

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON WAYS AND MEANS**

**Seventy-Third Session
May 28, 2005**

The Committee on Ways and Means was called to order at 10:04 a.m., on Saturday, May 28, 2005. Chairman Morse Arberry Jr. presided in Room 3137 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Mr. Morse Arberry Jr., Chairman
Ms. Chris Giunchigliani, Vice Chairwoman
Mr. Mo Denis
Mrs. Heidi S. Gansert
Mr. Lynn Hettrick
Mr. Joseph M. Hogan
Mrs. Ellen Koivisto
Ms. Sheila Leslie
Mr. John Marvel
Ms. Kathy McClain
Mr. Richard Perkins
Mr. Bob Seale
Mrs. Debbie Smith
Ms. Valerie Weber

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Mark Stevens, Assembly Fiscal Analyst
Steve Abba, Principal Deputy Fiscal Analyst
Carol Thomsen, Committee Attaché
Connie Davis, Committee Attaché

Chairman Arberry called the meeting to order and opened the hearing on [A.B. 335](#).

Assembly Bill 335 (1st Reprint): Makes various changes regarding education and makes appropriations. (BDR 34-482)

Carol Stonefield, Senior Research Analyst, Research Division, Legislative Counsel Bureau (LCB), stated that she would present testimony regarding [A.B. 335](#), which had been sponsored by the interim Legislative Committee on Education. Ms. Stonefield advised that she had been the policy analyst for that Committee during the interim.

Ms. Stonefield referenced [Exhibit B](#) entitled "Assembly Bill 335 (R1), Legislative Committee on Education, Section Outline," which provided an explanation of the main points of the sections of the bill.

Ms. Stonefield stated that [A.B. 335](#) related to instruction and assessment, primarily in high schools and partially in elementary and secondary education. Sections 1 and 2 had been amended by the Assembly Committee on Education during the 2005 Session, and that amendment added a representative of the Statewide Council for the Coordination of the Regional Training Programs to the list of individuals who might lawfully review the questions that were contained in the norm-referenced tests and the High School Proficiency Examination. According to Ms. Stonefield, at the present time the list included a very select group of people and that list was provided in Section 1(6) of the bill:

- State officer who was a member of the Executive or Legislative Branch
- Superintendent of schools of a school district
- Director of curriculum of a school district
- Director of testing of a school district
- *A representative of the Statewide Council for the Coordination of the Regional Training Programs*

Ms. Stonefield pointed out that the representative would be added upon passage of the bill, and would be lawfully able to review the questions and answers on tests.

Ms. Stonefield noted that Section 3 had been proposed by the interim Legislative Committee on Education, which had held its work session in August 2004, at which time the Committee had no way of knowing what would be included in [The Executive Budget](#), and the proposal in Section 3 actually mirrored the proposal in [The Executive Budget](#) for the total amount of \$9.95 million for educational technology.

The difference, stated Ms. Stonefield, was in the distribution of the funds. The interim Committee believed it would be wise to provide the Commission on Educational Technology with some flexibility and [The Executive Budget](#) proposed to allocate the funds for the next biennium in the same manner as had been allocated for the current biennium. Ms. Stonefield indicated that the Committee proposed to provide the Commission with the opportunity to identify priorities and submit those priorities to the Legislative Committee on Education for approval.

Regarding Section 5, Ms. Stonefield stated that it related to a program in the Clark County School District called the "Inclusion Partnership." The interim Committee had received a presentation regarding that program at its meeting at the University of Nevada, Las Vegas (UNLV), in June 2004. Ms. Stonefield explained that the Inclusion Partnership program was, at that time, a pilot program in which the Clark County School District and the UNLV worked toward a goal of increased academic achievement for special education students in middle schools and high schools. UNLV students received special training and worked with the Clark County School District, along with school district teachers who had received instruction regarding inclusion of special education students in their classrooms. Ms. Stonefield pointed out that the proposal would expand the co-teaching program in the Clark County School District, where special education teachers were paired with general education teachers to plan instruction for those students. The total appropriation for the biennium was approximately \$2.2 million.

Ms. Stonefield reported that Section 6 of A.B. 335 proposed an appropriation for personalized study guides for pupils who failed one or more sections of the High School Proficiency Examination. The study guides would be developed on the basis of each individual student's performance, and the interim Committee also envisioned that there would be a web-based component to those study guides.

