

## SENATE COMMITTEE ON EDUCATION

Minutes of Meeting - February 17, 1975

The fifth meeting of the Committee on Education was held on February 17, 1975 at 2:45 p.m., Room 323.

COMMITTEE MEMBERS PRESENT: Chairman Richard H. Bryan  
 Senator Schofield  
 Senator Blakemore  
 Senator Foote  
 Senator Neal  
 Senator Sheerin  
 Senator Young

See Exhibit A for list of others present.

Senator Bryan presented the members with the following BDR's for possible committee introduction: BDR34907, BDR34905, and BDR34906.

Senator Schofield moved that the committee introduce BDR34907; seconded by Senator Foote; unanimously carried.

Senator Schofield moved that the committee introduce BDR34905; seconded by Senator Young; unanimously carried.

The members agreed that BDR34906 be referred to the Finance Committee for introduction.

S.B. 85 -- Permits rental of school buses to nonprofit groups.

The members were provided with copy of memo from Robert F. Guinn, Managing Director of Nevada Motor Transport Association, Inc., regarding S.B. 85. (See Exhibit B for copy of memo).

Senator Neal moved "Do Pass"; seconded by Senator Schofield; Senators Young, Foote, Sheerin, Blakemore and Bryan voted "No"; motion for "Do Pass" failed.

Senator Blakemore commented that he could strongly recommend the bill if it were to include the wording "all counties with populations less than...". Senator Blakemore feels there would be a problem with the wording "Nevada nonprofit groups".

Senator Neal stated that he made the motion for Do Pass because the wording does not mandate that school districts have to rent the buses -- it says they may rent the buses; therefore, the language does make it mandatory.

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Senator Sheerin commented that he does not want to interfere with the areas that have chartered services; however, the rural areas that do not have this service need transportation.

Senator Young feels that if there is a real need for this in the rural areas, the local political officials will respond to the need.

Senator Young moved "Do Kill"; seconded by Senator Foote; Senators Sheerin and Neal voted "No"; motion carried. (Copy of S.B. 85 marked as Exhibit C and attached hereto).

Being no further business at this time, the meeting was adjourned at 3:10 p.m.

Respectfully submitted,

  
Sharon W. Maher, Secretary

ROOM # 323

DAY Monday

DATE 2-17-75

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NAME

ORGANIZATION

ADDRESS

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# NEVADA MOTOR TRANSPORT ASSOCIATION, INC.

(NON-PROFIT ORGANIZATION)

P.O. BOX 7415 • 700 RYLAND ST. • PHONE 323-5159

RENO, NEVADA 89502

February 11, 1975

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MANAGING DIRECTOR

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TO: Senator Richard Bryan, Chairman  
Senate Committee on Education

FROM: Robert F. Guinn

RE: Senate Bill No. 85

At the hearing yesterday on the subject bill, reference was made to certain statutory provisions governing the use of School District-owned equipment by other entities.

One reference was to exceptions governing the furnishing of free transportation which I believe involved the provisions of NRS 706.351 of the Motor Carrier Act. (Copy is attached). The thrust of this section is to prohibit common or contract carriers, certificated or permitted by the Nevada Public Service Commission, from offering free transportation except under certain circumstances, the exceptions being self-evident.

The other statutory provision referred to by the representative of the Carson City School District probably involved NRS 277.045. This section does permit any state governmental agency, including school districts, to enter into cooperative agreements with other governmental entities for "furnishing or exchange of personnel, equipment, property or facilities of any kind, or the payment of money." This particular section is rather broad and should permit the governmental agencies to exchange transportation equipment without any further legislation. It will be noted a formal resolution or ordinance is required.

There may be other statutory provisions bearing on the subject, but to the best of my knowledge, this covers the field.

NINETY PER CENT OF NEVADA IS DEPENDENT ON MOTOR TRANSPORTATION

*Exhibit B*

**706.351 Free or reduced rates for transportation unlawful; exceptions.**

1. It is unlawful for:

(a) A common or contract motor carrier to furnish any pass, frank, free or reduced transportation to any state, city, district, county or municipal officer of this state or to any person other than those specifically enumerated in this section.

(b) Any person other than those specifically enumerated in this section to receive any such pass, frank, free or reduced transportation.

2. This section does not prevent the carriage, storage or hauling free or at reduced rates of property for charitable purposes for the United States, the State of Nevada or any political subdivision thereof.

3. This chapter does not prohibit common carriers from giving free or reduced rates for transportation of persons to:

(a) Its own officers, commission agents, employees, members of any profession licensed under Title 54 of NRS retained by it, and members of their families.

