

Committee in Session at 8:46 A.M. on Friday, April 6, 1979.

Senator Keith Ashworth in the Chair.

PRESENT: Chairman Keith Ashworth
Senator Wilbur Faiss
Senator Jim Kosinski
Senator Clifton Young
Senator Rick Blakemore

ABSENT: Vice-Chairman Neal

GUESTS: Mr. Ted Sanders, Superintendent of Public Instruction,
Department of Education
Mr. Jerry Nielsen, Director, Adult Basic Education,
State Department of Education
Ms. Shirlee A. Wedow, Vice-Chairman, State Board of
Education, Legislative Committee, Sparks, Nevada
Dr. Lewis Polizzi, President, Nevada Association for
Community Education, Sparks, Nevada
Ms. Carol Burrell, City of Las Vegas, Nevada, Coordinator
of Charleston Heights and Baker Park Community School
Mr. Lamar LeFevre, Director, Southern Nevada Office,
State Department of Education

Chairman Ashworth opened the hearing on S.B. 371.

Mr. Ted Sanders, Superintendent of Public Instruction, Department of Education, spoke in behalf of S.B. 371, and encouraged the committee to recommend a Do Pass. He submitted a prepared statement (Exhibit "A"). He said that Mr. Jerry Nielsen and Mr. Charles Greenhall were present and available for questions from the committee. Senator Kosinski asked what the nature of the program was to justify a separate system.

Mr. Jerry Nielsen, Director, Adult Basic Education, State Department of Education, stated that community education is not a separate system. He stated that existing programs are pulled together, to a level where people live, rather than spreading programs throughout the community. He stated that it is identifying a particular area, geographically, to deliver a variety of educational programs. It would provide funds for an individual to coordinate those kinds of programs. The community education concept is not a system of education, but rather a way in which to deliver programs to people. Senator Faiss questioned how this program could be effective in problems in times of civil defense. He stated that there should be a back-up if that happens, and that plans should be drawn up beforehand. Mr. Sanders stated that the community education concept is built upon the premise that the schools belong to the people. Also it is the concept that the schools should be available to be used for purposes other than just elementary and secondary education. The monies would be used to basically support a

community education coordinator at a school site. Through an analysis of the needs of the particular community that the school serves, various kinds of programs would be developed for delivery in the schools. Older citizens have come into the schools for recreational and other types of activities and have volunteered some of their time serving as grandparents to the children. Some interesting and exciting programming has resulted, giving the community a stronger sense that the school does belong because it delivers services to them. Senator Young stated that one-half the money from the general fund already goes into education. The concept of S.B. 371 sounds great, but limitations should be considered. This program could include education of the prisoners, and almost any segment of society, including the senior citizens. Senator Young asked if higher priority was being placed on the community programs than in the K-12 area who are graduating people who cannot even read, write or do simple arithmetic.

Vice-Chairman Neal entered the meeting at 9:06.

Ms. Shirlee A. Wedow, Vice-Chairman, State Board of Education, Legislative Committee, Sparks, Nevada, stated this is an enrichment program. It picks up some of the problems that the K-12 misses on the academic level and basic skills. Some of the school buildings already are only partially being used, and could be put to good advantage for these kinds of courses. Some of the people taking courses pay a small fee which helps offset some of the expense. Mr. Sanders submitted data showing financial commitment by some of the various participating states (Exhibit "B"). Mr. Nielsen stated that in the initial community education effort in this state, the Mott Foundation, through funds, through regional centers wanted to establish a community education center in each state. This was because they saw community education as a much broader effort than just a community college. Because the Department of Education would not accept that center, the community college agreed to be the center for community education. Ms. Wedow stated that the board approved and took action for the community center joining with the Department of Education. Mr. Ted Sanders stated he is a supporter of community education, and feels it belongs with the Department of Education. Senator Faiss questioned if this type of program has been used in other states in the areas of training workers, i.e., factories. Ms. Wedow said that this kind of service is considered a "delivery service" and could deliver almost any type of service that the people within that specific community feel they need. She stated she feels community education is the "big umbrella". Mr. Nielsen stated that the place where most community education takes place is in the junior high attendance areas, so it takes place in junior high schools. The people who would do the actual coordinating would be already in the school employ. The adult education programs are viewed by the state board as one of the components of this kind of program.

