0	8.3
20-24	636	625	1261	4.6	4.5	9.1
25-29	684	640	1325	4.9	4.6	9.5
30-34	827	500	1328	6.0	3.6	9.6
35-39	434	409	843	3.1	2.9	6.1
40-44	333	345	678	2.4	2.5	4.9
45-49	339	324	663	2.4	2.3	4.8
50-54	302	342	643	2.2	2.5	4.6
55-59	313	291	604	2.3	2.1	4.4
60-64	260	265	525	1.9	1.9	3.8
65-69	228	252	480	1.6	1.8	3.5
70-74	181	189	370	1.3	1.4	2.7
75+	206	261	466	1.5	1.9	3.4
TOTAL	7119	6754	13873	51.3	48.7	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

CLARK COUNTY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	22526	21705	44231	4.9	4.7	9.6
5-9	19580	18882	38462	4.2	4.1	8.3
10-14	18950	18118	37067	4.1	3.9	8.0
15-19	21132	20367	41498	4.6	4.4	9.0
20-24	22987	22515	45502	5.0	4.9	9.8
25-29	20457	20356	40812	4.4	4.4	8.8
30-34	19501	18950	38451	4.2	4.1	8.3
35-39	16408	16487	32895	3.6	3.6	7.1
40-44	14170	13394	27564	3.1	2.9	6.0
45-49	12225	11572	23797	2.6	2.5	5.2
50-54	11117	10525	21642	2.4	2.3	4.7
55-59	9831	10075	19907	2.1	2.2	4.3
60-64	8362	8666	17028	1.8	1.9	3.7
65-69	6472	7108	13580	1.4	1.5	2.9
70-74	4462	5077	9539	1.0	1.1	2.1
75+	3950	6086	10036	0.9	1.3	2.2
TOTAL	232129	229883	462012	50.2	49.8	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

DOUGLAS COUNTY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	1069	1029	2097	5.5	5.3	10.8
5-9	822	790	1612	4.2	4.1	8.3
10-14	676	666	1342	3.5	3.4	6.9
15-19	777	753	1530	4.0	3.9	7.8
20-24	942	1031	1973	4.8	5.3	10.1
25-29	1108	1121	2229	5.7	5.7	11.4
30-34	636	878	1514	3.3	4.5	7.8
35-39	720	668	1387	3.7	3.4	7.1
40-44	569	500	1069	2.9	2.6	5.5
45-49	468	433	901	2.4	2.2	4.6
50-54	413	438	851	2.1	2.2	4.4
55-59	429	402	832	2.2	2.1	4.3
60-64	368	357	726	1.9	1.8	3.7
65-69	277	305	582	1.4	1.6	3.0
70-74	179	220	399	0.9	1.1	2.0
75+	182	274	456	0.9	1.4	2.3
TOTAL	9636	9864	19500	49.4	50.6	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

ELKO COUNTY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	870	836	1706	5.0	4.8	9.8
5-9	714	696	1410	4.1	4.0	8.1
10-14	696	679	1375	4.0	3.9	7.9
15-19	766	801	1567	4.4	4.6	9.0
20-24	853	853	1706	4.9	4.9	9.8
25-29	888	766	1654	5.1	4.4	9.5
30-34	522	609	1132	3.0	3.5	6.5
35-39	574	557	1132	3.3	3.2	6.5
40-44	470	453	923	2.7	2.6	5.3
45-49	418	400	818	2.4	2.3	4.7
50-54	470	383	853	2.7	2.2	4.9
55-59	418	400	818	2.4	2.3	4.7
60-64	383	383	766	2.2	2.2	4.4
65-69	296	313	609	1.7	1.8	3.5
70-74	226	191	418	1.3	1.1	2.4
75+	209	313	522	1.2	1.8	3.0
TOTAL	8774	8635	17409	50.4	49.6	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

ESMERALDA COUNTY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	38	36	74	4.9	4.7	9.6
5-9	28	26	54	3.6	3.4	7.0
10-14	32	22	54	4.1	2.9	7.0
15-19	29	20	48	3.7	2.5	6.3
20-24	30	39	69	3.9	5.0	8.9
25-29	35	43	78	4.6	5.5	10.1
30-34	26	28	54	3.4	3.6	7.0
35-39	24	16	39	3.1	2.0	5.1
40-44	19	17	36	2.4	2.2	4.7
45-49	16	9	25	2.1	1.2	3.4
50-54	23	23	46	3.0	3.0	5.9
55-59	23	23	46	3.0	3.0	5.9
60-64	27	22	49	3.5	2.9	6.4
65-69	24	16	40	3.1	2.1	5.2
70-74	13	11	25	1.7	1.5	3.2
75+	18	16	34	2.3	2.1	4.5
TOTAL	405	368	773	52.4	47.6	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

EUREKA COUNTY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	59	57	116	5.0	4.8	9.8
5-9	46	45	91	3.9	3.8	7.7
10-14	47	44	91	4.0	3.7	7.7
15-19	54	47	101	4.6	4.0	8.6
20-24	48	59	107	4.1	5.0	9.7
25-29	54	56	110	4.6	4.7	9.3
30-34	31	45	76	2.6	3.8	6.4
35-39	41	32	73	3.5	2.7	6.2
40-44	33	32	65	2.8	2.7	5.5
45-49	30	32	62	2.5	2.7	5.2
50-54	37	25	62	3.1	2.1	5.2
55-59	28	21	49	2.4	1.8	4.2
60-64	30	30	60	2.5	2.5	5.0
65-69	31	25	56	2.6	2.1	4.7
70-74	18	10	28	1.5	0.9	2.4
75+	18	18	36	1.5	1.5	3.0
TOTAL	606	577	1183	51.2	48.8	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

