

Committee in Session at 8:45 am on Wednesday, April 18, 1979.

Senator Keith Ashworth in the Chair.

PRESENT: Chairman Keith Ashworth  
Vice-Chairman Joe Neal  
Senator Rick Blakemore  
Senator Wilbur Faiss

ABSENT: Senator Clifton Young  
Senator Jim Kosinski

GUESTS: Mr. John J. McCune, Attorney for Associated General Contractors  
Mr. Dave Minedew, Director of Environmental Services, Washoe County District Health Department  
Mr. Brian Wright, Washoe County District Health Department  
Mr. Dick Serdoz, Division of Environmental Protection, Department of Conservation and Natural Resources  
Mr. Don Arkell, Air Pollution Control Division, Clark County Health District  
Ms. Peggy Tuedt, League of Women Voters of Nevada  
Ms. Joyce Woodhouse, Nevada State Education Association  
Mr. Robert Petroni, Clark County School District  
Mr. Fred Hillerby, Nevada Hospital Association  
Mr. Bob Burn, Nevada Hospital Association  
Ms. Ruth Gotelli, Carson Tahoe Hospital  
Ms. Ann Lynch, Citizen, Las Vegas

Chairman Ashworth opened the hearing on S.B. 434.

Mr. John J. McCune, Attorney for Associated General Contractors of Northern Nevada, stated he was also speaking on behalf of the Building Trades Council of the Trades Unions of Northern Nevada. Mr. McCune stated that there is a great deal of concern regarding the regulations governing particulate dust and particulate dust controls. He stated they have appeared before the Washoe County Health Department concerning various provisions of their regulations and discovered there were some anomalies in county regulations in relation to state statutes; consequently, some of the proposed amendments are incorporated in S.B. 434. He stated that they feel the word "believes" in Section 1, subsection 1, Line 2 is vague and an uncertain term. He stated that the term "has reasonable cause to believe" would result in a factual determination in a court of law. He stated there are many other statutes that use the same terminology and the proposed verbage would be consistent.

Senator Kosinski arrived for the meeting (8:50 am).

Senator Neal questioned why this would be important as individuals would have to be notified and the alleged violation would be enumerated in the notice. Mr. McCune stated that prior to the

issuance of the notice, the question exists as to the belief of the enforcing agency. He stated that in court, the belief for which the agency issued the notice may or may not be founded on reasonable grounds. Senator Neal questioned the pertinence as to "belief" because Section 1, subsection 2 requires facts. Mr. McCune stated that the language of "reasonable belief" is historic, legal language.

On Page 2, Section 2, subsection 1(b)(1), Mr. McCune stated that the language is stronger than their proposed language but they accept this. He stated that they feel it is only fair that they shall be governed by the standards of the federal government. Chairman Ashworth questioned if standards in the Washoe County area are more strict than federal standards. Mr. McCune stated that they are. Chairman Ashworth questioned if the bill only pertains to particulate dust. Mr. McCune was not certain.

As to Page 3, Line 5, Mr. McCune stated that an individual can be innocently violating the act or in good faith, attempting to meet the mandates of the regulations in the county. He stated that the first offense should be a warning and thereafter, a fine should be levied to up to \$2,000 as not every contractor has a large operation.

Mr. McCune stated that the change in subsection 4, Page 3, was not their intent. They had proposed, "All administrative fines collected by the district board of health for any violation shall be deposited into a special fund of the department of health to be used solely for research and development of better technology to improve pollution control including specifically better methods for improving particulate dust control." Chairman Ashworth stated that the Legislative Counsel Bureau has informed them that fines for violations of the law cannot be used except by the school districts where the violations occurred. Mr. McCune stated that he was unaware it was a constitutional matter.

In closing, Mr. McCune stated that it would cost a "fantastic" sum of money to comply with the present particulate dust regulations of Washoe County.

Senator Young arrived for the meeting (8:52 am).

Mr. Dave Minedew, Director of Environmental Services, Washoe County District Health Department, stated that the bill does not deal only with particulate problems; it pertains to all of their rules and regulations. He spoke in opposition to the bill and said that the different counties have particular air problems and would not like to be tied to federal standards. He said that small counties would have much more stringent regulations and the large, more populated counties would be tied to federal regulations.

Senator Blakemore questioned if local regulations could be less than federal regulations. Mr. Minedew responded that they must be

the same as or more strict. He also questioned if the first offense warning proposed in S.B. 434 would give an individual a first offense warning for every section of the county's regulations. As the bill is written, he felt it would be a "bureaucratic nightmare" to keep ahead of first offense warnings. Mr. Minedew stated that on the county's Standard Notice of Violation, there is a warning block and their method of operation is to warn a person who does not know they are in violation.

