

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-sixth Session
April 15, 2011**

The Senate Committee on Education was called to order by Chair Mo Denis at 3:34 p.m. on Friday, April 15, 2011, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Moises (Mo) Denis, Chair
Senator Ruben J. Kihuen, Vice Chair
Senator Valerie Wiener
Senator Sheila Leslie
Senator Barbara K. Cegavske
Senator Don Gustavson
Senator Greg Brower

GUEST LEGISLATORS PRESENT:

Senator David R. Parks, Clark County Senatorial District No. 7

STAFF MEMBERS PRESENT:

Pepper Sturm, Policy Analyst
Kristin Roberts, Counsel
Sandra Small, Committee Secretary

OTHERS PRESENT:

Crystal Abba, Associate Vice Chancellor for Academic and Student Affairs,
Nevada System of Higher Education
Bart Mangino, Clark County School District

CHAIR DENIS:

We will begin the work session with Senate Bill (S.B.) 449.

Senate Committee on Education
April 15, 2011
Page 2

SENATE BILL 449: Revises provisions governing tuition charges, registration fees and other fees assessed against students in the Nevada System of Higher Education. (BDR 34-932)

PEPPER STURM (Policy Analyst):

The Committee heard S.B. 449 on April 11 and April 13, 2011. This bill authorizes the Board of Regents to adjust fees and tuition for different academic programs or majors based on demand or the cost of the program. The Committee has received a copy of my written comments ([Exhibit C](#)). An amendment was submitted by the Nevada System of Higher Education (NSHE) to remove the program to forgive loans, pages 1 and 2, [Exhibit C](#). A conceptual amendment was submitted by Senator Steven A. Horsford requiring a biennial report, page 1 and page 3, [Exhibit C](#).

CHAIR DENIS:

Have Senator Cegavske's questions been answered?

SENATOR CEGAVSKE:

Yes, they are answered in the amendment.

SENATOR LESLIE MOVED TO AMEND S.B. 449 TO REFLECT BOTH THE NSHE'S AND SENATOR HORSFORD'S AMENDMENTS AND DO PASS AS AMENDED S.B. 449.

SENATOR KIHUEN SECONDED THE MOTION.

SENATOR CEGAVSKE:

Does S.B. 449 include the reporting requested in the Governor's bill? Will there be duplication between these bills?

CRYSTAL ABBA (Associate Vice Chancellor for Academic and Student Affairs, Nevada System of Higher Education):

Senate Bill 434 includes reporting provisions similar to those in S.B. 451, not S.B. 449.

SENATE BILL 434: Makes various changes regarding funding and autonomy of Nevada System of Higher Education. (BDR 31-1175)

Senate Committee on Education
April 15, 2011
Page 3

SENATE BILL 451: Revises provisions governing tuition charges, registration fees and other fees assessed against students enrolled in institutions of the Nevada System of Higher Education. (BDR 34-933)

THE MOTION CARRIED UNANIMOUSLY.

CHAIR DENIS:

The Committee will now consider S.B. 451.

MR. STURM:

This bill allows tuition and fees collected at a campus to be retained by the institution. The Committee has received a copy of my summary ([Exhibit D](#)). An amendment was proposed by NSHE, pages 1 and 2, [Exhibit D](#). The proposed amendment clarifies the retention is prospective and deletes other fees, pages 1 and 2, [Exhibit D](#). A date should probably be added if NSHE's amendment is accepted.

SENATOR CEGAVSKE:

I do not see anything in this bill that weans NSHE from State financial support.

MS. ABBA:

The reporting requirement in S.B. 451 mirrors the provision in S.B. 434.

SENATOR CEGAVSKE:

Is the language identical?

MS. ABBA:

Yes, it is. The bill, as drafted, provides for the institutions retaining 100 percent of their tuition and fees. Fees include special course fees, student fees, laboratory fees, or any other fee. One reason to limit the retention to fee increases is that it would mirror the letter of intent we issued last Session, with a slight difference. The other reason is if we pull tuition and fees out of the State-supported operating budget, it would be a huge change in terms of how the NSHE's operating budget is set. A change of that magnitude is better reviewed during an interim study with the time to look at what other states are doing and what the long-term impact would be. We are trying to be cautious.

Senate Committee on Education
April 15, 2011
Page 4

SENATOR LESLIE MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 451.

