

ASSEMBLY BILL NO. 519—ASSEMBLYMEN HUMKE, BUCKLEY, ARBERRY, BERMAN, PERKINS, NOLAN, BEERS, PARKS, GOLDWATER, SEGERBLOM, GIUNCHIGLIANI, CARPENTER, THOMAS, ANDERSON, BACHE, FREEMAN, TIFFANY, KOIVISTO, MCCLAIN, CLABORN, MORTENSON, DE BRAGA, CHOWNING, GUSTAVSON AND ANGLE

MARCH 12, 1999

Referred to Committee on Judiciary

SUMMARY—Makes various changes concerning division of child and family services of department of human resources. (BDR 18-908)

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

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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 children; providing in skeleton form for various changes concerning the division of child and family services of the department of human resources; making various changes concerning juvenile correctional institutions; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 232.350 is hereby amended to read as follows:
2 232.350 Unless federal law or regulation requires otherwise:
3 1. The chiefs of the divisions of the department, except as otherwise
4 provided in subsection 2, may each appoint a deputy and a chief assistant
5 in the unclassified service of the state.
6 2. The administrator of the division of child and family services of the
7 department ~~[may appoint three]~~ ***shall appoint four*** deputies in the
8 unclassified service of the state. ***One deputy is the deputy administrator***
9 ***for youth corrections who is responsible only for correctional services for***
10 ***youths for which the division is responsible, including, without***
11 ***limitation, juvenile correctional institutions, parole of juveniles,***
12 ***administration of juvenile justice and programs for juvenile justice.***

1 **Sec. 2.** NRS 232.400 is hereby amended to read as follows:
2 232.400 1. The purposes of the division of child and family services
3 in the department are to:
4 (a) Provide a comprehensive state system for the coordination and
5 provision of services to children and families who need assistance relating
6 to juvenile justice and the care, welfare and mental health of children.
7 (b) Aid in the preservation, rehabilitation and reunification of families.
8 (c) Ensure that children are placed in the least restrictive environment
9 available which is appropriate to their needs.
10 (d) Provide services for youth who are in need of residential care or in
11 need of treatment or both.
12 2. In accomplishing its purposes, the division shall:
13 (a) Establish and operate a central, comprehensive state system for:
14 (1) The diagnosis and assessment of the needs of particular children
15 and families, including those in need of multiple services;
16 (2) The referral of children and families to appropriate services; and
17 (3) The management and monitoring of cases in which children and
18 families are referred to multiple services.
19 (b) Provide services for the support of families to:
20 (1) Maintain the integrity of families;
21 (2) Ensure that children are not unnecessarily removed from their
22 homes; and
23 (3) Ensure that families are reunited as soon as practicable after the
24 removal of children from their homes.
25 (c) Ensure that a sufficient range of services is available to provide care
26 and treatment to children and families in the least restrictive setting
27 appropriate to their needs.
28 (d) Work closely with other governmental agencies and with public and
29 private agencies providing the same or similar services.
30 3. The division shall develop standards for carrying out programs
31 aimed toward the prevention of delinquent acts of children and programs
32 for the treatment of those brought to its attention. It shall assist in the
33 development of programs for the predelinquent children whose behavior
34 tends to lead them into contact with law enforcement agencies.
35 4. The division shall develop and assist in carrying out programs for
36 the diversion of juveniles out of the judicial system and programs for the
37 aftercare of juveniles who have been released from state institutions, who
38 have been brought before the juvenile court or family court or have
39 otherwise come into contact with law enforcement agencies. The *deputy*
40 administrator *for youth corrections* of the division shall observe and
41 evaluate the success of those programs.

1 **Sec. 3.** NRS 232.420 is hereby amended to read as follows:

2 232.420 The division consists of an administrator and:

- 3 1. ~~{The Nevada youth training center bureau;~~
4 ~~2. The Caliente youth center bureau;~~
5 ~~3. The northern Nevada children's home bureau;~~
6 ~~4. The southern Nevada children's home bureau;~~
7 ~~5. The bureau of services for child care;~~
8 ~~6.}~~ The youth parole bureau; and

9 ~~{7.}~~ 2. Within the limits of legislative appropriation, such additional
10 administrative sections as the administrator determines are necessary to
11 perform the functions of the division.

12 **Sec. 4.** NRS 232.440 is hereby amended to read as follows:

13 232.440 1. The administrator shall appoint, with the approval of the
14 director, a chief of ~~each of the bureaus in the division. The chiefs are~~
15 ~~designated respectively as:~~

- 16 ~~—(a) The superintendent of the Nevada youth training center;~~
17 ~~—(b) The superintendent of the Caliente youth center;~~
18 ~~—(c) The superintendent of the northern Nevada children's home;~~
19 ~~—(d) The superintendent of the southern Nevada children's home;~~
20 ~~—(e) The chief of the bureau of services for child care; and~~
21 ~~—(f) The chief of}~~ the youth parole bureau ~~{}~~ *who is in the classified*
22 *service of the state.*

23 2. The administrator is responsible for the administration, through the
24 division, of the provisions of chapters 210, **214**, 423 and 424 of NRS, NRS
25 127.220 to 127.310, inclusive, 232.400 to 232.465, inclusive, 432.010 to
26 432.085, inclusive, and 433B.010 to 433B.350, inclusive, and all other
27 provisions of law relating to the functions of the division, but is not
28 responsible for the professional activities of the components of the division
29 except as specifically provided by law.

30 **Sec. 5.** NRS 232.460 is hereby amended to read as follows:

31 232.460 **1.** The chief of ~~each~~ **the youth parole** bureau of the
32 division shall:

33 ~~{1.}~~ **(a)** Administer the provisions of law relating to ~~his~~ **the youth**
34 **parole** bureau, subject to the administrative supervision of the
35 administrator ~~{~~

36 ~~—2.}~~ **; and**

37 **(b)** Except as otherwise provided in NRS 284.143, devote his entire
38 time and attention to the business of his office and shall not pursue any
39 other business or occupation or hold any other office of profit.

