

**MINUTES OF THE  
SENATE COMMITTEE ON HUMAN RESOURCES AND EDUCATION**

**Seventy-third Session  
March 2, 2005**

The Senate Committee on Human Resources and Education was called to order by Chair Maurice E. Washington at 1:31 p.m. on Wednesday, March 2, 2005, in Room 2135 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Maurice E. Washington, Chair  
Senator Barbara K. Cegavske, Vice Chair  
Senator Dennis Nolan  
Senator Joe Heck  
Senator Bernice Mathews  
Senator Valerie Wiener  
Senator Steven Horsford

**GUEST LEGISLATORS PRESENT:**

Senator Dina Titus, Clark County Senatorial District No. 7

**STAFF MEMBERS PRESENT:**

Marsheilah D. Lyons, Committee Policy Analyst  
Leslie K. Hamner, Committee Counsel  
Patricia Vardakis, Committee Secretary

**OTHERS PRESENT:**

Carole Vilardo, Nevada Taxpayers Association  
Roger K. Maillard, State of Nevada Employees Association/American Federation  
of State, County and Municipal Employees Retirees  
Scott Watts, Nevada Alliance for Retired Americans  
Danny N. Coyle, American Federation of State, County and Municipal  
Employees Retiree Chapter Local 4041  
Martin Bibb, Retired Public Employees of Nevada  
Lilli Frost

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William J. Birkman, Communication Workers of America, Local 9413

Joetta Brown

Jeanette Belz, Nevada Ophthalmological Society

Jeanne M. Anspach, R.N., Health Facilities Surveyor, Bureau of Licensure and Certification, Health Division, Department of Human Resources

Jennifer Dunaway, Health Facilities Surveyor, Bureau of Licensure and Certification, Health Division, Department of Human Resources

Warren Wish

CHAIR WASHINGTON:

We will open the hearing on Senate Bill (S.B.) 68, S.B. 72 and Senate Concurrent Resolution (S.C.R.) 3.

**SENATE BILL 68**: Revises provisions concerning licensure of facilities which provide surgical treatment for refractive errors of eye. (BDR 40-263)

**SENATE BILL 72**: Revises qualifications for senior citizen to obtain refund of certain amount of property taxes paid by that senior citizen. (BDR 38-282)

**SENATE CONCURRENT RESOLUTION 3**: Designates the second Wednesday in April as "Service Animal Recognition Day." (BDR R-693)

SENATOR DINA TITUS (Clark County Senatorial District No. 7):

I wish the record to show that I appreciate all the people who have come today for these bills.

Senate Concurrent Resolution 3 was the result of a subcommittee of the Legislative Committee on Persons with Disabilities Advisory Committee, which dealt with service animals. This resolution is to recognize Service Animal Recognition Day. This is a national day. We want to establish a day in Nevada to recognize the contribution these service animals make to the lives of people who depend on them. We have received testimonials by people about their service animals ([Exhibit C](#)). There are typographical errors on page 2, lines 19, 20, 41 and 42 of S.C. R. 3. The word Center should replace Council.

Senate Bill 68 adds types of eye procedures to include new technology. Last Legislative Session we passed a bill dealing with Lasik eye surgery, which was

very popular. There were many offices doing this surgery and there was no accountability. There is a need to regulate these facilities and their operations.

Senate Bill 72 is a proposal to give relief to low-income senior citizens. This bill applies to everyone in all counties. It already exists to an extent, but S.B. 72 would expand the requirements to include additional people who might be eligible to qualify for a tax break. Under the current law, a person is eligible if they are a senior citizen and the assessed value of their home is \$87,500. Senate Bill 72 would raise that assessed value to \$120,000. There are other changes that could be included in S.B. 72 which would make it more reasonable. There are two additional requirements that the Committee should review. One concern is the tax refund currently must not exceed \$500. That figure was set in 1979 and should be raised to \$1,000. The language should state the refund must not exceed the amount of the property tax or \$1,000.

CHAIR WASHINGTON:

Can we find that language in the *Nevada Revised Statutes* (NRS) stated in S.B. 72?