HUMBOLDT COUNTY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	469	460	929	4.9	4.9	9.8
5-9	382	372	754	4.0	3.9	7.9
10-14	348	381	729	3.7	4.0	7.7
15-19	446	411	857	4.7	4.3	9.0
20-24	465	479	944	4.9	5.0	9.9
25-29	418	419	837	4.4	4.4	8.8
30-34	312	326	638	3.3	3.4	6.7
35-39	288	304	592	3.0	3.2	6.2
40-44	267	247	514	2.8	2.6	5.4
45-49	231	224	455	2.4	2.4	4.8
50-54	247	196	443	2.6	2.1	4.7
55-59	255	217	472	2.7	2.3	5.0
60-64	238	214	452	2.5	2.3	4.8
65-69	177	153	329	1.9	1.6	3.5
70-74	121	136	257	1.3	1.4	2.7
75+	130	155	285	1.4	1.6	3.0
TOTAL	4793	4694	9487	50.5	49.5	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

LANDER COUNTY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	212	205	417	5.1	4.9	10.0
5-9	179	173	352	4.3	4.1	8.4
10-14	197	212	410	4.7	5.1	9.8
15-19	190	205	395	4.5	4.9	9.4
20-24	164	190	354	3.9	4.5	8.5
25-29	183	164	347	4.4	3.9	8.3
30-34	149	169	318	3.6	4.0	7.6
35-39	184	153	337	4.4	3.7	8.1
40-44	136	86	222	3.2	2.1	5.3
45-49	95	89	184	2.3	2.1	4.4
50-54	106	88	194	2.5	2.1	4.6
55-59	115	88	202	2.7	2.1	4.8
60-64	75	70	146	1.8	1.7	3.5
65-69	63	53	116	1.5	1.3	2.8
70-74	33	56	89	.8	1.3	2.1
75+	47	56	102	1.1	1.3	2.4
TOTAL	2128	2055	4183	50.9	49.1	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

LINCOLN COUNTY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	218	211	429	5.9	5.7	11.6
5-9	140	133	274	3.8	3.6	7.4
10-14	144	177	322	3.9	4.8	8.7
15-19	166	148	314	4.5	4.0	8.5
20-24	192	233	425	5.2	6.3	11.5
25-29	159	237	396	4.3	6.4	10.7
30-34	63	85	148	1.7	2.3	4.0
35-39	85	96	181	2.3	2.6	4.9
40-44	85	100	185	2.3	2.7	5.0
45-49	96	74	170	2.6	2.0	4.6
50-54	74	78	152	2.0	2.1	4.1
55-59	70	70	140	1.9	1.9	3.8
60-64	59	78	137	1.6	2.1	3.7
65-69	74	74	148	2.0	2.0	4.0
70-74	67	70	137	1.8	1.9	3.7
75+	59	81	140	1.6	2.2	3.8
TOTAL	1752	1945	3697	47.4	52.6	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

LYON COUNTY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	670	651	1321	4.9	4.8	9.7
5-9	514	499	1013	3.8	3.6	7.4
10-14	603	571	1175	4.4	4.2	8.6
15-19	675	602	1277	4.9	4.4	9.3
20-24	471	495	967	3.4	3.6	7.1
25-29	468	458	926	3.4	3.3	6.8
30-34	375	435	811	2.7	3.2	5.9
35-39	430	427	857	3.1	3.1	6.3
40-44	416	430	847	3.0	3.1	6.2
45-49	379	365	744	2.8	2.7	5.4
50-54	398	358	756	2.9	2.6	5.5
55-59	392	392	785	2.9	2.9	5.7
60-64	338	355	692	2.5	2.6	5.1
65-69	283	298	581	2.1	2.2	4.2
70-74	218	231	449	1.6	1.7	3.3
75+	199	279	478	1.5	2.0	3.5
TOTAL	6830	6847	13677	49.9	50.1	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

MINERAL COUNTY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	296	288	584	4.8	4.7	9.5
5-9	258	252	511	4.2	4.1	8.3
10-14	268	267	535	4.4	4.3	8.7
15-19	250	248	498	4.1	4.0	8.1
20-24	304	290	593	4.9	4.7	9.7
25-29	230	230	459	3.7	3.7	7.5
30-34	220	211	431	3.6	3.4	7.0
35-39	171	158	330	2.8	2.6	5.4
40-44	139	137	277	2.3	2.2	4.5
45-49	129	150	279	2.1	2.5	4.5
50-54	176	172	348	2.9	2.8	5.7
55-59	179	184	364	2.9	3.0	5.9
60-64	164	165	330	2.7	2.7	5.4
65-69	117	138	256	1.9	2.3	4.2
70-74	81	81	162	1.3	1.3	2.6
75+	89	97	186	1.4	1.6	3.0
TOTAL	3071	3070	6141	50.0	50.0	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

NYE COUNTY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	387	374	761	4.3	4.1	8.4
5-9	353	341	695	3.9	3.8	7.6
10-14	363	328	691	4.0	3.6	7.6
15-19	397	411	808	4.4	4.5	8.9
20-24	431	427	858	4.7	4.7	9.4
25-29	387	337	725	4.3	3.7	8.0
30-34	347	306	653	3.8	3.4	7.2
35-39	319	269	589	3.5	3.0	6.5
40-44	291	232	523	3.2	2.6	5.8
45-49	285	185	470	3.1	2.0	5.2
50-54	273	182	455	3.0	2.0	5.0
55-59	261	228	489	2.9	2.5	5.4
60-64	264	204	468	2.9	2.2	5.1
65-69	245	163	408	2.7	1.8	4.5
70-74	151	107	258	1.7	1.2	2.8
75+	111	135	246	1.2	1.5	2.7
TOTAL	4867	4229	9096	53.5	46.5	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