40 **2. Each deputy administrator of the division shall:**

41 **(a) Administer the provisions of law relating to his duties as**
42 **prescribed by the administrator, subject to the administrative supervision**
43 **of the administrator; and**

1 *(b) Except as otherwise provided in NRS 284.143, devote his entire*
2 *time and attention to the business of his office and shall not pursue any*
3 *other business or occupation or hold any other office of profit.*

4 **Sec. 6.** NRS 232.464 is hereby amended to read as follows:

5 232.464 1. Except as otherwise provided in subsections 2 and 3 and
6 by specific statute:

7 (a) The division shall:

8 (1) Establish and impose a schedule of fees for services rendered
9 through each of its programs. The highest fee established for a service
10 must approximate the cost of providing the service.

11 (2) Establish a scale proportionate to income so that families whose
12 income is low can afford services preventive of greater expense to the
13 family or the public afterward.

14 (3) Submit the schedule to the director for approval before
15 enforcement.

16 (b) The fees collected pursuant to the schedule must be deposited in the
17 state treasury to the credit of the state general fund.

18 (c) The administrator may waive any fee established pursuant to the
19 schedule if he determines that the person required to pay that fee is
20 financially unable to do so.

21 2. A schedule of fees established pursuant to this section does not
22 apply to any services for which the division receives payment pursuant to
23 NRS 423.160 or 423.210.

24 3. Fees collected pursuant to this section for services provided to
25 juveniles committed to the custody of:

26 (a) The division pursuant to NRS 62.213; *or*

27 (b) The Nevada youth training center *or the Caliente youth center*
28 pursuant to NRS 210.180, ~~or~~

29 ~~—(c) The Caliente youth center pursuant to NRS 210.580,]~~

30 must be deposited with the state treasurer for credit to a separate account in
31 the state general fund for expenditure by the administrator to carry out the
32 powers and duties of the administrator and the division.

33 **Sec. 7.** NRS 62.213 is hereby amended to read as follows:

34 62.213 1. If the court finds that a child who is 8 years of age or older
35 is:

36 (a) Delinquent;

37 (b) In need of placement in a correctional or institutional facility; and

38 (c) In need of residential psychiatric services or other residential
39 services for his mental health, if the child is 12 years of age or older,
40 the court may, in addition to the options set forth in subsection 1 of NRS
41 62.211, commit the child to the custody of the division of child and family
42 services of the department of human resources for suitable placement by
43 the division pursuant to NRS 62.215.

1 2. The court may order, when committing a child to the custody of the
2 division of child and family services pursuant to this section, that the
3 expense of his support and maintenance be paid in whole or in part by his
4 parents, guardian or other person liable for his support and maintenance.
5 Those payments must be paid to the administrator of the division of child
6 and family services, who shall immediately deposit the money with the
7 state treasurer for credit to a separate account in the state general fund for
8 expenditure by the administrator to carry out the powers and duties of the
9 administrator and the division of child and family services.

10 3. The court shall order, before committing a child to the custody of
11 the division of child and family services pursuant to this section, that the
12 child be given a physical examination, which includes a blood test, test for
13 tuberculosis, urinalysis and examination for venereal disease, by a
14 physician. The physician shall, within 5 days after the examination, make a
15 written report of the results thereof to the clerk of the court. Upon receipt
16 of the written report, the county auditor shall allow a claim for payment to
17 the physician for the examination. The clerk of the court shall immediately
18 forward a copy of the written report to ~~the administrator of~~ the division
19 of child and family services.

20 **Sec. 8.** NRS 62.820 is hereby amended to read as follows:

21 62.820 1. Whenever a child is committed by the court to custody
22 other than that of its parents, and no provision is otherwise made by law
23 for the support of the child, compensation for the care of the child while in
24 such custody, when approved by order of the court, is a charge upon the
25 county where the child has a legal residence. If a female child is committed
26 to a private institution within the state, any compensation for the care of
27 the child which is not paid by a parent must be paid by the state from
28 money budgeted for ~~by~~ and appropriated to ~~the Caliente youth center~~
29 ~~bureau of~~ the division of child and family services of the department of
30 human resources. A commitment must not be made to such a private
31 institution until the court has ascertained from the superintendent of the
32 institution that sufficient money is available for such compensation. This
33 subsection does not prohibit the payment of compensation by the ~~Caliente~~
34 ~~youth center bureau~~ *division of child and family services of the*
35 *department of human resources* from money appropriated for that purpose
36 to schools outside the state to which female children are ~~committed~~
37 ~~pursuant to NRS 210.580 or~~ placed pursuant to NRS 62.215.

38 2. Notwithstanding any provision made by the law of this state for the
39 support of such children, after the parent has been given a reasonable
40 opportunity to be heard, the court may order and decree that the parent
41 pay, in such a manner as the court may direct and within the parent's
42 ability to pay, a sum of money to cover in whole or in part the support of

1 the child. If the parent willfully fails or refuses to pay the sum, the court
2 may proceed against him for contempt of court.

3 3. Whenever the court orders the parent or parents of a child to pay for
4 the support of a child, as provided in this section, the money must be paid
5 to the superintendent or fiscal officer of the institution to which the child is
6 committed, or the chief administrative officer of the agency to whom the
7 child is committed.

8 **Sec. 9.** Chapter 210 of NRS is hereby amended by adding thereto the
9 provisions set forth as sections 10 and 11 of this act.

