

MINUTES

WAYS AND MEANS COMMITTEE

NEVADA STATE LEGISLATURE - 59th SESSION

April 26, 1977

The meeting was called to order by Chairman Mello at 9:00 a.m.

PRESENT: Chairman Mello, Mr. Bremner, Mr. Dreyer, Mr. Hickey, Mr. Glover, Mr. Kosinski, Mr. Rhoads, Mr. Serpa and Mr. Vergiels.

EXCUSED: Mrs. Brookman, due to illness.

OTHERS PRESENT: John Dolan, Assembly Fiscal Analyst; Karen Wright, Nevada Society for Aurally Handicapped; Marjory Becker, Southern Nevada Association for the Handicapped; Bob Best, Nevada State School Boards Association; Joyce Woodhouse, Nevada State Education Association; Jim Costa, Department of Education; Howard Hill, Department of Motor Vehicles; Leonard Winkelman, Department of Motor Vehicles; John Ciaradella, Department of Motor Vehicles; Homer Rodriguez, Carson City Assessor; and Vernon Bennett, Retirement System.

A.B. 713. Marjory Becker, President of the Southern Nevada Association for the Handicapped, stated that the amount that the parents of handicapped youngsters are requesting in way of state appropriations has gotten considerably smaller since the bill was written. The Clark County School District made a final decision last week on the length of the summer school program. It will not be the six week program they had hoped for, campaigned for and lobbied for and on which the original figure was based that is mentioned in the bill.

The tuition will be \$42.00 for each child for the first 120 children who enroll. It will be \$134.00 for each additional child. The transportation charge will be \$73.00 per day. The program will run for four hours a day, four days a week for four weeks with one holiday. If 150 children attend, the total cost will be \$20,010. It was not the Association's intent to ask the state to appropriate the whole amount of money. They intended that the bill leave 45% of this off and that percentage is consistent with the amount of money that the state normally provides for the education of normal children for the regular school year. 45% of the new figure is \$9,004 which is a great deal less than mentioned in the bill. It still is a lot of money to parents, but hopefully it will not seem a large figure to the Ways and Means Committee.

Mrs. Becker stated that no one really argued the need for a summer school program for the handicapped youngsters. It is a critical need and Mrs. Becker gave some examples: There is a young teenage girl in Las Vegas with cerebral palsy. About 15 months ago her mother decided that she could no longer manage physically the child at home, so she had her placed in a nursing home where she is the only youngster and all the other people are elderly. She, for many months, had an 83 year old lady for a roommate and she started to regress as soon as she was placed there. She had always been in an academic program. After last summer when she spent three months with no program, no training or no recreation programs, she had regressed so badly that now she is in a class for mentally retarded children.

One of Mrs. Becker's children who is handicapped regressed. Mrs. Becker knew what happened in the summer with him. He would make three steps forward during the school year and two steps backward during the summer. The gains are so hard fought for that it is

tragic that the children are allowed to slip back. Even with the best intentions the parents have, they just can't provide the kind of programs or intensive type of training that they get in school. The expensive special education is something that parents do not need to be reminded of and which doesn't please them. They wished their children weren't handicapped and that the medical and other expenses were not so high. They also wished that they did not have to demean themselves and exploit the children and constantly beg for the kinds of programs the children need. But because the children are loved, the parents do beg for them. Mrs. Becker asked the Committee to consider the bill and vote affirmatively on it.

Mr. Kosinski asked if the program had been conducted in previous years. Mrs. Becker replied yes, 1976 was the first real summer school program in Nevada as part of the public school system. Mrs. Becker stated that last year they did not get an approval of the program until May. There were 97 youngsters that attended. It was for three weeks. Both of the organizations raised the additional money over and above what parents could pay, but the school district also made a mistake on the estimate for the transportation charges, so it was a lot less expensive than this year. There was no special Legislative authorization for that.

Mr. Dreyer asked how many children would be enrolled this year. Mrs. Becker replied she expected it to be up to 150 or it could be a few more children than the 150.