PERSHING COUNTY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	166	161	327	4.9	4.7	9.6
5-9	125	120	245	3.7	3.5	7.2
10-14	126	125	250	3.7	3.7	7.4
15-19	167	151	318	4.9	4.4	9.4
20-24	149	191	340	4.4	5.6	10.0
25-29	143	158	301	4.2	4.7	8.9
30-34	76	84	161	2.3	2.5	4.7
35-39	97	103	200	2.9	3.0	5.9
40-44	67	78	144	2.0	2.3	4.2
45-49	83	86	169	2.4	2.5	5.0
50-54	86	70	156	2.5	2.1	4.6
55-59	96	94	190	2.8	2.8	5.6
60-64	100	109	210	3.0	3.2	6.2
65-69	80	74	154	2.3	2.2	4.5
70-74	50	51	102	1.5	1.5	3.0
75+	60	70	130	1.8	2.1	3.8
TOTAL	1671	1725	3396	49.2	50.8	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

STOREY COUNTY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	73	71	144	5.0	4.9	9.9
5-9	62	60	121	4.2	4.1	8.3
10-14	44	49	93	3.0	3.4	6.4
15-19	44	50	94	3.0	3.5	6.4
20-24	54	54	108	3.7	3.7	7.4
25-29	81	73	155	5.6	5.0	10.6
30-34	56	66	123	3.8	4.6	8.4
35-39	50	50	101	3.5	3.5	6.9
40-44	41	31	72	2.8	2.1	4.9
45-49	32	32	64	2.2	2.2	4.4
50-54	25	26	52	1.7	1.8	3.5
55-59	34	32	66	2.4	2.2	4.6
60-64	30	44	73	2.0	3.0	5.0
65-69	34	42	77	2.4	2.9	5.3
70-74	24	33	57	1.6	2.3	3.9
75+	23	37	60	1.6	2.5	4.1
TOTAL	708	752	1460	48.5	51.5	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

WASHOE COUNTY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	8231	7909	16141	4.3	4.1	8.4
5-9	7252	6977	14228	3.8	3.6	7.4
10-14	6831	6658	13489	3.6	3.5	7.0
15-19	8692	8242	16934	4.5	4.3	8.8
20-24	11592	10761	22353	6.0	5.6	11.7
25-29	10620	9895	20514	5.5	5.2	10.7
30-34	8073	8421	16494	4.2	4.4	8.6
35-39	6308	6076	12385	3.3	3.2	6.5
40-44	5004	4816	9819	2.6	2.5	5.1
45-49	4304	4304	8608	2.2	2.2	4.5
50-54	4232	4510	8742	2.2	2.4	4.6
55-59	4134	4435	8569	2.2	2.3	4.5
60-64	3599	3813	7412	1.9	2.0	3.9
65-69	3011	3258	6268	1.6	1.7	3.3
70-74	1987	2530	4517	1.0	1.3	2.4
75+	2036	3360	5396	1.1	1.8	2.8
TOTAL	95904	95965	191869	50.0	50.0	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

WHITE PINE COUNTY

1980 Population and Distribution by Age and Sex

<u>Age</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>% Male</u>	<u>% Female</u>	<u>% Total</u>
0-4	393	376	769	4.8	4.6	9.4
5-9	336	327	663	4.1	4.0	8.1
10-14	376	368	744	4.6	4.5	9.1
15-19	393	393	786	4.8	4.8	9.6
20-24	344	368	712	4.2	4.5	8.7
25-29	286	295	581	3.5	3.6	7.1
30-34	229	262	491	2.8	3.2	6.0
35-39	254	246	500	3.1	3.0	6.1
40-44	237	221	458	2.9	2.7	5.6
45-49	213	213	426	2.6	2.6	5.2
50-54	221	221	442	2.7	2.7	5.4
55-59	188	205	393	2.3	2.5	4.8
60-64	205	196	401	2.5	2.4	4.9
65-69	147	172	319	1.8	2.1	3.9
70-74	98	115	213	1.2	1.4	2.6
75+	115	171	286	1.4	2.1	3.5
TOTAL	4035	4149	8184	49.3	50.7	100.0

Estimates Prepared by:

State Planning Coordinator's Office
November 1980

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710



LEGISLATIVE COMMISSION (702) 885-5627
DONALD R. MELLO, *Assemblyman, Chairman*
Arthur J. Palmer, *Director, Secretary*
INTERIM FINANCE COMMITTEE (702) 885-5627
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JOHN R. CROSSLEY, *Legislative Auditor* (702) 885-5620
ANDREW P. GROSE, *Research Director* (702) 885-5637

March 13, 1979

TO: Senator Wilbur Faiss
FROM: J. Kenneth Creighton, Research Analyst *JKC*
SUBJECT: States that have department for aging services