10 **Sec. 10.** *The deputy administrator shall:*

11 *1. Develop standards for carrying out programs intended to prevent*
12 *delinquent acts of children and programs for the treatment of children*
13 *brought to his attention;*

14 *2. Assist in the development of programs for predelinquent children*
15 *whose behavior leads them into contact with law enforcement agencies;*

16 *3. Develop and assist in carrying out programs to divert juveniles out*
17 *of the justice system and programs for the aftercare of juveniles who*
18 *have been released from state institutions, have been brought before the*
19 *juvenile court or family court or have otherwise come into contact with*
20 *law enforcement agencies;*

21 *4. Observe and evaluate the programs carried out pursuant to*
22 *subsection 3; and*

23 *5. Work closely with other governmental agencies and with public*
24 *and private agencies providing the same or similar services.*

25 **Sec. 11.** *The director shall administer a program designed to*
26 *educate the residents of each center in the problems caused by the abuse*
27 *of alcohol and other drugs.*

28 **Sec. 12.** NRS 210.010 is hereby amended to read as follows:

29 210.010 As used in ~~[NRS 210.010 to 210.290, inclusive:]~~ *this*
30 *chapter:*

31 1. "Administrator" means the administrator of the division of child and
32 family services in the department of human resources.

33 2. *"Center" means a youth training center or a correctional facility*
34 *authorized to care for children, including, without limitation, the Nevada*
35 *youth training center and the Caliente youth center.*

36 3. *"Deputy administrator" means the deputy administrator for youth*
37 *corrections appointed pursuant to NRS 232.350.*

38 4. "Director" means the director of the department of human
39 resources.

40 ~~[3.]~~ 5. *"Escape" means the unauthorized absence, failure to return*
41 *or unauthorized leaving of a resident from the center to which he was*
42 *assigned.*

43 6. "Juvenile

court"

means:

1 (a) In any judicial district that includes a county whose population is
2 100,000 or more, the family division of the district court; or

3 (b) In any other judicial district, the juvenile division of the district
4 court.

5 ~~{4. "School" means the Nevada youth training center.~~

6 ~~5.}~~ 7. "Resident" means a juvenile who is placed and accepted at a
7 center.

8 8. "Superintendent" means the superintendent of ~~{the school.~~

9 ~~6.}~~ a center.

10 9. "Youth parole bureau" means the youth parole bureau of the
11 division of child and family services ~~{in}~~ of the department of human
12 resources.

13 Sec. 13. NRS 210.015 is hereby amended to read as follows:

14 210.015 The provisions of NRS 210.010 to 210.290, inclusive, ~~{shall}~~
15 and sections 10 and 11 of this act must be administered by the
16 ~~{superintendent,}~~ superintendents, subject to administrative supervision by
17 the ~~deputy administrator and the~~ administrator.

18 Sec. 14. NRS 210.060 is hereby amended to read as follows:

19 210.060 ~~{The}~~ Each superintendent shall reside at the residence
20 provided for in NRS 210.063.

21 Sec. 15. NRS 210.063 is hereby amended to read as follows:

22 210.063 1. In addition to his salary, ~~{the}~~ a superintendent shall be
23 entitled to:

24 (a) The use of a residence on the grounds of or near ~~{the school,}~~ his
25 center, which shall be maintained by the state.

26 (b) Heat, electricity and water for the residence.

27 (c) The use of an electric or gas cooking stove, a refrigerator and an
28 automatic washing machine.

29 (d) Meals at ~~{the school}~~ his center without charge when supervising
30 personnel or ~~{inmates.~~

31 ~~2. Any furnishings or appliances in use in the residence of the~~
32 ~~superintendent on July 1, 1960, may be continued in use in the discretion~~
33 ~~of the superintendent, but no replacements of such appliances or~~
34 ~~furnishings, except the appliances referred to in subsection 1, may be made~~
35 ~~at state expense.~~

36 ~~3. The residents.~~

37 2. A superintendent shall receive no perquisites except those provided
38 for in this section.

39 Sec. 16. NRS 210.065 is hereby amended to read as follows:

40 210.065 1. ~~{The}~~ A superintendent must have wide and successful
41 administrative experience in youth correctional programs embodying
42 rehabilitative or delinquency prevention concepts. He must have at least 2
43 years of administrative experience in an institution dealing primarily with

1 youth on a 24-hour basis, and must have graduated from an accredited
2 4-year college or university, or have an equivalent combination of
3 experience and training, substituting 2 years of experience for 1 year of
4 training.

5 2. The *deputy* administrator shall ~~{request the}~~ *appoint a*
6 *superintendent of each center, subject to the approval of the*
7 *administrator. The* department of personnel ~~{to}~~ *shall* use extensive
8 recruitment and merit selection techniques and procedures to provide a list
9 of persons qualified for appointment as superintendent. *Each*
10 *superintendent is in the unclassified service of the state unless federal*
11 *law or regulation requires otherwise.*

12 **Sec. 17.** NRS 210.070 is hereby amended to read as follows:

13 210.070 1. Except as otherwise provided in NRS 284.143, ~~{the}~~ *a*
14 superintendent shall devote his entire time to the duties of his position, and
15 shall follow no other gainful employment or occupation.

16 2. He shall be the executive and administrative head of ~~{the school,}~~
17 *his center*, subject to administrative supervision by the *deputy*
18 administrator, and as such shall have the following powers and duties:

19 (a) To exercise general supervision of and make and revise rules and
20 regulations for the government of the ~~{school,}~~ *center, subject to*
21 *supervision by and the approval of the deputy administrator.*

22 (b) To make and revise rules and regulations for the preservation of
23 order and the enforcement of discipline ~~{,}~~ *, subject to the approval of the*
24 *deputy administrator.*

25 (c) To be responsible for and to supervise the fiscal affairs and
26 responsibilities of the ~~{school,}~~ *center*, and to purchase such supplies and
27 equipment as may be necessary from time to time.

28 (d) To make quarterly reports to the administrator, and to supply the
29 *deputy* administrator with material on which to base proposed legislation.

30 (e) To keep a complete and accurate record of all proceedings, record
31 and file all bonds and contracts, and assume responsibility for the custody
32 and preservation of all papers and documents pertaining to his office.

