

ASSEMBLY BILL NO. 337—ASSEMBLYMEN BUCKLEY, PERKINS, GOLDWATER, LEE, NEIGHBORS, BERMAN, GIBBONS, PRICE, OHRENSCHALL, MANENDO, COLLINS, DE BRAGA, SEGERBLOM, BACHE, PARKS, DINI, ANDERSON, EVANS, CARPENTER, LESLIE, KOIVISTO, MCCLAIN, CLABORN AND NOLAN

FEBRUARY 26, 1999

Referred to Concurrent Committees on Health and
Human Services and Ways and Means

SUMMARY—Creates public assistance fund to be funded by money from abandoned property trust fund. (BDR 38-893)

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

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to public welfare; creating the public assistance fund to assist certain persons in emergency situations; providing that the welfare division of the department of human resources shall administer the fund; requiring a certain amount of the balance in the abandoned property trust fund to be deposited in the public assistance fund; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 422 of NRS is hereby amended by adding thereto
2 a new section to read as follows:
3 ***1. There is hereby created in the state treasury the public assistance***
4 ***fund, to be administered by the welfare division. All money received for***
5 ***the use of the fund pursuant to NRS 120A.370 or from any other source***
6 ***must be deposited in the fund. The welfare division may accept gifts and***
7 ***grants for deposit in the fund.***
8 ***2. The interest and income earned on the money in the fund, after***
9 ***deducting any applicable charges, must be credited to the fund. All***
10 ***claims against the fund must be paid as other claims against this state***
11 ***are paid.***
12 ***3. The money in the fund may be used only to:***

1 (a) Pay necessary administrative costs of the welfare division or a
2 charitable organization or agency that receives money from the fund
3 pursuant to subsection 5, but not more than 2 percent of the money in the
4 fund may be expended each year for such administrative costs; and

5 (b) Assist eligible persons in emergency situations to pay for the cost
6 of housing, temporary shelter, health care services, utilities, food and
7 clothing, and the cost of child care services incurred to allow eligible
8 person to work.

9 4. To be eligible for assistance from the fund, a person must have a
10 monthly household income that is at or below 185 percent of the
11 federally designated level signifying poverty.

12 5. The welfare division may transfer money from the fund to a
13 charitable organization or agency that provides assistance to persons in
14 need of assistance in this state. The welfare division shall specify the uses
15 for the money in accordance with subsection 3. An organization or
16 agency that receives money pursuant to this subsection shall use the
17 money only for the purposes specified by the welfare division.

18 6. The welfare division shall not disburse more than 30 percent of all
19 money in the fund during a calendar quarter. An eligible person may not
20 receive more than \$700 each year from the fund, unless the welfare
21 division determines that extenuating circumstances exist.

22 7. The administrator shall adopt regulations to carry out the
23 provisions of this section.

24 8. As used in this section "emergency situation" means a substantial
25 loss or reduction of income, a substantial increase in necessary expenses,
26 an emergency related to health care, a household receiving no income or
27 any other situation determined to be an emergency by the welfare
28 division.

29 **Sec. 2.** NRS 422.222 is hereby amended to read as follows:

30 422.222 1. The administrator may adopt such regulations as are
31 necessary for the administration of NRS 422.070 to 422.410, inclusive,
32 and section 1 of this act and any program of the welfare division.

33 2. A regulation adopted by the administrator becomes effective upon
34 adoption or such other date as the administrator specifies in the regulation.

35 **Sec. 3.** NRS 422.240 is hereby amended to read as follows:

36 422.240 **Except as otherwise provided in section 1 of this act:**

37 1. Money to carry out the provisions of NRS 422.070 to 422.410,
38 inclusive, including, without limitation, any federal money allotted to the
39 State of Nevada pursuant to the program to provide temporary assistance
40 for needy families and the program for child care and development, must
41 be provided by appropriation by the legislature from the state general fund

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and

2. Disbursements for the purposes of NRS 422.070 to 422.410, inclusive, must be made upon claims duly filed, audited and allowed in the same manner as other money in the state treasury is disbursed.

Sec. 4. NRS 422.29312 is hereby amended to read as follows:

422.29312 1. ~~[Any]~~ *Except as otherwise provided in section 1 of this act, any* gifts or grants of money which the welfare division is authorized to accept must be deposited in the state treasury to the credit of the welfare division's gift and cooperative account in the department of human resources' gift fund.

2. Money in the account must be used for welfare purposes only and expended in accordance with the terms of the gift or grant.

3. All claims must be approved by the administrator before they are paid.

Sec. 5. NRS 120A.370 is hereby amended to read as follows:

120A.370 1. There is hereby created in the state treasury the abandoned property trust fund.

