

SENATE BILL NO. 89—SENATORS NEAL, SHAFFER, TITUS, JAMES, SCHNEIDER,
CARLTON, CARE AND WIENER

FEBRUARY 3, 1999

Referred to Committee on Human Resources and Facilities

SUMMARY—Creates fund to assist indigent persons with utility bills to be funded by certain money from abandoned property trust fund. (BDR 38-977)

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 a fund to assist indigent persons with utility bills; providing that the welfare division of the department of human resources shall administer the fund; requiring a certain amount of the unclaimed money in the abandoned property trust fund that is from abandoned money of a utility to be deposited in the fund; and providing other matters properly relating thereto.

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

Section 1. Chapter 422 of NRS is hereby amended by adding thereto a new section to read as follows:

1. There is hereby created in the state treasury the fund to assist indigent persons with utility bills, to be administered by the welfare division. All money received for the use of the fund pursuant to NRS 120A.370 or from any other source must be deposited in the fund. The welfare division may accept gifts and grants for deposit in the fund.

2. The interest and income earned on the money in the fund, after deducting any applicable charges, must be credited to the fund. All claims against the fund must be paid as other claims against this state are paid.

3. The money in the fund may be used only to pay necessary administrative costs and to assist indigent persons in this state to pay utility bills received by them for the costs of heating and cooling their residential dwellings.

1 **4. The administrator shall adopt regulations for the administration**
2 **of the fund.**

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

4 422.222 1. The administrator may adopt such regulations as are
5 necessary for the administration of NRS 422.070 to 422.410, inclusive, **and**
6 **section 1 of this act** and any program of the welfare division.

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

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

10 422.240 **Except as otherwise provided in section 1 of this act:**

11 1. Money to carry out the provisions of NRS 422.070 to 422.410,
12 inclusive, including, without limitation, any federal money allotted to the
13 State of Nevada pursuant to the program to provide temporary assistance
14 for needy families and the program for child care and development, must be
15 provided by appropriation by the legislature from the state general fund ~~and~~;
16 **and**

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

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

21 422.29312 1. ~~Any~~ **Except as otherwise provided in section 1 of**
22 **this act**, gifts or grants of money which the welfare division is authorized to
23 accept must be deposited in the state treasury to the credit of the welfare
24 division's gift and cooperative account in the department of human
25 resources' gift fund.

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

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

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

31 120A.370 1. There is hereby created in the state treasury the
32 abandoned property trust fund.

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

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

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

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

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

6 (c) Reasonable service charges.

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

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

10 5. *At the end of each fiscal year 10 percent of the money deposited in*
11 *the state treasury for credit to the abandoned property trust fund that is*
12 *from abandoned money of a utility as described in NRS 120A.180, or*
13 *\$290,000 of that money to the extent available, whichever is greater,*
14 *must be deposited with the state treasurer for credit to the fund to assist*
15 *indigent persons with utility bills created pursuant to section 1 of this act.*

16 6. *After the appropriate amount of money has been deposited*
17 *pursuant to subsection 5, at the end of each fiscal year the amount of the*
18 *balance in the fund in excess of \$100,500 must be deposited with the state*
19 *treasurer for credit to the state general fund but remains subject to the valid*
20 *claims of holders pursuant to NRS 120A.340 or owners pursuant to NRS*
21 *120A.380.*

22 ~~16.1~~ 7. If there is an insufficient amount of money in the abandoned
23 property trust fund to pay any cost or charge pursuant to subsection 4, the
24 state board of examiners may, upon the application of the administrator,
25 authorize a temporary transfer from the state general fund to the abandoned
26 property trust fund of an amount necessary to pay those costs or charges.
27 The administrator shall repay the amount of the transfer as soon as
28 sufficient money is available in the abandoned property trust fund.

29 **Sec. 6.** NRS 120A.370 is hereby amended to read as follows:

30 120A.370 1. There is hereby created in the state treasury the
31 abandoned property trust fund.

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

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

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

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

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

3 (c) Reasonable service charges.

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

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

7 5. At the end of each fiscal year ~~10%~~ 50 percent of the money
8 deposited in the state treasury for credit to the abandoned property trust
9 fund that is from abandoned money of a utility as described in NRS
10 120A.180, or \$290,000 of that money to the extent available, whichever is
11 greater, must be deposited with the state treasurer for credit to the fund to
12 assist indigent persons with utility bills created pursuant to section 1 of this
13 act.

14 6. After the appropriate amount of money has been deposited pursuant
15 to subsection 5, at the end of each fiscal year the amount of the balance in
16 the fund in excess of \$100,500 must be deposited with the state treasurer
17 for credit to the state general fund but remains subject to the valid claims of
18 holders pursuant to NRS 120A.340 or owners pursuant to NRS 120A.380.

19 7. If there is an insufficient amount of money in the abandoned
20 property trust fund to pay any cost or charge pursuant to subsection 4, the
21 state board of examiners may, upon the application of the administrator,
22 authorize a temporary transfer from the state general fund to the abandoned
23 property trust fund of an amount necessary to pay those costs or charges.
24 The administrator shall repay the amount of the transfer as soon as
25 sufficient money is available in the abandoned property trust fund.

26 **Sec. 7.** NRS 232.320 is hereby amended to read as follows:

27 232.320 1. Except as otherwise provided in subsection 2, the
28 director:

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

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

32 (2) The administrator of the health division;

33 (3) The state welfare administrator; and

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

35 (b) Shall administer, through the divisions of the department, the
36 provisions of chapters 210, 423, 424, 425, 427A, 432A to 442, inclusive,
37 446, 447, 449 and 450 of NRS, NRS 127.220 to 127.310, inclusive,
38 422.070 to 422.410, inclusive, *and section 1 of this act, NRS* 432.010 to
39 432.139, inclusive, 444.003 to 444.430, inclusive, and 445A.010 to
40 445A.050, inclusive, and all other provisions of law relating to the
41 functions of the divisions of the department, but is not responsible for the
42 clinical activities of the health division or the professional line activities of
43 the other divisions.

44 (c) Shall, after considering advice from agencies of local governments
45 and nonprofit organizations which provide social services, adopt a master
46 plan for the provision of human services in this state. The director shall

1 revise the plan biennially and deliver a copy of the plan to the governor and
2 the legislature at the beginning of each regular session. The plan must:

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

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

7 (3) Provide for communication and the coordination of those services
8 among nonprofit organizations, agencies of local government, the state and
9 the Federal Government;

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

12 (5) Set forth sufficient information to assist the department in
13 providing those services and in the planning and budgeting for the future
14 provision of those services; and

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

19 (d) May, by regulation, require nonprofit organizations and state and
20 local governmental agencies to provide information to him regarding the
21 programs of those organizations and agencies, excluding detailed
22 information relating to their budgets and payrolls, which he deems
23 necessary for his performance of the duties imposed upon him pursuant to
24 this section.

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

26 2. The governor shall appoint the administrator of the mental hygiene
27 and mental retardation division.

28 **Sec. 8.** 1. This section and sections 1 and 5 of this act become
29 effective on July 1, 1999.

30 2. Sections 2, 3, 4 and 7 of this act become effective at 12:01 a.m. on
31 July 1, 1999.

32 3. Section 6 of this act becomes effective on July 1, 2001.