Senator Blakemore suggested changing the bill to involve only particulates. Mr. Minedew stated they would still have concerns with the bill as Washoe County has some unique particulate problems. He stated that they meet with contractors prior to commencement of the project to plan for particulate control.

Mr. Minedew stated that they have no problem with the present language of the law. However, they have no problem with reducing the amount of the fines. He said that he is not aware of any instance where they charged a \$5,000 fine; they collect an average of \$500 per year in fines.

Mr. Brian Wright, Air Pollution Control Coordinator, Washoe County District Health Department, stated that there is no federal regulation concerning dust. He stated that it is necessary to cope with these problems at the local level by setting local standards. Senator Blakemore questioned the amount of improvement in the air with these additional regulations; he stated that any contractor will have a certain amount of pollution control. Mr. Wright stated that pollution control does not always exist.

Mr. Dick Serdoz, Division of Environmental Protection, stated that there are a number of federal standards and enumerated them to the committee. He stated it would be difficult for a contractor to know what standard they would have to meet. Mr. Serdoz said that NRS 445.526 only says that a notice is served; the director has no authority to issue or require a fine. He stated that he has no problem with the proposed verbage. As to the standards, he concurred with the belief of Mr. Minedew that it would be a "nightmare" to regulate. Mr. Serdoz stated that most of the Division's complaints are regarding dust problems from construction sites. He submitted Exhibit "A" for the record as to deficient fines, but stated that they attempt to achieve voluntary compliance. He stated that any fines issued can be superseded by the federal government by denying the Division's fine and imposing their own. He said that reducing the fines could give them more opportunity to deny the Division's fines; however, none have been denied in Nevada.

Mr. Don Arkell, Air Pollution Control Division, Clark County Health District, stated that the problems in Clark County are very similar to those in Washoe County. He stated his belief that S.B. 434 is ambiguous. He expressed no objection to the change concerning "reasonable cause." As to the portion of the bill

concerning federal standards, Mr. Arkell stated that there are no federal standards addressing fugitive dust sources. As to the ambiguity, Mr. Arkell said that Clark County's fugitive dust emission standards have been approved by the Environmental Protection Agency; therefore, they can be interpreted as federal standards and are enforceable by the federal agency. He said that strict interpretation of this section would result in Clark County's loss of control over existing sources. He stressed the need for local control to answer local problems.

Senator Blakemore questioned the cost benefit for pollution control of this nature. Mr. Arkell stated that cost benefit varies to a large extent due to soil conditions, construction projects, etc.

Mr. Arkell stated that he believed S.B. 434 was a poorly written bill and would be a "nightmare" as to administration. As to the issue of fines, Mr. Arkell said that the only individuals affected by the fines are the violators. He said that should S.B. 434 be passed, Clark County would not be able to control the problem to the extent they do now.

Ms. Peggy Tuedt, League of Women Voters of Nevada, stated that the League is opposed to the bill. She stated that the main opposition centered on the portion of the bill addressing federal standards. She said they believe problems are best handled at a lower level of government; they are closer to the problems at hand. They would prefer to see problems of air pollution handled at the local level.

There being no further testimony, the hearings were closed on S.B. 434.

Chairman Ashworth opened the hearing on A.B. 260.

There was no testimony offered.

The hearing was closed on A.B. 260.

Chairman Ashworth opened the hearing on S.B. 407.

Ms. Joyce Woodhouse, Nevada State Education Association, spoke in opposition to S.B. 407 and presented Exhibit "B" to the committee.

Senator Blakemore questioned if anyone was in opposition to the bill besides teachers. Ms. Woodhouse said she was not aware of any other opposition. He stated that the school board is elected by the people and are responsible to the people; the superintendent and the teachers are not. Ms. Woodhouse stated they are not taking away any rights; rather, give the opportunity for public input prior to changing policy and regulations. Chairman Ashworth questioned the number of times regulations are changed and if it is an expense to the school districts. Ms. Woodhouse stated that Mr. Petroni would best be able to address these questions. Ms. Woodhouse stated that the bill pertains to populations of over 100,000; basically, Washoe and Clark Counties.

Mr. Robert Petroni, Clark County School District, stated that S.B. 407 was a part of the legislative package of the Clark County School Board; the Superintendent of Schools, Mr. Claude Perkins, is also in favor of the bill. Mr. Petroni stated that the local level is asking the same consideration as to policies and regulations as is being considered for the state. He stated that Mr. Robert Cox was to testify in favor of the bill representing Washoe County but was unable to attend and wished to have his support expressed to the committee. As to Page 2 of S.B. 407, Mr. Petroni stated there are areas addressed that are strictly in-house. He stated that NRS 288, the Negotiations Act, gives the employees an opportunity to be heard on personnel matters. He said the present law, as far as the superintendent is concerned, requires the board of trustees to be a part of the everyday operation of the district; the board now wishes to give the administration the ability to administer by regulation. Should the word "regulation" be eliminated, Mr. Petroni stated the board would have the right under local control to require this notice of the administration; however, it would not be mandatory.