Mrs. Karen Wright added that if they can get this money, then there is a possibility that the parent group can raise additional funds for specialists to come into the summer school. With the Deaf Program, especially, they need a speech therapist. This last year in the school district is the first year that the school district had payed for a speech therapist even during the school year. The parents have always payed for a speech therapist in the past. This summer, the parents are hoping, if they get the funding through the Legislature for the summer program, they can get a speech therapist and some physical therapists to come in in addition to help the children with their summer training.

Chairman Mello asked is this program was just for Clark County. Mrs. Becker answered yes, that she thought Clark County was the only school district with a summer school program for handicapped children. It was Mrs. Becker's hope that parents in other areas of the state would follow Clark County's lead and start asking for summer school programs for their children.

Chairman Mello asked what the other counties did for the children. Mrs. Becker replied that they do nothing. Ordinarily the way a program gets started for handicapped children is by enough parents asking for a program. Apparently enough parents in other counties have not asked for summer school programs.

Mr. Rhoads asked how many handicapped children there were in the State of Nevada. Mrs. Becker replied there were approximately 4,000 children in Clark County in special education programs which include the children that are mainstreamed. Mrs. Becker stated that last year, because of having a program for the more severely handicapped youngsters, the children that are ordinarily mainstreamed, the neurologically handicapped or educationally handicapped, were also allowed to attend summer school so it affected many more children than actually attended just the handicapped program.

Regarding the \$65,000 figure, Mr. Rhoads asked if it pertained to 150 children. Mrs. Becker replied that figure was based on an estimate of 200 youngsters attending for a six week program, five days a week. It is now a four day, four week program, with an estimate of 150 children. Of those 4,000 children that are handicapped about 3,500 attend regular schools in the summer also. They are talking about the children that are physically handicapped, deaf

and children with multiple handicaps who cannot attend a regular school during the school year. In Clark County, that amounts to 450 youngsters total. Of those, approximately 150 to 200 would attend the summer program.

Chairman Mello asked Mr. Costa to draw up the necessary language so that the Department of Education could implement the program.

A.B. 747. Joyce Woodhouse, Nevada State Education Association, stated NSEA concurred with the concern that the Legislature and many other people have about the educational system in Nevada. There is concern about the proficiency of teachers and the proficiency of the educational program conducted in the schools. Therefore, NSEA believes that what is being put forth in A.B. 747 is a very positive step. They appreciate the task that is set forth on Page Two, Lines 8 through 18. Ms. Woodhouse believed that the kinds of things that have been set forth in the bill to be accomplished as well as the permissive parts in subsection 2, would allow the groups that have been identified to work through the problem and come up with some kind of a recommendation to the next Session of the Legislature.

Ms. Woodhouse stated that if A.B. 747 should pass, on behalf of NSEA and particularly the Clark County Teacher's Association, they will pledge support to work with the groups identified in the bill to accomplish the tasks set forth.

Mr. Kosinski asked why more Legislators weren't added to the Committee. Ms. Woodhouse replied she didn't know, but that it didn't come from NSEA.

Bob Best, Executive Secretary for the Nevada School Boards Association, had a question as to representation on the Committee. He stated that the School Boards Association didn't have any strong feeling one way or another about the bill itself. A study certainly would be satisfactory to them. However, as you look at the representation from any school board of the State School Boards Association and these are the people who employ the teachers in the field. Mr. Best stated he called Dean Seville who is the person who suggested the bill. Dean Seville told Mr. Best he wrote up the list hurriedly and as a result he left off the School Boards Association. Mr. Best stated there was another concern in the representation. In Lines 10, 11 and 12 of the bill, there are three different teacher groups. It seemed to Mr. Best there was an overabundance of representation from the teachers union and it is somewhat dominated in that respect. Mr. Best felt if some teachers in the state representing small counties were included, it would be a better balanced Committee.

On Page 2, Line 19, Section 5 which states "The Committee shall prepare a report and present it to the standing Committees on Human Resources and Facilities and the standing Committee on Education no later than April 1, 1978", Mr. Best stated he was not sure how the mechanics of that is but stated those Committees aren't actually active so perhaps the language should read "at the next Session of the Legislature."

