

**MINUTES OF THE SUBCOMMITTEE ON  
ASSEMBLY BILL 224 AND 260 OF THE  
SENATE COMMITTEE ON FINANCE**

**Seventy-Seventh Session  
June 2, 2013**

The Subcommittee of the Senate Committee on Finance was called to order by Chair Aaron D. Ford at 3:22 p.m. on Sunday, June 2, 2013, in Room 2144 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Aaron D. Ford, Chair  
Senator Barbara K. Cegavske  
Senator Ben Kieckhefer

**GUEST LEGISLATORS PRESENT:**

Assemblyman Elliot T. Anderson, Assembly District No. 15

**STAFF MEMBERS PRESENT:**

Alex Haartz, Principal Deputy Fiscal Analyst  
H. Pepper Sturm, Chief Deputy Research Director  
RJ Keetch, Committee Secretary

**OTHERS PRESENT:**

Constance Brooks, Director, Government Relations, Nevada System of Higher Education

**Chair Ford:**

We will begin the hearing with Assembly Bill (A.B. 224).

**ASSEMBLY BILL 224 (1st Reprint)**: Revises provisions governing the collection and maintenance of certain data relating to public education. (BDR 34-269)

**Assemblyman Elliot T. Anderson (Assembly District No. 15):**

This bill encourages family readiness for our military veterans. After investing time, talent, treasure and training in developing individuals as leaders, the military would like to retain them in order to encourage soldiers, marines, sailors or airmen to reenlist. However, we need to take care of their families. Family readiness is a key phrase in the halls of the Pentagon and the various services.

Before leaving the Armed Forces, our own Senator Patricia Spearman spent a great deal of time focusing on these issues. If we do not take care of the family, that military member is not going to stay in the service. Military members, when deployed overseas, will be able to better focus on their missions in combat if they know the military will be taking care of their families.

This bill creates an identifier in our existing data systems that tracks student achievement and allows the U.S. Department of Defense (DOD) to monitor how children are doing as a subgroup. This will allow them to adjust their policies and procedures to ensure that they are doing everything they can as a Department to guarantee our military members' families are receiving the best support possible.

We worked to take care of the fiscal ramifications of this bill in the Assembly. The data collected will be provided during the interim between Legislative Sessions by the districts and by the Nevada Department of Education on a statewide basis, as they bring their data systems in compliance with this as resources are available.

**Senator Cegavske:**

Can you address concerns regarding confidentiality?

**Assemblyman Anderson:**

Section 1, subsections 4 and 5 address privacy issues. This bill is revising existing law. Therefore, privacy issues have already been addressed through our existing law.

**Senator Kieckhefer:**

Is this something that is taking place nationally? Are we creating a system where our armed forces will be able to track this information on a state-to-state basis?

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**Assemblyman Anderson:**

Correct. This is federal movement along with state cooperation. Nevada is one of the states leading the movement. I have worked with the DOD to make this a reality.

**Senator Cegavske:**

We need to make sure this is coordinated with the P-16 Advisory Council, because we are also trying to put that data system together.

**Assemblyman Anderson:**

That is correct. This creates within our existing data systems an additional element that the Advisory Council can use regarding student data.

SENATOR FORD MOVED TO RECOMMEND TO THE FULL COMMITTEE  
TO DO PASS A.B. 224.

SENATOR CEGAVSKE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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**Chair Ford:**

Due to scheduling conflicts, this meeting will recess at 3:27 p.m. until the call of the Chair.

The Subcommittee meeting has reconvened at 5:45 p.m. I will begin the meeting with A.B. 260.

**ASSEMBLY BILL 260 (1st Reprint)**: Revises provisions governing tuition charges assessed against certain students within the Nevada System of Higher Education. (BDR 34-226)

**Assemblyman Anderson:**

I am here to present A.B. 260 which amends *Nevada Revised Statutes* 396.540 to waive tuition fees for military veterans attending any of our higher learning institutions throughout the State. Please refer to my handout entitled "Proposed Amendment 9320 to Assembly Bill No. 260 First Reprint" ([Exhibit C](#)). The genesis of the bill began in 2009 when the language in the current law was

added. The legislation before you proposes to remove the tuition charge assessed against students who are not residents of Nevada in order to allow honorably discharged veterans, who enroll in a higher learning institution within 2 years of discharge, to be considered as in-state students regardless of their residency.

At a time when Nevada is climbing out of the Great Recession and competing to attract top talent to our State, we need to give ourselves every edge we can. Veterans who enter college after serving in the military are some of the most disciplined and well-prepared members of our student bodies. If students have served their Country honorably, it should not matter if they are from another state. We should welcome them and provide them the same benefits that our home-grown veterans receive.