According to Ms. Stonefield, Sections 7 and 8 of the bill would create an Advisory Task Force to review certain academic standards and the High School Proficiency Examination. Throughout the interim, the Legislative Committee on Education had expressed concerns regarding the High School Proficiency Examination and Ms. Stonefield noted that toward the end of the 2003 Legislature, action had been taken to reduce the scores on the math portion of the examination. Throughout the interim, the Committee had received testimony regarding the High School Proficiency Examination and had proposed the Advisory Task Force, which had started out as a study of calibration of academic standards to instruction and had been modified to create the 14-member Task Force, which would include two legislators. Ms. Stonefield said the Task Force would specifically review the High School Proficiency Examination, the calibration of elementary and middle school instruction to the academic standards established by the Council, the alignment of standards to the National Assessment of Educational Progress (NAEP), and would make recommendations to the Legislative Committee on Education concerning high school graduation requirements, including whether or not to actually mandate the algebra track and other specific courses in English.

Ms. Stonefield reported that Section 9 had been added to the bill by the Assembly Committee on Education and would create an Advisory Committee to the interim Legislative Committee on Education to study financial incentives to attract and retain qualified teachers.

Ms. Stonefield noted that Section 10 was a proposal from the interim Committee to review distance education opportunities. The Clark County School District had launched its virtual high school last fall and the Washoe County School District also offered an online program. Ms. Stonefield explained that those programs were available for purchase by other school districts, however, the *Nevada Revised Statutes* (NRS) actually provided that any student who resided in a district which had purchased a distance education course for that student, the district of residence would be required to pay a portion of its Distributive School Account (DSA) which, in many instances, would be a greater amount than what the district offering the course could pay to purchase the course. Ms. Stonefield said that had somewhat of a chilling effect on some of the districts purchasing the programs for their students. Section 10 would simply direct the Department of Education to review the current funding structure and make recommendations to the interim Legislative Committee on Education and to the 2007 Legislature regarding ways that could make distance education opportunities available to more students, particularly in the rural districts.

Section 11, said Ms. Stonefield, directed the interim Legislative Committee on Education to review the transition from high school to post secondary education or work. That was a timely recommendation because the National Governors Association, among others, had recommended an overhaul of high schools. In the fall of 2004, the Nevada System of Higher Education reported that the remediation rate of first-time, full-time freshman coming directly from high school had reached 40.5 percent. Ms. Stonefield explained that the interim

Committee was simply telling itself that it was time to review the whole transition from high school to college.

Chairman Arberry asked whether there was further testimony to come before the Committee regarding A.B. 335.

Rhonda Glyman, Co-Chair, Nevada Partnership for Inclusive Education (PIE), introduced herself to the Committee, and explained that Nevada PIE was a public/private partnership between the Clark County School District, the University and Community College System of Nevada (UCCSN), the Public Education Foundation, and the community, which had been formed to better meet the needs of Nevada's children. She indicated she would testify in support of Section 5 of the bill.

According to Ms. Glyman, Nevada PIE started in Clark County and had a very comprehensive plan and many innovative initiatives, however, in the interest of time she would focus on co-teaching, which was also the focus of A.B. 335. Ms. Glyman indicated that Nevada PIE had been selected by the National Institute for Urban School Improvement as a national role model for the largest school districts in the country to follow, and Nevada PIE had been invited to make a presentation to the largest urban districts in Washington, D.C., to share its plans.

In terms of co-teaching, Ms. Glyman reported that it was considered a vital component in the continuum of services to meet the needs of students nationally. Co-teaching referred to the pairing of a special education trained teacher with a general education core content teacher – math, science, English, social studies – daily throughout the year. Ms. Glyman stated that co-teaching was essential to ensure that students with special needs succeeded in regular classrooms, but it appeared that all children benefited from the strategies and the varying teaching styles in those classrooms.

Ms. Glyman referenced Exhibit C, "Nevada Partnership for Inclusive Education," and noted that it included the budget for the upcoming year. She reported that the majority of funding for Nevada PIE in previous years had been from the Clark County School District. The budget for 2004 was \$2 million and, of that amount, \$1.5 million was from the Clark County School District, \$100,000 from grants, and the remainder from private donations made by local businesses, corporate leaders, and parents in the community who strongly supported Nevada PIE's efforts. Ms. Glyman stated that Nevada PIE had served 37 schools during 2004 and for 2005 the project had grown to 63 schools that had already opted in and were formally part of the program, so PIE was moving forward.