SENATOR WIENER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:
The Committee will consider S.B. 318.

[SENATE BILL 318](#): Establishes provisions governing permissible flammability of certain components in school buses. (BDR 34-781)

MR. STURM:
The Committee has a copy of my summary ([Exhibit E](#)). Senator David R. Parks and Mr. Sam McMullen presented an amendment, pages 1 through 3, [Exhibit E](#).

SENATOR DAVID R. PARKS (Clark County Senatorial District No. 7):
Senate Bill 318, as amended, puts minimum safety standards for school buses into Nevada law. Currently, there is no minimum flammability standard applying to plastic components within the engine compartment of school buses. The bill applies to buses purchased after January 1, 2014. The amendment is satisfactory with the school districts.

SENATOR CEGAVSKE:
This appears to be an unfunded mandate because we do not know the difference between the current cost to purchase a school bus and the cost under the guidelines in S.B. 318. School districts have the option now to purchase school buses with the flammability standards if the funds are available. Does this bill relate only to school buses?

SENATOR PARKS:
The bill pertains strictly to school buses.

Senate Committee on Education
April 15, 2011
Page 5

SENATOR CEGAVSKE:

Does the Regional Transportation Commission of Southern Nevada (RTC) have the ability to purchase buses under the requirements of S.B. 318? The RTC just purchased new buses.

SENATOR PARKS:

I was the chief financial officer for the RTC in the 1990s. The RTC did have requirements in its specifications for multiple fire-resistant materials as well as fire suppression equipment inside the engine compartment. There is a big difference between diesel- and gas-powered engines. It requires a higher temperature for a diesel engine to light on fire. Gasoline-powered buses are used by the school districts.

SENATOR CEGAVSKE:

Do you know the increased cost under the proposed standards in S.B. 318?

SENATOR PARKS:

The cost difference is relatively minimal. No buses built will have untested equipment in its assembly under S.B. 318.

CHAIR DENIS:

Are there currently standards for the plastics under the hood?

SENATOR PARKS:

There are no requirements to implement standards. There are standards established by Underwriters Laboratories.

CHAIR DENIS:

All of the thermal events in Nevada have been under the hood.

SENATOR PARKS:

The thermal events have either been under the hood or they had something to do with a heat source.

CHAIR DENIS:

It seems we should have a minimal standard.

Senate Committee on Education
April 15, 2011
Page 6

SENATOR CEGAVSKE:

Are there any national standards? Should this type of regulation occur at the federal level?

SENATOR PARKS:

Yes, there are standards. The Underwriters Laboratories test products and provide a certification for the product. I do not know of a U.S. Department of Transportation or a U.S. Department of Education specification or guideline.

BART MANGINO (Clark County School District):

I do not know if there are federal standards.

SENATOR KIHUEN MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 318.

SENATOR WIENER SECONDED THE MOTION.

SENATOR BROWER:

I want to disclose that Mr. McMullen and I work for the same law firm. After conferring with legal counsel, I do not have a conflict in this matter.

SENATOR GUSTAVSON:

I would like similar safety measures included in all public bus transportation.

CHAIR DENIS:

Because there would be many statutes involved, we will be unable to do that today.

THE MOTION CARRIED. (SENATOR CEGAVSKE VOTED NO.)

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CHAIR DENIS:

Senate Bill 197 is the result of an interim study. This measure may be the remaining vehicle for this topic if we wish to consider some of the Education Reform Blue Ribbon Task Force recommendations. There are several budget issues in S.B. 197.

Senate Committee on Education
April 15, 2011
Page 7

SENATE BILL 197: Revises provisions governing the system of governance and oversight of public education. (BDR 34-94)

SENATOR LESLIE MOVED TO REREFER S.B. 197 TO THE SENATE COMMITTEE ON FINANCE.

SENATOR KIHUEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

There being no public comment or further business to come before this Committee, we are adjourned at 4:01 p.m.

RESPECTFULLY SUBMITTED:

Sandra Small,
Committee Secretary

APPROVED BY:

Senator Mo Denis, Chair

DATE: _____

<u>EXHIBITS</u>			
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 449	C	Pepper Sturm	Work Session Document
S.B. 451	D	Pepper Sturm	Work Session Document
S.B. 318	E	Pepper Sturm	Work Session Document