

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON EDUCATION**

**Seventy-Seventh Session
April 10, 2013**

The Committee on Education was called to order by Chairman Elliot T. Anderson at 4:17 p.m. on Wednesday, April 10, 2013, in Room 3142 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at nelis.leg.state.nv.us/77th2013. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman Elliot T. Anderson, Chairman
Assemblywoman Marilyn Dondero Loop, Vice Chairwoman
Assemblyman Paul Aizley
Assemblywoman Lesley E. Cohen
Assemblywoman Olivia Diaz
Assemblyman Wesley Duncan
Assemblyman Andy Eisen
Assemblywoman Michele Fiore
Assemblyman Randy Kirner
Assemblyman Harvey J. Munford
Assemblywoman Dina Neal
Assemblyman Lynn D. Stewart
Assemblywoman Heidi Swank
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

None



GUEST LEGISLATORS PRESENT:

Assemblyman Richard Daly, Washoe County Assembly District No. 31
Assemblyman David P. Bobzien, Washoe County Assembly District
No. 24
Assemblyman James Ohrenschall, Clark County Assembly District No. 12

STAFF MEMBERS PRESENT:

Todd Butterworth, Committee Policy Analyst
Andrew Diss, Committee Manager
Jacque Lethbridge, Committee Secretary
Sharon McCallen, Committee Secretary
Steven Sisneros, Committee Assistant

OTHERS PRESENT:

Joyce Haldeman, Associate Superintendent, Clark County School District
Lindsay Anderson, representing Washoe County School District
Lonnie Shields, representing Nevada Association of School Administrators
Mary Pierczynski, representing Nevada Association of School
Superintendents
Craig Madole, representing Nevada Chapter, Associated General
Contractors
Craig Stevens, representing Nevada State Education Association
Paul McKenzie, representing Building and Construction Trades Council of
Northern Nevada
Marlene Lockard, representing Nevada Women's Lobby
Brian Wachter, representing Retail Association of Nevada
Elisa Cafferata, representing Nevada Advocates for Planned Parenthood
Affiliates
Calli Fisher, representing Washoe County School District
James G. (Greg) Cox, Director, Department of Corrections
Nicole Rourke, representing Clark County School District

Chairman Elliot Anderson:

[Roll was called. Housekeeping, protocol, and procedures were explained.]
We will recess today at the call of the Chair. I intend to bring us back
tomorrow afternoon.

We will invite Associate Superintendent Joyce Haldeman to the table to present
Assembly Bill 459.

**Assembly Bill 459: Revises provisions relating to school property.
(BDR 34-203)**

Joyce Haldeman, Associate Superintendent, Clark County School District: Assembly Bill 459 is a bill that has two distinct parts ([Exhibit C](#)). The first part includes sections 1 and 2 that would give school districts the ability to donate surplus property to other school districts.

The second part of the bill in section 4 would dissolve the existing requirement for the oversight panel for school construction.

I will begin with sections 1 and 2. Assemblyman David Bobzien, who served as the Chair of the Legislative Committee on Education during the interim, sent a letter on June 5, 2012, to all interested parties to solicit potential recommendations for possible consideration by the Committee during the work session phase of the final meeting of the interim committee.

Daniel W. Fox, Superintendent of Pershing County, suggests *Nevada Revised Statutes* (NRS) 332.185, subsection 2 be amended to allow school districts to accept donations of surplus property from another school district within Nevada. Currently, a school district may donate surplus property to charter schools, and this bill would expand that ability to include the donation of items to other school districts as well.

The second topic in section 4 of the bill would repeal the requirements associated with the establishment of the oversight panel for school facilities, which is currently found in NRS 393.092, 393.095, and 393.096.

The Nevada Legislature created the oversight panel for school facilities in 1997 through the passage of Assembly Bill No. 353 of the 69th Session. This bill provided two new revenue sources for the Clark County School District (CCSD) for school construction, and upon approval of the voters, extended the duration of the property tax for ten years.

The creation of the oversight panel was intended to provide an additional layer of accountability to assure that the appropriate usage of the funding made available through A.B. 353 and passage of ballot question 1998 was accomplished.

The oversight panel consists of 11 members, 6 who represent local governments, and 5 community members with specific expertise in the areas of structural or civil engineering, construction of public works projects, construction finance, the gaming industry, and the general public with an

interest in education. The 11-member committee would meet on an annual basis, and the requirement of the law was that the panel provide written recommendations for financing the cost of new construction, design, maintenance, and repair of school facilities. The panel also would review and approve or disapprove a request by the board of trustees for issuance of general obligation bonds.

The 1998 building program was a ten-year program, and the dollars generated by the ballot question are nearly exhausted. The oversight panel in its most recent report, July 1, 2012, concluded with the recommendation that this report be the last to be submitted to the Legislative Counsel Bureau.

For that reason, we have brought forth Assembly Bill 459. I have considerable other information I could provide for you if you need it.

One additional thing I need to bring to the attention of the Committee is that the bill requests dissolution of those sections of the law which include oversight panels in both Clark County School District (CCSD) and Washoe County School District (WCSD). The way the bill is written, it carves out the two large school districts.

Because WCSD is seeking additional revenue sources as CCSD did in 1997, they are seeking additional revenue sources through Assembly Bill 46. My conversation with representatives in WCSD is that they would actually like to maintain the oversight panel, just as it was appropriate for CCSD to have it when we had the two new revenue sources. They feel it would be appropriate for WCSD to maintain their oversight panel if, in fact, they are successful with A.B. 46.

For that reason, we could either carve them out of this legislation or, in some other way, make sure that was an ability they maintained.

Assemblyman Kirner:

I, too, have heard that from WCSD. Is there an amendment?

Lindsay Anderson, representing Washoe County School District:

Ms. Haldeman stated that since A.B. 46 is going to be successful, we would like to maintain the oversight committee to monitor those funds if, in fact, they are ever bonded. We will work with the bill's sponsor to make sure there is either an amendment to this bill or to another bill to include that language. It is in process.

Assemblywoman Neal:

Section 1, subsection 2 says, "Any donation of surplus personal property of another school district made pursuant to subsection 2 of NRS 332.185." What would be an example of surplus personal property that falls within that category?

Although existing law, section 2 says, in summary, the donation of property to any other school district in the state or to a charter, without notice, without invitation of competitive bidding, and the selling or leasing without notice. What school district would you be giving property to, and why would they need it?

Joyce Haldeman:

When CCSD was in that high-growth time, building a lot of schools and purchasing a lot of school buses, we had a practice that when we had buses that were older and would have been taken out of service, they were still valuable to other districts. We would sell those school buses to them for \$1 per bus.

Because we were selling them, there was still a process we had to follow. We could have given the bus to a charter school. In order to pass them on to another district, we had to sell them and go through the process used to monitor that. We would like to be able to just give them the bus. There are other examples in the small districts where one district might decide to change technology platforms from IBM to Apple. Their older technology, although not useful to them anymore, is useful to another district. Again, they would like to be able to share that surplus property with another district. This would allow them to utilize that ability.

Assemblywoman Neal:

My next question deals with striking oversight from the language. In your presentation you stated that because there used to be two revenue sources and now those two revenue sources are finding their way somewhere else or are nonexistent, you do not see the need for oversight. What about current actions happening in other bills where you may get revenue sources for capital improvements and other dollars where you may need this oversight? In particular, some bills coming through the Assembly Committee on Government Affairs are going to give you capital improvement dollars to either build or improve an existing educational facility? Talk to me about the correlation of this language and what is happening within other framework in this building with other legislation.

Joyce Haldeman:

Should those additional revenues come forward, we would be happy to have an oversight panel connected with them. That would not be a problem. In CCSD, we already have several oversight bodies in place, the first of which is the Debt Management Commission run by the Clark County Commissioners and has representatives from all of the different entities serving on it. We also have the CCSD Bond Oversight Committee, which the school board voluntarily created and which meets on a regular basis with a large membership that also has the same expertise. Of course, the school board has the ultimate accountability for these things. There is accountability in place.

Should it be deemed necessary, if new revenue resources become available, to attach an accountability panel to that, we would be happy to do so.

The panel we currently have in place is an 11-member panel. The law requires that we have somebody from each one of the entities, which means in CCSD we have someone from the City of Mesquite, North Las Vegas, Las Vegas, Henderson, Boulder City, and a Clark County Commissioner, plus five additional people who serve on the commission. Just the requirement to get that group in the room at the same time is very difficult. They all have different schedules and are from different places. As long as this panel has been in existence, the meetings have been at 7 a.m.

When we were in full building mode, no one minded doing this. It was considered essential work. Now the report is simply paperwork that must be done every other year. The report language is basically the same. As the building program has come to an end, it is deemed as a nonessential report.

Chairman Elliot Anderson:

If we get rid of this, who is going to be supervising any capital construction that you may do?

Joyce Haldeman:

If we put another ballot question to the public, the first step is we have to go to the Regional Debt Management Commission. In doing so, we also have to go to each one of the entities to make sure there is not a problem with the property tax limit in place, that it does not bump up against existing property tax. That is one level of oversight. The Regional Debt Management Commission is another level of oversight. We also have the Bond Oversight Committee that the board of trustees have voluntarily created. The board of trustees ultimately approve or disapprove everything which takes place.

Assemblyman Kirner:

Aside from the law, you have the authority to create an oversight panel if you want to.

Joyce Haldeman:

We have an oversight committee.

Assemblyman Kirner:

That is what you are trying to get rid of.

Joyce Haldeman:

This is the oversight panel.