Dr. Lewis Polizzi, President, Nevada Association for Community Education, Sparks, Nevada, submitted a prepared statement on S.B. 371, (Exhibit "C"). Senator Young stated that the Dilworth Middle School Project sounded spectacular and questioned why it had not developed faster in the other communities. Dr. Polizzi said that they have demonstrated that the project works and they need the time and money to start it elsewhere.

Chairman Ashworth noted the signs "Kids are People Too" and that notes were being taken. He asked what they thought and whether they would vote for or against the program from what they have heard today. Ms. Lorrie Carlson, Sparks Middle School, stated she was taking classes at Dilworth and she feels it is worthwhile and would vote yes. Her extra-curricular classes are in cooking and sports. Ms. Roxanne Dolan of Carson feels it is a good idea for after school activities. In Carson they have activities from the community center that can be entered. Mr. James Hammerick, Alamo, Nevada, by Las Vegas, stated he felt there should be community centers where people can learn different ideas and things that can help them in their lives. This type of education is already well attended in his community. He stated that most of their teachers are volunteers and do enjoy teaching in their fields. Ms. Joan Barber, Wappoe Valley, near Las Vegas, stated they have a program similar to this one without extra funding and is being handled correctly and is a good idea. She does not see the need for the extra money because those that are already participating are the only ones who would attend anyway. Mr. Jeff Holt, Carson, stated education is our major foundation; if you can help educate the people, you will have a better cooperating community. Ms. Margie Jenson, Las Vegas, stated she did not know whether there were programs of this type in Las Vegas because she was not aware of them. She felt that a lot of students would participate if it were better advertised in the schools. She attends Bonanza High School. Ms. Sharon Elliott, Sparks Middle School, stated she felt they should have the program there too, and there should be one within walking distance because most of their parents work.

Mr. Nielsen stated that in the rural areas, such as Alamo, there is a sense of community to meet their own kind of needs. Mr. Tony Ugalla, Winnamucca, stated they have a community program in their high school and they have different kinds of courses. He feels the program is very beneficial. Mr. Garrold Wilson, principal in the high school at Alamo, stated they have a good community school program, but they need leadership. They need a coordinator for scheduling.

Ms. Carol Burrell, City of Las Vegas, coordinator of Charlston Heights and Baker Park Community Schools, stated she would like to testify in favor of S.B. 371. She spoke about where community schools have been, what is happening now, and what can be done with approved legislation. They have approximately 2,000 students enrolled in the community schools every session. They have 5 sessions a year, each offering 85 to 115 different classes and programs

Basically she feels there should be more community schools, such as one in every community; this would also help with conserving energy. She said "put more schools in Las Vegas."

Mr. Lamar LeFevre, Director, Southern Nevada Office, State Department of Education, stated they are cooperating with the recreation department and the community colleges. They would like the university system to develop community coordinators. He stated that the funding is not escalating, they are paying their own way.

Chairman Ashworth closed the hearing on S.B. 371 as there was no further testimony.

S.B. 371 Exhibit "D"

Senator Neal moved to Do Pass and rerefer to Finance for the purpose of appropriation.

Seconded by Senator Blakemore.

Motion carried unanimously.

Yeas - - 6

Nays - - None

Chairman Ashworth opened the hearing on S.B. 78, by submitting a letter from William L. Thomason, D.D.S., Nevada State Division of Health, Bureau of Health Facilities, to delete the words "laundry" and "providing." Exhibit "E".

S.B. 78 Exhibit "F"; Amendment Exhibit "G".

Senator Neal moved that we concur with amendment No. 367 to Senate Bill 78.

Seconded by Senator Blakemore.

Motion carried.

Yeas - - 6

Nays - - None

(Exhibit "H") Senator Young moved to have a committee introduction of B.D.R. 40-1658 which amends procedure for enforcing air pollution control laws and reduces penalty for violations

Seconded by Senator Faiss.

Motion carried.

Yeas - - 6


Nays - - None



Chairman Ashworth stated there is concern regarding the auto emissions. He suggests that Mr. Ernest Gregory, Administrator, Division of Environmental Protection, review the auto emissions standards in the State of Nevada for the last 2 years, for the purpose of making possible changes.

