

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

**Seventy-Ninth Session  
May 17, 2017**

The Committee on Education was called to order by Chairman Tyrone Thompson at 3:40 p.m. on Wednesday, May 17, 2017, in Room 1214 of the Legislative Building, 401 South Carson Street, Carson City, 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 [www.leg.state.nv.us/App/NELIS/REL/79th2017](http://www.leg.state.nv.us/App/NELIS/REL/79th2017).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Tyrone Thompson, Chairman  
Assemblyman Elliot T. Anderson  
Assemblywoman Olivia Diaz  
Assemblyman Chris Edwards  
Assemblyman Edgar Flores  
Assemblyman Ozzie Fumo  
Assemblywoman Lisa Krasner  
Assemblyman William McCurdy II  
Assemblywoman Brittney Miller  
Assemblyman Keith Pickard  
Assemblywoman Jill Tolles  
Assemblywoman Melissa Woodbury

**COMMITTEE MEMBERS ABSENT:**

Assemblywoman Amber Joiner, Vice Chair (excused)  
Assemblywoman Heidi Swank (excused)

**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Amelie Welden, Committee Policy Analyst  
Karly O'Krent, Committee Counsel  
Sharon McCallen, Committee Secretary  
Melissa Loomis, Committee Assistant



**OTHERS PRESENT:**

Jonathan P. Leleu, representing Insomniac

**Chair Thompson:**

Today we will have a brief work session. We have one bill on the agenda, and that is Senate Bill 164 (1st Reprint).

**Senate Bill 164 (1st Reprint): Authorizes a school district to lease school buses or vehicles belonging to the school district in certain circumstances. (BDR 34-668)**

**Amelie Welden, Committee Policy Analyst:**

Senate Bill 164 (1st Reprint) allows a school district to enter into an agreement to lease out school buses or other district vehicles for special events that take place in the county where the school district is located.

The agreement must not interfere with providing transportation for students, and the district must determine that a commercial bus is not reasonably available for the event. No more than 8.5 percent of the total number of a district's vehicles may be leased out at a time.

The bill sets out certain specifications for a lease agreement, including a security deposit, fee requirements, indemnity provisions, responsibility for damage, proof of insurance and driver licensure, and proof of a permit or approval for the event, if required.

District employees must be given preference in hiring for operation of the vehicles. Any money collected from a lease agreement that exceeds district costs must be used to replace school buses and other district vehicles. There are two amendments that have been submitted by Senator Farley.

The first requires a lease agreement to acknowledge that the liability of the lessee or an agent or employee of the lessee is not subject to the limitations on damages awards contained in *Nevada Revised Statutes* 41.035. The second amendment revises language to allow money collected from leases to be used at the discretion of the school district, with certain prohibitions ([Exhibit C](#)).

**Assemblywoman Tolles:**

I know I asked about whether this had an impact on increasing insurance liability. I want to confirm that the amendment addresses that concern.

**Jonathan P. Leleu, representing Insomniac:**

This amendment does not address insurance issues; however, the school district did confirm with their office that this bill does not affect insurance one way or the other.

**Chairman Thompson:**

I will entertain a motion to amend and do pass Senate Bill 164 (1st Reprint).

ASSEMBLYMAN EDWARDS MADE A MOTION TO DO PASS  
SENATE BILL 164 (1ST REPRINT).

ASSEMBLYMAN FUMO SECONDED THE MOTION.

I want to state that I will be voting no on this. Every day, when students go out in school buses, there is an opportunity when undesirable things can be brought onto a bus. I feel by us enacting this, it adds even more opportunities for adults to bring things onto a bus. Those are things that our children could be exposed to. I understand in reading the bill that buses will be thoroughly cleaned and maintained, but it takes one situation where one item could make a difference with one of our children. I cannot see myself putting it out there to allow other organizations to utilize buses that are specifically for the use of students. The second part of it is that I know we are saying we can only use up to 8.5 percent of the fleet, but what if some of that 8.5 percent is out of commission before a school day? That would throw off the routes for schools and buses. Then there is a potential where kids cannot get to school. I really do not think those situations are far-fetched.

**Assemblywoman Diaz:**

Like you, I was also thinking long and hard about the bill, but I think what got me was that it is permissive. The districts may enter these contracts. The district would set their stipulations in the contract. If the people looking to enter into the contract walk away, at least there was the opportunity. Another concern was who would be ultimately responsible for ensuring that the buses were in pristine condition. It was told to me that this could be resolved through stipulations in the contract. By being permissive in allowing a contract, the districts are the ones in the driver's seat. I feel that they would always be looking out for the best interests of our students.

**Assemblyman Elliot T. Anderson:**

What it comes down to is the things in the bill are minimum terms of the contract. I am sure the school district does not want their buses to be messed up. I think they are more than capable of ensuring the equipment is well-used and well-repaired. I will be voting yes.

**Assemblywoman Miller:**

I am also a no. Although the language is permissive, there is also a conflict when the school district is approached and they deny the request. That becomes a public relations issue. These are school buses that we need to reserve for the sole purpose of transporting students in the safest and healthiest way. That is one of the reasons I will be voting no.

THE MOTION PASSED. (ASSEMBLYMEN MILLER AND THOMPSON  
VOTED NO. ASSEMBLYWOMEN JOINER AND SWANK WERE  
ABSENT FOR THE VOTE.)

**Chairman Thompson:**

I will be giving the floor statement to Assemblywoman Diaz. Is there any public comment?  
[There was none.] The meeting is adjourned [at 3:49 p.m.].

RESPECTFULLY SUBMITTED:

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Sharon McCallen  
Recording Secretary

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Isabel Youngs  
Transcribing Secretary

APPROVED BY:

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Assemblyman Tyrone Thompson, Chairman

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

## **EXHIBITS**

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is the Work Session Document for Senate Bill 164 (1st Reprint), presented by Amelie Welden, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.