33 (f) To invoke any legal, equitable or special procedures for the
34 enforcement of his orders or the enforcement of the provisions of NRS
35 210.010 to 210.290, inclusive.

36 (g) To submit a biennial report before September 1 of each even-
37 numbered year covering the biennium ending June 30 of such year to the
38 *deputy* administrator of the condition, operation and functioning of the
39 ~~{school,}~~ *center*, and anticipated needs of the ~~{school,}~~ *center.*

40 (h) To keep the public informed in regard to the activities and operation
41 of the ~~{school,}~~ *center*, and to disseminate other information which will
42 acquaint the public with juvenile correctional problems.

(i) To designate a person or persons to classify and assign juveniles to programs in the ~~{school,}~~ **center**. The program assignment ~~{shall}~~ **must** be made on the following basis:

(1) As soon as practicable after an individual is received, and in any case no later than the expiration of the first 30 days, his file ~~{shall}~~ **must** be studied and he ~~{shall}~~ **must** be interviewed and a determination made as to the program of education, employment, training, treatment, care and custody appropriate for him. A record of such program assignment ~~{shall}~~ **must** be made and ~~{shall}~~ **must** be a part of his written record file. A staff member ~~{shall}~~ **must** be designated for each individual as his staff counselor.

(2) The program assignment ~~{shall}~~ **must** be reviewed at least once every 3 months and the individual ~~{shall}~~ **must** be interviewed if it is deemed desirable or if he so requests. After review, such changes in his program of education, employment, training, treatment, care and custody may be made as are considered necessary or desirable and a record thereof made a part of the file. If the individual requests a change in his program and such request is denied, the basis for denial ~~{shall}~~ **must** be given to him and a written statement thereof ~~{shall}~~ **must** be made a part of his file.

(3) The basic objective of the program assignment is to change the behavior, attitude and thinking of the individual so that he can once again function freely in his normal environment.

Sec. 18. NRS 210.075 is hereby amended to read as follows:

210.075 The ~~{superintendent}~~ **deputy administrator** may, with the approval of the administrator, enter into contracts with colleges, universities and other organizations for the purposes of research in the field of delinquency and crime prevention, for training special workers, including teachers, probation and parole officers, social workers and others, whether volunteers or not, or whether they are on a part-time or full-time basis, engaged in the fields of education, recreation, mental hygiene and the treatment and prevention of delinquency.

Sec. 19. NRS 210.080 is hereby amended to read as follows:

210.080 1. ~~{The}~~ **A** superintendent shall appoint such teaching, technical, clerical and operational staff as the execution of his duties, the care of the ~~{inmates,}~~ **residents**, and the maintenance and operation of the ~~{school}~~ **center** may require.

2. ~~{The}~~ **A** superintendent may enter into contracts with qualified employees for their services as athletic coaches in addition to their regular duties and responsibilities.

Sec. 20. NRS 210.085 is hereby amended to read as follows:

210.085 1. If ~~{the}~~ **a** superintendent finds that it is necessary or desirable that any employee reside at ~~{the—school,}~~ **his center**, perquisites

1 granted to such person or charges for services rendered to such person
2 ~~{shall}~~ **must** be at the discretion of the administrator.

3 2. The administrator shall submit to the director, for transmission to
4 each regular session of the legislature, a report of the existing charges and
5 perquisites.

6 **Sec. 21.** NRS 210.090 is hereby amended to read as follows:

7 210.090 1. ~~{The}~~ **A** superintendent shall cause a department of
8 instruction to be organized for the ~~{inmates of the school,}~~ **residents of his**
9 **center**, with programs of study corresponding so far as practicable with
10 programs of study given in the elementary and high schools of the state.

11 2. ~~{The}~~ **A** superintendent may arrange for industrial training and the
12 teaching of various trades, and he may purchase the supplies and
13 equipment necessary for the teaching of such programs of study.

14 3. If deemed practicable, and with the concurrence of the board of
15 trustees of the ~~{Elko County school district, inmates of the school,}~~ **county**
16 **school district of the county in which the center is located, residents of a**
17 **center** may be enrolled for instruction in the county school district system,
18 and the superintendent of the ~~{Nevada youth training}~~ center or the county
19 school district shall provide transportation for the ~~{inmates}~~ **residents** to the
20 public schools.

21 4. ~~{The}~~ **A** superintendent may also arrange for the employment of
22 ~~{inmates}~~ **residents** upon ranches, farms and in other private occupations
23 during the summer vacation months and for other periods which he deems
24 proper for the full utilization of the ~~{inmates'}~~ time and productive
25 capacities ~~{;}~~ **of the residents**, but the ~~{inmates}~~ **residents** may not be
26 compelled to accept private employment against their desires. For the
27 purposes of this section, the amounts paid to the ~~{inmates}~~ **residents** and
28 the working conditions under which they are employed must be
29 determined by the superintendent and the employer, and any amounts paid
30 must, at the discretion of the superintendent, be paid in whole or in part to
31 the ~~{inmate}~~ **resident** or to the superintendent for safekeeping as provided
32 for in NRS 210.160.

33 5. The ultimate purpose of all such instruction, training, employment
34 and industries is to qualify ~~{inmates}~~ **residents** for profitable and honorable
35 employment, and to enable them to lead useful lives after their release
36 from the institution.

37 6. The superintendent may apply for and receive money from the
38 Federal Government to treat and train ~~{inmates.}~~ **residents.**

39 **Sec. 22.** NRS 210.100 is hereby amended to read as follows:

40 210.100 ~~{The}~~ **A** superintendent shall make due arrangements for
41 carrying out the provisions of Title 34 of NRS as regards ~~{the school.}~~ **his**
42 **center.**

43 **Sec. 23.** NRS 210.130 is hereby amended to read as follows:

1 210.130 1. Funds to carry out the provisions of NRS 210.010 to
2 210.290, inclusive, ~~{shall}~~ **must** be provided by legislative appropriation
3 from the general fund, and ~~{shall}~~ **must** be paid out on claims as other
4 claims against the state are paid.