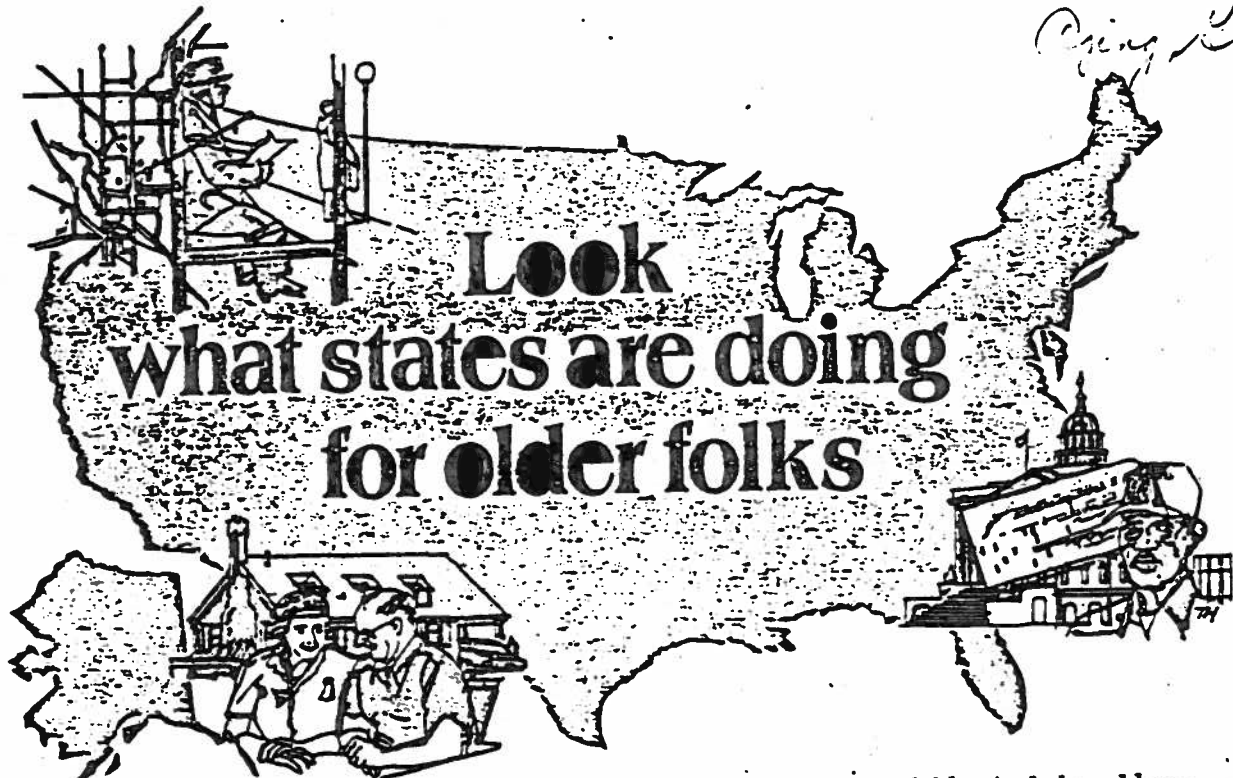
This is in response to your inquiry regarding which states, if any, have a separate department for aging services.

The following 22 states have a department for aging services responsible to the governor:

Alabama	Minnesota	Virginia
California	Mississippi	W. Virginia
Hawaii	Nebraska	
Idaho	New Hampshire	
Illinois	New Mexico	
Indiana	New York	
Iowa	Ohio	
Kansas	South Carolina	
Maryland	Tennessee	
Massachusetts	Texas	

If you should have any further questions on this subject, please let me know.

JKC/llp



A LASKA ACCORDS the grizzled sourdough great respect and special state benefits. In fact, anyone over 65 who has lived there steadily for 25 years qualifies for a monthly pension of \$100.

In Hawaii, laws favoring the elderly generally do well in the state legislature, reflecting the high esteem in which the elderly are held in Oriental cultures.

But what of the vast majority of the 22,000,000 Americans over the age of 65, those who live in other states?

What the states do for them varies, one might say all over the map. For years the leaders in legislation benefiting older people have been *Michigan, Minnesota, New York* and *Wisconsin*. Now *Florida*, the retirement haven, is moving to the fore.

Other states are becoming more sensitive, too, as elected officials realize not only the needs of the aged but the number of potential votes at stake. For example, in certain districts in one state only 35% to 40% of eligibles of all ages register to vote and still smaller percentages actually vote, whereas 85% of the older residents register and almost all of them vote, though they make up only 12.8% of the state's population.

As awareness of this political power grows in every state, you'll see more and more age-oriented legislation on transportation, housing, health care, taxes and the like.

There's a lot of help available in the states even now. If you're 60 or older or have a friend or relative who is, what follows will give you some idea of the

programs that are available. And the addresses on the next two pages will show you where to get details about the states of particular concern to you.

Transportation. This can be either a physical problem or a financial problem for an older person. To help those unable to get around in their own cars, *Delaware* has coordinated its transportation facilities to take them to medical and nutrition centers. *Pennsylvania* funds statewide half fares on buses from money collected in the state lottery. *Rhode Island* also has a senior citizen transportation program. In *California* money from sales taxes supports a mini-bus service through some old Gold Rush towns, carrying mostly senior citizens.

Most states, however, are just beginning to work on the problem. *Arkansas* has changed the name of the Highway Department to the Highway and Transportation Department, and part of its assignment is to determine transportation needs in rural areas, where many older people live. Several legislatures in the Midwest have allocated matching funds to get federal money for transportation programs.

So far, most activity is on the community and county level, funded generally by state and federal grants. Reduced fares are common; there were some 145 such local and state programs at last count. In *Nashville, Tenn.*, for example, you present either your medicare card or a local "Golden Age" card to the bus driver and ride for 25 cents less. One of the most imaginative systems is in *Cape May County, N.J.*, a summertime ocean resort where formerly

there was no public transportation in the winter. Now the county uses vans and school buses to take older people to stores, doctors and recreation sites.

Housing. Until recently, most housing help came from the federal government directly to cities or counties. Now some states are taking an active interest. *Alaska* has passed a \$7,500,000 bond issue for low-income housing for the elderly. Both *Wyoming* and *Utah* have appropriated money for senior-citizen housing, and *New Jersey* floated a whopping \$25,000,000 bond issue to help build apartment houses for the elderly and for low- and moderate-income families. *New Jersey* also has a strict law that protects apartment dwellers from being evicted with

no place to go when a building is converted to condominium units, a particular problem for the elderly. And in *Florida*, where many older people were being impoverished by escalating leasehold charges for condominium facilities, the attorney general has filed a class action suit to declare illegal the 99-year leases many developers hold.

Forced retirement. Although many people retire voluntarily, large numbers bitterly resent laws requiring them to retire at a specific age. Attempts to change those laws haven't met with much success.

Most states prohibit age discrimination in employment but permit discharge because of age after 65. There are some exceptions. *Florida* has a law—apply-

Where to get help, state by state

Here are the latest available addresses of the 50 state offices on the aging as provided by the National Association of State Units on Aging (NASUA). These offices should be able to tell you what help is offered on a state and local basis and where to apply.