Chairman Ashworth questioned how often the written regulations are changed. Mr. Petroni said they are changed as needed. He stated that the bill is an attempt by the employee organization to "come around the back door" regarding areas that are not subject to bargaining. Chairman Ashworth questioned if the notification is an expensive procedure. Mr. Petroni stated that it was time consuming. Chairman Ashworth questioned if the regulation portion could remain in the bill but reduce the time notice. Mr. Petroni stated he would check with the superintendent.

Mr. Petroni stated that there should be an amendment to the bill on Page 2, Line 5 inserting "and regulations" following the word "policies."

Senator Young questioned the difference between policy and regulations. Mr. Petroni cited the example of the school board adopting the policy of school district issuing report cards every nine weeks; the administration prepares regulations as to how this would be done. He said that policy covers a general scope or subject matter on how the board feels as an elected body; the implementation would be by regulation determined by the administration and personnel.

Senator Young questioned how often notices were being sent. Mr. Petroni stated that notices were being sent approximately twice monthly. He questioned if the employees' association was receiving notification. Mr. Petroni stated that they were and had been even prior to passage of the law. Senator Young stated that he had a problem with eliminating the word "regulations" from the law. Senator Blakemore expressed concern with changing regulations so frequently.

Chairman Ashworth questioned if the superintendent has the right to make an administrative decision on a problem without going through regulations. Mr. Petroni stated that if it is covered by regulation, he is bound to follow the regulation.

He stated that regardless of the outcome of the bill, the emergency provision should include regulations. He stated that the omission was an oversight. Chairman Ashworth questioned if he had any objection to lowering the time limit. Mr. Petroni stated he would have no objection; Ms. Woodhouse also concurred.

Mr. Petroni stated that he would like to have the superintendent address the committee on this issue.

There being no further testimony, the hearing was closed on S.B. 407.

Chairman Ashworth opened the hearing on S.B. 85.

Vice-Chairman Neal, co-introducer of S.B. 85 with Senator Faiss, stated that the purpose of the bill was to create a board to regulate costs of services in medical facilities. He stated that the high costs of health care in hospitals was the factor causing S.B. 85. He felt there are tremendous wastes in hospital care and, in some cases, approaching the point of being "rip offs." He stated that presently there are over 800 empty beds and these vacancies are costing the citizens of the state over \$14 million per year. He said that something must be done and the creation of a board to which the hospitals must be answerable will address the problem. The information is needed to give the citizens a just "break" in paying for hospital costs. He said he would like to see the profit motive eliminated from health care but that is not possible; the establishment of a board to control the costs would be the next best alternative making the facilities report to the board as to the necessities of the costs. He stated that this is the intent of S.B. 85. He said that senior citizens are on a fixed income; at the present rate, their costs would be raised approximately \$2,000 above the average cost presently for senior citizens per year. He stated that many other states have adopted programs such as this and those with hospital cost containment boards have found an effect to the increase of hospital costs decreasing it for the citizens of those states. Senator Neal stated that Mr. Hillerby had spoken with him and informed him that he had enough votes to "kill" S.B. 85. He stated his belief in the constitution as to "majority vote" which, it had been stated, was for the purpose of prevention of manipulation by outside operators. He stated that if Mr. Hillerby was successful, perhaps the constitution should be amended.

Mr. Fred Hillerby, Nevada Hospital Association, stated that he had worked very hard last session, and this session, on the bill and believed Senator Neal's comment was in reference to the fact that the Hospital Association has a very good alternative to this type of approach and gain encouragement in another type of program. As to the 800 empty beds, Mr. Hillerby stated that the

health planners are not able to locate them. He stated that the costs associated with the empty beds are also questionable. He stated that the health planning resulting from the Greater Nevada Health Systems Agency, covering 16 of the counties, indicates that all but Clark County will not have enough hospital beds by 1984. Senator Young questioned if there was a surplus of beds. Mr. Hillerby stated that there is not an excess; occasions do arise where the specialty beds are not full, but the general beds are. Also, in rural Nevada, beds may be empty due to the lack of physicians.