Assemblyman Kirner:

You have the ability to create the panel. Let us assume you do not have a law and you decide to build a building and would like to get a panel. Can you put a panel together? Are you prohibited by law to do that?

Joyce Haldeman:

No, we are not prohibited. The only reason we get a quorum for the meetings is because we do have a law that requires it.

Assemblyman Kirner:

The first part of the bill looks good to me. The second part makes sense if you do not put into law that you have to have this panel. If you need a panel, you can always form a panel. You do not need a law to help you do that.

Joyce Haldeman:

That is correct.

Assemblywoman Neal:

I do not want this to be taken that I do not support schools. I do. I am always looking at the moving parts of other legislation, also. Assembly Bill 417, the City of Henderson's bill which is a redevelopment bill that is getting ready to set aside 18 percent for capital improvement, will have a portion that is going to become active immediately, not in 2036. How will this oversight panel and the new influx of money—although it may only be \$10 million—affect this issue?

Joyce Haldeman:

The oversight panel for school facilities, which we call the 8353 committee to avoid confusion, would not have jurisdiction over that. They only have jurisdiction over the issuance of bond dollars. It would not impact that at all.

Chairman Elliot Anderson:

Are there any further questions from the Committee? Seeing none, is there anything else you would like to add, Ms. Anderson?

Lindsay Anderson:

No, sir. We were part of the interim discussion. Then we did not know what our capital situation was going to be, so we supported the elimination of that panel. Circumstances are different now, so we are looking for a different option.

Chairman Elliot Anderson:

To be clear, you are proposing a friendly amendment for a carve-out for WCSD. Washoe County is not in there, it would only apply to Clark County? Is that accepted as a friendly amendment, Ms. Haldeman?

Joyce Haldeman:

Yes, it is.

Lonnie Shields, representing Nevada Association of School Administrators:

We support A.B. 459 and the proposed amendment.

Mary Pierczynski, representing Nevada Association of School Superintendents:

I am also authorized to represent Nevada Association of School Boards because Dotty Merrill is in another hearing. We are in support of A.B. 459.

Chairman Elliot Anderson:

Is there any support for A.B. 459 in Las Vegas? [There was none.] Is there anyone opposed here in Carson City or in Las Vegas? [There was no one.] Neutral? [There was no one.] We will close the hearing on Assembly Bill 459.

We are going to open the hearing on Assembly Bill 403. We will probably consider this bill at the end of the work session.

Assembly Bill 403: Authorizes the board of trustees of a county school district to impose certain fees. (BDR 34-275)

Assemblyman Richard Daly, Washoe County Assembly District No. 31:

As we know, our state has struggled with being too dependent on gaming and mining and a few industries. It has been an ongoing thought process of mine as I started looking for ways to diversify our economy and to make our state more competitive as we tried to bring in new businesses.

A number one concern of businesses looking to relocate in our state is quality of the workforce, which is an education issue. I support measures that will improve education.

This bill comes from the genesis that people having job-ready skills are important to having an element of people coming out of high school who can go into vocational fields. Not everyone is going to college or needs to. It is a lofty goal, but even if everybody did go to college, we would still need bus drivers and other noble trades.

I spoke to people in my district and asked how we were going to improve education and diversify the economy. I looked at vocational training as an avenue where we needed more investment, and I looked at Washoe County at the time. I am told CCSD has several very advanced vocational high schools, and I originally thought the bill was going to be a Washoe County-only bill, but I have been told it has to be statewide for other constitutional reasons.

The background is to try to improve education and make sure we are giving people opportunities for trades and business we are hoping to bring to our state through vocational training. We do not have much of that in Washoe County, and we are looking for a way to improve.

Once you identify a need, you want to move forward on some of the needs for education. If we were going to have a focus on vocational education, we would need a funding source, and that was the idea. There are several different ways, and basically this is a property tax.

When I was told it was going to be statewide, I was anticipating it to be Washoe County, as we had talked to them and they were in support of it. When it went statewide, I did not want to have a ten-year field out there to be implemented, so something I asked Legal to add is that any one of the 17 school districts would have six months to decide and enact an ordinance.

You may have thought the same thing I did when I first saw the word "ordinance." School boards do not generally adopt ordinances. Those are done by cities and counties. This bill gives the school board the authority to adopt a justice ordinance to enact a parcel tax. Two dollars per acre, per month is what is in the amendment ([Exhibit D](#)). It was an oversight in the original drafting.

I have had many discussions with the county assessor and the school district on what that would do and what the dollar numbers would be. If you have a 40-acre, residential parcel, it would be nearly \$1,000 at \$2 per acre, per month.

He said we would need to figure out where we want to put a cap on different land uses, so we went through some legal concerns over that. We did set residential use at ten acres.

Commercial properties, some of the larger properties both north and south as far as gaming goes, give away more than this tax would be in a day in promotions. I do not think it would be that significant for them.

You then have vacant and agricultural and rural land where we put a cap at 100 acres, and 500 acres for commercial uses. Again, we did this working with the county assessor on the language to make sure we were capturing that. It specifically exempts any property that is already exempt from property tax, such as schools, city, and parks.

The question on the language regarding property taxes, liens, and other things, is language that goes with any property tax that you might have.

Where is the oversight to ensure it is being used properly once we have enabled the school district to enact this? Most people will support the vocational part of the education and support these measures, but they want to make sure that is being used properly, enabling the school district to enact this. That is why I have the five-person committee, which has two roles. As you see, there are two legislators, one appointed by the Majority Leader from the Senate, and one appointed by the Speaker from the Assembly. It has to be a person who represents that county or a portion of it—the superintendent of the school district, the president of the school board, then one person appointed from the public by the school board. The roles for that committee are intended to be that it give advice, do some of the legwork, coordinate with community colleges and the College of Economic Development. The vocational piece fits into the bigger puzzle of all we are trying to do for the state and give the school district advice.

The school board would actually say this is a program for the direction we want to go and that would allow them to build a single high school if they wanted to. It would allow them to do what Washoe County has called the Signature Academies. The purpose is to have a vocational element at this school and try to be very good at that school, while enhancing, cooperating, and coordinating with community colleges and universities and all of the industries we are trying to bring in. We want to talk to businesses as well.

In the event the school board, as we know they would never do, strayed a little or said we have a source of money here and we could make a nexus, that five-person board would say it is not an authorized vocational related use of the money.

There is a ten-year limit and the caps are set at levels that are fair. The school board has the ability to adjust if they go all the way to the maximum, and they cannot go below an acre. If they go to the maximum, they can adjust that to their county based on the type of land use they have. At the cap, for Washoe County, it raises about \$10 million per year.

That is essentially the bill. The question is, do we believe vocational training and improving education in that arena is worthwhile? Do we believe it fits into the larger view of what we are trying to do for the state, which is to meet needs of businesses and manufacturers we are trying to attract, to get people job-ready skills and life skills if they go on to college? If we do, what mechanism is there to implement that? This is the reason this bill is in front of you. This mechanism enables the school board, case by case, to do it in their county if they choose.

Assemblywoman Neal:

This bill is permissive, but you know we just passed Washoe's property tax bill. If the county says they want to do this, and we have two taxes associated with property taxes just in Washoe, what is the effect upon those residents?

Assemblyman Daly:

If you have one acre or less, it is \$24 per year. Most people in single-family residences are on less than an acre. If there are a lot of 40-acre parcels, it comes out to about \$960. The county has the ability to adjust that if they think it is too much. Of course, you have to hit a dollar number that is worthwhile. If you are only raising \$2 million, you wouldn't be able to do much in ten years.

The vacant land is where there is the most ability to have a range. I was told that for some vacant land in northern Washoe or in the rural areas, there is no development. If someone had 1,000 acres, and it was \$2 per acre per month, it would be more than what his tax bill is now. That is why we have a lower cap for that type of use. We want the school board to look at that and make adjustments based on what is best for their county.

The nickel on A.B. 46 is going to be an override if it is passed. If it goes above the \$2.64, that would be \$.05 per \$100 of assessed value.

Assemblyman Kirner:

We have had the discussion whether or not the school board should have taxing authority. We came to the conclusion that it should not. We took that amendment out of A.B. 46. Am I hearing that you are proposing the school board have taxing authority?

Assemblyman Daly:

Yes. They would be able to enact an ordinance that would allow them to assess a \$2 per acre parcel tax. I understand the iteration where you are saying Assembly Bill 46 passed out as written. I do not know if there was a determination made that they should not have taxing authority. Certainly the Legislature can give it to them. This bill is different from that.

Assemblyman Kirner:

I believe they had an issue on their last election where there was some kind of new tax and they were resoundingly defeated. I am trying to understand why Washoe County, as an example, would want to have a tax on top of a tax, or why Clark County would want to take on a new tax when the voters have said no. Do you have any thoughts on that?

Assemblyman Daly:

Washoe County School District did not come to me. These are things that I believe are important to my district and to Washoe County because we do not have vocational education. Originally, I thought it was only to be Washoe County, but for whatever reason, it is statewide. That is why I narrowed it down to do it within your window. Any school district can evaluate that and choose.

On the issue of voting for various things, most people I spoke to wanted something done with education. They also agree that vocational education in Washoe County is not very well complemented with the community college. The schools in Washoe County do not have the resources to develop vocational education, although it is an important element of what we need to do.

I believe this body was elected to make those decisions, and I do not need to have the vote of the people in order to make a decision about something I can see is a problem. It needs to be addressed. We need to find a solution and hopefully carry it out.

Assemblyman Kirner:

I would yield to you that vocational programs are good and valuable, and we are possibly underserving that population. I am just not convinced about how you want to get there.