ALABAMA

Commission on Aging
740 Madison Ave.
Montgomery 36130

ALASKA

Office on Aging
Dept. of Health & Social Services
Pouch H
Juneau 99611

ARIZONA

Bureau on Aging
Dept. of Economic Security
543 E. McDowell, Rm. 217
Phoenix 85004

ARKANSAS

Office on Aging & Adult Services
Dept. of Social
& Rehabilitation Services
Seventh & Gaines Sts.
P.O. Box 2179
Little Rock 72202

CALIFORNIA

Office on Aging
Health & Welfare Agency
435 Capitol Mall, Suite 500
Sacramento 95814

COLORADO

Div. of Services for the Aging
Dept. of Social Services
1575 Sherman St.
Denver 80203

CONNECTICUT

Dept. on Aging
90 Washington St., Rm. 312
Hartford 06115

DELAWARE

Div. of Aging
Dept. of Health & Social Services
2413 Lancaster Ave.
Wilmington 19805

DISTRICT OF COLUMBIA

Div. of Services to the Aged
Dept. of Human Resources
1329 E St., N.W.
Washington, D.C. 20004

FLORIDA

Program Office of Aging
& Adult Services
Dept. of Health &
Rehabilitation Services
1323 Winewood Blvd.
Tallahassee 32301

GEORGIA

Office of Aging
Dept. of Human Resources
47 Trinity Ave.
Atlanta 30334

HAWAII

Commission on Aging
1149 Bethel St., Rm. 311
Honolulu 96813

IDAHO

Idaho Office on Aging
Statehouse
Boise 83720

ILLINOIS

Dept. on Aging
2401 W. Jefferson
Springfield 62706

INDIANA

Commission on Aging and Aged
Graphic Arts Bldg.
215 N. Senate Ave.
Indianapolis 46202

IOWA

Commission on Aging
415 W. Tenth St.
Jewett Bldg.
Des Moines 50319

KANSAS

Div. of Social Services
Services for the Aging Section
Dept. of Social
& Rehabilitation Services
State Office Bldg.
Topeka 66612

KENTUCKY

Aging Program Unit
Dept. for Human Resources
403 Wapping St.
Frankfort 40601

LOUISIANA

Bureau of Aging Services
Div. of Human Resources
Health & Human Resources Admin.
P.O. Box 44282, Capitol Sta.
Baton Rouge 70804

MAINE

Bureau of Maine's Elderly
Community Services Unit
Dept. of Human Services
State House
Augusta 04333

MARYLAND

Office on Aging
State Office Bldg.
301 W. Preston St.
Baltimore 21201

MASSACHUSETTS

Dept. of Elder Affairs
110 Tremont St., Fifth Floor
Boston 02108

MICHIGAN

Office of Services to the Aging
3500 N. Logan St.
Lansing 48913

MINNESOTA

Governor's Citizens Council
on Aging
Suite 204, Metro Square Bldg.
Seventh & Robert Sts.
St. Paul 55101

MISSISSIPPI

Council on Aging
P.O. Box 5136, Fondren Sta.
510 George St.
Jackson 39216

MISSOURI

Office of Aging
Div. of Special Services
Dept. of Social Services
Broadway State Office Bldg.
P.O. Box 570
Jefferson City 65101

MONTANA

Aging Services Bureau
Dept. of Social &
Rehabilitation Services
P.O. Box 1723
Helena 59601

NEBRASKA

Commission on Aging
State House Sta. 84784
300 S. Seventeenth St.
Lincoln 68509

NEVADA

Div. of Aging
Dept. of Human Resources
505 E. King St.
Kinkead Bldg., Rm. 101
Carson City 89710

NEW HAMPSHIRE

Council on Aging
P.O. Box 786
14 Depot St.
Concord 03301

NEW JERSEY

Div. on Aging
Dept. of Community Affairs
P.O. Box 2766
363 W. State St.
Trenton 08625

NEW MEXICO

Commission on Aging
408 Galisteo—Villagra Bldg.
Santa Fe 87501

NEW YORK

Office of Aging
Empire State Plaza
Agency Bldg. #2
New York State Executive Dept.
Albany 12223

ing to public employes—banning age as a reason for forced retirement. The employing agency must prove an individual can't do the work. The law also sets up a gradual retirement system under which a person can work at a part-time, perhaps lesser job for less money. In Los Angeles, *Cal.*, the city charter has been amended to eliminate mandatory retirement of city employes at age 70.

There are a number of federally supported projects that aim at giving people something to do once they are retired. Durham County, *N.C.*, for example, provides subsidized, part-time community service jobs for senior citizens with low incomes. New Castle County, *Del.*, gives retired volunteers transportation and lunch for help in community service agencies.

Taxes. Virtually all states offer some sort of tax relief to older people (see the box on the next page). The relief may range from a great deal to not much, and it may or may not include all three kinds of tax—property, income and sales.

Property taxes in some states have been changed to the "circuit breaker" type, in which the tax is reduced or forgiven if the bill is deemed to be an unreasonable burden on older taxpayers with limited incomes. The amount they pay is graduated according to income rather than based solely on the value of their property. *Wisconsin* pioneered this concept. In *Illinois*, where such tax relief applies to homeowners over 65, renters also can deduct 25% of their rent—the approximate amount of the property tax—from their state income tax. Property tax relief based on income is available for homeowners of all ages in *Michigan*, *Minnesota*, *New Mexico*, *Oregon* and *Vermont*.

Many other states offer a "homestead" exemption so that you don't pay taxes on, say, the first \$5,000 or \$10,000 of the assessed valuation of your house. Under some laws, however, the exemption does not apply if your income exceeds certain levels.

Most states tax the income of older people differently, too, although provisions vary greatly. In some states certain state and federal pensions are totally exempt. *Mississippi* exempts from taxes the first \$5,000 of income from all sources for people over 65. In *South Carolina* a couple over 65 doesn't even have to file a tax return if their gross income is no more than \$4,000.