There being no further business, Chairman Ashworth adjourned the meeting at 10:00 A.M.

Respectfully submitted,


Jean Van Nuys
Committee Secretary

Approved:

Chairman
Senator Keith Ashworth



STATEMENT OF
 NEVADA DEPARTMENT OF EDUCATION
 TO THE
 SENATE COMMITTEE ON HUMAN RESOURCES AND FACILITIES

April 6, 1979, 8:30 A.M.
 Room 323

S. B. 371. Provides for programs of community education.

Mr. Chairman, members of this Legislative Committee:

The State Board of Education and the Superintendent of Public Instruction believe in the concept of Community Education and have identified ~~the~~ community education as one of their priority concerns. Therefore, we ask that this committee support S. B. 371.

This bill is an outgrowth of Senate Resolution 35 of the 1977 Senate. That resolution encourages the cooperation of schools, colleges and political subdivisions in carrying out community education in Nevada. The bill is also a response to the 1978 Legislative Commission of the Legislative Counsel Bureau recommendation which calls for "the superintendent of public instruction to cause the state department of education to place more emphasis on the community education services it provides to the school districts."

The State Department of Education's activity in community education has resulted from two events. Community education was originally centered in the office of the president of the Community College Division. But leadership in community education/community schools was lost when that office was abolished. In 1974, the Federal Congress enacted the "Community Schools Act" which made funds available to 31 state departments of education to provide technical assistance and training to maintain and establish community education. Since then, the department has received three discretionary grants to carry on the work. President Carter's budget request for FY 1980 includes 3.183 million dollars for community education. The request does not include funds for state formula funding.

Community education has made progress in the state. Dilworth Community School in Sparks, Charleston Heights and Baker Park Community Schools in Las Vegas have annual enrollments of ~~more than 1,000~~ ^{several thousand} youths, adults and elderly people. There are several other community education programs in the state--notably in the Eureka, Mineral and White Pine districts. People enroll in ~~practically everything from~~ ^{courses} adult high school completion, to English as a Second Language, ~~to~~ community college and university continuing education classes. Activities range from senior citizen programs, to Cardio-Pulmonary Resuscitation and Emergency Medical Services, to recreation and youth leadership workshops.

Our concern here is not with numbers alone. They are merely symptoms of the need. Community education must be thought of first as a process--as a foundation for bringing already existing resources to people in locations convenient to them. There is presently no coordinating mechanism to do this adequately. In the face of shrinking dollars and higher gas prices, it makes sense to emphasize better delivery in already existing facilities through teamwork at the local level such as a school attendance area.

Community education is nothing if it is not teamwork. It brings together under one umbrella in a community or neighborhood the many parts of education that only in rare instances work together. Through community education such services as university extension, health programs and community mental health, recreation and community college off-campus classes can effectively be programmed through local schools.

~~The base line of~~ this bill will allow eligible applicants to provide coordinated delivery, coordinated scheduling, and continuity and also analysis of needs and evaluation. A community education coordinator can bring resources together to meet local needs.

The bill would provide for grants to eligible applicants to maintain existing community education programs and implement them where the need is documented. We believe the minimal expenditure would be a wise use of monies, where requirements set forth in this bill are met.

Community education has the potential for making people feel a part of their schools--even those who do not have children in them. It can, by using local professionals, businessmen, and others, supplement and enrich the local elementary and secondary programs. Experience has shown that in a school that is also a community school, children are more motivated and score higher on achievement tests than their counterparts in non-community education schools. We do not know why, but one is led to believe that it is because their parents have a closer touch with, and share in, the schools.

In conclusion, Mr. Chairman, Community Education through Senate Bill 371 will provide needed services to the people of this State. Therefore, the State Board of Education and the Superintendent of Public Instruction ask for your committee's support.