Ms. Glyman emphasized that Nevada PIE was underfunded to date, and of the \$5 million budget for the upcoming school year, the Clark County School District had committed to approximately \$1.8 million, the community fund-raising goal was approximately \$700,000, and in Section 5 of A.B. 335 Nevada PIE requested \$1.1 million. While Ms. Glyman would like to ask for all the funding, any amount the Committee saw fit to approve would greatly help the Nevada PIE program and allow it to fulfill its goals and meet the needs of the students. She understood there were many requests for funding and also understood that Nevada PIE might have an opportunity to apply for funding through the grants process.

According to Ms. Glyman, the amount of \$225,000 would be needed for the 24 secondary schools that would be part of the program for the first semester of the upcoming year. That funding would allow Nevada PIE to pursue other funding sources, and the \$225,000 was absolutely essential to ensure that all students were actively involved in learning. Ms. Glyman pointed out that it would allow co-teachers at the 24 secondary schools to plan their lessons over the summer and to meet for planning through that first semester to ensure that co-teaching was successful.

Ms. Glyman noted that [Exhibit C](#) included research findings over a 20-year period, which showed that co-teaching had a very low chance of succeeding unless the proper funding for ongoing planning and training was in place. Ms. Glyman respectfully requested that the Committee consider the request for \$225,000 to ensure the success of the Nevada PIE program, which was entering its third year of a 5-year plan, so it could succeed and move forward to meet the needs of the children in Clark County.

Chairman Arberry asked whether there was further testimony to come before the Committee regarding [A.B. 335](#).

Martha Sutro, Program Manager, The Grow Network, stated she would speak in support of Section 6 of the bill, which requested personalized study guides and a web-based component to address students who had failed to pass one or more sections of the High School Proficiency Examination. Ms. Sutro referenced [Exhibit D](#), a folder that contained information regarding two bills, [A.B. 335](#) and [A.B. 336](#).

According to Ms. Sutro, [A.B. 336](#) would continue the work that The Grow Network began in 2003, which had received funding from the 2003 Legislature. The exhibit provided a variety of materials regarding [A.B. 335](#), which included a brief description of the personalized study guides that were customized for each student. Personalization was designed to make standards relevant, immediate, and vivid for each student. Ms. Sutro said that high school reform research had shown that engaging students with challenging instruction and clear expectations, along with a network of support, was the best way in which to help a student improve. The study guides addressed all levels of achievement, and the sample guide included in [Exhibit D](#) included the "warm up," which depicted each student's area of strength, the "challenge," which addressed the student's area of weakness, and the "review" for the student's average performance areas. Ms. Sutro noted the study guide also included a planning guide and a breakdown of the student's individual score.

There was a web-based component, explained Ms. Sutro, which provided students with an opportunity to replace any guides that were lost and allowed updates based on formative assessments. The professional development provided by The Grow Network, in conjunction with the printed guides, supported students, tutors, and parents, and provided outreach. It also addressed teachers who might have a large number of students, or any number of students in their classroom who had not passed one or more sections of the High School Proficiency Examination.

Ms. Sutro noted that [Exhibit D](#) also included testimony from Dr. Shirley Neeley, Texas Commissioner of Education, where the study guide project that The Grow Network had launched during the past year had been enormously successful, and had been attributed to raising the overall performance regarding the High School Proficiency Examination within the space of 1 year.

The last item in [Exhibit D](#) regarding [A.B. 335](#) was the National Governors Association's citation that the study guide was one of the key methods that high schools could utilize to improve student performance on High School Proficiency Examinations.

Anne Loring, representing the Washoe County School District, voiced the district's support of [A.B. 335](#). The district was particularly supportive of the educational technology funding, which was included in [The Executive Budget](#), and should the Committee choose to give the flexibility to the Commission, as outlined in the bill, the district would also support that decision.

Ms. Loring said that the Washoe County School District would also strongly support the studies proposed in Section 8 of the bill, including the study regarding the High School Proficiency Examination, which would be very valuable in answering questions from the public regarding the important test. Also, the district would support Section 9, which proposed a study on the financial incentives for recruiting and retaining teachers. According to Ms. Loring, the Education Collaborative of Washoe County had attempted to undertake a like study during the past year, and had come to the conclusion that it was something that required a statewide study.

Craig Kadlub, representing the Clark County School District, voiced support for each of the programs presented in [A.B. 335](#).

Assemblywoman Giunchigliani asked whether any part of the funding had been included in [The Executive Budget](#) and Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), replied that the funding in Section 3 had been included in [The Executive Budget](#).