5 2. All claims ~~{shall}~~ **must** be approved by ~~{the}~~ **a** superintendent before
6 they are paid.

7 **Sec. 24.** NRS 210.140 is hereby amended to read as follows:

8 210.140 Gifts of money ~~{which the school}~~ **that a center** is authorized
9 to accept must be deposited in the state treasury for credit to the ~~{youth~~
10 ~~training-center's}~~ gift account **for the center** in the department of human
11 resources' gift fund. The money in the account must be used for ~~{school}~~
12 **center** purposes only and expended in accordance with the terms of the
13 gift. All claims must be approved by the superintendent **of the center**
14 before they are paid.

15 **Sec. 25.** NRS 210.150 is hereby amended to read as follows:

16 210.150 ~~{The}~~ **A** superintendent is authorized to buy and sell hay,
17 grain, produce, livestock, and such other farm supplies and equipment as
18 may be necessary from time to time. Money obtained from the sale of
19 those items must be deposited in the state treasury for credit to the account
20 for the farm of the ~~{youth-training-center}~~ **centers** within the general fund.
21 The account is a continuing account without reversion, and must be
22 expended for supplies and equipment needed by the ~~{school}~~ **centers** in
23 accordance with the provisions of the State Budget Act. The money in the
24 account must be paid out on claims as other claims against the state are
25 paid. All claims must be approved by ~~{the}~~ **a** superintendent before they
26 are paid. ~~{The}~~ **A** superintendent shall keep a record of all **his** transactions
27 pertaining to the account.

28 **Sec. 26.** NRS 210.160 is hereby amended to read as follows:

29 210.160 1. ~~{The}~~ **A** superintendent may accept money and other
30 valuables of ~~{inmates}~~ **residents** for safekeeping pending their discharges,
31 and shall deposit any such money in a trust fund which he shall establish in
32 a bank or savings and loan association qualified to receive deposits of
33 public money. He shall keep a full account of any such money and
34 valuables, and shall submit reports to the administrator relative to them as
35 may be required from time to time.

36 2. ~~{The}~~ **A** superintendent may transfer the amount of any uncashed
37 check issued by ~~{the school to an inmate}~~ **his center to a resident** to the
38 ~~{youth-training-center's}~~ gift account **of the center** after 1 year from the
39 date the check was issued. Each check so issued must be stamped "void
40 after 1 year from date of issue."

41 **Sec. 27.** NRS 210.170 is hereby amended to read as follows:

42 210.170 1. ~~{The}~~ **A** superintendent, subject to the approval of the
43 **deputy** administrator, may establish ~~{an-inmates'}~~ **a residents'** commissary

1 or store for the benefit and use of the ~~{inmates,}~~ residents. So far as
2 practicable, sales of supplies and materials to the ~~{inmates}~~ residents must
3 be at cost. The superintendent shall keep, or cause to be kept, a record of
4 all transactions of the commissary.

5 2. ~~{The youth training}~~ A center commissary fund is hereby created ~~{,}~~
6 for each center, and must be used to purchase supplies and materials for
7 resale to the ~~{inmates,}~~ residents, to provide money for needy ~~{inmates,}~~
8 residents, and for other incidentals as may be deemed necessary by the
9 superintendent ~~{,}~~ of the center. All money drawn from the fund must be
10 repaid wherever possible.

11 3. ~~{The}~~ A superintendent shall deposit any money received for the
12 fund in insured banks or in insured savings and loan associations and
13 maintain a small sum as petty cash at the commissary.

14 **Sec. 28.** NRS 210.180 is hereby amended to read as follows:

15 210.180 1. A court may commit to ~~{the school,}~~ a center, and the
16 administrator may place in the ~~{school,}~~ center, any person between the
17 ages of 12 and 18 years who is found to be delinquent. Before any person
18 is conveyed to ~~{the school,}~~ a center, the superintendent of the center shall
19 determine whether adequate facilities are available to provide the
20 necessary care to the person. The superintendent shall fix the time at which
21 the person must be delivered to the ~~{school,}~~ center. The superintendent
22 shall accept the person unless:

23 (a) There are not adequate facilities available to provide the necessary
24 care;

25 (b) There is not adequate money available for the support of the
26 ~~{school,}~~ center; or

27 (c) In the opinion of the superintendent, the person is not suitable for
28 admission to the ~~{school,}~~ center.

29 2. The court may order, when committing a person to the care, custody
30 and control of ~~{the school,}~~ a center, that the expense of his support and
31 maintenance be paid in whole or in part by his parents, guardian or other
32 person liable for his support and maintenance. Such payments must be paid
33 to the administrator, who shall immediately deposit the money with the
34 state treasurer for credit to a separate account in the state general fund for
35 expenditure by the administrator to carry out the powers and duties of the
36 administrator and the division of child and family services of the
37 department of human resources.

38 3. The court shall order, before commitment, that the person be given
39 a physical examination, which includes a blood test, test for tuberculosis,
40 urinalysis and an examination for venereal disease, by a physician. The
41 physician shall, within 5 days after the examination, make a written report
42 of the results thereof to the clerk of the juvenile court, if there is one, and
43 otherwise to the county clerk of the county wherein the commitment was

1 ordered. Upon receipt of the written report, the county auditor shall allow a
2 claim for payment to the physician for the examination. The clerk of the
3 juvenile court or the county clerk, as the case may be, shall immediately
4 forward a copy of the written report to the superintendent ~~{H}~~ *of the center*
5 *in which the person is being committed or placed.*

6 **Sec. 29.** NRS 210.185 is hereby amended to read as follows:

7 210.185 The committing court shall send to the superintendent *of the*
8 *center in which the person is being committed* a summary of all the facts
9 in the possession of the court concerning the history of the person
10 committed.