THE HISTORICAL DEVELOPMENT OF COMMUNITY EDUCATION
AND THE MOTT FOUNDATION

David S. Storey

and

K. Hugh Rohrer

Printed and Distributed by: Central Michigan University
Center for Community Education, Mt. Pleasant, Michigan
1979

MICHIGAN UNIVERSITY CENTERS FOR COMMUNITY EDUCATION GRANT

<u>UNIVERSITY CENTER</u>	<u>(1)</u> <u>TOTAL YRS. OPERATION</u>	<u>NO. GRANTS AWARDED</u>	<u>TOTAL MONEY AWARDED IN GRANTS</u>
Northern Michigan University	10	19	\$294,950
Alma College	10	39	\$355,125
Western Michigan University	8	26	\$192,399
Eastern Michigan University	7	22	\$179,100
Albion College	1	4	\$ 6,000
Olivet College	3	13	\$ 65,616
Oakland College	3	11	\$186,292

(1) Total years of Centers distribution of grants only

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Columbus, Frederick, The History and Development of Public School Adult and Community Education in Michigan 1862-1977. Lansing, Michigan: Michigan State Department of Education, 1978.

STATES WITH COMMUNITY EDUCATION FUNDING LEGISLATION

FUNDING FOR COMMUNITY EDUCATION

State	Year Enacted	1973-74	1974-75	1975-76	1976-77	Est. 1977-78
Florida	1970	\$1,242,000	\$1,612,392	\$1,612,392	\$1,612,392	\$1,612,392
Utah	1970	400,000	450,000	525,000	775,000	825,000
Minnesota	1973	300,000	750,000	1,300,000	1,300,000	1,300,000
Michigan	1972	-----	1,300,000	1,000,000	1,300,000	1,300,000
Alaska	1975	-----	-----	-----	800,000	1,170,000
Texas	1975	-----	-----	550,000	600,000	650,000
N. Carolina	1977	-----	-----	-----	-----	1,300,000
Maryland	1970	<u>1,500,000</u>	<u>1,500,000</u>	<u>1,500,000</u>	<u>1,500,000</u>	<u>1,500,000</u>
TOTALS	N.A.	\$3,442,000	\$5,612,392	\$6,487,392	\$7,887,392	\$9,657,392

EXHIBIT B

COMMUNITY SCHOOL PROGRAM GROWTH BY REGION

Number of Community School Programs (Buildings)

Average Annual Growth Rate

Regional Center	<u>Five-Year Plan</u>		<u>Status-6/30/77</u>		4 Years Ended 6/30/77 Actual	Needed to Reach 5-Yr. Goal
	Actual 6/30/73	Goal 6/30/78	Actual	Goal		
Alma College	206	339	255	320	4%	10%
Arizona State University	61	500	175	416	30%	52%
Ball State University	159	459	376	339	25%	24%
Brigham Young University	304	550	493	460	13%	13%
California State University-San Jose	46	409	188	333	42%	55%
Eastern Michigan University	621	687	975	769	12%	2%
Florida Atlantic University	133	402	316	339	24%	25%
Northern Michigan University	128	175	175	175	8%	6%
Texas A&M University	39	350	280	260	64%	55%
University of Alabama in Birmingham	16	234	131	173	70%	71%
University of Connecticut	112	287	345	249	32%	21%
University of Missouri-St. Louis	57	300	257	200	46%	39%
University of Oregon	138	381	312	300	22%	23%
University of Virginia	122	348	316	238	27%	23%
Western Michigan University	<u>629</u>	<u>2,700</u>	<u>1,089</u>	<u>1,945</u>	<u>15%</u>	<u>34%</u>
TOTALS	<u>2,771</u>	<u>8,121</u>	<u>5,683</u>	<u>6,199</u>	<u>20%</u>	<u>24%</u>

EXHIBIT B

(a) Eastern Michigan University's five-year plan goals were projected based upon an estimated actual 479 community school programs (buildings) as at 6/30/73. The actual count at 6/30/73 was subsequently determined to be 621.