As to Section 2, Mr. Hillerby stated that the Association shares the concerns as expressed but must oppose S.B. 85 as the solution. He said that the regulatory system, in the Association's opinion, is not workable but they feel they have a positive alternative. He explained the factors that contribute to cost increases in hospitals to the committee; i.e., labor, supplies and equipment, utilities on a 24-hour basis, malpractice insurance, regulatory requirements, non-reimbursed care, all which represent over 90 percent of operation costs. Mr. Hillerby stated that technology is a very important part of rising costs without reservation as to cost effectiveness because no one would hold back a cure for cancer because it is "not cost effective." He also said that the demands on services will continue to increase; the oldest 10 percent of the population consumes 33 percent of the health care in the country, the United States Census Bureau says that by the year 2000, one in five will be over the age of 65. As to other states having cost containment programs, Mr. Hillerby stated that from 1974 to 1976 there was no significant difference between states that were regulated or not as to how much they had to spend for the services they provided; this information was taken from the report, "Background Data on Changes in Hospital Expenditures and Revenues, 1967-1976," published in February, 1978 by the ICF Incorporated, Washington, D.C. Also, according to the report, Mr. Hillerby read an excerpt which stated, "Compared to the United States average, regulated states were relatively more successful in controlling revenues per case between 1975-76 than they were in controlling expenditures per case..." He stated that if regulation would cause the hospitals to have less revenues than expenses, it would be difficult for them to continue to respond. Mr. Hillerby gave the committee some examples of how regulation itself is expensive (see Exhibit "C").

As to a viable alternative, Mr. Hillerby stated that United States Representative Dan Rostenkowski issued a challenge to the hospital industry to voluntarily hold down the rate of increase in costs. He said that several organizations and individuals in the health care industry responded to that challenge by setting up a board called the "Voluntary Effort." A goal was established and in 1977 the rate of increase in hospital expenditures was 15.6 percent; the bottom-line goal was to reduce that rate of increase by 2 percent per year for 1978 and 1979, which would be 11.6 percent (equitable to the gross national product). He submitted "D" to the committee in support of the hospital industry's

efforts. Mr. Hillerby stated that the result of the first year's efforts in 1977 was 15.6 percent, in 1978, 12.8 percent; a reduction of almost 3 percentage points.

As to Nevada, Mr. Hillerby introduced Mr. Bob Burn, Fiscal Analyst, who has been retained to assist in the Association's voluntary effort.

Mr. Burn stated that he is working under contract with the Nevada Hospital Association as a staff person for the Nevada Voluntary Effort for Hospital Cost Containment. He said the Nevada effort was begun in 1978 with the adoption of a ten-point program designed to slow the growth in Nevada health care expenditures. He said that the bottom-line is the commitment by all Nevada hospitals to achieve price-increase level of less than 7.5 percent annually. He said that at the beginning of the program, this approximated the national inflation rate. He further stated that with the rapid growth of Nevada, an arbitrary limit on expenditures within hospitals would have ultimately led to service cutbacks; the self-imposed limit on price increases protects the end cost to the consumer and other third-party payers. He said that the statewide advisory board for the program is composed of eight representatives from hospital administration; three hospital trustees who are also county commissioners, five physicians, one third-party payer, a representative from the Senate and the Assembly, one union official and an appointee from the State government. He said that an additional board position will be created for former Senator Margie Foote. He said that the need for a volunteer Senator will be filled, hopefully, after the current legislative session. Mr. Burn stated that for most of the Nevada hospitals, the current 1979 fiscal year is the first reviewable period under the voluntary effort program. He said that he is in the process of conducting reviews of the 22 hospitals to assure compliance; to date, reviews have been completed on 11 hospitals which show a 6.89 percent increase in prices for 1979 over 1978. He felt the program is working because the increase is well below the 7.5 percent goal. He stated that other programs have begun to help cut costs; i.e., group purchasing programs, energy audit programs, price standardization committees, etc. He stated the efforts are showing positive results. He stated that the total cost of the voluntary effort program in Nevada is approximately \$27,000 annually, the cost being borne collectively by the hospitals in the state.

As to the saving, Senator Young questioned if this resulted in lower cost per patient. Mr. Hillerby stated that the savings are reflected in lower expenditures; thereby, hopefully, reducing the rate of increase in the cost.

Senator Faiss questioned if anything has been done to monitor the doctors' fees. Mr. Hillerby stated that they are participating in the program and have nationally adopted a program to reduce the rate of increase in their prices by one percent.



Senator Neal requested a copy of the report referred to by Mr. Burn. Mr. Burn stated that he would submit a report to him on the 11 hospitals that have been reviewed to date. Mr. Hillerby stated that the Association is also mailing out the results of the voluntary effort and he will be certain Senator Neal receives that information.