Jim Costa, Department of Education, testified on A.B. 747. His remarks are attached.

Chairman Mello appointed Mr. Vergiels to work with the necessary people to clean up the language in the bill.

S.B. 144. Howard Hill, Director of Motor Vehicles stated this wasn't their bill and asked Mr. Rodriguez to speak to the bill.

Homer Rodriguez, Carson City Assessor and representing all the small county Assessors, stated that the bill was introduced in order to increase the Assessor's fees on registration. They have been getting \$1.00 per registration since 1955 and the expenses have come up with everything else. The Assessor's office acts as an agent for Motor Vehicles to register automobiles. Mr. Rodriguez stated the Finance Committee decided to increase the fees on the registration of passenger cars \$.50 in order to be able to increase the \$1.00 per registration to be given to the Assessors.

Mr. Serpa asked if was optional in the small counties for the Assessors to handle registration. Mr. Hill replied that the law indicates that in the 15 small counties the County Assessor is responsible.

The Department of Motor Vehicles is responsible in Washoe and Clark Counties.

Mr. Hill indicated that DMV will perform the function for Carson City and stated that is what the bill would do.

Mr. Bremner asked about the purpose of the language in Section 2, subsection 6 and asked if it would change the percentage that they retain from Carson City if DMV is going to do the function.

Mr. Hill replied they would take over the function for Carson City. Mr. Bremner pointed out that they retain 6% from counties having a population of 100,000 or more where DMV performs the function and if the function for Carson City is performed why doesn't DMV retain 6% from them instead of 1%. Mr. Hill replied he didn't know. The bill was drafted that way. In Clark and Washoe Counties, DMV does retain the 6%. Mr. Bremner felt there should be equity on it. Mr. Hill stated this was the way the bill was drafted and it wasn't DMV's language.

Mr. Rodriguez stated it was changed to 1% because of what Carson City was going to lose in revenue.

Mr. Glover stated it would be very beneficial for the state to have the money, but if it is going to be done, it should be equitable for everyone in the state.

A.B. 190. Dr. Dick Rottman, Insurance Commissioner, stated as far as he could determine from the bill, any fiscal impact would have to fall on the Insurance Division because the primary thrust of the bill in terms of any workload is the collecting of closed claims and reporting the closed claims to the State Board of Medical Examiners. It was Dr. Rottman's opinion that this work can be done along with the normal workload of the Insurance Division and there would not have to be any additional personnel hired or any additional funds expended that would be significant.

The area where the fiscal note relates to has been amended out of the bill. When the bill started out, it pertained to the reporting of all claims. When it was in that form it meant there was going to be a lot of paper work and someone would have to monitor the paper work. The Insurance Division asked that the bill be amended in the Senate and it was amended.

S.B. 418. Vernon Bennett, Public Employees Retirement System, stated the bill is designed to provide a two year additional post-retirement increase to retired employees to allow the new Legislative Retirement Committee and the various retired employee groups to meet during the next two years and to provide a long range program for funding post-retirement increases and providing those benefits beginning in 1979.

The attached handout shows the additional monthly increases. This is in addition to the graduated scale post-retirement increase in

S.B. 173. The principle here is to provide a two year stop gap measure to assist those people who are drawing retirement with very low salaries and who have been hit very hard by inflation. The total cost per year is \$399,264; the cost for the biennium would be \$798,528. When this matter was being considered in the Senate, the Retirement Board was requested to take a position on how they would feel about funding this in several different ways. One would be funded by appropriation. Two would be funded half by appropriation and half by the Retirement System. Three would be to have it funded entirely by the Retirement System. The Retirement Board unanimously voted that because it is a two year stop gap measure and because it would benefit those retired employees in the very low brackets, they would favor either of the three funding methods.

Chairman Mello asked if the bill related to S.B. 173. Mr. Bennett replied it is in addition to S.B. 173. It is a two year bonus so the new legislative Interim Retirement Committee will have an opportunity to meet with the retirement Actuary and the retired employee groups and try to come up with a long range, formal program beginning in 1979.