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MOTT GRANT COST PER COMMUNITY SCHOOL (BUILDING)

PROGRAM BY REGION

Regional Center	Life of Center				4 Years Ended 6/30/77		
	Years in Operation	Total Center Grants to 6/30/77	Com. Schools 6/30/77	Grant Cost Per School	Center Grants	Com. Schools Added	Grant Cost/School
Illma College	11	\$845,066	255	\$3,313	\$220,443	49	\$4,499
Arizona State University	9	1,081,835	175	6,182	567,902	114	4,982
Ball State University	10	1,135,328	376	3,019	610,274	217	2,812
Brigham Young University	9	1,084,282	493	2,199	593,429	189	3,140
California State University	7	1,173,522	188	6,242	812,090	142	5,719
Eastern Michigan University	8	1,257,438	975	1,290	740,781	354	2,093
Florida Atlantic University	10	1,162,332	316	3,678	553,739	183	3,026
Northern Michigan University	13	759,877	175	4,342	135,610	47	2,885
Texas A&M University	6	738,785	280	2,639	593,561	241	2,463
University of Alabama in Birmingham	6	559,599	131	4,272	470,153	115	4,088
University of Connecticut*	7	788,502	345	2,286	537,124	233	2,305
University of Missouri-St. Louis	5	533,165	257	2,075	481,234	200	2,406
University of Oregon	7	758,331	312	2,431	487,087	174	2,799
University of Virginia	6	828,118	316	2,621	668,966	194	3,448
Western Michigan University	<u>10</u>	<u>1,242,049</u>	<u>1,089</u>	<u>1,141</u>	<u>734,619</u>	<u>460</u>	<u>1,597</u>
TOTALS		<u>\$13,948,229</u>	<u>5,683</u>	<u>\$2,454</u>	<u>\$8,207,212</u>	<u>2,912</u>	<u>\$2,818</u>

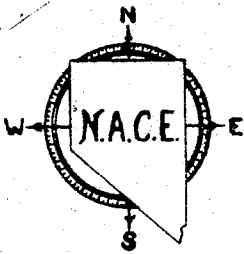
666 Includes grants (\$114,731) to Eastern Connecticut State College.

EXHIBIT B

FORECASTED VERSUS ACTUAL GRANT DATA BY REGIONAL CENTER GRANTEE

Regional Center Grantee	Original (a) Budget	Current (b) Forecast	Over (Under)
Alma College	\$275,000	\$278,698	\$3,698
Arizona State University	745,000	719,449	(25,551)
Ball State University	788,100	765,274	(22,826)
Brigham Young University	700,000	753,630	53,630
California State Univ.-San Jose	1,109,350	1,087,944	(21,406)
Eastern Michigan University	910,659	941,201	30,542
Florida Atlantic University	556,000	682,739	126,739 (c)
Northern Michigan University	75,000	173,568	98,568 (d)
Texas A&M University	783,660	722,730	(60,930)
University of Alabama-Birmingham	627,687	622,770	(4,917)
University of Connecticut	643,478	663,285	19,807
University of Missouri-St. Louis	648,600	637,134	(11,466)
University of Oregon	599,320	613,672	14,352
University of Virginia	655,350	931,296	275,946 (e)
Western Michigan University	760,000	998,179	238,179 (f)
New Center	<u>355,000</u>	<u>-0-</u>	<u>(355,000)</u>
Network Subtotal	10,232,204	10,591,569	359,365
National Center/Training	4,294,350	1,691,662	(2,602,688)
Contingency and Innovation	250,000	332,700	82,700
Other Projects (g)	<u>-0-</u>	<u>1,174,344</u>	<u>1,174,344</u>
TOTAL	<u>\$14,776,554</u>	<u>\$13,790,275</u>	<u>(\$996,279)</u>

Nevada Association for Community Education



255 PRATER WAY
SPARKS, NEVADA 89431

PHONE (702) 358-8320
April 4, 1979.



M E M O

TO: Human Resources and Facilities Committee

FR: Dr. Lewis Polizzi, President

RE: Testimony: S.B. 371

Community education philosophy embraces a number of concepts.

1. The need to learn is life long
2. Programs are needed for people of all ages
3. Maximum use of existing facilities
4. Eliminate duplication of services
5. Inter-agency cooperation
6. Maximum citizen involvement

2 Impact K-12 curriculum

Dilworth Middle School in Sparks began offering community education programs in the spring of 1975, and we have addressed ourselves to these six basic concepts. Some 7500 people have been involved in nearly 600 classes and activities. A community council serves in both a policy-making and advisory capacity. Periodic community surveys are conducted to determine the community's needs and desires, what resources are available to meet those needs and desires, and to assess the community's feelings toward the school. The initial survey indicated negative responses outweighed positive by a ratio of 2 to 1. The most recent survey shows a complete reversal--positive responses outweighed negative by a ratio of 3 to 1.