Assemblywoman Diaz:

I am not familiar with Washoe. Do they currently have vocational training programs, or do they not?

Assemblyman Daly:

Do we have a vocational high school? Not exactly. There is a charter school, Academy for Career Education (ACE) High School, which teaches construction, but charter schools are administered differently than the regular schools. They get per-pupil funding, but not for building. The Academy of Arts, Careers and Technology school has an element of it, but not so much. Then there are some individual high schools that have shop classes that are working pretty well, but it is not throughout Washoe County, and there is not one high school that focuses on it. There are pieces, but it is not complete.

Lindsay Anderson, representing Washoe County School District:

Assemblyman Daly probably summarized it pretty well. We do have a special magnet school, but it is relatively small with 500 students. It offers a lot of things, not just vocational or technical training. We do have limited programs and other comprehensive high schools, but there is not the model you have in CCSD with the career and technical academies. In fact, that is why Superintendent Martinez was in Las Vegas last week. He was taking our board down to show the model you have done there. That is something we strive to accomplish, because we know how successful they have been. It is different here in Washoe County School District.

Chairman Elliot Anderson:

Mr. Daly, my only question, and you may have already touched on it, is why the funds for vocational schools would be specifically earmarked? We have a lot of needs everywhere. We will be considering bills that have huge price tags for what we need to do. My understanding of tax policy, although I am not an expert, is that it is generally not a good idea to earmark funds for a specific purpose unless there is a logical relationship such as gas tax for highway maintenance. Even that is beginning to unravel a bit due to increased efficiency. Can you comment a bit more on why you chose this specific educational need?

Assemblyman Daly:

Again, you identify the need, decide priority, then look at/explore how you will get the resources to implement it. Property tax is one of the main funding sources for schools now, and everybody in the county benefits from a good education. Of course, if we can be successful in demonstrating we have qualified students who can meet the needs targeted to the businesses and economic development, it is our hope that everybody in the state will benefit and adjust as needed as things change.

Yes, it could have been education or it could have been something else. When I looked at property tax, instead of raising it a nickel, I just looked at the parcel

tax and felt this is a fair way. Everybody who has property is going to pay a little. It is only \$24, and we have those caps and adjustments to try to make it reasonable and fair to property owners at the appropriate levels.

Chairman Elliot Anderson:

It is hard to wrap our heads around this bill, because we have been dealing with education policy. I feel our colleague, Ms. Bustamante Adams, would be in a better position to consider this legislation. With no further questions, I will open up the table for those in support of A.B. 403.

Craig Madole, representing Nevada Chapter Associated General Contractors:

It is our opinion that the vocational schools and the vocational skills that are learned in those schools are very underutilized throughout Nevada. During the recent economic downturn of our state, the majority of our skilled craftsmen left Nevada to pursue work elsewhere. If we do not start teaching that ability to our students now, it is our feeling that we will be very far behind. When we begin looking at an uptake in the economy, we will not have the skill sets necessary to build the infrastructure required to support that economy.

Vice Chairwoman Dondero Loop:

[Assumed the Chair.]

Lindsay Anderson:

Since we are in the education policy committee, I am going to focus on the education policy. To Ms. Diaz' point earlier, in Washoe County we do strive to have vocational technical career training that you are so proud of in CCSD. For those reasons, we do want to support this creative effort to drive emphasis toward vocational technical training.

Craig Stevens, representing Nevada State Education Association:

For all of the reasons stated before, we support A.B. 403. When we talk about college- and career-readiness, we focus on the college. This is focusing on the career, and we believe this is just as important. We need to give every opportunity possible to every student so that when they graduate high school, they are ready to enter the workforce or college.

Mary Pierczynski, representing Nevada Association of School Superintendents:

I am also authorized to represent Nevada Association of School Boards because Dotty Merrill is in another hearing. We are in support of A.B. 403.

We want to thank Assemblyman Daly for bringing A.B. 403 forward and placing an emphasis on our vocational programs.

Paul McKenzie, representing Building and Construction Trades Council of Northern Nevada:

We are also in support of A.B. 403. I am a product of vocational education programs. During my high school education, I attempted to prepare for college and was not successful. I attempted to go to college and was not successful. When I got out of the service, I entered a vocational program in the Great Basin College in Elko, and the vocational training I received in high school was a great attribute to my success in that program. I graduated with the highest scores of anybody in the program. I went to the National Vocational Industrial Clubs of America (VICA) competition and won second in the nation in diesel mechanics based on vocational education in the state of Nevada. Every child should have the opportunity to do the same thing.

That basis of vocational education led me to pursue further education, and I advanced into my current position because of the vocational education I had. Vocational education prepares our children for life's encounters. We find through our apprenticeship programs that those people who have had the experience in vocational education are most experienced when they enter into those apprenticeship programs, and they have the highest success rate in graduating.

Marlene Lockard, representing Nevada Women's Lobby:

We would like to thank Assemblyman Daly for bringing this measure forward. We are in full support of A.B. 403.

Vice Chairwoman Dondero Loop:

Is Mr. Raponi here? I would like him to address this since he is from the Department of Education, Office of Career, Technical and Adult Education. [He was not.] Does anyone on the Committee have a question at this time? [There was no one.] Is there any support in Las Vegas? [There was none.] Opposition in Carson City?

Brian Wachter, representing Retail Association of Nevada:

We appreciate Assemblyman Daly's exploring options on vocational education. We wholeheartedly agree that vocational education is of paramount concern and is a worthy goal. However, we disagree that creating a dedicated tax or earmark on property tax to fund vocational education is smart tax policy. Further, this bill represents a massive expansion of the scope, power, and responsibilities of the school district, in essence making them a taxing authority. This bill would give the authority to tax to a group of people that were elected, without the knowledge of the voters that this was a taxing authority. We think that could have played a role in how voters viewed the school district and how they may have voted or choose to vote in the future,

whether they would select a particular candidate or not, knowing that we are now giving the school board the ability to raise taxes. The public, at the very least, should be aware of the new authorities before the school board can take these actions.

We do echo the comments from Assembly District 26. Clark County did overwhelmingly vote down a new property tax in November. We definitely have the same concerns as the Assemblywoman from District 7 about how this bill plays, not only a role in A.B. 46 which the Assembly Committee on Taxation took up yesterday, but how it plays a general role in property how taxes are levied. We feel they should not be taken as separate issues in a vacuum, but in an overall context.

I completely understand, Ms. Vice Chairwoman, your hesitation in being able to have a more full conversation here in education.

We have heard how great Clark County's vocational schools are. I can remember being a student in Clark County and having that option available to me. It is viable, and we should be able to provide those opportunities to more students and be able to track them in terms of college or vocational education. This bill is not about the importance of vocational education or about funding. This is about a dedicated tax on property tax. Clark County has great schools because they have made that a funding priority and a choice. Clark County voters have made that a choice when they bonded. We feel this is more of a policy discussion issue rather than a special tax issue.

We feel that giving tax authority to the school board would be bad tax policy and we urge you to vote no on A.B. 403, realizing that if vocational education is a priority, it should be made clear through the current funding process and not a dedicated earmark.

Assemblywoman Fiore:

What type of organizations need or promote vocational education?

Brian Wachter:

I do not have that exact answer. The CCSD does an excellent job of providing those options and information about their different programs through their career and technical schools to their students. I remember being very informed what my options were for high school. I was lucky enough to attend a magnet school, Academy of Science and Mathematics at Hyde Park. I knew what my options were for high school either entering a magnet school, entering a vocational school, or choosing the school that I was zoned for. It was ultimately my decision.

Vice Chairwoman Dondero Loop:

Is there any opposition in Las Vegas? [There was none.] Is there anyone neutral in Carson City? [There was no one.] Is there anyone neutral in Las Vegas? [There was no one.] Closing comments, Mr. Daly?

Assemblyman Daly:

I understand people have their angst about how something is funded. I did not think it would come to this Committee, but I am glad it is here. There is one thing I would like to clear up. We are not giving any of the 17 school districts blanket authority to do anything they want with regard to taxes, other than this time. It has to be done in the next six months. It sunsets in ten years.

Vice Chairwoman Dondero Loop:

Before I make decisions on this bill, I would really like to hear from Mr. Raponi, if possible, to gather some information. I know he runs career and technical education for the Department of Education. They have a huge committee that discusses and moves forward with this in this state. I have some questions about what that committee does, where the schools are, and other logistics.

Assemblyman Daly:

You would like to hear from Mr. Raponi about what this state does?

Vice Chairwoman Dondero Loop:

Right. As there are no additional comments, we will close the hearing on Assembly Bill 403.

[Chairman Elliot Anderson resumed the Chair.]

Chairman Elliot Anderson:

We will get started on our work session. We will begin with Assembly Bill 230. It is one of our more high-profile bills.

Assembly Bill 230: Revises provisions governing courses of instruction in sex education. (BDR 34-1034)

Todd Butterworth, Committee Policy Analyst:

Assembly Bill 230 was first heard on April 1, 2013, and makes several revisions to the statutes related to sex education [Read from work session document including proposed amendment ([Exhibit E](#)).]

It is my understanding the CCSD had proposed an amendment but was not able to arrive at an agreement with the bill's sponsors. Assemblywoman Neal has

proposed an amendment which is a part of the work session document ([Exhibit E](#)). As a special note, over 50 people testified on this bill.

Chairman Elliot Anderson:

What did you say that number was, Mr. Butterworth?

Todd Butterworth:

Over 50.

Chairman Elliot Anderson:

We have a motion.