Senator Neal stated his belief that there was a 12 percent rate of increase in costs for Nevada hospitals. Mr. Burn said that was correct historically, but since the inception of the program, there has not been the situation of the expenses rising faster than the revenues.

Senator Kosinski questioned if the information he referred to was as of a specific date. Mr. Burn stated that the hospitals are mostly on a June 30 reporting year end. The data is based upon 9 months actual activity through March 31, 1979 with any data on anticipated or planned price increases for the remainder of the fiscal year. He stated that the report on the remaining 11 hospitals will be available soon.

Mrs. Ruth Gotelli, Vice-Chairman of the Board of the Carson Tahoe Hospital, stated that trustees are very aware of their responsibility in hospital care to the patients. She stated that the Carson Tahoe Hospital is committed to the voluntary effort to keep costs down. She questioned if an appointed board would be able to see the needs of a hospital the size of Carson Tahoe. She feels that the hospital is already burdened with an abundance of bureaucratic rules and regulations; she stated they don't need more, they need less. She spoke in opposition to S.B. 85.

As to the report, Senator Neal requested the profit picture of the 22 hospitals to the most recent date. Mr. Hillerby stated they do not have that information; they have been looking at price increases as to the goal of the voluntary effort.

Mrs. Gotelli stated that as to Senator Neal's statement regarding the abundance of beds, Carson Tahoe was sending approximately 5 patients a week to Reno because the hospital does not have beds. Senator Neal said that his statement addressed the larger counties.

Ms. Ann Lynch, speaking as a citizen from Las Vegas, stated that there has been a tremendous increase and improvement in medical care in the last 10 years. This, she believes, is the result of competition between the hospitals to provide the best medical care. She spoke in opposition to regulation of medical care. She felt that a voluntary effort would allow progress as well as being cost responsible.

There being no further testimony, Chairman Ashworth closed the hearing on S.B. 85.

S.B. 434 (Exhibit "E")

Senator Young expressed concern as to the ambiguity of the federal standards.

Senator Young moved to "Indefinitely Postpone" S.B. 434.

Seconded by Senator Kosinski.

Motion carried.

Yeas -- 4

Nays -- Senators Blakemore and Faiss

A.B. 260 (Exhibit "F")

Senator Young moved to "Do Pass" A.B. 260.

Seconded by Senator Blakemore.

Motion carried.

Yeas -- 6

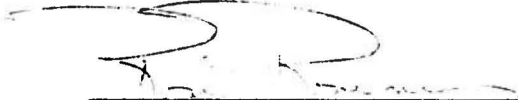
Nays -- None

As to S.B. 85, Senator Neal requested action be held on the bill pending the report from the Nevada Hospital Association.

As to S.B. 407, Senator Blakemore requested action be held pending testimony Mr. Claude Perkins, Superintendent, Clark County School District. Senator Young concurred.

There being no further business, Chairman Ashworth adjourned the meeting at 10:44 am.

Respectfully submitted,

  
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Roni Ronemus  
Committee Secretary

Approved:

\_\_\_\_\_  
Chairman  
Senator Keith Ashworth

July 14, 1978

Clyde Eller, Director  
Enforcement Division  
EPA, Region IX  
215 Fremont St.  
San Francisco, Ca. 94105

Re; E-3 LEL 3 Section 113 and 120 of the Clean Air Act

Dear Mr. Eller:

We have reviewed the matter of the criminal provisions and the \$25,000 per day civil penalties and in both cases we will need additional statutory authority to fully implement this program. Our limitations currently are \$5,000 per day per violation starting immediately and does not require the violation to continue for 30 days. Proposed legislation has been developed a copy is contained as a attachment.

We have statutory authority to implement the provisions of the Federal Clean Air Act through State actions against major stationary sources which remain in violation of the implementation plans after July 1, 1979. Our action as a agentt of EPA could require penalties equal to the economical value of non-compliance. We do feel that in order to better implement this program it would improve our position if the non-compliance penalties would be used to the benefit of Nevada in the County where the particular violation was occurring, therefore, we have prepared suggested language for inclusion in to the Nevada Revised Statutes at the next Legislative Session.

The proposed legislation goes beyond the two sections of the Clean Air Act with which you were concerned. I would appreciate if your staff would review the areas that effect the Enforcement Division and provide me with recommended modifications or proposals where you feel our statutes should be strengthened. During our next legislative session I may call upon you or members of your staff to provide testimony in interpreting the Clean Air Act to insure that the State of Nevada receive all the benefits of that act and that future problems do not arise because of conflicting interpretations of State or local statute.

