

Assembly

EDUCATION COMMITTEE MINUTES

JANUARY 21, 1975

MEMBERS PRESENT: Chairman Wittenberg  
Mr. Polish  
Mr. Chaney  
Mr. Coulter  
Mr. Vergiels  
Mr. Lowman  
Mr. Weise

MEMBERS ABSENT: None

GUESTS: Dennis Miers, KCBN

The organizational meeting of the Education Committee was called to order by Chairman Wittenberg at 3:10 p.m. on January 21, 1975, in room 336 of the Legislative Building. Mr. Wittenberg welcomed the members and stated the purpose of the meeting to be the establishment of rules and procedures for the committee.

Mr. Wittenberg presented copies of suggested rules and procedures to the committee members for consideration and then proceeded to go over each section for any comments or suggestions.

It was thought that the section stating that no member should vote on a question in committee where his private right or interest, distinct from the public interest, is immediately concerned, was not mandatory on the members but would be left to the individual discretion of each member. No member would be required to give a reason for abstaining from a vote and the chairman would not force any member to vote on a issue.

Mr. Lowman and Mr. Weise stated they wished to go on record as objecting to rule 3, which states that a simple majority of the committee (4 members) was needed to pass or reject a bill. They both felt that it should be just a simple majority of the members present.

Mr. Vergiels stated that a simple majority of members present was all right to pass a bill but felt that it should take at least 4 members of the committee to kill a bill.

Mr. Lowman moved that the committee approve the rules and procedures as presented. Mr. Chaney seconded the motion. The motion carried unanimously.

Mr. Wittenberg then presented a number of bills which he would like to have the committee introduce. They are Department of Education bills.

BDR 34-56 which provides for regulation of all proprietary elementary, secondary and postsecondary education institutions and their agents

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that seek to conduct operations in Nevada. Mr. Lowman stated that this bill was the result of being able to buy a PhD degree. Mr. Vergiels moved for committee introduction. Mr. Weise seconded. The vote was unanimous.

BDR 53-55 which extends coverage of Nevada Industrial Insurance to include students and part time teachers working in public schools without compensation. There was discussion as to whether this would need a fiscal note. It was decided that this was already taken care of in the University's budget. Mr. Lowman asked that Mr. Wittenberg check to make sure there would be no fiscal note. Mr. Polish moved for committee introduction and Mr. Wittenberg seconded the motion. The vote was unanimous.

BDR 34-242 which revises provisions on lower age limits for beginning kindergarten and compulsory education. Mr. Vergiels moved for committee introduction and Mr. Chaney seconded. The vote was unanimous. This bill does have a fiscal note and therefore will also have to go to Ways and Means.

BDR 34-239 which recognizes the community school concept and provides state assistance therefor. Mr. Lowman moved for committee introduction and Mr. Vergiels seconded. The vote was unanimous.

BDR 34-53 which establishes rights and duties concerning public school pupil records. Mr. Weise moved for committee introduction and Mr. Polish seconded. The vote was unanimous.

Mr. Wittenberg announced that he would be setting up hearings on some of these bills in the near future and that members would be kept informed as to when these would be heard.

As there was no further business Mr. Coulter moved to adjourn and Mr. Chaney seconded. The meeting was adjourned at 4:15.

Respectfully submitted,

Sandra Gagnier,  
Assembly Attache

AGENDA FOR COMMITTEE ON EDUCATION

1- 48

Date Jan. 21, 1975 Time 3 P.M. Room 336

Bills or Resolutions  
to be considered

Subject

Counsel  
requested\*

ORGANIZATION MEETING

Rules of Committee Procedure

\*Please do not ask for counsel unless necessary.



DUTIES OF OFFICERS

Principal duties of the chairman are to:

- (1) Call the committee together at the regular appointed or any other appropriate time and place to transact committee business.
- (2) Arrange for appropriate meeting notices.
- (3) Preside at committee meetings and put all questions.
- (4) Maintain order and decide questions of order.
- (5) Require that minutes be kept of all committee proceedings and supervise clerical and legal activities for the committee.
- (6) Prepare agenda for committee meetings.
- (7) Prepare committee reports and submit them to the Assembly.
- (8) Maintain custody and insure the security of bills, resolutions, and other papers and documents referred or submitted to the committee and transmit them to the Chief Clerk of the Assembly within 48 hours of committee action.

In the absence of the chairman, the vice chairman of the committee has and exercises the powers, responsibilities, functions and duties of the chairman. In the absence of both the chairman and vice chairman, these powers and duties are vested in an acting chairman named by the majority floor leader.

Under supervision of the committee chairman, the clerk is responsible for keeping a complete record of committee proceedings, including time and place of each meeting, attendance and absence of members, names of all persons appearing before the committee and the names of persons, firms, corporations and associations they represent, the subjects or measures considered, actions taken by the committee, a record of individual voting, completed committee reports and for other duties specified by the chairman. Minutes are acted upon at the next regular meeting of the committee and are subject to correction and approval except for the last meeting of the Legislative Session which approval may be by individual contact by the chairman. The clerk takes to each meeting or hearing sufficient copies of bills being considered, if available, for the use of all persons attending.

DUTIES OF MEMBERS

Committee members, including the chairman, may participate freely in committee discussions and debate, make and second motions and assert points of order and privilege, subject to rules of parliamentary procedure set forth in Mason's Manual of Legislative Procedure. In hearings and other formal proceedings, a committee member may question or comment to a witness through the committee chairman.

It is the duty of committee members to attend and participate in all committee meetings. If unable to do so, he should notify the chairman in advance, indicating where he can be reached if needed.

No member of the committee may vote by proxy under any circumstances. No member should vote on a question in committee where his private right or interest, distinct from the public interest, is immediately concerned.