Chairman Arberry asked whether there was further testimony to come before the Committee regarding [A.B. 335](#) and, there being none, declared the hearing closed. The Chair opened the hearing on [A.B. 336](#).

[Assembly Bill 336](#): Revises provisions regarding education to increase parental involvement. (BDR 34-475)

Carol Stonefield, Senior Research Analyst, Research Division, LCB, explained that [A.B. 336](#) had been sponsored by the interim Legislative Committee on Education, for which she had served as the policy analyst. Ms. Stonefield stated that the bill contained provisions that the interim Committee believed were worthwhile with regard to parental involvement. Ms. Stonefield referenced [Exhibit E](#), which contained a section outline of the bill.

According to Ms. Stonefield, the interim Legislative Committee on Education had taken a number of road trips during the interim and at each meeting a panel of parents, teachers, students, and business people from the community had engaged in conversation with the members of the Committee. From that, the Committee determined that parental involvement was certainly one of the most important factors in the success of any student. Ms. Stonefield noted that [A.B. 336](#) contained the provisions that the interim Committee believed were important. Ms. Stonefield offered the following explanation regarding [A.B. 336](#):

- [Section 1](#): Required the State Board of Education to prepare a statewide plan to improve pupil achievement, which had also been part of [Senate Bill 1 of the Nineteenth Special Session](#). [A.B. 336](#) added to the list of items to be included in that statewide plan and added strategies to improve and increase parental involvement.

- Section 2: Addressed the district board of trustees' plan to improve pupil achievement and also added the strategies to improve and increase parental involvement.
- Section 3: Authorized regional professional development programs to offer training to teachers and administrators regarding effective methods to communicate with parents.
- Section 4: Addressed technical changes.
- Section 5: Related to parent information brochures and the web-based instructional strategies that had been funded by the 2003 Legislature. A.B. 336 included writing examinations in grades 4, 8, and 11.
- Sections 6 and 7: Created an Advisory Council on Parental Involvement with 14 members.

According to Ms. Stonefield, the interim Legislative Committee on Education had received many proposals, some with appropriations attached, such as outreach coordinators, and Sections 6 and 7 were simply a request from the Committee for assistance in determining which proposals held the most promise. The Advisory Council would act as an advisory committee to the Superintendent of Public Instruction. Ms. Stonefield explained that A.B. 336 provided the composition of the membership of the Council, which would review effective practices in Nevada and other states, identify effective communication and outreach practices, and make recommendations to the Legislative Committee on Education for future legislation.

The Chair asked whether there was further testimony to come before the Committee regarding A.B. 336.

Barbara Clark, representing the Nevada PTA, stated that the Nevada PTA, which was a grassroots organization of parents who had been operating in Nevada for 66 years, offered the proponents for parental involvement. Ms. Clark reported that the PTA had spent a great deal of time through the years becoming experts in parental involvement, and PTAs were the grassroots entities that perpetuated the day-to-day parent involvement at school sites, as well as advocacy at the school districts.

Ms. Clark stated that the Nevada PTA was in full support of A.B. 336. Obviously, parental involvement was a term that was often bandied about, but often resources, time, and energy were not allocated in order to attain parental involvement. Ms. Clark said Sections 1 and 2 of the bill included strategies to improve and increase effective parental involvement, and she pointed out that the NRS included mandates that strategies or policies be developed for parental involvement, based on the standards. According to Ms. Clark, one of those standards was communication, which was very important.

Ms. Clark stated that Section 3 of the bill addressed regional professional development programs, which were considered very crucial by the Nevada PTA. The PTA had conducted numerous workshops regarding development programs at the University of Nevada, Reno (UNR). According to Ms. Clark, teachers often reported that they were not given sufficient instruction regarding how to include parents in the classrooms and in helping teachers provide the tools to help make their children successful.

Section 5, stated Ms. Clark, provided reporting brochures and web-based data. That section would give parents instructional tools to help them help their children improve their test scores. Ms. Clark remarked that funding had been provided for that purpose over the past 2 years and she believed that failure to continue the funding would represent a step backwards for parents.

Ms. Clark pointed out that Sections 1 and 2 of the bill talked about effective communications and providing tools to parents. She noted that one of those tools would be to give parents the ability to understand their children's test results and how they could improve their rights and responsibilities. She hoped that funding would continue for Section 5 of A.B. 336, as well as funding for the study guides in A.B. 335. Ms. Clark opined that all tools that provided parents with the ability to help their children should be funded.