Sales taxes on food and drugs are gradually being eliminated in more states. Some states, such as *Tennessee* and *Alabama*, exempt prescription drugs. Still others, such as *New Jersey*, also exempt food and clothing from the tax.

Legal services. Older people often have troubles with government red tape or with financial or legal matters that only a lawyer can solve. Yet many can't afford to hire a lawyer, and their incomes preclude help from the local Legal Aid Society. The federal government last year put up the money for each state office on aging to hire a legal-services specialist to look out for senior citizens' interests.

There are, however, a number of individual legal projects that assist older people. One was started in Washington, D.C., by the American Association of Retired Persons (AARP) and the National Retired Teachers Association (NRTA). The project worked so well that the two organizations got a federal grant to help 21 states set up similar projects. These projects use elderly volunteers as paraprofessionals to counsel the people who come in and, sometimes, to

NORTH CAROLINA

North Carolina Office for Aging
Dept. of Human Resources
Administration Bldg.
213 Hillsborough St.
Raleigh 27603

NORTH DAKOTA

Aging Services
Social Services Board
of North Dakota
State Capitol Bldg.
Bismarck 58505

OHIO

Commission on Aging
34 N. High St.
Columbus 43215

OKLAHOMA

Special Unit on Aging
Dept. of Institutions
Social & Rehabilitative Services
P.O. Box 25352
Oklahoma City 73125

OREGON

Program on Aging
Human Resources Dept.
772 Commercial St., S.E.
Salem 97310

PENNSYLVANIA

Office for the Aging
Dept. of Public Welfare
Health & Welfare Bldg.
Rm. 540, P.O. Box 2675
Seventh & Forster Sts.
Harrisburg 17120

RHODE ISLAND

Div. on Aging
Dept. of Community Affairs
150 Washington
Providence 02903

SOUTH CAROLINA

Commission on Aging
915 Main St.
Columbia 29201

SOUTH DAKOTA

Office on Aging
Dept. of Social Services
State Office Bldg.
Illinois St.
Pierre 57501

TENNESSEE

Commission on Aging
Rm. 102, S&P Bldg.
306 Gay St.
Nashville 37201

TEXAS

Governor's Committee on Aging
Eighth Floor, Southwest Tower
211 E. Seventh St.
P.O. Box 12786, Capitol Sta.
Austin 78711

UTAH

Div. of Aging
Dept. of Social Services
345 S. Sixth, E.
Salt Lake City 84102

VERMONT

Office on Aging
Agency of Human Services
81 River St. (Heritage I)
Montpelier 05602

VIRGINIA

Office on Aging
830 E. Main St.
Suite 950
Richmond 23219

WASHINGTON

Office on Aging
Dept. of Social & Health Services
Mail Stop 433
Olympia 98504

WEST VIRGINIA

Commission on Aging
State Capitol
Charleston 25305

WISCONSIN

Div. on Aging
Dept. of Health & Social Services
One W. Wilson St., Rm. 686
Madison 53702

WYOMING

Aging Services
Dept. of Health & Social Services
Div. of Public Assistance
& Social Services
New State Office Bldg., W., Rm. 288
Cheyenne 82002

Facts on state tax breaks

A state-by-state listing of pertinent tax information, including special breaks for older people, is published by the American Association of Retired Persons and the National Retired Teachers Association. You can get a single copy free by writing to Tax Facts, c/o NRTA-AARP, 1909 K St., N.W., Washington, D.C. 20049.

appear in their behalf at administrative hearings. Among the goals: to make sure everyone receives all the benefits to which he or she is entitled.

Probate reform. Settling an estate can be slow and costly, even when the legal situation is simple. Attempts to make the process easier under the Uniform Probate Code have met with mixed success. States in the Rocky Mountain area have been among the leaders—*Utah, Montana, Idaho, Colorado, New Mexico*. The *Wyoming* legislature passed such a measure, but the governor vetoed it. Some have gone partway, as in *South Carolina, Indiana, Ohio* and *Illinois*, by making it easier to settle small estates.

Utility rates. There is a great deal of agitation to ease the burden of rising utility rates, which severely affect people with limited incomes. Both *California* and *Vermont* set low monthly rates for those who use only a specified minimum of power. Other states are considering such proposals. In *Georgia* the power commission has endorsed the principle of special rates for low-income families but has left it to the State Human Resources Department to determine who fits into that category.

Generic drugs. More than half the states now have laws that in one way or another allow for the substitution of lower-priced equivalents for brand-name drugs. There seems little question that such laws can save customers a lot of money. For example, a brand-name drug that costs \$19 can be bought for less than \$9 as a generic drug. However, in many

states where drug substitution is permitted, not a great deal of it actually occurs, according to a survey by AARP and NRTA. One big reason: Patients don't make a point of asking their doctors and pharmacists for generic drugs.

Health care. Nursing homes, which house some 1,000,000 older people, are a major problem. Conditions in many are shockingly bad, and all states are being urged to keep closer watch to correct and eliminate abuses. *California* law sets civil penalties—from mild to severe—on nursing homes that violate regulations. *Florida* last year passed a nursing home reform act that calls for unannounced inspections and financial disclosure of ownership and drug-buying procedures, among other things. It also sets a schedule of fines for violations and sets forth a "patient's bill of rights," the care a patient is absolutely entitled to. Facilities that receive federal medicare and medicaid funds must also have a bill of rights. In a good many states, however, officials feel hobbled because strict enforcement of regulations already on the books would close 20% to 40% of the homes, and there is nowhere else in those states for the patients to go.