The community school volunteer program this past year provided the day-time school with over 1800 hours of volunteer time--some 200 hours per month for clerical and supervisory type services which freed the teachers to spend quality time with their students.

A recently completed study by a nationally renowned researcher and author has indicated that community schools with the citizen involvement component (Dilworth's parent volunteer program) have a strong impact on student achievement in reading and mathematics and have significantly higher attendance than non-community schools.

An examination of the November election results with reference to Question 7 (school bond), revealed that the precincts voting at Dilworth Community School had a significantly greater number of "yes" votes than did the remainder of Washoe County--a finding not uncommon across the country.

THE COST: The community education budget is 2% of the middle school budget; however, since the community education program generates the funds to meet half of its budget requirements, the actual cost to the district is only 1% of the middle school budget.

With a community enrollment in excess of the daytime enrollment and a total cost to the district of 1% of the day enrollment, an enormous positive increase in the community's feeling toward the school, the possibility of less vandalism, higher achievement and attendance plus extraordinarily powerful support at the polls, it would seem that the progressive development of additional community schools would be a first rate educational investment in people, time, services, support and dollars. Since the bill would provide support at the district level for community school administration, it would enable the broad base development of other community schools like Dilworth, which would compound the benefits to children and adults for the almost trivial sum of 1%.

S. B. 371**SENATE BILL NO. 371—COMMITTEE ON FINANCE**

MARCH 23, 1979

Referred to Committee on Human Resources and Facilities

SUMMARY—Provides for programs of community education. (BDR 34-684)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Contains Appropriation.

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

AN ACT relating to community education; making financial assistance available to school districts, the University of Nevada System, cities, counties and other political subdivisions for that purpose; making an appropriation; 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. Title 34 of NRS is hereby amended by adding thereto
2 a new chapter to consist of the provisions set forth as sections 2 to 8,
3 inclusive, of this act.

4 SEC. 2. The legislature recognizes that public educational institutions
5 are among the most important resources of our communities and that
6 the education which they provide is most effective when the people of
7 the community participate in developing and carrying out programs
8 designed to meet their educational needs. Community education carries
9 out this philosophy by integrating the many existing resources and serv-
10 ices available to the community, encouraging the development of new
11 resources and services and assisting agencies and groups to become
12 more effective in bringing needed and desired services to people in their
13 own neighborhoods. It is the policy of this state that the existing school
14 facilities and other public facilities be used in community education,
15 academic, recreational, social, occupational and cultural programs, as a
16 means of reducing duplication of effort, resources and facilities while
17 increasing the level of services, and that programs of community educa-
18 tion be directed toward making the best use of public money, increasing
19 the involvement of citizens and coordinating the use of community
20 resources for the benefit of the entire community.

21 SEC. 3. It is the purpose of sections 2 to 8, inclusive, of this act to
22 encourage and provide assistance for the development of community
23 education in this state.

1 SEC. 4. The superintendent of public instruction shall appoint and
2 determine the duties of such a staff as is necessary to carry out the pro-
3 visions of this chapter.

4 SEC. 5. The state department of education may, within the limit of
5 appropriations made for the purpose, approve grants of financial assist-
6 ance to the school districts, the University of Nevada System and the
7 cities, counties and other political subdivisions of the state for planning,
8 establishing, maintaining or improving programs of community educa-
9 tion.

10 SEC. 6. The governing body of a school district, the University of
11 Nevada System, or a city, county or other political subdivision may apply
12 to the state department of education for a community education grant.
13 The application must be supported by a proposed plan which includes,
14 but is not limited to:

15 1. The proposed involvement of the school district, the University
16 of Nevada System, the city, county or other political subdivision in the
17 administration and operation of the program of community education,
18 and the facilities and employees to be used for the program;

19 2. The geographical area to be served, the method to be used in
20 determining the interests and needs of the community, and the services
21 and activities to be provided;

22 3. Cooperative agreements to be entered into among public and pri-
23 vate agencies to make the best use of financial, human and physical
24 resources within the community;

25 4. The method to be used for bringing the people of the community
26 into the planning and making of decisions for community education; and

27 5. The method to be used in evaluating the effectiveness of the pro-
28 gram.