A.B. 747. Joyce Woodhouse explained the amendments to A.B. 747. She stated Line 10, Page 1 will read: "Nevada State Education Association; (d) will read: "Clark County Classroom Teachers Association. A new part for (f) was added. It should read: "The President of the Small County Association of Teachers which makes a new section (g) which will read: "The President of the Nevada Association of School Administrators." There will be a new (h) which will read: " The President of the Nevada State School Boards Association. " There will be a new (i) which will read: "The President of the State Board of Education." There will be a new (j) which will read: "a representative of the State Department of Education." There will be a new (k) which will read: " The President of the Nevada School Superintents Association." (l) and (m) would be the present language of (h) and (i) which would be legislators.

On Section 4, the language was changed to: "The special Committee shall review the provisions of NRS 391 and study the feasibility of establishing..."

Section 5, Line 19 was changed to: "The Committee shall prepare a report stating its findings and making suitable recommendations based upon its study. The Legislative Commission is hereby designated as a special Committee to receive and consider the report which will be submitted not later than September 1, 1978." On Line 27, Page 2, the sum should be changed to \$6,500.

Chairman Mello asked how many people representing teachers were going to be on the Committee. Ms. Woodhouse replied specifically for teachers, there are four representatives of teachers.

Chairman Mello asked why Ms. Woodhouse thought they needed the NSEA position on the Committee. She replied mostly for consistency's sake.

Ms. Woodhouse felt the Committee was pretty well balanced after they added the other people.

Chairman Mello felt that the bill should be amended so that the legislators involved should be a member of the standing Committee on Ways and Means and Senate Finance because they are certainly closer to the problems financially than any member of Human Resources or Education. Mr. Vergiels concurred.

Chairman Mello stated the bill should be amended to reflect that the expenses should be prescribed by law.

Mr. Vergiels felt that the \$6,500 should not be put in and the figure of \$5,000 should be left in.

Mr. Vergiels made a motion to amend the bill with the necessary language to clear the bill up as heard above; seconded by Mr. Glover. Motion passed.

Mr. Vergiels made a motion for a "Do Pass, as amended"; seconded by Mr. Glover. Motion passed.

A.B. 713. Mr. Costa stated he got the impression that A.B. 713 was to be a singular program for a singular school district. Therefore, the sum being so small, he considered a reimbursement type situation might be the best way to go.

The amendments would be on Page 1, Line 2, \$65,144 would be deleted and a new figure of \$18,008 would be added. On Page 1, Line 2 after the sum of \$18,008 "to be reimbursed to the Clark County School District for the purpose of conducting a summer education program for handicapped children. On the same page a new Line 4 would be added to read: "Reimbursement shall be made upon submission of such information as is deemed necessary by the Department."

Mr. Bremner made a motion for adoption of the proposed amendments; seconded by Mr. Dreyer. Motion passed.

Mr. Bremner made a motion for a "Do Pass, as amended"; seconded by Mr. Dreyer. Motion passed. (Mr. Rhoads and Mr. Serpa voted no.)

S.B. 144. Mr. Bremner made a motion to amend the bill in Section 2, subsection 6 to provide that the commission to the state for Carson City will be 6% because the state does provide that service for Carson City; seconded by Mr. Glover. Motion passed.

Mr. Bremner made a motion for a "Do Pass, as amended"; seconded by Mr. Glover. Motion passed.

S.B. 190. Mr. Dreyer made a motion for a "Do Pass"; seconded by Mr. Serpa. Motion passed.

S.B. 418. Mr. Serpa made a motion to amend the bill to delete Section 2 and make Section 3 Section 2; seconded by Mr. Hickey. Motion passed. (Mr. Glover and Mr. Kosinski voted no).

Mr. Hickey made a motion for a "Do Pass, as amended"; seconded by Mr. Rhoads. Motion passed.

The meeting adjourned at 10:45 a.m.