One result is more stress on keeping the elderly out of institutions as long as possible. Adult day-care centers—for those whose families can't look after them during the day—are being used in a number of states. Home health-care programs in some places send workers to visit the homes of the elderly two or three times a week to do their shopping and chores and cook meals for them. A number of pilot programs offering varying services are going on in seven localities in *Florida*. One of these is a foster home program for the elderly, which may expand to as many as 18 communities. *Montana* recently authorized a pilot health-care project.

Among the many programs run by cities or counties, one of the most comprehensive is in Pima County, *Ariz.*, which has a total health plan that includes institutional, home, and outpatient care and counseling.

Books on sale

To clear out their inventories, some publishers hold catalog sales once or twice a year, usually in the spring or at the end of the year. During these sales, prices are reduced 10% to 90%. The publishers are usually university and scholarly presses that specialize in history, economics, science and other nonfiction subjects. You can write to a particular publisher you're interested in and ask that your name be added to the mailing list if it puts out a sale catalog. Addresses of publishers are given in *Literary Market Place*, available in libraries.

Subject: Introduction of Proposed Changes to
N.R.S. 338 AND N.R.S. 339

As a result of joint meeting, held between the Southern and Northern delegations of the Nevada Local Government Purchasing Study Commission on September 10, 1980 the following shall reflect our desired changes which we propose be made to N.R.S. 338 and 339 in hopes of clarifying the literal interpretation of those particular statutes.

Proposed Changes to N.R.S. 338

Item 3 of Section 338.010 entitled "Definitions" shall be deleted and in lieu thereof insert the following:

3. "Public Work" means all new construction, reconstruction, replacement or additions, where the estimated cost to perform the contract exceeds \$5,000 on all public buildings, public highways, public roads, public streets and alleys, public utilities paid for in whole or in part by public funds, publicly owned water mains and sewers, public parks and playgrounds and all other public works and property.

February 12, 1981

Dennis and Marilyn O'Connor
870 Soda Lake Road
Fallon, Nevada 89406
(702) 867-3121

OPEN MEETING HEARING LAWS

(Assembly Government Affairs Committee)

The Nevada Open Meeting Hearing Law is full of loopholes and open to misinterpretations by the members of the state executive and judicial branches of government. A good illustration of this is when the media was reporting back in 1978 that Nevada had the toughest open meeting hearing laws in the nation, deputy attorney general Donald Klasic personally advised us that in his opinion the open meeting hearing laws were merely window-dressing.

On June 25, 1980, the Supreme Court of the United States found that the states could no longer ^{car} claim immunity from suit in civil rights actions under the guise of the eleventh amendment of the federal constitution, Maine v. Thiboutot. To we constitutionalists of Nevada, this decision is the greatest thing since Thomas Jefferson.

The legislature must, therefore, be alert and ever-mindful to enact legislation that is not vague and open to a misinterpretation of the actual intent of the legislative statute.

The passage of the proposed legislation A.B. 101 would close one such loophole in Nevada's Open Meeting Hearing Law.

We have presented a couple of the members of this committee with an opinion from a deputy attorney general on Nevada's Open Meeting Hearing Law. According to the opinion, a citizen must be "bodily ejected" before government officials can be charged with a violation of the law. He also clearly states that the open hearing law does not give a person the right to speak at such a meeting, but rather only provides that a person may "attend" a meeting.

My husband was on the agenda to speak at a Fallon City Council meeting to discuss a conflict of interest grievance we had with the city attorney. However, the night of the meeting the city attorney refused to allow

1 my husband to publicly speak on the matter. No motion was taken by the council
2 to table or continue the agenda item. The next day my husband was arrested,
3 the warrant dated the day after the city council meeting. We have a fairly
4 accurate newspaper accounting of the events as they took place at the city
5 council meeting.

6 The point is that our founding fathers deliberately gave I amendment
7 priority to freedom of speech and the right of the people to peaceably assembly
8 and to petition the government for a redress of grievances.

9 Public officials in this country are public servants who are expected
10 to conduct the public's business while promoting and preserving our freedoms.
11 A citizen cannot be silenced from speaking out against a public official as
12 they are in most countries. This is what makes our nation different from all
13 the rest.

14 Being open to the public's criticism and the scrutiny of the press,
15 is something each person must consider before he or she runs for office or
16 accepts an appointment. In turn, these people can openly defend themselves against
17 unfair criticism.

18 On the other hand, public officials are also open to praise from their
19 constituency which they will receive if they strive to maintain the
20 principals of a democracy within a Republican form of government.

21 For the sake of brevity, we will not go in to other interpretative
22 problems we see in Nevada's Open Meeting Laws. However, we do want this committee
23 to know that such problems do exist.

O'Connor's complaints not heard at meeting

Dennis O'Connor, arriving some 20 minutes late for his appointed City Council agenda items, was told by the City Council that it was inappropriate to hear his complaints. O'Connor had been scheduled to appear before the Council on complaints of alleged police harassment of customers at Denny's Pizza and an alleged conflict of interest of City Attorney Mario Recanzone.

City Attorney Mario Recanzone told the Council that a criminal complaint had been filed against O'Connor late Tuesday afternoon by the Fallon Police Department for serving minors on his premises. Recanzone advised the Council that because of the pending litigation, it would not be proper for two issues to be considered at their public meeting. Recanzone told the Council his legal opinion when the

scheduled item came up for discussion. O'Connor was not in the audience, and did not appear at the Council meeting until 20 minutes later. The City Attorney said that the complaint of alleged police harassment should be submitted to the Council in the form of affidavit with sworn statements of specific instances of police harassment. Recanzone said he didn't believe the topic was one to be discussed at an open meeting.

and suggested to O'Connor that he furnish the Council with a written complaint. The Council can review the complaint and can instigate proper investigative action. Recanzone told O'Connor. O'Connor was unaware that a criminal complaint had been filed on him by the City Police Department. He said he had not been notified, and no papers had yet been served on him. Recanzone assured him that the proper filing had taken place later Tuesday afternoon.