29 SEC. 7. An eligible applicant may apply for a community education
30 grant or grants of not more than \$10,000 to support a program of com-
31 munity education within any school attendance area of a city or county
32 or any other specified geographic area.

33 SEC. 8. Money provided for the purposes described in section 2
34 may be made available as grants to establish programs of community
35 education in rural and urban areas of this state and may be used for
36 administration of the programs.

37 SEC. 9. 1. There is hereby appropriated from the state general fund
38 to the state department of education for each year of the biennium
39 beginning July 1, 1979, the sum of \$350,000 to carry out the provisions
40 of this act.

41 2. After June 30, 1981, any unencumbered balance of the appro-
42 priation made by subsection 1 may not be encumbered, and any such
43 balance reverts to the state general fund.

JOHN H. CARR, M.D., M.P.H., F.A.A.P.
STATE HEALTH OFFICER



NEVADA STATE DIVISION OF HEALTH
BUREAU OF HEALTH FACILITIES
CAPITOL COMPLEX
505 EAST KING STREET
CARSON CITY, NEVADA 89710

(702) 885-4475

April 3, 1979

The Honorable Keith Ashworth
Chairman, Human Resources and Facilities Committee
Legislative Council Building, Room #329
Carson City, Nevada

Dear Senator: Ashworth:

The Bureau of Health Facilities has studied the second reprint of Senate Bill 78 and the amendments made to it by the Assembly Health and Welfare Committee. At the committee hearing the wording in the first reprint caused some confusion over the definition of Group Care Facility. It was not clear to Mr. Craddock, Mrs. Cavnar or Mr. Getto just what had to be provided in order for a facility to be licensed as Group Care. Therefore, in deleting the words laundry and providing it was felt a clearer and more concise definition of Group Care Facility was provided.

The Bureau of Health Facilities concurs with the amendments to this bill by the Assembly Committee and would request the support of your committee in approving them.

Should you have questions about the Bureau's position on Senate Bill 78 we would be happy to try and answer them for you.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "William L. Thomason".

William L. Thomason, D.D.S.
Administrator
Bureau of Health Facilities

WLT/mh

cc: Committee Members

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

S. B. 78

 SENATE BILL NO. 78—COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

JANUARY 23, 1979

Referred to Committee on Human Resources and Facilities

SUMMARY—Broadens definition of group care facility. (BDR 40-218)

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.

AN ACT relating to health and care facilities; broadening the definition of group care facility; 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 449.005 is hereby amended to read as follows:
 2 449.005 "Group care facility" means an establishment operated and
 3 maintained for the purpose of furnishing food, shelter and [laundry and
 4 providing] personal care or services other than nursing care to:
 5 1. Four or more ambulatory aged, infirm, *mentally retarded* or
 6 handicapped [individuals] *persons* unrelated to the person operating
 7 the facility; or
 8 2. Four or more females during pregnancy or after delivery, who are
 9 unrelated to the person operating the facility.

1979 REGULAR SESSION (60TH)

ASSEMBLY ACTION		SENATE ACTION		Assembly	AMENDMENT BLANK
Adopted	<input type="checkbox"/>	Adopted	<input type="checkbox"/>	AMENDMENTS to	Senate
Lost	<input type="checkbox"/>	Lost	<input type="checkbox"/>	Bill No.	Joint 78 Resolution No.
Date:		Date:		BDR	40-218
Initial:		Initial:		Proposed by	Committee on Health and
Concurred in	<input type="checkbox"/>	Concurred in	<input type="checkbox"/>		Welfare
Not concurred in	<input type="checkbox"/>	Not concurred in	<input type="checkbox"/>		
Date:		Date:			
Initial:		Initial:			

Amendment N^o 367



Amend section 1, page 1, lines 3 and 4 by deleting:
 "[and] or laundry and providing" and inserting "and [laundry and
 providing]".

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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.

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:

Section 1. NRS 445.526 is hereby amended to read as follows:

445.526 1. Whenever the director [believes] has reasonable cause to believe that a statute or regulation for the prevention, abatement or control of air pollution has been violated, he shall cause written notice to be served upon the person [or persons] responsible for the alleged violation.

2. The notice [shall] must specify:

- (a) The statute or regulation alleged to be violated; and
- (b) The facts alleged to constitute the violation.