(b) Inmates of hospitals or charitable institutions and persons over 65 years of age.

(c) Persons injured in accidents or wrecks and physicians and nurses attending such persons.

(d) Persons providing relief in cases of common disaster.

(e) Contractors and their employees, in carrying out the provisions of any contract to which the carrier is a party.

(f) Attendants of livestock or other property requiring the care of an attendant, who shall be given return passage to the place of shipment, provided there is no discrimination among shippers of a similar class.

(g) Officers, agents, employees, members of any profession licensed under Title 54 of NRS, together with members of their families, who are employed by or affiliated with other common carriers, provided there is an interchange of such free or reduced rate transportation.

(h) Indigent, destitute or homeless persons when under the care or responsibility of charitable societies, institutions or hospitals, together with the necessary agents employed in such transportation.

(i) Students of institutions of learning.

4. This section does not prohibit common motor carriers from giving free or reduced rates for the transportation of property of:

(a) Their officers, commission agents, employees, members of any profession licensed under Title 54 of NRS retained by them, or pensioned or disabled former employees, together with that of their dependents.

(b) Witnesses attending any legal investigations in which such carriers are interested.

(c) Persons providing relief in cases of common disaster.

(d) Contractors and their employees in carrying out the provisions of any contract to which the carrier is a party.

5. "Employees," as used in this section, includes:

(a) Furloughed, pensioned and superannuated employees.

(b) Persons who have become disabled or infirm in the service of such carriers.

(c) Persons who are traveling for the purpose of entering the service of any such carrier.

(Added to NRS by 1971, 699)

## MISCELLANEOUS COOPERATIVE AGREEMENTS

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**277.045 Cooperative agreements between political subdivisions for the performance of governmental functions.**

1. Any two or more political subdivisions of this state, including without limitation counties, incorporated cities and towns, unincorporated towns, school districts and special districts, may enter into a cooperative agreement for the performance of any governmental function. Such an agreement may include the furnishing or exchange of personnel, equipment, property or facilities of any kind, or the payment of money.

2. Every such agreement shall be by formal resolution or ordinance of the governing body of each political subdivision included, and shall be spread at large upon the minutes, or attached in full thereto as an exhibit, of each governing body.

3. Each participating political subdivision shall provide in its annual budget for any expense to be incurred under any such agreement, the funds for which are not made available through grant, gift or other source.

(Added to NRS by 1965, 651; A 1967, 698)

**277.050 Sales, exchanges, leases of real property by one public agency to another public agency: Conditions; procedure.**

1. As used in this section, "public agency" includes the United States or a department or agency thereof, the State of Nevada or a department or agency thereof, a county, Carson City, a public corporation and a public district.

2. Without a vote of the electors of a public agency first being had, the governing body thereof is authorized:

(a) To sell or exchange to another public agency any unused real property belonging to it, which, at the time of delivery of title or possession, is no longer required for public use by the selling or exchanging public agency.

(b) To lease to another public agency, for a term not exceeding 99 years, any unused real property belonging to it, which, at the time of delivery of possession, is no longer required for public use by the lessor public agency.

3. A sale or exchange may be:

(a) Negotiated without advertising for public bids.

(b) Made for cash or property, or for part cash and property, or for part cash and terms of deferred payments secured by mortgage or deed of trust, but the purchasing public agency or exchanging public agencies shall pay or convey property worth an amount at least equal to the current appraised value of the real property being conveyed or exchanged. Funds derived from a sale shall be used for capital outlay.

4. A lease may be:

(a) Negotiated without advertising for public bids.

(b) Made for such consideration as may be authorized by action of the governing body of the lessor public agency.

(1973)

8945

**S. B. 85**

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**SENATE BILL NO. 85—COMMITTEE ON EDUCATION****JANUARY 29, 1975**—  
**Referred to Committee on Education****SUMMARY—Permits rental of school buses to nonprofit groups.  
Fiscal Note: No. (BDR 34-137)****EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is  
material to be omitted.**

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**AN ACT relating to school property; providing for the rental of  
school buses to nonprofit groups.*****The People of the State of Nevada, represented in Senate and Assembly,  
do enact as follows:***

- 1 SECTION 1. Chapter 393 of NRS is hereby amended by adding**
- 2 thereto a new section which shall read as follows:**
- 3 *The board of trustees of any school district may rent school buses with***
- 4 *drivers to Nevada nonprofit groups, if the rental does not interfere with***
- 5 *the use of the buses for school purposes, as provided in NRS 392.300 to***
- 6 *392.410, inclusive.***

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