#### COMMITTEE PROCEDURE

All meetings of each standing committee shall be open to the public, except when the committee determines that the matters to be discussed, or the testimony to be taken, relates solely to the internal management of such committee, may tend to reflect adversely on the character or reputation of the witness or any other individual, or may divulge matters required to be kept confidential under other provisions of law.

The chairman will schedule hearings for at least seven (7) days ahead. Matters for consideration may be arranged systematically in order of importance, order of reference, order in which testimony is available or by other pre-arrangement. Measures may be considered out of order as the chairman finds necessary.

The chairman notifies in advance, the introducers (in either Assembly or Senate) of bills to be considered by the committee of the time and place of consideration of the measure and offers them opportunity to testify. Witnesses with long testimony on matters before the committee may be encouraged to present their information in writing and make oral summary limited to five minutes before the committee.

Subcommittees made up of committee members may be appointed by the chairman to consider and report back on specific subjects or bills. Rules governing the committee govern also its subcommittees.

Decisions of the committee are made after witnesses have spoken, been questioned, and are excused. Every committee vote on a matter pertaining to a bill or resolution will be by recorded roll-call vote. Committee reports are adopted at a committee meeting actually assembled with a quorum present. A minority report may be filed with the Chief Clerk of the Assembly at the same time the majority report is submitted. A minority report is signed by each dissenting member present when the vote was taken.

Within 48 hours after committee action on any matter referred to it, the chairman must report this action to the Chief Clerk of the Assembly. At any time prior to report of matter back to the Assembly, the committee may reconsider its previous action. All official bills must be returned to the Chief Clerk of the Assembly at the time the chairman makes his report.

A quorum consists of at least four (4) committee members.

It will require at least a quorum (4 members) to hear a bill.

It will require a simple majority of the committee (4 members) to pass or reject a bill.

It will require a two-thirds majority of all committee members (5 members) to reconsider an action on a bill.

The committee shall address the chair at all times for permission to be heard.

There will be no committee action on bills during a hearing.

The names of movers and seconds and the vote tally shall be entered on the attached "Legislation Action" form and attached to the minutes.

The chairman may participate freely in committee discussions, debates, and make and second motions.

All minutes, records and documents in the possession of the committee and the chairman are filed with the Legislative Counsel immediately prior to adjournment sine die.

#### CONDUCT OF MEETINGS

Public hearings are opened by the chairman who calls to order committee members and others attending promptly at the sceduled hour. He announces the bill number and title or other matter which is the subject of the hearing, and points out that applause is not permitted. If so requested by a committee member, he may read or summarize the bill or other matter under consideration or have it done.

After opening the hearing, the chairman inquires whether anyone present wishes to be heard in favor of the bill or other matter being considered. These persons rise in an order determined by the chairman, address the chair, furnish their names, address, firms or other organizations represented and then address the committee on the subject. As each completes his remarks, the chairman gives committee members opportunity for questions. If any wish to use this opportunity, they address the chair for permission and then question the witness. The chairman maintains supervision of the questioning to avoid debate or argument between committee members and witnesses. Questions from other than committee members are not in order and are not allowed.

After all persons wishing to be heard in favor of the matter have been heard, the chairman inquires whether there are those present wishing to be heard in opposition. Any such are heard in the same manner as the proponents with similar opportunity for questioning by committee members. The chairman is especially careful throughout the hearings that he is fair and impartial to both sides as the cases are presented. When all have been heard, the chairman declares the public hearings closed on the matter before proceeding to other matters.

RULES OF THE EDUCATION COMMITTEE

1975 Session

1. A quorum consists of at least four (4) committee members.
2. It will require at least a quorum (4 members) to hear a bill.
3. It will require a simple majority of the committee (4 members) to pass or reject a bill.
4. It will require a two-thirds majority of all committee members (5 members) to reconsider an action on a bill.
5. The committee shall address the chair at all times for permission to be heard.
6. There will be no committee action on bills during a hearing.
7. The names of movers and seconds and the vote tally shall be entered on the attached "Legislation Action" form and attached to the minutes.
8. The chairman may participate freely in committee discussions, debates, and make and second motions.
9. Committee bill introduction will be by affirmative vote of five (5) members present. Committee introduction does not imply in any way a commitment on the part of any committee member to support the bill.
10. Any final voting action of the committee will not be made until all witnesses have been heard, questioned and dismissed. The chairman shall determine when a final action is to be taken.

EDUCATION  
LEGISLATION ACTION

DATE \_\_\_\_\_

SUBJECT \_\_\_\_\_

MOTION:

Do Pass \_\_\_\_\_ Amend \_\_\_\_\_ Indefinitely Postpone \_\_\_\_\_ Reconsider \_\_\_\_\_

Moved By \_\_\_\_\_ Seconded By \_\_\_\_\_

AMENDMENT:

Moved By \_\_\_\_\_ Seconded By \_\_\_\_\_

AMENDMENT:

Moved By \_\_\_\_\_ Seconded By \_\_\_\_\_

VOTE:	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
CHANEY	_____	_____	_____	_____	_____	_____
COULTER	_____	_____	_____	_____	_____	_____
LOWMAN	_____	_____	_____	_____	_____	_____
POLISH	_____	_____	_____	_____	_____	_____
VERGIELS	_____	_____	_____	_____	_____	_____
WEISE	_____	_____	_____	_____	_____	_____
WITTENBERG	_____	_____	_____	_____	_____	_____

TALLY:

ORIGINAL MOTION: Passed \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_ AMENDED & DEFEATED \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_ AMENDED & DEFEATED \_\_\_\_\_

Attached to Minutes \_\_\_\_\_