This bill is very personal to me because I came to Nevada and attended the University of Nevada, Las Vegas (UNLV) after serving in the Marine Corps. Even though I was able to take advantage of the Servicemen's Readjustment Act of 1944, otherwise known as the G.I. Bill, it did not cover all the costs of an undergraduate education. This bill would allow that.

The Nevada System of Higher Education (NSHE) campuses have done a great job by attracting a highly skilled workforce for Nevada. This will help us in that economic diversification effort we hear so much about. Many veterans have top-tier skills and training that they received from the federal government.

The U.S. Congress is currently proposing a bill which would condition receipt of any G.I. Bill money on states providing full in-state tuition, with no qualifications. My original bill set a 2-year limitation on the in-state tuition waiver so that it would not be left open indefinitely. The intent of the new language is that, if a more favorable standard is required by Congress to receive G.I. Bill money of any kind, we allow the NSHE Board of Regents to grant it. The Board of Regents would have what I call the "escape hatch" authority to make sure we do not lose our G.I. Bill money, which would be a huge loss to the State.

**Senator Kieckhefer:**

How many veterans currently qualify for this exemption under this legislation?

**Assemblyman Anderson:**

I know of approximately 100 veterans who did not attend Nevada universities as a result of out-of-state tuition fees. That is the best evidence that I can give you, though it is anecdotal from the UNLV Office of Veteran Services. They told me they have fielded approximately 100 telephone calls from out-of-state veterans inquiring about attending UNLV. Those veterans would have brought with them G.I. Bill money had they enrolled.

The actual number is difficult to determine because most veterans can apply through the existing law which has the requirement that if you are discharged in Nevada, or a location that has a relationship with the State such as the Marine Corps' Mountain Warfare Training Center in Pickle Meadows, California, or Fort Irwin and the National Training Center in northern San Bernardino County, California, you will be considered as an in-state student. Most of the veterans who will take advantage of this opportunity will come from those locations.

This is another movement that is sweeping the Country. There are currently 20 states that I would like Nevada to be able to compete with for these top-tier students and individuals with many skills that we can put to use in Nevada's workforce.

**Senator Kieckhefer:**

I do not disagree with that. To be clear, I am not against the bill. I want to make sure that I understand the true fiscal impact in order to plan for it. Of the individuals who come to Nevada from out of state to attend our schools, approximately 25 percent stay in Nevada as educated members of our workforce. We should honor and be thankful for those who have served their Country, such as you have.

**Assemblyman Anderson:**

The new Post-9/11 G.I. Bill pays the maximum in-state tuition. Because I received my degree early, under the new rules I was able to use those benefits to pay for two semesters of law school. This can really bring in money for our higher education system, even for graduate work. That is a large amount of federal money coming into the State which is a good thing.

**Senator Cegavske:**

Like my colleague, I am concerned how higher education is going to fund this, because they consistently tell us they have no money.

Is there a tuition fee in addition to the costs of the class? Are these two different fees, or are you waiving everything?

**Assemblyman Anderson:**

The statute is convoluted the way it is written. If you refer to [Exhibit C](#), in section 1, subsection 1, subparagraph (c), a "tuition charge" is defined as "a charge assessed against students who are not residents of Nevada and which is in addition to registration fees or other fees assessed against students who are residents of Nevada."

**Senator Cegavske:**

Are you talking about the out-of-state fee?

**Assemblyman Anderson:**

Correct, the out-of-state tuition charge.

**Senator Cegavske:**

How much is the registration fee?

**Assemblyman Anderson:**

I do not know because it changes so frequently. Think of it as in-state tuition. They would get the same benefits as residents of Nevada would receive.

**Senator Cegavske:**

Page 2 of [Exhibit C](#) states "within the 2 years immediately preceding the date." Can you explain what that means?

**Assemblyman Anderson:**

Veterans would have to begin school within 2 years of their honorable discharge in order to qualify for the benefit.

**Senator Cegavske:**

So they could come to Nevada 1 day and 1 month after their discharge and register and they would not be required to have a residency here?

**Assemblyman Anderson:**  
Correct.

**Chair Ford:**

As I understand it, the *Constitution of the State of Nevada* does not allow our Universities to charge tuition to residents, but they can charge fees which is the distinction we are talking about, is that correct?