11 **Sec. 30.** NRS 210.187 is hereby amended to read as follows:

12 210.187 If any person committed to or otherwise placed in ~~{the~~
13 ~~school}~~ *a center* appears, either at the time of his commitment or other
14 placement or after becoming ~~{an inmate,}~~ *a resident*, to be an improper
15 person to be retained in the ~~{school,}~~ *center*, or to be so incorrigible or so
16 incapable of reformation under the discipline of the ~~{school}~~ *center* as to
17 render his detention detrimental to the interests of the ~~{school,}~~ *center*, the
18 superintendent may report that fact to the administrator, who shall
19 recommend a suitable alternative to the committing court.

20 **Sec. 31.** NRS 210.189 is hereby amended to read as follows:

21 210.189 1. The committing court may change, modify or set aside
22 the order of commitment. Ten days' written notice of the hearing of the
23 application therefor ~~{shall}~~ *must* be served upon the superintendent ~~{H}~~ *of*
24 *the center in which the person was committed*, by registered mail, postage
25 prepaid.

26 2. In changing, modifying or setting aside such order, the court shall
27 give due consideration to the effect thereof upon the discipline and
28 program of the ~~{school,}~~ *center*.

29 **Sec. 32.** NRS 210.190 is hereby amended to read as follows:

30 210.190 No person or persons employed, elected or appointed to any
31 position of honor or profit at ~~{the school}~~ *a center* shall be nominated or
32 appointed as guardian of the person or estate of a person who is or ever has
33 been ~~{an inmate}~~ *a resident* of the ~~{school,}~~ *center*, but, if such *a* person
34 ~~{be}~~ *is* related by blood to such *an* employee or appointee, this disability
35 ~~{shall}~~ *does* not apply.

36 **Sec. 33.** NRS 210.210 is hereby amended to read as follows:

37 210.210 ~~{The}~~ *A* superintendent may, upon the recommendation of a
38 physician attending ~~{an inmate,}~~ *a resident*, authorize the performance of
39 any necessary medical, surgical or dental service.

40 **Sec. 34.** NRS 210.220 is hereby amended to read as follows:

41 210.220 1. ~~{The school}~~ *A center* may establish forestry camps for
42 the purposes of securing a satisfactory classification and segregation of
43 ~~{inmates}~~ *residents* according to their capacities, interest and

1 responsiveness to control and responsibility, for reducing the necessity of
2 extending existing grounds and housing facilities, and to provide adequate
3 opportunity for reform and encouragement of self-discipline.

4 2. ~~{Inmates}~~ **Residents** committed to such camps may be required to
5 labor on the buildings and grounds thereof, to perform fire prevention
6 work, including the building of firebreaks and fire trails, fire suppression
7 and the making of forest roads for fire prevention or fire fighting, and the
8 forestation and reforestation of public lands, and other projects prescribed
9 by the superintendent ~~{ }~~ **of the center.**

10 **Sec. 35.** NRS 210.230 is hereby amended to read as follows:

11 210.230 The ~~{superintendent,}~~ **deputy administrator**, with the approval
12 of the administrator, may enter into contracts with the Federal
13 Government, state officials and various state agencies and departments, for
14 the purposes of carrying out the provisions of NRS 210.220.

15 **Sec. 36.** NRS 210.240 is hereby amended to read as follows:

16 210.240 1. When ~~{an inmate}~~ **a resident** is eligible for parole
17 according to regulations established for that purpose and parole will be to
18 his advantage, the superintendent **of the center at which he is a resident**
19 may grant parole after consultation with the chief of the youth parole
20 bureau.

21 2. The date of ~~{an inmate's}~~ **the** release **of a resident** on parole must be
22 set by agreement of the superintendent and the chief, but **must not be** later
23 than 30 days after the superintendent has given the chief a notice of intent
24 to parole. Upon a parole, the person paroled is under the supervision of the
25 chief.

26 3. Whenever ~~{the}~~ **a** superintendent determines, after consultation with
27 the chief, that it is in the best interest of ~~{an inmate}~~ **a resident** to be
28 permitted a furlough from the ~~{school}~~ **center** to participate in a program or
29 treatment, the superintendent may grant the furlough for a period of not
30 more than 90 days. While ~~{an inmate}~~ **a resident** is temporarily released on
31 such a furlough, he is under the supervision of the chief.

32 **Sec. 37.** NRS 210.250 is hereby amended to read as follows:

33 210.250 1. The chief of the youth parole bureau may petition the
34 committing court requesting that the parole of a person paroled from ~~{the~~
35 ~~school}~~ **a center** be suspended, modified or revoked.

36 2. Pending a hearing, the committing court may order:

37 (a) The return of the parolee to the ~~{school;}~~ **center;** or
38 (b) If approved by the local juvenile facility, that the parolee be held in
39 the local juvenile facility.

40 3. The youth parole bureau shall pay all actual and reasonably
41 necessary costs for the confinement of a parolee in the local juvenile
42 facility.

4. If requested, the committing court shall allow the parolee *and the division of child and family services of the department of human resources* reasonable time to prepare for the hearing.

5. The required hearing may be conducted by a judge or master of the committing court, who shall render a decision within 10 days after the conclusion of the hearing.

Sec. 38. NRS 210.260 is hereby amended to read as follows:

210.260 1. The written order of ~~the~~ *a* superintendent is a sufficient arrest warrant for any peace officer to return any person who has escaped from the ~~school~~ *center*.

2. All peace officers shall execute such orders in the same manner as provided for the execution of criminal process.

Sec. 39. NRS 210.280 is hereby amended to read as follows:

210.280 A person who knowingly permits or aids ~~an inmate~~ *a resident* to escape from ~~the school~~ *a center*, or who conceals any ~~inmate~~ *resident* or escapee with the intent or purpose of enabling him to elude pursuit, shall be punished:

1. Where a dangerous weapon is used by the person to facilitate the escape or attempted escape, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.