SENATOR TITUS:

Yes. It is NRS 427A.515, subsection 2.

Another change would raise the amount of liquid assets of the claimant to \$200,000 from \$150,000. If you wanted to use the same percentage increase used for the home assessment value, then it would be \$205,000.

In addition to raising the assessed value of a home from \$87,500 to \$120,000, the amount of the refund would be raised from \$500 to \$1,000, and the liquid assets would be raised from \$150,000 to \$200,000. These changes were suggested by taxpayers, associations, businesses and senior groups.

CHAIR WASHINGTON:

Has Ms. Vilardo reviewed the proposed amendments?

SENATOR TITUS:

Yes. She helped with the research.

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CAROLE VILARDO (Nevada Taxpayers Association):

I do support S.B. 72. We are trying to find a mechanism to provide property tax relief for senior citizens. There are income restrictions that are prohibitive. I have agreed to the suggested amendments. The amendments will give more people the opportunity for relief.

ROGER K. MAILLARD (State of Nevada Employees Association/American Federation of State, County and Municipal Employees Retirees):

My chapter and I are in favor of S.B. 72 for two reasons. One, this is a senior issue and two, there is a misconception that the Public Employees' Retirement System (PERS) is a gold-plated perk and that PERS retirees are receiving sizable monthly checks. The truth is the average PERS check is \$1,800 to \$1,900 per month. The annual benefit is \$21,600 to \$22,800, which is less than the \$24,000 stated in current law. Senate Bill 72 increases the maximum assessed value of a home to a new level. This change will put much needed funds into the pockets of senior citizens.

SCOTT WATTS (Nevada Alliance for Retired Americans):

I am the president of Nevada Alliance for Retired Americans (NARA). I am in support of S.B. 72. As all costs continue to rise, this would be helpful to many senior citizens in the State.

DANNY N. COYLE (American Federation of State, County and Municipal Employees Retiree Chapter Local 4041):

I speak in favor of S.B. 72 and support the proposed amendments offered by Senator Titus.

MARTIN BIBB (Retired Public Employees of Nevada):

We support S.B. 72. It addresses the needs of our senior citizens.

LILLI FROST:

I have been a real estate agent in Nevada for 25 years. Real estate prices are out of control. A three bedroom, two bath, two car garage home in a 30-year-old neighborhood with 1,400 square footage is in the price range of \$250,000 to \$270,000,

CHAIR WASHINGTON:

What would be the assessed value of such a house?

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MS. FROST:

I do not know. I do know there has been a substantial increase since 1979. I have talked with my clients and they suggested that a basic tax refund of up to \$1,500 would be helpful.

CHAIR WASHINGTON:

Unfortunately, we are not the Senate Committee on Taxation.

WILLIAM J. BIRKMAN: (Communication Workers of America, Local 9413):

I am the appointed chairman of the Retired Member Council of the Communication Workers of America. I ask the Committee to support S.B. 72.

JOETTA BROWN:

I agree with the amendments to the existing bill. I encourage the Committee to vote in favor of S.B. 72. Taxation has placed a burden on retirees.

CHAIR WASHINGTON:

Barry Gold, Associate State Director for Advocacy for AARP Nevada, submitted a document containing comments in support of S.B. 72 ([Exhibit D](#)) for the record.

We will close the hearing on S.B. 72.

SENATOR WIENER MOVED TO AMEND AND DO PASS S.B. 72.

SENATOR CEGAVSKE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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JEANETTE BELZ (Nevada Ophthalmological Society):

Senate Bill 68 was put into statute last Legislative Session regarding the licensing of independent facilities that did refractive Laser surgery. Senator Titus had a bad experience with one of the centers. She wanted to have quality assurance put in place. Senator Titus wanted to make sure the statute kept up with any technological changes that would occur in this field. She wanted us to keep her aware of any new procedures. I have given the Committee two handouts ([Exhibit E](#) and [Exhibit F](#)) regarding the two procedures that have

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been added to S.B. 68 to assure they will be included in the definition of what these surgery centers can do. On page 2, on lines 4 through 7 of S.B. 68, language was added to catch any of these facilities that perform surgeries that were not specifically stated in the bill. This greater latitude will give the Bureau of Licensing and Certification a greater opportunity to license these facilities.