2. All money received by the division under this chapter, including the proceeds from the sale of abandoned property, must be deposited by the administrator in the state treasury for credit to the abandoned property trust fund.

3. Before making a deposit, the administrator shall record the name and last known address of each person appearing from the holders' reports to be entitled to the abandoned property and of the name and last known address of each insured person or annuitant, and with respect to each policy or contract listed in the report of an insurance company, its number, the name of the company and the amount due. The record must be available for public inspection at all reasonable business hours.

4. The administrator may pay from money available in the abandoned property trust fund:

(a) Any costs in connection with the sale of abandoned property.

(b) Any costs of mailing and publication in connection with any abandoned property.

(c) Reasonable service charges.

(d) Any costs incurred in examining the records of a holder and in collecting the abandoned property.

(e) Any valid claims filed pursuant to this chapter.

5. At the end of each fiscal year the amount of the balance in the fund in excess of \$100,500, *but not more than \$250,000*, must be deposited with the state treasurer for credit to the *public assistance fund established pursuant to section 1 of this act. After the appropriate amount of money has been deposited with the state treasurer for credit to the public assistance fund, at the end of each fiscal year the amount of the remaining balance in the abandoned property trust fund must be*

1 *deposited with the state treasurer for credit to the* state general fund but
2 remains subject to the valid claims of holders pursuant to NRS 120A.340
3 or owners pursuant to NRS 120A.380.

4 6. If there is an insufficient amount of money in the abandoned
5 property trust fund to pay any cost or charge pursuant to subsection 4, the
6 state board of examiners may, upon the application of the administrator,
7 authorize a temporary transfer from the state general fund *or the public*
8 *assistance fund established pursuant to section 1 of this act* to the
9 abandoned property trust fund of an amount necessary to pay those costs or
10 charges. The administrator shall repay the amount of the transfer as soon as
11 sufficient money is available in the abandoned property trust fund.

12 **Sec. 6.** NRS 232.320 is hereby amended to read as follows:

13 232.320 1. Except as otherwise provided in subsection 2, the
14 director:

15 (a) Shall appoint, with the consent of the governor, chiefs of the
16 divisions of the department, who are respectively designated as follows:

17 (1) The administrator of the aging services division;

18 (2) The administrator of the health division;

19 (3) The state welfare administrator; and

20 (4) The administrator of the division of child and family services.

21 (b) Shall administer, through the divisions of the department, the
22 provisions of chapters 210, 423, 424, 425, 427A, 432A to 442, inclusive,
23 446, 447, 449 and 450 of NRS, NRS 127.220 to 127.310, inclusive,
24 422.070 to 422.410, inclusive, *and section 1 of this act, NRS* 432.010 to
25 432.139, inclusive, 444.003 to 444.430, inclusive, and 445A.010 to
26 445A.050, inclusive, and all other provisions of law relating to the
27 functions of the divisions of the department, but is not responsible for the
28 clinical activities of the health division or the professional line activities of
29 the other divisions.

30 (c) Shall, after considering advice from agencies of local governments
31 and nonprofit organizations which provide social services, adopt a master
32 plan for the provision of human services in this state. The director shall
33 revise the plan biennially and deliver a copy of the plan to the governor
34 and the legislature at the beginning of each regular session. The plan must:

35 (1) Identify and assess the plans and programs of the department for
36 the provision of human services, and any duplication of those services by
37 federal, state and local agencies;

38 (2) Set forth priorities for the provision of those services;

39 (3) Provide for communication and the coordination of those services
40 among nonprofit organizations, agencies of local government, the state and
41 the Federal Government;

42 (4) Identify the sources of funding for services provided by the
43 department and the allocation of that funding;

1 (5) Set forth sufficient information to assist the department in
2 providing those services and in the planning and budgeting for the future
3 provision of those services; and

4 (6) Contain any other information necessary for the department to
5 communicate effectively with the Federal Government concerning
6 demographic trends, formulas for the distribution of federal money and
7 any need for the modification of programs administered by the department.

8 (d) May, by regulation, require nonprofit organizations and state and
9 local governmental agencies to provide information to him regarding the
10 programs of those organizations and agencies, excluding detailed
11 information relating to their budgets and payrolls, which he deems
12 necessary for his performance of the duties imposed upon him pursuant to
13 this section.

14 (e) Has such other powers and duties as are provided by law.

15 2. The governor shall appoint the administrator of the mental hygiene
16 and mental retardation division.

17 **Sec. 7.** 1. This section and sections 1 and 5 of this act become
18 effective on July 1, 1999.

19 2. Sections 2, 3, 4 and 6 of this act become effective at 12:01 a.m. on
20 July 1, 1999.