2. Where no dangerous weapon is used, for a gross misdemeanor.

Sec. 40. NRS 210.285 is hereby amended to read as follows:

210.285 Upon the escape of ~~an inmate from the school~~ *a resident from a center*, the superintendent *of the center* shall notify the appropriate law enforcement agency of the escape and immediately thereafter notify the public. The notice to the public must include a description of the ~~inmate~~ *resident*. The superintendent shall immediately notify the public upon the apprehension of the ~~inmate~~ *resident*.

Sec. 41. NRS 210.290 is hereby amended to read as follows:

210.290 ~~Inmates~~ *Residents* may be discharged from ~~the school~~ *a center* upon reaching the age of 18 years and ~~shall~~ *must* be discharged upon reaching the age of 20 years.

Sec. 42. NRS 210.735 is hereby amended to read as follows:

210.735 The chief of the youth parole bureau may ~~1. Appoint~~ *appoint* such employees as are necessary to carry out the functions of the bureau.

~~2. With the approval of the administrator of the division of child and family services in the department of human resources, enter into contracts with colleges, universities and other organizations for:~~

~~(a) Research in the field of delinquency and crime prevention.~~

1 ~~—(b) Training special workers, including parole officers and social~~
2 ~~workers, whether volunteers or not, or whether they are on a part time or~~
3 ~~full time basis, engaged in the fields of education, recreation, mental~~
4 ~~hygiene and the treatment and prevention of delinquency.]~~

5 **Sec. 43.** NRS 210.740 is hereby amended to read as follows:

6 210.740 The chief of the youth parole bureau shall:

7 1. Supervise all persons released on parole from ~~{the Nevada youth~~
8 ~~training center and the Caliente youth}~~ **a** center, and all persons released by
9 other states for juvenile parole in Nevada pursuant to **the** interstate
10 compact.

11 2. Furnish to each person so paroled a written statement of the
12 conditions of the parole and instructions regarding those conditions.

13 3. Keep himself informed concerning the conduct and condition of all
14 persons under his supervision.

15 4. Coordinate his functions with those of the superintendents of the
16 ~~{Nevada youth training center and the Caliente youth center.}~~ **centers.**

17 **Sec. 44.** NRS 210.750 is hereby amended to read as follows:

18 210.750 1. Each person who is paroled from ~~{the Nevada youth~~
19 ~~training center or the Caliente youth}~~ **a** center must be placed in a
20 reputable home and in either an educational or work program or both. The
21 chief of the youth parole bureau may pay the expenses incurred in
22 providing alternative placements for residential programs and for
23 structured nonresidential programs from money appropriated to the bureau
24 for that purpose.

25 2. The chief may accept money of parolees for safekeeping pending
26 their discharges from parole. The chief must deposit the money in federally
27 insured accounts in banks or savings and loan associations. He shall keep
28 or cause to be kept a fair and full account of the money, and shall submit
29 such reports concerning the accounts to the **deputy** administrator ~~{of the~~
30 ~~division of child and family services of the department of human~~
31 ~~resources}~~ as the **deputy** administrator may require.

32 3. When any person so paroled has proven his ability to make an
33 acceptable adjustment outside ~~{the}~~ **a** center or, in the opinion of the chief,
34 is no longer amenable to treatment as a juvenile, the chief shall apply to the
35 committing court for a dismissal of all proceedings and accusations
36 pending against the person.

37 4. Before the chief recommends that the committing court revoke a
38 person's parole, he shall ascertain from the superintendent of the
39 appropriate center whether adequate facilities remain available at the
40 center to provide the necessary care for the person. If the superintendent
41 advises that there are not such facilities available, that there is not enough
42 money available for support of the person at the center or that the person is
43 not suitable for admission to the center, the chief shall report that fact to

1 the **deputy** administrator , ~~[of the division of child and family services,]~~
2 who shall recommend a suitable alternative to the court.

3 **Sec. 45.** NRS 277.065 is hereby amended to read as follows:

4 277.065 1. Within the limits of legislative appropriations, the
5 department of education, the county school districts of the various counties
6 of the state, and ~~[the Nevada youth training center bureau and the Caliente~~
7 ~~youth center bureau of]~~ the division of child and family services of the
8 department of human resources may enter into cooperative arrangements
9 for improving the quality of the academic and occupational education
10 provided at the Nevada youth training center and Caliente youth center.

11 2. This authorization includes the right to pay over money
12 appropriated to the Nevada youth training center or Caliente youth center
13 to the department of education or to a county school district when
14 necessary to accomplish the purpose of this section.

15 **Sec. 46.** NRS 289.200 is hereby amended to read as follows:

16 289.200 Officers and employees of the:

17 1. Nevada youth training center have the powers of a peace officer so
18 far as necessary to arrest ~~[inmates]~~ **residents** who have escaped from that
19 center.

20 2. Caliente youth center have the powers of a peace officer so far as
21 necessary to arrest ~~[inmates]~~ **residents** who have escaped from that center.

22 **Sec. 47.** NRS 388.550 is hereby amended to read as follows:

23 388.550 1. With the approval of the juvenile court and the board of
24 county commissioners, the board of trustees of a school district may
25 employ necessary legally qualified teachers for the instruction of children
26 detained in:

27 (a) A detention home or alternative program maintained by the county
28 pursuant to the provisions of NRS 62.180.

29 (b) A juvenile forestry camp established by the county pursuant to the
30 provisions of NRS 244.297.

31 (c) A ~~[juvenile training school]~~ **youth training center** established by the
32 state pursuant to the provisions of chapter 210 of NRS.

33 2. As used in this section, "juvenile court" means:

34 (a) In any judicial district that includes a county whose population is
35 100,000 or more, the family division of the district court; or

36 (b) In any other judicial district, the juvenile division of the district
37 court.