ASSEMBLYMAN EISEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 230.

ASSEMBLYWOMAN DIAZ SECONDED THE MOTION.

Chairman Elliot Anderson:

Is there discussion?

Assemblywoman Dondero Loop:

I know we have all received many phone calls regarding this sensitive issue. As a parent and a grandparent, I am supporting this bill because I truly believe that even though I may do this in my own home, there are many children who do not have that opportunity because they do not have parents, or parents who do not want to do that. In all fairness, I think for parents who have questions or concerns about this bill, that we clarify what it means when we say "age appropriate."

I have had parents call me who thought we were going to teach their kindergartners sex education. It is important that we clarify that. My reading of the bill is not that we are doing that in kindergarten, so I do not know if there is anybody in the audience who can clarify that.

The other piece I think is important we do is we clearly state whether parents can make a decision about this in each school district.

Elisa Cafferata, representing Nevada Advocates for Planned Parenthood Affiliates:

I would make comments in terms of what is "age appropriate." As we discussed in our presentation, one of the challenges that faced Assemblyman Bobzien in writing this bill, is the balance between State direction and local control. Every place we discuss creating a course of instruction in

sex education, we say that it is "age appropriate," and what is "age appropriate" is decided by the local school board so that the community and the parents have the most input into what is "age appropriate" for each school district.

The specific definition of "age appropriate" is in the bill in section 1, subsection 8, page 5. It says "Age-appropriate means designed to teach concepts, information and skills based on the social, cognitive, emotional, and experience level of most pupils of a particular age."

For those of you who are teachers, not all of your students are in the same place, which is why this bill does maintain several protections for parents. They can be on the advisory board making the decisions about what is taught and at what age. They have a right, by law, to review all of the material that is used, and they have the right to opt their students out of a course should they feel their student is not at this particular level or if they have specific concerns about the material being taught at the grade recommended by their school district.

Assemblywoman Dondero Loop:

Not to belabor the point, but that does not really answer my question. If I am a parent and I am upset about this, I am going to ask you what "age appropriate" means? Most of us here know that in fourth or fifth grade, boys and girls receive some information. Is that "age appropriate" where we would start, or is that a local decision? What if somebody says "age appropriate" is kindergarten? I think we need to clarify this for parents who are upset. It is very important they understand we are not talking about slanting the minds of children. We are trying to give them accurate information. Your morals and values come from your home, but I believe accurate information can be shared. It is shared at schools whether we like it or not.

I am not trying to be difficult, I just want it to be very clear to those parents who are very concerned. I am a mom and I have been concerned about things, too. If I want an answer, I want an answer.

Elisa Cafferata:

There is no answer in this law to give to parents. Should you, as the Legislature, decide to define "age appropriate," that certainly would be a policy decision for you to make. At the same time, the other major concern that I have heard about the bill, is that parents want to decide what is appropriate in their own communities. The law as it is now, allows local communities to decide the age and this bill does not change that. That would be a policy decision for you to make if you want to give specifics.

The survey we conducted in the 2011 Legislative Session informed us that most school districts in Nevada start in fourth or fifth grade with very basic information about puberty. This is what you are going to expect. These are the films we all remember from fifth grade about your changing body. That is typical throughout Nevada. That is what the survey in 2011 said. There are some school district representatives here that could give you more detail about what exactly is done.

Assemblywoman Dondero Loop:

That would be great. Thank you. Perhaps the school districts could do that.

Joyce Haldeman, Associate Superintendent, Clark County School District:

I did not hear the question.

Assemblywoman Dondero Loop:

I would like to know what "age appropriate" means in CCSD and WCSD?

Joyce Haldeman:

As Ms. Cafferata mentioned, it is defined in a local jurisdiction. In CCSD we have the sex education committee which meets on a regular basis. They review the materials, and they decide what is age appropriate as they go through each of the different components.

Assemblywoman Dondero Loop:

I may be here until 10 p.m. getting this answer, but I will tell you, I am either going to get it or I am going to amend it.

Joyce Haldeman:

It is because there is such a wide variety of materials. Everything is different, there is not just one answer or one standard fits all.

Assemblywoman Dondero Loop:

While I understand and appreciate that, I am trying to find a floor. Is kindergarten "age appropriate"? Is second, fourth, or fifth grade "age appropriate?" We have parents that ask us what "age appropriate" means. At some point, somebody has to answer that for a parent. If I am a parent and I go to the sex education committee to observe, or I want to review the materials, I would want to know what that meant.

For my own children, I do not have an issue with this, but I understand why parents do. When a parent calls me and says we are going to be teaching a kindergartner sex education, we need to be able to answer that. If we have

a very astute, smart, and mature second grader, as grandchildren, next door neighbors, or our own children, is that "age appropriate?"

Joyce Haldeman:

We do not differentiate instruction on sex education for children who might be brighter or more advanced in early grades. It is part of the curriculum for each grade level. Those decisions are made by the sex education committee.

We do have some parents who are extremely involved in monitoring those committees and check out the materials. Some of them opt their children out, some of them are happy to have them participate in the discussions. The sex education committee meets under the Open Meeting Law, so they post their agendas. We also actually advertise in the district when meetings are going to take place.

Assemblywoman Dondero Loop:

I will ask this one more way. Currently, what is the first time this would be in a school? When my girls were in school, I believe it was fifth grade. I am not talking about telling kindergartners there are boys and girls. I am not talking about second grade and talking about height and the hair on your head. Those are things we do in every school.

Joyce Haldeman:

I do not know the answer to that, but I will find out, and I will come right back to the table.

Calli Fisher, representing Washoe County School District:

I am only going to continue to heighten your frustration. I do not know the answer, but as soon as I get back to our coordinator, I will answer.

Assemblywoman Dondero Loop:

Okay. I know WCSD said they were doing quite a bit of sex education.

Assemblyman David P. Bobzien, Washoe County Assembly District No. 24:

I have the answer for you. Fourth grade in Washoe County School District.

Assemblywoman Dondero Loop:

Do you have the answer for Clark County School District?

Assemblyman Bobzien:

No. You have to look at this in the context of what the Council to Establish Academic Standards for Public Schools does, how local school districts currently respond to the standards, and how the curriculum is set. The whole

point of this is to bring this topic into line with how we do standards across the state for all of the different subjects. As Ms. Dondero Loop is aware, you create this ladder set of standards that, when you look at them, the documents are fascinating if you are in education policy, because you see grade levels, topics, and a grid that lays out bullet points of what is taught. This bill directs the creation of standards similar to how we have always done standards in other subjects, and of course, the enumerated pieces about what the standards should cover. It is a framework; it is directed to the school districts to answer some of these tougher questions.

As Ms. Cafferata said, there is a process in place for this to happen. We have always stated that WCSD has a wonderful model for teaching comprehensive sex education. I do not feel it is appropriate to statutorily put that in there, understanding that there needs to be flexibility. However, it is my understanding that in fourth grade, Sexuality, Health, and Responsibility Education (S.H.A.R.E.) Program is the answer.

Chairman Elliot Anderson:

Are you saying that basically your intent is that there will still be some local control over what is "age appropriate?"

Assemblyman Bobzien:

As I have always stated, Mr. Anderson.

Chairman Elliot Anderson:

I wanted to clarify that for the record. Thank you.

Joyce Haldeman:

In Clark County School District it is fifth grade. That is when we teach them about puberty.

Assemblywoman Fiore:

I like the intent of this bill. I have received overwhelming opposition on my phone and emails today in my office. As a person who represents her people who have literally said, "absolutely not," I have to be their voice and oppose this bill.

Assemblyman Duncan:

The discussion the Vice Chairwoman had with the schools on the issue really highlights the problem. It is very hard to define these vague terms. One of the biggest problems with this bill is that we are taking something that has traditionally been at the school board level, where the school board is elected and accountable to the people, and there has been a community

discussion about these things, and we are mandating curriculum. That is certainly a problem.

The second point is, especially in my district, the parents are very upset about the opt in/opt out provisions of this bill. The parents in my district are not opposed to sex education. They want sex education. But, they want to have the ability to talk to their school board about these things, to determine for themselves, from a community standard, what is "age appropriate," what is "comprehensive." Many people who reach out to me are saying that what is in place right now, is working.

We hear the numbers regarding the teen pregnancy rate, and that it is going down. It is obviously not going down as much as we would like. I reached out to the Nevada Nurses Association and had numerous conversations with Ms. Cafferata and I did not see a statistical link in other states which have had sex education like ours, then changed to a comprehensive sex education. I did not see a precipitous drop in teen pregnancies. For me, that link was never made, so I reached out. The parties did their due diligence to try to get that information to me, but at the end of the day, I was not satisfied.

Also, the question that was not asked, and needs to be asked is, how many of these pregnant teens have already dropped out of the system and this new, comprehensive sex education, or the current sex education, will not be reaching them anyway? I did not get an answer to that question.

I will say to those who are worried about opening the door to more people coming in and teaching, they like having nurses and teachers as it is now.

For those reasons, I am going to be opposing this bill.

Assemblyman Eisen:

Like all of my colleagues on this Committee, I have received an enormous number of communications about this bill. There have really been four themes that have come through. The issue for me is whether or not the bill addresses those concerns.

The first is a question that has come up here several times today—relinquishing control from localities to the state. As I look at the bill, I see that it is very clearly still remaining in the hands of board of trustees of that school district. The last line in section 1, subsection 4, paragraph (c) clearly states, "The final decision on these matters must be that of the board of trustees."