3. The notice may include an order to take corrective action within a reasonable time, which [shall] must be specified. [Such an] The order becomes final unless, within 10 days after service of the notice, a person named in the order requests a hearing before the commission.

4. With or without the issuance of an order pursuant to subsection 3, or if corrective action is not taken within the time specified:

- (a) The director may notify the person or persons responsible for the alleged violation to appear before the commission at a specified time and place; or
- (b) The commission may initiate proceedings for recovery of the appropriate penalty.

5. Nothing in this section prevents the commission or the director from making efforts to obtain voluntary compliance through warning, conference or other appropriate means.

Sec. 2. NRS 445.546 is hereby amended to read as follows:

445.546 1. Except as provided in subsection 4 and in subsections 2 and 3 of NRS 445.493:

(a) The district board of health, county board of health or board of county commissioners in each county which has a population of 100,000 or more, as determined by the last preceding national census of the Bureau of the Census of the United States Department of Commerce, shall establish an air pollution control program within 2 years after July 1, 1971, and administer [such] the program within its jurisdiction unless superseded.

(b) The program [shall:] must:

(1) Establish by ordinance or local regulation standards of emission control, emergency procedures and variance procedures [equivalent to or stricter than those established by statute or state regulation:] which are no less strict nor more strict than federal standards; and

(2) Provide for adequate administration, enforcement, financing and staff.

(c) The district board of health, county board of health or board of county commissioners is designated as the air pollution control agency of the county for the purposes of NRS 445.401 to 445.601, inclusive, and the federal act insofar as it pertains to local programs, and [such] the agency is authorized to take all action necessary to secure for the county the benefits of the federal act.

(d) Powers and responsibilities provided for in NRS 445.461, 445.-476 to 445.526, inclusive, 445.571 to 445.581, inclusive, and 445.601 [shall be] are binding upon and [shall] inure to the benefit of local air pollution control authorities within their jurisdiction.

2. The local air pollution control board shall carry out all provisions of NRS 445.466 with the exception that notices of public hearings [shall] must be given in any newspaper, qualified pursuant to the provisions of chapter 238 of NRS, as amended from time to time, once a week for 3 weeks, which notice [shall] must specify

with particularity the reasons for the proposed rules or regulations and provide other informative details. The provision of NRS 445.466 [shall] does not apply to the adoption of existing regulations upon transfer of authority as provided in NRS 445.598.

3. Any county whose population is less than 100,000 or any city may meet the requirements of this section for administration and enforcement through cooperative or interlocal agreement with one or more other counties, or through agreement with the state, or may establish its own air pollution control program. If [such] the county establishes [such] the program, it [shall be] is subject to the approval of the commission.

4. No district board of health, county board of health or board of county commissioners may adopt any regulation or establish a compliance schedule, variance order or other enforcement action relating to emission control of fossil fuel-fired electric steam generating facilities.

Sec. 3. NRS 445.601 is hereby amended to read as follows:

445.601 1. Any person who violates any provision of NRS 445.401 to 445.526, inclusive, and 445.546 to 445.601, inclusive, or any regulation in force pursuant thereto, other than NRS 445.576 on confidential information, is guilty of a civil offense and shall receive a warning for the first offense, and for any subsequent offense shall pay an administrative fine levied by the commission of not more than [~~\$5,000.~~] \$2,000. Each day of violation constitutes a separate offense.

2. The commission shall by regulation establish a schedule of administrative fines not exceeding \$500 for lesser violations of any provision of NRS 445.401 to 445.526, inclusive, and 445.546 to 445.601, inclusive, or any regulation in force pursuant thereto.

3. Action pursuant to subsection 1 or 2 is not a bar to enforcement of the provisions of NRS 445.401 to 445.526, inclusive, and 445.546 to 445.601, inclusive, regulations in force pursuant thereto, and

orders made pursuant to 445.401 to 445.526, inclusive, and 445.546 to 445.601, inclusive, by injunction or other appropriate remedy, and the commission or the director may institute and maintain in the name of the State of Nevada any such enforcement proceedings.

[4. All administrative fines collected by the commission pursuant to this section shall be deposited in the county school district fund of the county where the violation occurred.]