38 **Sec. 48.** NRS 423.050 is hereby amended to read as follows:

39 423.050 **1. The administrator shall appoint, with the approval of**
40 **the director, a superintendent of the northern Nevada children's home**
41 **and a superintendent of the southern Nevada children's home. The**
42 **superintendents are in the classified service of the state.**

2. The superintendents shall be selected on the basis of training, experience, capacity and interest in child welfare.

Sec. 49. Chapter 432A of NRS is hereby amended by adding thereto the provisions set forth as sections 50 and 51 of this act.

Sec. 50. *“Administrator” means the administrator of the division.*

Sec. 51. *“Division” means the division of child and family services of the department of human resources.*

Sec. 52. NRS 432A.020 is hereby amended to read as follows:

432A.020 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 432A.021 to 432A.028, inclusive, *and sections 50 and 51 of this act* have the meanings ascribed to them in those sections.

Sec. 53. NRS 432A.040 is hereby amended to read as follows:

432A.040 The ~~{bureau}~~ *division* shall:

1. Serve as a clearinghouse for information relating to child care.

2. Assist the director in all matters pertaining to child care services and programs.

3. Develop plans and conduct and arrange for research and demonstration programs in the field of child care.

4. Provide technical assistance and consultation to political subdivisions with respect to programs for child care.

5. Prepare, publish and disseminate educational materials dealing with child care.

6. Gather statistics in the field of child care which other federal and state agencies are not collecting.

7. Stimulate more effective use of existing resources and available services for child care.

Sec. 54. NRS 432A.070 is hereby amended to read as follows:

432A.070 1. The ~~{chief}~~ *administrator* shall:

(a) Establish appropriate administrative units within the ~~{bureau;}~~ *division to carry out the purposes of this chapter;*

(b) Appoint such personnel and prescribe their duties as he deems necessary for the proper and efficient performance of the functions of the ~~{bureau;}~~ *division to carry out the purposes of this chapter;*

(c) Prepare and submit to the governor, through the director, before September 1 of each even-numbered year for the biennium ending June 30 of that year, reports of activities and expenditures and estimates of sums required to carry out the purposes of this chapter;

(d) Make certification for disbursement of money available for carrying out the purposes of this chapter; and

(e) Take such other action as may be necessary or appropriate for cooperation with public and private agencies and otherwise to carry out the purposes of this chapter.

1 2. The ~~{chief}~~ **administrator** may delegate to any officer or employee
2 of the ~~{bureau}~~ **division** such of his powers and duties as he finds necessary
3 to carry out the purposes of this chapter.

4 **Sec. 55.** NRS 432A.090 is hereby amended to read as follows:

5 432A.090 The ~~{bureau}~~ **division** may develop a state plan for services
6 and programs relating to child care and may comply with such other
7 requirements as may be necessary to obtain federal money. In developing
8 and revising the state plan, the ~~{bureau}~~ **division** shall consider, among
9 other things, the amount of money available from the Federal Government
10 and the conditions attached to the acceptance of such money, and the
11 limitations of legislative appropriations for services and programs relating
12 to child care.

13 **Sec. 56.** NRS 210.400, 210.405, 210.450, 210.460, 210.470, 210.480,
14 210.490, 210.500, 210.510, 210.520, 210.530, 210.535, 210.540, 210.550,
15 210.560, 210.570, 210.580, 210.590, 210.610, 210.615, 210.620, 210.630,
16 210.640, 210.660, 210.670, 210.680, 210.690, 210.710, 210.713, 210.715,
17 210.730, 232.450, 432A.022, 432A.023 and 432A.060 are hereby
18 repealed.

LEADLINES OF REPEALED SECTIONS

210.400 Definitions.

210.405 Administration.

210.450 Residence.

210.460 Perquisites.

210.470 Qualifications; procedure for recruitment.

210.480 Powers and duties.

**210.490 Power to contract with university or organization for
research or training.**

210.500 Appointment of staff of school; designation of deputies.

**210.510 Employees residing at school; perquisites at discretion of
administrator; report to legislature.**

**210.520 Organization of department of instruction; programs of
study; enrollment of inmates in public schools; employment of
inmates.**

**210.530 Duties of superintendent concerning provisions of Title
34 of NRS.**

**210.535 Director to administer program to educate inmates in
problems of alcohol and drug abuse.**

210.540 General provisions.

210.550 Caliente youth center's gift account.

- 210.560 Money and valuables of inmate; disposition of uncashed check issued by school to inmate.**
- 210.570 Inmates' commissary; Caliente youth center commissary fund.**
- 210.580 Commitment of delinquents; physical examination; expenses of support and maintenance.**
- 210.590 Presence of female attendant required when dealing with female minors committed to school.**
- 210.610 Committing court to transmit summary of case history to superintendent.**
- 210.615 Transfer of inmate of Nevada youth training center.**
- 210.620 Administrator to report to committing court inmates who appear improper for retention by school and recommend alternatives.**
- 210.630 Order of commitment: Modification; setting aside; service of notice on superintendent.**
- 210.640 Officers and employees prohibited from serving as guardian of person or estate of inmate.**
- 210.660 Medical, surgical and dental services.**
- 210.670 Parole of inmates; temporary furlough.**
- 210.680 Suspension, modification or revocation of parole by committing court.**
- 210.690 Written order of superintendent constitutes warrant for arrest.**
- 210.710 Penalty for aiding or concealing escape of inmate.**
- 210.713 Required notice upon escape and apprehension of inmate.**
- 210.715 Discharge.**
- 210.730 "Youth parole bureau" defined.**
- 232.450 Division of child and family services: Classifications of chiefs of bureaus.**
- 432A.022 "Bureau" defined.**
- 432A.023 "Chief" defined.**
- 432A.060 Chief: Appointment; qualifications.**