Another issue that has come up several times in the emails is the concern regarding students being given access to counseling or medical services without their parents' consent. I thought that was not the intent of the bill, and I will say that the amendment that Assemblywoman Neal has brought clarifies that by moving that language to make it patently clear that this is about providing information about those kind of services—not providing counseling or medical services, only information about what services exist.

The third item that comes up frequently in these messages, is taking this out of the parents' hands. There is no question to me in the bill from the outset, that parents have an absolute right to opt their child out of this program if they do not feel it is the kind of education they want their child to receive. That is a control that, frankly, we do not offer in other subject matter. Short of a parent opting to homeschool their child, they do not have the right to opt them out of algebra, or U.S. history. That right is maintained here in terms of sex education.

The last thing that has come up frequently is the concern that this bill relegates the teaching of abstinence to an afterthought. I look at section 1, paragraph (h), and I will read it verbatim from the bill that one of the things that has to be included is, "The importance of abstinence as the most effective method of preventing an unwanted pregnancy or a sexually transmitted disease;" That is very clear.

Although I have received a lot of emails and phone calls about this bill, these are the concerns people have had. I think the bill, as amended, addresses these concerns, and for those reasons, I am in support of A.B. 230.

Assemblyman Stewart:

I have the greatest respect for Assemblyman Bobzien. I have served on this Committee with him for three terms and I have always found his intent is always what is best for the welfare of the children of Nevada. I can sense his frustration with the opposition of this bill.

The main concern I have in the many emails I have received from my constituents, is that in CCSD, they are familiar with and satisfied with the present system. They are very wary of any change to that system which they feel is working very successfully. So for that reason, I will be voting with them, and voting no on A.B. 230.

Chairman Elliot Anderson:

Is there any further discussion? [There was none.] I am going to make a few comments as well. I have to admit my frustration with some of the

correspondence we have received over this bill. I have found that many of the emails have been very heartfelt and very honest in opposing this measure. I have also found that for some, I feel they have not even read the bill. The way I read it, everyone that does have an issue with this kind of education has a clear right to opt their child out. Unequivocally. That needs to be emphasized again.

I would also note more frustration with those emails we have received, most of which have not been in my district. The things they are putting in the emails about teaching children all kinds of things that have nothing to do with what is written in this bill. There are well-meaning people on both sides of this issue, so I realize it is a tough vote. That is why we are trying to give everyone time to express their concerns today.

THE MOTION PASSED. (ASSEMBLYMEN DUNCAN, FIORE, KIRNER, STEWART, AND WOODBURY VOTED NO.)

Assembly Bill 17: Revises provisions governing interagency panels convened when a school district employee operating a program of education for incarcerated persons is excluded from a facility or institution operated by the Department of Corrections. (BDR 34-319)

Todd Butterworth, Committee Policy Analyst:

Assembly Bill 17 was first heard on February 18, 2013. [Read from work session document including amendment ([Exhibit F](#)).]

Assemblywoman Swank:

I worked with Director Cox to make these changes that gave the director the right to exclude a teacher for 30 days, and to also require the interagency panel to review that case within the first 30 days and make a decision. It seemed to be a good middle ground for everyone. It was important for the teachers to include the idea that disagreements regarding course content would not be a part of the good cause that was shown.

Chairman Elliot Anderson:

I want to commend Assemblywoman Swank publically for the record. This is a good clarification. We worked with the stakeholders on this. I had some concerns during the hearing and what we found was a true and good clarification. I would note, although I am not going to ask Director Cox to speak today, I do have him signed in in support. Feel free to interrupt me if I am not accurate. Thank you, Director Cox, for working with our Committee members to fix this bill.

I would entertain a motion to amend and do pass with the mock-up.

ASSEMBLYWOMAN DIAZ MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 17.

ASSEMBLYMAN STEWART SECONDED THE MOTION.

Chairman Elliot Anderson:

Is there any further discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

The floor statement will go to Assemblywoman Swank.

James (Greg) Cox, Director, Department of Corrections:

I would like to thank Assemblywoman Swank for her work on this bill.

Chairman Elliot Anderson:

Duly noted.

Assembly Bill 161: Revises provisions governing the advancement of certain pupils to higher grade levels. (BDR 34-722)

Todd Butterworth, Committee Policy Analyst:

Assembly Bill 161 was first heard on February 27, 2013. [Read from work session document including mock-up of proposed amendment ([Exhibit G](#)).]

The third item in the amendment should read, "Creates a Task Force on Reading Proficiency within the Department of Education, which will prescribe the reading assessment of students in grades kindergarten through third grade,"—not 1 through 3—"as well as the cut scores and operational procedures for those assessments."

Assemblyman Kirner:

Maybe I missed it, but it not only provides parents with an appeals process, but it also provides for a parent to voluntarily hold their child back, if my memory serves me correctly.

Todd Butterworth:

That is correct. It is the second bullet point, "Provides a parent with an appeals process related to any decisions made to promote or retain their child." Parents can appeal either a positive or a negative decision.

Chairman Elliot Anderson:

Before I take a motion, I did want to thank Assemblyman Kirner for his work with this bill. A number of these provisions, and especially the academic plan provision, came from his legislation, Assembly Bill 164. We did have a bipartisan working group because this is not a partisan issue. This is a very important issue to the state of Nevada. Mr. Kirner has worked in good faith and I wanted to publically acknowledge that. He did choose to work with us instead of having a hearing on his own legislation. He deserves credit for that.

ASSEMBLYMAN EISEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 161.

ASSEMBLYWOMAN DONDERO LOOP SECONDED THE MOTION.

Assemblyman Kirner:

This is one of those bills that will carry a fiscal note, so I am not sure the motion is appropriate. A more appropriate motion, and I would yield to the person making the motion, would be to refer it to the Assembly Committee on Ways and Means.

Chairman Elliot Anderson:

You know how I feel about this topic.

Assemblyman Kirner:

I am not sure how you feel.

Chairman Elliot Anderson:

I had this discussion with Mr. Stewart. Certainly anyone can feel free to separately consider the fiscal ramifications that is on a money committee, or if you do want to make that reservation, similar to reserving your right to changing your vote on the floor, that is more than acceptable.

The motion we are going to consider at this point is amend and do pass. Just like the other bill we had, you are well within your rights to reserve your right based on fiscal impact.

Assemblyman Kirner:

I like this bill. There is no argument around that, and I appreciate your comments. I think it is going to have to fit into the bigger scheme of what we can afford and what we cannot. While I am going to support this bill in this Committee, I would like to publically or officially reserve my rights based upon the fiscal analysis.

Chairman Elliot Anderson:

Certainly. For everyone to be clear for the record, we are voting on policy. Do not feel that you are tying yourself to supporting funding at this point. This is the policy Committee and we keep it separate for that reason.

Assemblywoman Woodbury:

To clarify, I was going to reserve my right, but you are saying I do not need to?

Chairman Elliot Anderson:

Just go ahead and make the statement clear for the record, Ms. Woodbury.

Assemblywoman Woodbury:

I am going to vote yes now, and I reserve my right to change my vote.

Assemblyman Stewart:

I appreciate your frankness and your willingness to work with us on this. The next three bills, I strongly agree with on policy. I realize the policy is very good in all three cases in my opinion, and I realize we are going to have to negotiate with the Executive Branch about how we are going to implement these. I will be voting in the affirmative for all three with the right to change my vote on the floor.

Chairman Elliot Anderson:

Ms. Woodbury, Mr. Kirner, do you want to amend your statements to include Mr. Stewart's Assembly Bill 162, and Assembly Bill 163 as well?

Assemblywoman Woodbury:

Thank you, yes I would.

Assemblyman Kirner:

I actually would like to do those bills one at a time as we go through them.

Chairman Elliot Anderson:

Okay.

Assemblywoman Fiore:

How many times are we able to hold a child back because of the exemptions in A.B. 161?

Chairman Elliot Anderson:

In terms of the mandatory provisions, the third going into fourth grade is one year. If they get held back in different years, that is on them. That is not mandatorily required by the bill. For sure, if they cannot read at third grade,

then they are held back mandatorily. Then after one year, it would trigger a good cause exemption, then would try to catch up in fourth grade.

Assemblywoman Fiore:

Because of the exemption on English language learner (ELL), and pushing through a fast track reading, I am going to vote no on this since we are only going to be able to hold a child back once.

Assemblyman Duncan:

I want to say for the record that I certainly appreciate Mr. Anderson reaching out to Mr. Kirner on this bill. Mr. Kirner's A.B. 164 was important to him.

I think this policy is fantastic. It is something we need in terms of trying to reach those children and not just pushing them forward. In my mind, good policy is a holistic look at everything we are looking at. I am thinking about the fiscal ramifications in the future. I hope this bill will be able to take seed in Nevada. I am going to reserve my right, but I am enthusiastic about my vote out of this Committee.

Chairman Elliot Anderson:

Is there any further discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN FIORE VOTED NO.)

Assembly Bill 162: Revises provisions governing class-size reduction.
(BDR 34-724)

Todd Butterworth, Committee Policy Analyst:

Assembly Bill 162 was first heard on February 27, 2013. [Read from work session document including proposed amendment ([Exhibit H](#)).]

Again the bill should say, "the ratio of pupils per licensed teacher in grades K through 3"

ASSEMBLYWOMAN DIAZ MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 162.

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Assembly Bill 163: Provides for early childhood prekindergarten education programs. (BDR S-723)

Todd Butterworth, Committee Policy Analyst:

Assembly Bill 163 was first heard on February 25, 2013. [Read from work session document including mock-up of proposed amendment ([Exhibit I](#)).]

