

NEVADA LEGISLATURE - SPECIAL SESSION
MEETING OF SENATE EDUCATION COMMITTEE

February 15, 1968

The meeting of the Senate Education Committee was called to order by Chairman Procter Hug on Thursday, February 15, 1968 at 9:05 a.m. in Room 50 of the State Capitol Building.

All members of the Education Committee were present with the exception of Senator Titlow.

Also present: Senator Fisher
Senator Monroe
Burnell Larson, State Superintendent of
Public Instruction
Lincoln Liston, Assistant Superintendent of
the Department of Education
Donald Perry, Representative of Nevada State
Education Association
Mrs. Wedow, Department of Education
Mr. Daykin, Chief Deputy, Legislative Counsel

Chairman Hug called first on Mr. Burnell Larson to speak.

Mr. Larson first referred to subparagraph 6 of paragraph (f), which places the Board of Education in the position of giving the Board of Examiners information that would be so objective, virtual agreement could be expected. So, some of the discussion should be devoted to the kind of procedure we would need. We spent a great deal of yesterday devising our estimate of the kinds of regulations we believe the Board of Education would need for presenting emergency requests. We discussed at some length what we think would be rules and regulations to relate more specifically to subparagraph 6 of paragraph (f) regarding submission of requests to the Board of Examiners.

Senator Farr asked whether these rules and regulations would cover all applications for emergency funds when given to the Board of Examiners. Mr. Larson stated that in revising these kind of guidelines, they have attempted to anticipate everything regarding emergency fund requests. We will review for a minute the points of difference we seemed to encounter when we met with the combined committees. 1. The requirement that a district must be at the \$1.50 rate in order to be able to apply. 2. That the State Board of Examiners shall review the application. 3. The identification

of the categories of pupils that fall under the regulations. 4. That there should be a report in some form to the Legislature to keep them informed. These four points are now incorporated in Senate Bill 18.

Chairman Procter Hug stated he had asked Mr. Daykin to the meeting to speak.

Mr. Daykin stated that the authority of the Board of Examiners is established for approval of all items except salaries that are fixed by law. This is written in for instance where the apportionment is fixed by a formula so that it can be ascertained and no two persons can come to different conclusions. Now, this is true of Paragraph (e). It is not true of Paragraph (f). These are claims against the state that are not fixed by law. Therefore, our opinion is that constitutionally, these claims must be subject to the State Board of Examiners.

Mr. Perry referred the Committee to Page 3, Lines 35 to 40, under Paragraph 6. He asked Mr. Daykin exactly what that language meant, whether it meant the Board of Examiners had the right to go into a School District, examine it, budget, etc. Mr. Daykin replied that the way it was placed in the context of the Bill, it means that since it is the responsibility of the Board of Education that the Board of Examiners would ask the State Board of Education to supply any additional information.

Mr. Perry asked again if the language says this, to which Mr. Daykin replied, "I would say that it does."

Senator Christensen made the comment that if Paragraph 6 was eliminated from the Bill, according to law, they would still have to do this.

Mr. Daykin stated that it is also the implication there that if the Board of Education undertook to make application without the submission of their request to the Board of Examiners, there would, no doubt, be a restraint put on them. This gives greater safety.

Mr. Larson stated that if anything else was needed to put in for clarification of interpretation or to identify procedure, it would be put in.

Senator Hug asked whether this allowed the Board of Examiners to go out and examine the budgets, as they have done in the past.

Senator Farr asked if the Distributive School Fund was a contingency fund for use now or whether the Committee had to allocate more.

Mr. Larson stated that their intent was to identify what is remaining in the Distributive School Fund for use. He said they are working against an identified budget which is set up for a purpose, and if they can use that figure for a valid figure, then there should be enough in the Distributive School Fund which should take care of what we made this year.

Senator Hug asked whether instead of this expiring at the end of the next biennium, it would go on indefinitely. Mr. Larson said it was their intent to try for procedures that would prevent the legislators convening at a special session for emergency school aid requests. He said if this was placed in context he could see unexpended funds at the next session could build up to where there is a large fund there.

Discussion followed on use of the Distributive School Fund for emergency use and fiscal responsibility of the Department of Education.

Senator Christensen moved the Bill be passed.

Senator Farr seconded the motion, but withdrew his second when Mr. Liston made it evident he had several other points to bring out.

Mr. Liston stated that emergencies that have existed have caused lots of consternation in the past and some hard feelings. The Distributive School Fund so far has established an amount of money, apportionments that have been made over the years from that Distributive School Fund and been immune from subjectivity. Getting to the point of basic support as it is determined under the new Senate Bill 18, it is strictly a mathematical interpretation. Because of that, a little bit of variation in counting of students really makes a difference in dollars and when there is lesser ADA than anticipated, there is really a significant amount of reduced receipts.

Also, because of the formula, there is a dependence on receipts collected at a local level. When that reduces, there is a change in conditions that have the effect of changing the basic formula for a district. These changes are often not foreseen early enough to make changes for what needs to be done. \$.80 tax levelled on the assessed value becomes \$80,000 less than they need if this money is not forthcoming.

Mr. Larson stated it is pertinent to this extent. We are not changing the basic formula. It remains the same. We feel the basic formula is working well and we are not tampering with it in any way. Formerly apportionments went to all School Districts. Now they would go only where they were justified.

Senator Christensen stated there might be emergencies come up that won't fit any of the guidelines outlined by the Department of Edu-

cation, and Senator Fransway told them that when they wrote those guidelines they did not have Senate Bill 18.

Further discussion followed as to whether the guidelines were sufficient and interpretation of same.

Senator Hug suggested a joint meeting on the Community College Bill, to which Senator Bunker replied that this applied strictly to finance. Senator Hug agreed, but stated the Education Committee might sit in on it. He then adjourned the meeting until 9:00 a.m. Friday morning, February 16, 1968.

Respectfully submitted,

Viola Bonawitz - Secretary

Procter Hug - Chairman