VERNON BENNETT
EXECUTIVE OFFICER

WILL KEATING
ASSISTANT EXECUTIVE OFFICER



STATE OF NEVADA



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April 25, 1977

COST COMPUTATION FOR SENATE BILL NO. 418 - FIRST REPRINT

Senate Bill No. 418, First Reprint, represents an additional two year bonus to retired employees figured on base benefit to provide a larger monthly increase to those persons with lower benefits. The bill represents an average two percent increase for retired employees. This is designed as an interim measure so that the new Legislative Retirement Committee can evaluate the total retired employee post-retirement increase program and provide definite recommendations for funding and benefits to the next Session. The breakdown of cost is as follows:

<u>Original Payment</u>	<u>Number of People</u>	<u>Monthly Increase</u>	<u>12 x col. 1 x col. 2 Yearly Amount</u>
0 - \$ 100	353	\$20	\$ 84,720
\$101 - \$ 200	1,080	\$15	194,400
\$201 - \$ 300	944	\$ 5	56,640
\$301 - \$1,600	1,764	\$ 3	63,504
TOTAL COST PER YEAR			\$399,264
TOTAL COST PER BIENNIUM			\$798,528

This benefit, when added to the graduated scale post retirement increases provided in Senate Bill No. 173, represents a larger increase for persons who draw less than \$300 per month than that originally requested by the Retired Public Employees of Nevada.

Respectfully submitted,

Vernon Bennett
Executive Officer

VB:dd

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April 25, 1977

M E M O R A N D U M

TO: Chairman Mello and the Members of the Committee on
Ways and Means *el*

FROM: Andrew P. Grose, Research Director

SUBJECT: S.B. 190

Senate Bill 190 is a product of the interim study on medical malpractice insurance. It addresses one of the key problems in the field of malpractice, the paucity of reliable data on claims activity.

The original bill was amended by Senate Judiciary to require only that claims closed, not claims made, be reported to the Insurance Commissioner and by him in turn to the Board of Medical Examiners. The number of claims closed is far smaller than the number of claims made so the potential burden on the Insurance Commissioner was dramatically reduced. In fact, Dr. Rottman said it was reduced to below \$2,000. Based on this testimony, the bill was not sent to Senate Finance.

In amended form, S.B. 190 has no fiscal impact requiring any budget consideration for the office of the Insurance Commissioner.

APG/jd
cc: Dr. Dick Rottman

STATEMENT OF
THE DEPARTMENT OF EDUCATION
TO THE

Assembly Committee on Ways and Means

Tuesday, April 26, 1977
9:00 A.M., Room 234

A. B. 747 -- Creates special committee to study professional licensing of public school teachers.

The Legislature has provided a mechanism for the certification and regulation of public school teachers through Chapter 391 of Nevada Revised Statutes. In addition to this, the Department of Education has developed, with full participation of teachers, administrators, school trustees and leaders of teacher preparation institutions, regulations for the issuance of certificates pursuant to NRS 391.

The Department of Education supports any effort to improve learning opportunities for children and young people in the public schools of this state.

The Department feels that the emphasis of this study should be directed towards strengthening and improving the mechanism already established rather than creating a new one. The findings and recommendations of this committee could be incorporated into existing regulations without additional legislation. Even if such legislation were necessary, it could be made part of NRS Chapter 391.

We would make two recommendations with respect to Section 1, subsection 2 "f" and "g". The first is that these representatives be designated by their respective groups. Second, in the same subsection 2, item "g", the taking of a representative from either the state board of education or the department of education would deprive the committee of the best current knowledge of teacher certification procedures. Besides, the board is composed almost entirely of lay persons, whereas the department has professional and technical staff. It would be our suggestion that a representative of each be designated.

SPEECH OF JIM COSTA

JPC:maj
4-26-77

PLEASE SIGN IN (PLEASE PRINT)

4/26/77

NAME

REPRESENTING

Karen Wright

Nevada Society for Cereally

Mary Beck

Handicapped
Southern Nevada Assoc. for the
Handicapped

Bob Best

Nev State School Boards Assoc.

Jay Woodman

Nevada State Educ. Assoc.

Jim Costa

Dept of Education

HOWARD HILL

DRIVER OR MOTOR VEHICLE

LEONARD WINDHAM

" " " "

John Ciardullo

" " " "

Homer Rodriguez

Canon City License 5D-144

Vernon Bennett

RET

Teraton