O'Connor owns and operates Denny's Pizza located at 363 South Main. The establishment has both a bar and disco. Minors are allowed in the disco portion of the business.

City Attorney Recanzone also told the Council that he had been puzzled by O'Connor's allegations of the City Attorney's conflict of interest. Recanzone said he was in the employ of Fallon merchant Chris Paludan in a civil case against O'Connor. He said he was unaware of any conflict of interest or of any unethical conduct on his part as a result of the case.

O'Connor, who could make no comment to the Council about the alleged conflict of interest complaint, was unavailable for comment early Wednesday morning. It is not known whether he will pursue his complaints.

O'Connor is a candidate for the State Senate. He is opposing incumbent Carl Dodge.

Exhibit "A"

**THIS EXHIBIT IS MISSING FROM BOTH THE ORIGINAL
MINUTES AND THE MICROFICHE.**

AUDIT DIVISION
HUMAN RESOURCES GIFT FUND
AB 102

In August 1980 we presented an audit report to the Legislative Commission on the Mental Hygiene and Mental Retardation Division Administrative Offices. In that report we identified 13 gift funds within the Department of Human Resources. Ten of these funds have been created statutorily, and 3 have been established without statutory approval. In addition, we noted the statutory approval of 3 funds which have not been established in the Controller's FMIRS system.

Each of these funds has computerized reports automatically generated by the Controller's Office and subsequently distributed to the agency using the fund. The most common of these reports are the Budget Status Report (F03.0), and the General Ledger Trial Balance (F07.0). In addition, to a certain degree duplication of accounting and clerical work is required for each fund.

From an accounting standpoint, as well as economics, we would like to see all of the Human Resources gift and trust funds which fall within the Controller's system consolidated under one trust fund, with separate budget accounts still maintained at the division or agency level. Consequently, by each agency retaining their own budget account to separately identify gift monies related to their agency, control over such monies will also be maintained at the agency level.

Exhibit E

AUDIT DIVISION
HUMAN RESOURCES GIFT FUND
AB 102
(continued)

We have discussed the BDR with the agencies affected and the Director's Office of the Department of Human Resources, and they support the proposed legislation.

The following agencies will be affected by the bill.

	<u>Sections</u>
Department of Human Resources	1
Nevada Youth Training Center	2
Nevada Girls' Training Center	3
Welfare Division	4
Northern Nevada Children's Home	5
Southern Nevada Children's Home	5
Rehabilitation Division	6, 14, 15
Aging Services Division	7
Youth Services Division	8
Mental Hygiene and Mental Retardation Division	9, 10, 11, 12
Health Division	13



ROBERT LIST
GOVERNOR
RALPH R. DISIBIO, Ed.D.
DIRECTOR

STATE OF NEVADA
DEPARTMENT OF HUMAN RESOURCES

CAPITOL COMPLEX
ROOM 600, KINKEAD BUILDING
505 E. KING STREET
CARSON CITY, NEVADA 89710
TELEPHONE (702) 885-4730

DEPARTMENTAL
DIVISIONS
AGING SERVICES
HEALTH
MENTAL HYGIENE-
MENTAL RETARDATION
REHABILITATION
WELFARE
YOUTH SERVICES

February 5, 1981

MEMO #31

TO: ASSEMBLYMAN JOE DINI
MEMBERS OF THE ASSEMBLY
GOVERNMENT AFFAIRS COMMITTEE

FROM: RALPH R. DISIBIO, Ed.D. *R*

SUBJECT: A.B. 102

This bill is the result of the Legislative Counsel Bureau's review of the many gift funds of the several agencies of the Department of Human Resources. The intent of the bill is to simplify and provide easier accountability and tracking of these special funds. The changes this bill will make do not effect the authority over the funds, in that the proposed language specifically retains the appropriate agency head as the signator to actions involving the accounts within that agency's responsibility.

This bill will help the Legislature, the Department of Administration, and our office to better be able to review these accounts in that all of the gift accounts being in a single fund will be reported in one section of a fund report rather than being scattered throughout the many different types of funds. This action will reduce the chance of error through omission. We fully support this bill.

RRD/lis

R.R.D.

cc: Gary Cruse, LCB
Mental Hygiene/Mental Retardation
Rehabilitation
Welfare
Youth Services Division

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING
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LEGISLATIVE COMMISSION (702) 885-5627

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Arthur J. Palmer, *Director, Secretary*

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JOHN R. CROSSLEY, *Legislative Auditor* (702) 885-5620
ANDREW P. GROSE, *Research Director* (702) 885-5637

February 12, 1981

Assemblyman Joseph E. Dini, Jr.
Chairman, Committee on Government Affairs
Legislative Building - Room 214
Carson City, Nevada 89710

Dear Assemblyman Dini:

We would like to make an amendment to AB 102, Section 1(1). That section provides for the creation of one gift fund for the Department of Human Resources. Within that gift fund would be several budget accounts to account for the monies of the various agencies in the Department. The current bill does not provide for the establishment of new gift accounts, or the continued operation of gift accounts now in existence which are not statutorily created. In order to remedy this problem, we would like to suggest that a sentence be added, starting on line 8 of this bill, as follows.

1. Except for gifts or grants specifically accounted for in another fund, all gifts or grants of money or other property which the divisions of the department of human resources are authorized to accept must be accounted for in the department of human resources' gift fund, hereby created as a trust fund. The fund is a continuing fund without reversion. The department shall have the authority to establish as many accounts within the fund to properly account for gifts and donations. All money received by the divisions must be deposited in the state treasury for credit to the fund. The money in the fund must be paid out on claims as other claims against the state are paid. Unless otherwise specifically provided by statute [or] of an agency or facility, claims against the fund must be approved by the director.

Sincerely yours,

JOHN R. CROSSLEY, C.P.A.
LEGISLATIVE AUDITOR

By Gary Crews
Wm. Gary Crews, C.P.A.
Audit Manager

JRC:WGC:rie

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