Chairman Elliot Anderson:

I would entertain a motion to amend and do pass.

ASSEMBLYWOMAN DIAZ MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 163.

ASSEMBLYMAN EISEN SECONDED THE MOTION.

Chairman Elliot Anderson:

Is there any discussion?

Assemblywoman Diaz:

I believe that A.B. 163 and A.B. 162 are critical to move our state forward and decrease our retention rates. We do not want to be holding back or retaining students in third grade, especially for our low-income students and our at-risk schools, and ELL students. This access to prekindergarten is invaluable.

Assemblyman Duncan:

I do think this is great policy. In terms if it is moving on to the Assembly Committee on Ways and Means, and whatever happens to this bill, in the end, I do hope that there will be consideration for our most at-risk schools to be able to implement policies like this. Again, I will note that as with A.B. 161 and A.B. 162, with A.B. 163 I will reserve my right, but I endorse the policy.

Assemblyman Kirner:

I am told I do not need to repeat this every time, but this bill is almost all about the fiscal note on it. Good policy, good idea, so I will vote in support of this bill, but reserve my right to change.

Assemblywoman Fiore:

Ditto.

Chairman Elliot Anderson:

Is there any further discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

Mr. Butterworth, put me down for the floor statement for A.B. 161, put Assemblywoman Kirkpatrick down for A.B. 162 with a backup of

Ms. Dondero Loop, and put Ms. Dondero Loop down for the floor statement for A.B. 163.

Assembly Bill 205: Revises provisions governing charter schools. (BDR 34-200)

Todd Butterworth, Committee Policy Analyst:

Assembly Bill 205 was first heard on March 27, 2013. [Read from work session document including of proposed amendment ([Exhibit J](#)).]

Chairman Elliot Anderson:

Before we begin, I would like to make a few comments regarding the amendments to Assembly Bill 205. This amendment represents a fair and amenable compromise. I was not sure we would be able to bring the sides together on this, but we did. The amendment will ensure that we will give the star system, the performance framework, some time to be implemented and to be in place for a few years to be validated.

If you remember, the discussion we were having was about the default closure provisions, and there was some disagreement about how that would work. What will happen, as Mr. Butterworth has talked about, is the clock will basically start in the 2013-2014 school year. The first time a default closure could potentially start would be in the 2016-2017 school year. That will give the star system some time to get going. It will give charter operators fair notice of this legislation, important in this time frame.

It also allows the Department of Education to finalize its work in determining and defining what alternative schools are and how they will fit into the performance framework. Some of these schools have the mission of catching students who are normally dropping out, so this will be important in tying this all together while still providing a good deal of accountability to our charter operators to ensure they, like every other school, are held to high standards.

I am happy to report there has been a good compromise here and feel very confident the parties are going to be happy going into the future.

Is there a motion on the floor to amend and do pass?

ASSEMBLYMAN STEWART MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 205.

ASSEMBLYMAN KIRNER SECONDED THE MOTION.

Is there any discussion?

THE MOTION PASSED UNANIMOUSLY.

That floor statement will go to Mr. Stewart.

Todd Butterworth, Committee Policy Analyst:
Assembly Bill 210 is being held for now.

Assembly Bill 259: Revises provisions governing the P-16 Advisory Council.
(BDR 34-198)

Todd Butterworth, Committee Policy Analyst:
Assembly Bill 259 was first heard on April 3, 2013. [Read from work session document including two proposed amendments ([Exhibit K](#)).]

Chairman Elliot Anderson:
Is there a motion for amend and do pass?

ASSEMBLYMAN KIRNER MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 259.

ASSEMBLYWOMAN DIAZ SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

The floor statement will go to Ms. Dondero Loop.

Assembly Bill 272: Revises provisions governing education. (BDR 34-791)

Todd Butterworth, Committee Policy Analyst:
Assembly Bill 272 was first heard on April 3, 2013. [Read from work session document including mock-up of proposed amendment ([Exhibit L](#)).]

Chairman Elliot Anderson:
I will take a motion to amend and do pass Assembly Bill 272.

ASSEMBLYWOMAN DONDERO LOOP MOVED TO AMEND AND
DO PASS ASSEMBLY BILL 272.

ASSEMBLYMAN EISEN SECONDED THE MOTION.

Is there any discussion?

Assemblyman Stewart:

I strongly approve the policy. I am concerned about the implementation of it. I will be voting yes, with the option to change my vote on the floor.

Assemblyman Kirner:

Ditto.

Assemblywoman Woodbury:

Ditto.

Assemblyman Duncan:

Ditto.

Assemblywoman Fiore:

Ditto.

Chairman Elliot Anderson:

Ms. Dondero Loop, as maker of the motion, will you accept the modification to amend myself on as a primary sponsor?

Assemblywoman Dondero Loop:

Yes.

Chairman Elliot Anderson:

Thank you. To be clear, I will be adding myself on as a primary sponsor and I would like to explain why.

This is very important legislation. Right now we are talking a lot about funding formulas and changing weight for ELL funding, and it is important to have a good policy base for how we are going to implement ELL policy as well. I am thankful to Ms. Diaz for bringing forth this legislation because it is very important to make sure we are not just spending money, we are also spending it effectively. That is what I look at when I see Assembly Bill 272. I am honored to have her accept me as a primary sponsor of this legislation.

Assemblywoman Diaz:

I want to thank the Interim Superintendent, Rorie Fitzpatrick, for working on all of the conceptual amendments. She was an integral part of the work group, as was Ms. Dotty Merrill with the school board and CCSD. Washoe County School District tried to make it. All of us want to move forward in the right direction. We do not change things by doing the same thing over and over again. In taking this step forward, just as we saw wonderful things come from the Teachers, Leaders, Council (TLC), we can see great things for our state,

especially for academic achievement for ELL students, if we do our homework first, then take the necessary steps to achieve our goals.

I would also like to modify Ms. Dondero Loop as a cosponsor of the bill, as she requested to be amended as a cosponsor the day of the hearing. I am happy that you both are joining me.

Chairman Elliot Anderson:

Since it is Ms. Dondero Loop's motion, I am assuming she will allow herself to modify.

Assemblywoman Dondero Loop:

I am already there, so we would just be adding you, Mr. Anderson.

Chairman Elliot Anderson:

I see no more discussion.

THE MOTION PASSED UNANIMOUSLY.

That floor statement will be given to Ms. Diaz.

Assembly Bill 288: Removes the high school proficiency examination and provides for the administration of a standardized, curriculum-based achievement college entrance examination. (BDR 34-524)

Todd Butterworth, Committee Policy Analyst:

Assembly Bill 288 was first heard on March 5, 2013. [Read from work session document including mock-up of proposed amendment ([Exhibit M](#)).]

Chairman Elliot Anderson:

Is there a motion to amend and do pass?

ASSEMBLYMAN STEWART MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 288.

ASSEMBLYMAN DUNCAN SECONDED THE MOTION.

Is there any discussion?

Assemblyman Kirner:

I would like to express my appreciation to Assemblywoman Flores and Assemblywoman Dondero Loop for working with me and allowing me to work

with them on this bill. This is truly a bipartisan effort, and I am fully in support of A.B. 288.

Chairman Elliot Anderson:

Thank you Mr. Kirner. Even though it is not in the mock-up, we do have you being amended as a cosponsor as well. I would also like to thank everyone again for their work on this. This was a remarkable and high-profile piece of legislation to get such unanimous support. From what we have seen with all of the stakeholders coming together on this, I really think it is a good piece of legislation and an example of how we should try to make big things work in this body.

THE MOTION PASSED UNANIMOUSLY.

Ms. Flores will take the floor statement.

Assembly Bill 353: Revises provisions relating to financial aid programs for students enrolled in the Nevada System of Higher Education. (BDR 34-918)

Todd Butterworth, Committee Policy Analyst:

Assembly Bill 353 was first heard on April 3, 2013. [Read from work session document including mock-up of proposed amendment ([Exhibit N](#)).]

Chairman Elliot Anderson:

I would be willing to entertain a motion for amend and do pass.

ASSEMBLYWOMAN DONDERO LOOP MOVED TO AMEND AND DO PASS ASSEMBLY BILL 353.

ASSEMBLYMAN EISEN SECONDED THE MOTION.

Is there any discussion?

Assemblyman Kirner:

This morning in the Assembly Committee on Ways and Means, we closed the Treasurer's budgets and there was something taken from the unclaimed property. I do not recall this being mentioned. Staff needs to take a look and coordinate a bit. I am in support of the bill.

Assemblywoman Fiore:

I am supportive of this bill.

THE MOTION PASSED UNANIMOUSLY.

We will give the floor statement to Ms. Diaz.

Assembly Bill 460: Revises provisions governing the statewide system of accountability for public schools. (BDR 34-195)

Todd Butterworth, Committee Policy Analyst:

Assembly Bill 460 was first heard on April 5, 2013. [Read from work session document including mock-up of proposed amendment ([Exhibit O](#)).]

Chairman Elliot Anderson:

Dr. Swank and Dr. Eisen, would you like to comment on the work you have done on Assembly Bill 460?

Assemblywoman Swank:

Myself, Assemblyman Munford, and Assemblyman Eisen worked together to start to collect some data on honor code violations and processes with the idea that in the future, we may be able to use this to tighten up some of the requirements for the Millennium Scholarship. It was clear, after we began working on Assemblyman Munford's Millennium Scholarship bill that we needed to learn more about how honor code violations are dealt with in the school systems. That is why we proposed this amendment.