Sincerely,

Dick Serdoz  
Air Quality Officer

kc

Fed. Cor



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

215 Fremont Street  
San Francisco, Ca. 94105

EXHIBIT

IN REPLY: 13-3  
REFER TO: LEL 3

E. G. Gregory, Administrator  
Division of Environmental Protection  
Department of Conservation and  
Natural Resources  
201 S. Fall Street  
Carson City, NV 89710

APR 4 1978

Dear Mr. Gregory:

This letter is to advise you of amendments to the Clean Air Act relating to penalties and of their effect on State enforcement programs.

Section 113 of the Clean Air Act Amendments of 1977 provides for civil penalties of up to \$25,000 per day and for criminal penalties of up to \$50,000 per day. Section 113(b) of the Act requires that EPA commence a civil action for penalties and/or injunction against owners or operators of major stationary sources in violation of State Implementation Plans. However, it appears that EPA may defer to the states where State enforcement actions result in comparable penalties in State Courts. Accordingly, we ask that you consider any changes in State legislation needed to allow for imposition of civil and criminal penalties of the magnitude now provided by the Clean Air Act.

Section 120 of the Clean Air Act Amendments further provides for the assessment and collection of administrative "noncompliance penalties" against owners or operators of major stationary sources which remain in violation of State Implementation Plans after July 1, 1979. The amounts of these penalties are required to be not less than the economic value which a delay in compliance beyond July 1, 1979 may have for the owner of the source. This noncompliance penalty program may be delegated to states but is otherwise mandatory on the part of EPA. You should also consider changes in legislative authority needed to allow for State assessment and collection of "noncompliance penalties".

If you have any questions about this matter or need any assistance in drafting legislative provisions, please have your staff attorney contact Charles Eckerman, Senior Attorney, of my staff at (415) 556-8008.

Sincerely,

Clyde B. Eller, Director  
Enforcement Division

RECEIVED

APR 06 1978

Environmental Protection

SENATE HUMAN RESOURCES AND FACILITIES COMMITTEE

S.B. 407

April 18, 1979

I am Joyce Woodhouse, representing the Nevada State Education Association.

The NSEA is very much opposed to Senate Bill 407. You may recall how hard we worked last session to pass this measure. Frankly, we are very disappointed that some have seen fit to undo this accomplishment.

There are several reasons as to why we are opposed to this bill:

1. We believe strongly in open government, and that especially relates to local school boards. The open meeting law and the posting of policy and regulation changes in NRS 386 have greatly enhanced the "people's right to know." Passage of S.B. 407 will take us back into the dark ages of "back room" decisions by school boards.
2. We can definitely see games being played with definitions of "policy" and "regulation." Many will tell you that "policy" is the concept and "regulation" is the mechanics. They will tell you that they should be able to change the mechanics without notice. Let me pose this question: If the school board wished to change the mechanics of grading from the A, B, C, D, F system to Pass and Fail, would you not want, as a parent, to address that move? As a teacher, I certainly have much to say about it.
3. We like NRS 386.365 the way it is. We do not believe that any problems exist with it. Also, we would point out that subsection 3 provides for emergency situations.

In conclusion, we urge you to defeat S.B. 407. Let's keep government operations in front of the people, and the avenues open to them to respond on issues.

Thank you.