**Assemblyman Anderson:**

That is correct. If you refer to [Exhibit C](#), page 1, line 16, you will see the first exemption from tuition charges are students whose families have been bona fide residents of Nevada for at least 12 months before the matriculation. This will put them in the same category, and allow them the same exemption, as residents. Refer to it as "in-state tuition" to make it clear for those who might not understand the nuances of the statute.

**Senator Cegavske:**

If I am a veteran and I have gone through school and received a degree, but 20 years later I decide I want to return to school and I live in Nevada, would I still qualify?

**Assemblyman Anderson:**

Daniel Klaich, Chancellor of NSHE, testified that once you matriculate you are established. Therefore, if you are called back to duty, you would still maintain that exemption even though you are no longer a resident. Once you matriculate, you would be able to qualify under the provisions of the statute and would continue throughout your course of study.

**Senator Cegavske:**

My husband served in the Coast Guard many years ago. If he returned to school right now, would he qualify? He has lived here for over 30 years. Would the people that need more training in order to find a different job be able to apply for this?

**Assemblyman Anderson:**

My understanding is that even if he did not qualify under the veterans tuition charge exemption, he would qualify under the 12-month exemption because he is a resident. To change the facts of the example, if he began school, then left

Nevada and returned, then yes, he would qualify as long as he started within 2 years.

**Senator Cegavske:**

He served in the State he was in, moved here and has lived here for over 30 years. If he applies now, and goes back to school, can he qualify for this waiver?

**Assemblyman Anderson:**

Your husband is already a resident and would not need to qualify for the waiver. If the course of study is started within 2 years, and the student begins initial matriculation through this proposed bill, then he will qualify. "Matriculate" in this case means to begin a course of study.

**Constance Brooks (Director, Government Relations, Nevada System of Higher Education):**

We would like to support this bill, as we value and honor our veterans and the service they provide to our Country. We would also like to thank one of our own veterans, Assemblyman Anderson, for his proactive efforts in working with us on this legislation in the interim. Throughout every step and every iteration of the language, we have been in lockstep with him and we appreciate his proactive nature with respect to this measure. This is a way for us to honor our veterans who are not residents of Nevada and to provide them with a discount which would help to ease some of the burden they would experience financially as they pursue their educational endeavors.

**Senator Kieckhefer:**

Under the new formula, would we allocate General Fund dollars to in-state students and not out-of-state students?

**Ms. Brooks:**

Correct.

**Senator Kieckhefer:**

Even though they are out-of-state, based on the basic concept of this bill, will we consider them in-state and spend General Fund dollars on these students once they are in our system?



**Ms. Brooks:**

That is correct. They will be counted within the weighted student credit hour formula as in-state resident students.

**Senator Kieckhefer:**

Does G.I. Bill money stay on the campus the same as student fee monies stay on the campus?

**Ms. Brooks:**

As I understand it, G.I. Bill money does remain with the campus. It is similar to financial aid where it is distributed through the financial aid office as a conduit, but it is federal dollars going directly to the student.

**Senator Kieckhefer:**

For the purpose of our funding formula, would an institution be disadvantaged by having one of these students because the student fee revenue is being paid by the G.I. Bill rather than the individual student?

**Ms. Brooks:**

A campus would not be disadvantaged.

**Assemblyman Anderson:**

This will advantage the campuses and will give them incentive to recruit veterans into the State and bring in G.I. Bill money that will pay for the full cost of tuition, living expenses, books and will bring in money. This will incentivize the campuses to do what they can to bring veterans into the State and attract that top quality workforce and provide a good service to veterans. It is a win-win for society and for veterans. It is not just helping veterans, it will help the State.

**Chair Ford:**

As far as I am concerned it is not all about the money for this bill, because I think it serves us well to give respect to those who served our Country as you and others have. I support the notion of offering whatever we can, in-state fees in this instance, and I appreciate your bringing the bill forward.

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SENATOR KIECKHEFER MOVED TO RECOMMEND TO THE FULL  
COMMITTEE TO AMEND AND DO PASS AS AMENDED A.B. 260.

SENATOR CEGAVSKE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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**Chair Ford:**

Hearing no further business, the meeting is adjourned at 6:01 p.m.

RESPECTFULLY SUBMITTED:

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RJ Keetch,  
Committee Secretary

APPROVED BY:

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Senator Aaron D. Ford, Chair

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

<b><u>EXHIBITS</u></b>				
<b>Bill</b>	<b>Exhibit</b>		<b>Witness / Agency</b>	<b>Description</b>
	A	1		Agenda
	B	1		Attendance Roster
A.B. 260	C	2	Assemblyman Elliot T. Anderson	Proposed Amendment 9320