Chairman Elliot Anderson:

I also felt it was important to try to get something on the cheating topic. Mr. Munford has been trying so very hard for the past number of sessions to see if we have a cheating problem and to try to fix it. This bill will allow us to find out if there is a pervasive cheating problem. This is the perfect vehicle.

Assemblyman Munford:

I want to extend my appreciation on behalf of Assemblywoman Swank and Assemblyman Eisen for their efforts to support what I am trying to do, and the extended time I have devoted to this legislation. I appreciate how they wanted to work with me and to deal with this. We are halfway home and we will get there for sure next session.

Chairman Elliot Anderson:

We did want to try to get you something. There were a number of us on the Committee, including myself, who really tried. It is important to see if we have any issues out there.

With that, I would accept a motion of amend and do pass.

ASSEMBLYMAN KIRNER MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 460.

ASSEMBLYMAN STEWART SECONDED THE MOTION.

Is there any further discussion?

THE MOTION PASSED UNANIMOUSLY.

We will provide that floor statement to Mr. Munford.

Before we go on, everyone should know that we are going to recess at the call of the Chair. This will allow us to fix a couple more bills that are out there. We will probably be considering Assembly Bill 414, and Assembly Bill 210 for sure. Those two bills are almost ready, so that is why I specifically referenced them, to give folks as much time as possible. However, that should not be limited.

Ms. Haldeman, with Assembly Bill 459, I did get a message from Legal Counsel that they have to check to see if we can do the population carve-out for Washoe County School District. That is why that bill is not up right now.

Assemblywoman Fiore:

For the record, I do not believe we have the votes in this Committee to get A.B. 230 out. I would request a roll call.

Chairman Elliot Anderson:

Ms. Fiore, it is out of order at this time. The time to speak on the record was when Assembly Bill 230 was being considered. Rule 57 gives me the discretion and I know where the votes are. The motion carried.

Assemblywoman Fiore:

For the record, we are not going to have a roll call. On the record, I do not believe we have the votes to get A.B. 230 out.

Chairman Elliot Anderson:

We are going to recess to the call of the Chair.

Work session recessed [at 6:22 p.m.].

Work session resumed April 11, 2013 [at 2:39 p.m.].

Chairman Elliot Anderson:

I would like to call us back to order. I would ask members that if you are going to be voting no, please make that clear for the record. We will resume our work session.

Assembly Bill 210: Revises provisions relating to pupils with hearing impairments. (BDR 34-989)

Todd Butterworth, Committee Policy Analyst:

Assembly Bill 210 was first heard on March 18, 2013. [Read from work session document including two mock-ups of proposed amendments ([Exhibit P](#)).]

Chairman Elliot Anderson:

Before I ask the districts to come up, I would like to comment on why that language is not included. We have been working with the districts for a while to make this bill work and for them to feel comfortable. That was one of our original thoughts. However, when talking to the Legal Counsel, because of preemption issues with the federal government, that would not have worked. We did get Legal Counsel from our Legal Division to speak with the Clark County School District's (CCSD) attorneys. I would invite Ms. Rourke or Ms. Haldeman to come up and state comments for the record.

Nicole Rourke, representing Clark County School District:

We would like to thank the Chairman. The bill's sponsor is working with us to look at language and various remedies for our opposition. We are now neutral on the bill. We appreciate the process and thank you very much for all of the work, because this is a rather intense time on A.B. 210.

Assemblywoman Fiore:

I like this bill. My only concern is if we implement this for hearing, what happens to our autistic children and all of the others who have learning disabilities? How do we accommodate everyone?

Nicole Rourke:

This bill is very specific to the deaf and hard of hearing. Any expansion in statute would have to be addressed in a different way. Currently, students receiving special education services of all types are addressed under the federal Individuals with Disabilities Education Act (IDEA) law.

Chairman Elliot Anderson:

Ms. Fiore, just so you understand why we cannot do that action regarding the language I was speaking of, it is because there is a very pervasive scheme of federal regulation around students with disabilities. That is why we could not

put in my provision which would have made them even more comfortable. You have to look at this as a whole picture, not just one piece. This is how this plays out with the federal legislation.

Assemblyman Eisen:

The representative from the district, as well as our own staff, have been very helpful in trying to move this forward and to understand what the concerns and the goals were of the legislation. I want to emphasize one more time, that what is here is an outline of the matters that need to be discussed in the development of an Individualized Education Program (IEP) for a deaf or hard-of-hearing child.

This is not intended to be prescriptive of what has to be in a particular IEP, but these are the matters that have to be brought to the table in the discussion. It is not intended to create additional responsibility on the part of the district to bring new resources. Obviously we want the district to bring as much as they can for each child, but it is really designed to help best utilize the resources that are available for the district. The only way to know how to use those best is to go through an extensive evaluation of an individual child's needs and determine from what resources they could benefit.

That is really what this is about. It is not designed to create additional duties that schools already have responsibility under IDEA and other federal legislation to provide an adequate and appropriate, and equal opportunity for education. That language actually appears in this bill as well, to mirror the federal legislation on purpose.

I really appreciate the district's help, and Ms. Rourke in particular, for coming to the table to share that.

Assemblyman Kirner:

I appreciate the sponsor of the bill working to remove the word "optimal." That was a concern for me when the bill was initially presented. The one area I would like to get on the record here comes on section 2, subsection 1, paragraph (e), line 15. I want to be clear that legislative intent is not that a school district would have any obligation to provide cochlear implants, hearing aids, anything of that nature. That is not the intent of it, but I would like to put the legislative intent on the record. Maybe the sponsor could speak to that.

Assemblyman Eisen:

As we had talked about previously, I agree it is important to have this on the record. That particular section is the definition of communication mode. Again, when we need to consider communication mode in a number of points that are listed in section 1, that is what we are talking about.

I would note that section 1, subsection 1, paragraph (h), line 29, also describes assistive technology. Again, it has to be part of the discussion in developing the IEP. You will notice the language is exactly what I referred to earlier. That is what would be necessary to provide the pupil with an appropriate and equal opportunity for communication access, which is consistent with the federal law; ensuring that the resources are applied to provide that communication access. That does not say that the districts are responsible for providing any conceivable technology that might be helpful. They do have a responsibility already. This bill does not change that. This is about what we are considering in the resources that are available to do the best with what we have, and also on a larger scale, to identify if we are utilizing the finances that we have within the districts for the best resources we can use. How can we help the most children, and how can we help those children the most with what we have? The only way we can do this is to look at this each time, very carefully. That is what this is about.

I do want to make sure your concerns are addressed. It is not a requirement the school provide this technology beyond the requirements already established in federal law.

Assemblyman Stewart:

I share the concerns of my colleague, and I am grateful to Dr. Eisen for alleviating them. I will be voting yes on this.

Chairman Elliot Anderson:

Before I take a motion, I want to thank everyone. This is one bill we have been working on hard and long to get right and to make everyone comfortable. That is what I want to do in this Committee.

Seeing no further discussion, is there a motion to amend and do pass of A.B. 210?

ASSEMBLYMAN STEWART MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 210.

ASSEMBLYWOMAN DONDERO LOOP SECONDED THE MOTION.

Is there discussion?

Assemblyman Kirner:

I have one question. Are we looking at a fiscal note? I am just wondering if this gets referred or do we pass it out to the floor?

Todd Butterworth:

There was a local fiscal note. However, that may have changed since the amendment was made to the bill.

I see no further discussion.

THE MOTION PASSED UNANIMOUSLY.

Dr. Eisen will take that floor statement.

Assembly Bill 386: Establishes a pilot program for the administration of mental health screenings to pupils enrolled in selected secondary schools in the Clark County School District and the Washoe County School District. (BDR S-1022)

Todd Butterworth, Committee Policy Analyst:

Assembly Bill 386 was first heard on April 8, 2013. [Read from work session document including proposed conceptual amendment ([Exhibit Q](#)).]

I understand Dr. Eisen also has some involvement in this amendment process.

Chairman Elliot Anderson:

Before we go to Dr. Eisen, Mr. Ohrenschall wanted to very affirmatively state that this, as proposed to be amended, would be an opt-in program where you would have to affirmatively sign up to be a part of the screening.

Assemblyman Eisen:

This, too, is a bill on which I really appreciate a number of folks getting together to work on, including the bill's sponsors and representatives of the school districts.

As I brought up during the hearing, I had some concerns myself. One of them has already been addressed with the amendment that is in the work session document, that converts this program to an opt in. This would be a voluntary participation on the part of parents. They could choose to participate in this screening for their child.

The second piece of which I had concern is on page 2 of the bill, section 1, subsection 4, line 29, that describes if a pupil has a screening score that indicated there may be an issue, the district shall ensure that there is an in-person assessment for follow-up.

What I have discussed with the sponsors and they have agreed to, is that it would not be the district's responsibility to ensure the follow-up. Instead, what would happen if such a score were obtained by a student, is that information would be shared with the parent. Also, to the extent available, the district would share with the parents opportunities for resources in the community that they could access. It would be the parent's choice and responsibility in terms of follow-up, and the school district would not bear either responsibility or liability for the follow-up. It would be a matter of providing the information to the parents, who would then make the decision about what they were going to do with the next step.

The other piece I think is very important to highlight is that section 2 of A.B. 386 describes the collection of data and the report. I think it is very important that data be collected on a nonidentifiable basis, so we have aggregate data. That will help us if we find this pilot program is successful, and it supports moving forward and expanding the program. We have solid data on which to base that move forward, and an understanding of what kind of resources need to be available in the community to support phase two of the program if a student had a concerning score on a screening examination and where they would go.