Table 3  
STATES CLASSIFIED BY TYPE OF PROGRAM AND ADMINISTRATIVE AUTHORITY

Total 12 Mandated	Hospitals Participating		Hospitals Participating As % of		Total Budget	Administrative Body			
	Hospitals Participating	State Total	State Total	State Total		Blue Cross Association	Joint Corporation or Commission	Hospital Association	State Government
Advisory - 4									
Alabama	71	71	100%	100%	189,000		X		
Arizona	178	178	100%	100%	470,000			X	
Arkansas	84	84	100%	100%	250,000				X
California	66	130	51%	51%	120,000				X
Colorado	399	463	86%	86%	1,020,000				X
CONNECTICUT									
Delaware	93	105	97%	97%	425,000				X
District of Columbia	36	36	100%	100%	640,000				X
Florida	48	48	100%	100%	680,000				X
Georgia	180	180	100%	100%	2,100,368				X
Idaho	108	108	100%	100%	2,316,000				X
Illinois	312	312	100%	100%	162,333				X
Indiana	111	111	100%	100%	553,000				X
Iowa	150	150	100%	100%	1,292,289				X
Kansas	109	109	100%	100%	2,312,299				X
Kentucky	1,018	1,018	95%	95%					X
Louisiana	1,438	1,438	95%	95%					X
MAINE									
Maryland	12	12	100%	100%	14,000			X	
Massachusetts	27	27	100%	100%	61,000			X	
Michigan	22	22	100%	100%	300,000			X	
Minnesota	27	27	100%	100%	439,000				X
Mississippi	110	455	24%	24%					X
MISSOURI									
Montana	12	12	100%	100%	14,000			X	
Nebraska	27	27	100%	100%	61,000			X	
Nevada	22	22	100%	100%	300,000			X	
New Hampshire	27	27	100%	100%	439,000				X
New Jersey	110	455	24%	24%					X
New Mexico	12	12	100%	100%	14,000			X	
New York	27	27	100%	100%	61,000			X	
North Carolina	22	22	100%	100%	300,000			X	
North Dakota	12	12	100%	100%	14,000			X	
OHIO									
Oklahoma	12	12	100%	100%	14,000			X	
OREGON									
Pennsylvania	22	22	100%	100%	300,000			X	
Rhode Island	12	12	100%	100%	14,000			X	
South Carolina	22	22	100%	100%	300,000			X	
South Dakota	12	12	100%	100%	14,000			X	
Tennessee	22	22	100%	100%	300,000			X	
Texas	22	22	100%	100%	300,000			X	
Utah	12	12	100%	100%	14,000			X	
Vermont	12	12	100%	100%	14,000			X	
Virginia	22	22	100%	100%	300,000			X	
Washington	22	22	100%	100%	300,000			X	
West Virginia	12	12	100%	100%	14,000			X	
Wisconsin	22	22	100%	100%	300,000			X	
Wyoming	12	12	100%	100%	14,000			X	
<b>SUBTOTAL</b>	<b>1,018</b>	<b>1,018</b>	<b>95%</b>	<b>95%</b>	<b>7,811,299</b>				<b>100%</b>
<b>TOTAL</b>	<b>1,438</b>	<b>1,438</b>	<b>95%</b>	<b>95%</b>	<b>7,811,299</b>				<b>100%</b>
<b>16 Voluntary</b>									
Alabama	12	67	26%	26%	14,000			X	
Arizona	27	81	80%	80%	61,000			X	
Arkansas	22	320	7%	7%	300,000			X	
California	27	27	100%	100%	439,000				X
Colorado	110	455	24%	24%					X
CONNECTICUT									
Delaware	12	12	100%	100%	14,000			X	
District of Columbia	8	8	100%	100%	640,000				X
Florida	220	250	88%	88%	500,000				X
Georgia	114	144	79%	79%	180,000				X
Idaho	60	60	100%	100%	120,000				X
Illinois	110	110	100%	100%	150,000				X
Indiana	225	240	94%	94%	240,000				X
Iowa	56	57	98%	98%	100,000				X
Kansas	16	27	59%	59%	100,000				X
Kentucky	50	208	24%	24%					X
Louisiana	16	16	100%	100%					X
Maine	16	16	100%	100%					X
Maryland	16	16	100%	100%					X
Massachusetts	975	1,276	76%	76%	1,130,000				X
Michigan	1,085	1,231	88%	88%	1,670,000				X
Minnesota	2	2	100%	100%					X
Mississippi	131	131	100%	100%					X
Missouri	3	3	100%	100%					X
Montana	10	10	100%	100%					X
Nebraska	781	781	100%	100%	7,811,299				X
Nevada	10	10	100%	100%					X
New Hampshire	10	10	100%	100%					X
New Jersey	613	613	100%	100%					X
New Mexico	9	9	100%	100%					X
New York	9	9	100%	100%					X
North Carolina	613	613	100%	100%					X
North Dakota	10	10	100%	100%					X
OHIO									
Oklahoma	10	10	100%	100%					X
Oregon	10	10	100%	100%					X
Pennsylvania	613	613	100%	100%					X
Rhode Island	10	10	100%	100%					X
South Carolina	10	10	100%	100%					X
South Dakota	10	10	100%	100%					X
Tennessee	10	10	100%	100%					X
Texas	10	10	100%	100%					X
Utah	10	10	100%	100%					X
Vermont	10	10	100%	100%					X
Virginia	10	10	100%	100%					X
Washington	10	10	100%	100%					X
West Virginia	10	10	100%	100%					X
Wisconsin	10	10	100%	100%					X
Wyoming	10	10	100%	100%					X
<b>SUBTOTAL</b>	<b>3,242</b>	<b>3,242</b>	<b>78%</b>	<b>78%</b>	<b>7,811,299</b>				<b>100%</b>
<b>TOTAL</b>	<b>4,680</b>	<b>4,680</b>	<b>95%</b>	<b>95%</b>	<b>7,811,299</b>				<b>100%</b>

AHA - Division of Financial Management  
Dec, 1978



## Congress of the United States

House of Representatives

Washington, D.C. 20515

DAN ROSTENKOWSKI

8th Congressional District, Illinois

FOR RELEASE UPON DELIVERY

## Remarks of

The Honorable Dan Rostenkowski,  
 Chairman of the Subcommittee on Health,  
 House Committee on Ways and Means  
 Prepared for Delivery Before the  
 National Invitational Symposium  
 on the Voluntary Effort  
 Chicago, Illinois  
 Wednesday, November 8, 1978

This afternoon, I hope that you will forgive me if I do not focus primarily on the statistical evidence of the accomplishments of the Voluntary Effort. The results of your activities--as measured by the hospital panel survey data--have been quite broadly reported. So broadly reported that in recent months, I have come to know hospital expenditure percentages almost as well as voting percentages in Chicago's Eighth Congressional District....and believe me, those latter percentages are ones that I really know quite well.....