SENATOR MATHEWS:

I am looking at line 14 on page 6 of S.B. 68. Can you explain what the language is requiring in lieu of a surety bond?

JEANNE M. ANSPACH (R.N., Health Facilities Surveyor, Bureau of Licensure and Certification, Health Division, Department of Human Resources):  
A facility is permitted to either file a surety bond or a substitute that is approved by the Administrator of the Health Division.

SENATOR MATHEWS:

Is there a set amount they are required to deposit?

MS. ANSPACH:

By law, it is based on the number of employees that the facility employs. The specifics can be found on page 5, lines 25 through 30.

CHAIR WASHINGTON:

Without regulating these facilities no one would know if they are bonded.

MS. BELZ:

You are correct. Until we started looking for these facilities we had no knowledge of what was actually happening.

CHAIR WASHINGTON:

How many facilities are not licensed?

MS. ANSPACH:

We were able to identify 16 unlicensed facilities in Las Vegas and 4 unlicensed facilities in the northern part of the State.

CHAIR WASHINGTON:

A person could have refractive surgery and not be aware that the facility was not licensed.

MS. BELZ:

Yes. The medical doctor does the surgery. Nevada law allows for comanagement between an ophthalmologist and an optometrist. The patient is informed of the relationship and must sign off that they were made aware of this fact. Quality assurance and emergency procedures are taken care of by the Bureau of Licensing and Certification which are not part of the licensing of the facility, physician or the optometrist.

JENNIFER DUNAWAY (Health Facilities Surveyor, Bureau of Licensure and Certification, Health Division, Department of Human Resources):

I have submitted my written testimony ([Exhibit G](#)) concerning S.B. 68 for the record.

SENATOR MATHEWS MOVED TO DO PASS S.B. 68.

SENATOR CEGAVSKE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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SENATOR CEGAVSKE:

A letter from Jean Payton and her service animal, Lander ([Exhibit H](#)), was sent to the members of the Committee in support of S.C.R. 3.

WARREN WISH:

I have been a leader of the Carson City Guide Dog Club for the past 20 years. My wife and I have been raising guide dogs on behalf of Guide Dogs for the Blind, in San Rafael, California. We are here in support of S.C.R. 3. By recognizing service dogs, we are recognizing a unique partnership of animals and people working together to further a person's independence and ability to be a fully functioning member of society. Their disability is no longer a barrier. These animals have the ability to bring out the best in all of us. The disabled feel these animals are a partner that allows them to function as a full citizen. This bill would provide a day each year to allow the public to recognize the importance of these animals and the lives they affect. There are three service dogs here today. In northern Nevada, we have raised over 100 guide dogs which are now distributed throughout the United States and Canada.

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CHAIR WASHINGTON:

How long does it take to train a guide dog?

MR. WISH:

It is a two-year process. They are trained for a year and a half and then go to Guide Dog College for six months, which includes a month when blind people fly to San Rafael, at no cost to them. They spend a month working with their dog and getting training. This is all done through volunteer effort. There is no public funding involved. There are 11 guide dog schools throughout the United States. There are also schools to train service animals for the hearing impaired and physically disabled.

SENATOR CEGAVSKE MOVED TO AMEND AND ADOPT S.C. R. 3.

SENATOR WIENER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR WASHINGTON:

We amended and passed S.B. 72. On page 2, line 6 of S.B. 72, we will need clarification on the amount of liquid assets as to whether it should be \$200,000 or \$205,000.

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There being no other issues before us today, the Senate Committee on Human Resources and Education will adjourn at 2:15 p.m.

RESPECTFULLY SUBMITTED:

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Patricia Vardakis,  
Committee Secretary

APPROVED BY:

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Senator Maurice E. Washington, Chair

DATE: \_\_\_\_\_