With those additional changes, I was made very comfortable. The bill's sponsors have voiced their comfort with those changes, also. The representatives from the two school districts have also said this helps address the concerns they had with the bill in its original form.

Chairman Elliot Anderson:

Dr. Eisen, for the benefit of our Committee Policy Analyst, would you please just bullet point the amendments so we can make sure we get them down.

Assemblyman Eisen:

In addition to the amendment that already exists, it is really just two pieces. First, in section 1, subsection 4, removing the provision that the school district shall ensure the follow-up evaluation, the in-person assessment, and replacing that with, the school district will provide the results of the screening to the parent, and will provide, to the extent feasible, information on the available resources in the community for the parent. Also, that the district does not bear the responsibility or the liability for that follow up.

Chairman Elliot Anderson:

Mr. Ohrenschall, will you give us an affirmative that you are good.

Assemblyman James Ohrenschall, Clark County Assembly District No. 12:

Assemblywoman Woodbury and I have discussed these amendments with Assemblyman Eisen and we are supportive of them. The last one, as to making sure that no child will be identified, obviously, was never meant to be in this. To have it expressly in the statute is important.

I do want to stress to the Committee this is meant to be a pilot program. Assemblywoman Woodbury has crafted this very carefully. It is only if a parent opts in and agrees and wants their child to be screened. The report will come back to the next session of the Legislature, and maybe it will not have been a success. In Fond du Lac, Wisconsin, it did have a lot of success. They did a lot of screening. The purpose of this bill, from everything I have heard in listening to the juvenile court judges, and the mental health professionals, is not trying to label any child as sick or odd. It is trying to identify those children who need help and perhaps prevent them from ending up in juvenile detention facilities or end up at our facility in Elko.

It is a pilot program and I hope the Committee might consider processing it. I do want to thank Assemblyman Eisen, Assemblywoman Woodbury, and everyone else for all of their hard work.

Chairman Elliot Anderson:

Before I take a motion, Ms. Woodbury, do you have any comments for the record?

Assemblywoman Woodbury:

No.

Chairman Elliot Anderson:

Do I have a motion for amend and do pass?

ASSEMBLYMAN EISEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 386.

ASSEMBLYWOMAN DIAZ SECONDED THE MOTION.
Is there any discussion?

Assemblyman Kirner:

While I respect the fact this bill is bipartisan, and the fact that it is a pilot, the reality of it is, for me, there are 11 high schools in CCSD and 5 middle schools in WCSD that are already doing this. I am not clear on why we have a pilot.

The second thing is that I see this as an unfunded mandate. Those concerns bother me. I will be voting no.

Assemblywoman Fiore:

For the record, I will be voting no.

Assemblyman Duncan:

I share the concerns of my colleague in terms of why are we doing another pilot program when we have a pilot program already in place.

Some of my concerns were obviated by the amendment, and I do appreciate your working with Dr. Eisen and Assemblywoman Woodbury on that. I am still uneasy regarding the administration of it. Then also, with the labeling of our children in the schools. I will be a no as well.

Chairman Elliot Anderson:

Is there any further discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN DUNCAN, FIORE, AND
MUNFORD VOTED NO.)

The floor statement will go to Ms. Woodbury.

Assembly Bill 403: Authorizes the board of trustees of a county school district to impose certain fees. (BDR 34-275)

Todd Butterworth, Committee Policy Analyst:

Assembly Bill 403 was first heard on April 10, 2013. [Read from work session document including mock-up of proposed comprehensive amendment ([Exhibit D](#)).]

Chairman Elliot Anderson:

It is unusual for us to have this bill, but we will go ahead and consider a motion for amend and do pass.

ASSEMBLYWOMAN DIAZ MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 403.

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

Is there any discussion?

Assemblyman Kirner:

This is another bill that I have concern over. It is a property tax bill, I suppose, that is based on the amendment the school boards have initiated, which is an unparalleled precedent in our state. I absolutely cannot support that. This was an issue discussed with Assembly Bill 46 and it was very clear in that committee the desire was not to permit school boards to vote on a tax. There is no way in the world I can support this bill based on the current structure.

Assemblyman Stewart:

I admire my friend and colleague Mr. Daly's creativity, but I, too, am nervous about school boards imposing taxes. I will be voting no.

Assemblyman Duncan:

I echo the concerns of my colleagues and will be voting no.

Assemblywoman Fiore:

Ditto.

Assemblywoman Woodbury:

Ditto.

Assemblyman Kirner:

Since it is odd that our Committee would be dealing with this issue, does the vote to amend and do pass, move A.B. 403 into another committee, or does this move it to the floor?

Assemblyman Richard Daly, Washoe County Assembly District No. 31:

I understand this was referred to the Assembly Committee on Ways and Means at the beginning. It is not a Ways and Means bill. This will move it to the floor. I do not know if Legal has a different take on that.

Is there further discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN DUNCAN, FIORE,
KIRNER, STEWART, AND WOODBURY VOTED NO.)

We will give that floor statement to Mr. Daly.

Assemblywomen Woodbury and Swank need to leave for their work session in the Assembly Committee on Transportation. It will not affect the vote on our other two bills.

Assembly Bill 414: Requires a course of study in health to include instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator grade levels. (BDR 34-204)

Todd Butterworth, Committee Policy Analyst:

Assembly Bill 414 was first heard on March 27, 2013. [Read from work session document including a mock-up and a proposed conceptual amendment ([Exhibit R](#)).]

Chairman Elliot Anderson:

I want to thank the bill's sponsors for agreeing to modify their approach on this bill. We do have their mock-up, and we do have an affirmative agreement from the bill's sponsors to make it mandatory only to the extent that resources are available. This will not be an unfunded mandate on the school districts to address the school district's concern. If the Red Cross is able to step up with volunteers, equipment, and materials, the school districts have noted their willingness to do these programs.

Ms. Rourke or Ms. Haldeman feel free to come up and correct me if I have spoken incorrectly.

Let the record note thumbs up from Ms. Haldeman and Ms. Anderson.

Assemblyman Kirner:

I want to disclose the fact that I am a member of the Northern Nevada Heart Association Board. I do not think it affects my vote.

Chairman Elliot Anderson:

Is there a motion for amend and do pass with both the mock-up and the conceptual amendment to make it to the extent resources are available?

ASSEMBLYWOMAN DIAZ MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 414.

ASSEMBLYMAN STEWART SECONDED THE MOTION.

Is there further discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMEN SWANK AND
WOODBURY WERE ABSENT FOR THE VOTE.)

The floor statement will go to Mr. Kirner.

Assembly Bill 459: Revises provisions relating to school property.
(BDR 34-203)

Todd Butterworth, Committee Policy Analyst:

Assembly Bill 459 was first heard on March 25, 2013. [Read from work session document including a proposed conceptual amendment ([Exhibit C](#)).]

The date first heard is incorrect. It was actually heard in Committee yesterday, April 10, 2013.

Chairman Elliot Anderson:

I did get a question back from Legal Counsel yesterday. I did not take action on this measure because we did have a question as to whether it would be a special act. We did get an affirmative that it would not. This would be a constitutional action with the amendment. I would accept a motion for amend and do pass with the conceptual amendment and the work session document.

ASSEMBLYMAN STEWART MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 459.

ASSEMBLYMAN KIRNER SECONDED THE MOTION.

Chairman Elliot Anderson:

Is there further discussion?

Assemblywoman Neal:

I am going to vote yes in Committee, but I am going to reserve my right to change my vote on the floor.

Chairman Elliot Anderson:

You have been doing a great job for us in the Assembly Committee on Government Affairs, so I can certainly respect that.

Is there further discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMEN SWANK AND
WOODBURY WERE ABSENT FOR THE VOTE.)

Mr. Duncan will take the floor statement.

Is there any public comment here in Carson City? [There was none.] There is no audience in Las Vegas at this time.

We have completed every bill scheduled. However, I am going to recess at the call of the Chair. In an abundance of caution, we are going to hold the Committee open. My plan is to adjourn at our floor session.

We are going to recess to the call of the Chair.

Work session recessed [at 3:15 p.m.].

Work session resumed behind the bar on April 12, 2013 [at 11:40 a.m.].

Meeting adjourned behind the bar [at 11:41 a.m.].

RESPECTFULLY SUBMITTED:

Sharon McCallen
Committee Secretary

APPROVED BY:

Assemblyman Elliot T. Anderson, Chairman

DATE: _____

EXHIBITS

Committee Name: Committee on Education

Date: April 10, 2013

Time of Meeting: 4:17 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 459	C	Joyce Haldeman	Explanation of the bill
A.B. 403	D	Assemblyman Richard Daly	Bill explanation and proposed amendment
A.B. 230	E	Todd Butterworth	Work Session Document
A.B. 17	F	Todd Butterworth	Work Session Document
A.B. 161	G	Todd Butterworth	Work Session Document
A.B. 162	H	Todd Butterworth	Work Session Document
A.B. 163	I	Todd Butterworth	Work Session Document
A.B. 205	J	Todd Butterworth	Work Session Document
A.B. 259	K	Todd Butterworth	Work Session Document
A.B. 272	L	Todd Butterworth	Work Session Document
A.B. 288	M	Todd Butterworth	Work Session Document
A.B. 353	N	Todd Butterworth	Work Session Document
A.B. 460	O	Todd Butterworth	Work Session Document
A.B. 210	P	Todd Butterworth	Work Session Document
A.B. 386	Q	Todd Butterworth	Work Session Document
A.B. 414	R	Todd Butterworth	Work Session Document