But to be serious for a moment or two, I would like to express my sincere recognition and appreciation of your achievements to date. As major inflation indicators have progressed steadily upward in recent months, hospital costs, for a change, have not been leading the charge. Your promises of last year and your efforts to fulfill them have resulted in a considerable improvement in the status quo--much to the surprise of many. For that, everyone in this room is to be commended.

When I addressed the House of Delegates of the American Hospital Association in Washington not quite nine months ago, I noted that your efforts to voluntarily restrain the rapid rise in hospital costs were consistent with the President's 1978 State of the Union address, which expressed the view that "a sincere commitment to voluntary constraint" provides a way to best grapple with inflation without direct government controls. You have made that sincere commitment, and the results of your commitment are being acknowledged more openly in Washington every day.

Just two weeks ago the President outlined his program to deal with inflation throughout our economy. In detailed fact sheets accompanying his prepared remarks, the President did again call for the enactment of hospital cost containment--a subject I would like to return to in a few moments. But at least as significantly, the President's explanatory papers discuss in specific detail the need to decelerate the inflation in medical care costs--primarily hospital costs--by a rate greater than the 1/2 percent which was being asked of other industries. To be specific, and I quote, "A more appropriate standard for this industry is a deceleration of at least two percentage points next year and continued deceleration in future years until the rate of growth in medical expenditures is brought into line with the rate of growth of the overall Gross National Product." Those goals sound quite familiar to me. Although V.E. may not be loved by all in Washington, your goals and your accomplishments certainly now are recognized in high places.

S. B. 434

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 SENATE BILL NO. 434—COMMITTEE ON HUMAN  
RESOURCES AND FACILITIES

APRIL 6, 1979

Referred to Committee on Human Resources and Facilities

SUMMARY—Amends procedure for enforcing air pollution control laws  
and reduces penalty for violations. (BDR 40-1658)FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

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 EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.
 

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AN ACT relating to air pollution control; amending the procedure for enforcement; reducing the penalty for violations; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly,  
do enact as follows:*

- 1 SECTION 1. NRS 445.526 is hereby amended to read as follows:  
2 445.526 1. Whenever the director [believes] *has reasonable cause*  
3 *to believe* that a statute or regulation for the prevention, abatement or  
4 control of air pollution has been violated, he shall cause written notice  
5 to be served upon the person [or persons] responsible for the alleged  
6 violation.  
7 2. The notice [shall] *must* specify:  
8 (a) The statute or regulation alleged to be violated; and  
9 (b) The facts alleged to constitute the violation.  
10 3. The notice may include an order to take corrective action within  
11 a reasonable time, which [shall] *must* be specified. [Such an] *The*  
12 order becomes final unless, within 10 days after service of the notice, a  
13 person named in the order requests a hearing before the commission.  
14 4. With or without the issuance of an order pursuant to subsection 3,  
15 or if corrective action is not taken within the time specified;  
16 (a) The director may notify the person or persons responsible for the  
17 alleged violation to appear before the commission at a specified time  
18 and place; or  
19 (b) The commission may initiate proceedings for recovery of the  
20 appropriate penalty.  
21 5. Nothing in this section prevents the commission or the director  
22 from making efforts to obtain voluntary compliance through warning,  
23 conference or other appropriate means.



**A. B. 260**

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**ASSEMBLY BILL NO. 260—ASSEMBLYMEN HAYES, HORN,  
COULTER, SENA, WAGNER AND GETTO**

FEBRUARY 2, 1979

Referred to Committee on Judiciary

SUMMARY—Prohibits distinctions based on sex in salaries of school teachers.  
(BDR 34-581)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.



EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

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AN ACT relating to salaries of school teachers; prohibiting distinctions based on sex; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. NRS 391.160 is hereby amended to read as follows:
- 2 391.160 The salaries of teachers shall be determined by the character
- 3 of the service required. **[In no]** A school district shall **[there be any**
- 4 **discrimination against]** *not discriminate between male and female teach-*
- 5 *ers in the matter of salary.*

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