Section 6 of A.B. 336 would establish an Advisory Council on Parental Involvement, which Ms. Clark stated the Nevada PTA would also support. She noted that the Nevada PTA would support any legislation that brought to the forefront the strategies that were currently available. Ms. Clark encouraged the Committee to support A.B. 336.

Assemblywoman Giunchigliani referenced A.B. 403 that would allow for release of proficiency examinations to parents. She asked whether the Nevada PTA had taken a position regarding A.B. 403. Ms. Clark stated that the Nevada PTA absolutely supported that bill. Every tool and resource that provided parents an opportunity to empower themselves regarding their children was supported by the Nevada PTA.

Chairman Arberry asked whether there was further testimony to come before the Committee.

Dotty Merrill, representing the Washoe County School District, stated that the district strongly supported the passage of A.B. 336. She stated she would refer to three sections of the bill, two related to policy and one related to fiscal matters. Ms. Merrill commented that the Washoe County School District would encourage the Committee to pass Section 3, which expanded opportunities for teachers and administrators to receive training from regional professional development programs regarding more effective communication with parents, guardians, and families of students.

Ms. Merrill stated that the Washoe County School District certainly supported Section 6 regarding the Advisory Council on Parental Involvement. The district believed that would be a vehicle for moving forward parental involvement across the State, bringing together and sharing the strategies that were currently in use, and pooling "best practices" among all school districts.

Ms. Merrill pointed out that Assemblywoman Giunchigliani had previously mentioned A.B. 403 regarding release of the High School Proficiency Examinations, and the Committee had heard earlier testimony regarding A.B. 335, which proposed a study of the exam and linking the examination itself to the standards. Ms. Merrill stated the proposal in Section 5, subsection 2(b) focused upon reports related to the High School Proficiency Examination, which would be provided to tenth graders after they took the examination. Section 5, subsection 2(d) referenced the eleventh grade writing test and would move toward better preparation for Nevada students, greater understanding for their parents and families about the demands of the test, which, in turn, would result in more effective decision-making regarding courses that students should take prior to taking the examination.

According to Ms. Merrill, the Washoe County School District had found that when students had a better understanding of the demands and the skills that were tested, they came closer to believing what counselors and teachers told them about the need to take rigorous and challenging courses as appropriate

preparation for the examination. Ms. Merrill stated that the Washoe County School District believed that A.B. 403, A.B. 335, and Section 5 of A.B. 336 would work together to provide better opportunities with regard to the High School Proficiency Examination, and she strongly encouraged the Committee to pass the bill.

Craig Kadlub, representing the Clark County School District, voiced support for A.B. 336.

Martha Sutro, Program Manager, The Grow Network, stated she would speak briefly regarding Section 5 of A.B. 336. The Grow Network, as mentioned earlier, began work in Nevada based on funding from the 2003 Legislature and had implemented an instructional reporting program.

Ms. Sutro reported that The Grow Network mission, as described in Exhibit D, was to take data and transform it in some way into an opportunity for parents, teachers, and students to engage in meaningful action and instruction that was relevant to that data. The program implemented by The Grow Network consisted of four elements:

1. Score reports
2. Web tools
3. Instructional materials
4. Professional development

Ms. Sutro noted that sample reports for parents and teachers, as well as school leaders and district and state leaders, were included in the exhibit. The report itself was a call to action, explained Ms. Sutro, and The Grow Network had designed the reports so that they worked as a "family" and would increase awareness around each student's performance. Ms. Sutro said the reports invited the question, "What can I do to help my students grow..." or "What can I do to help my child grow...."

The second component, web tools, were quick, easy, and provided access to districts, grades, classes, and student-level information, said Ms. Sutro. Web tools also showed teachers how to differentiate instruction according to the needs of their class.

Ms. Sutro commented that instructional materials built teacher understanding of the standards and suggested teaching strategies that were tailored to the data. The Grow Network had found during the past 2 years in its work throughout the State, that Nevada teachers were overwhelmingly grateful and responsive to the materials. They had never before seen thorough explanations of the standards and thorough explanations of the challenges faced by students, as well as the level of attention necessary for each student's performance in those standards. Ms. Sutro said the instructional materials had been particularly well received.

The fourth component, said Ms. Sutro, was the professional development component, and she explained that The Grow Network had presented three different batches of printed reports and online resources for parents at three different times during the past biennium. Ms. Sutro stated that during the past fall, The Grow Network had delivered over 100,000 parent reports to students in grades 4, 6, 9, and 11 throughout the State. When The Grow Network reported on the results of next spring's examination there would be over 160,000 reports for Nevada students. Ms. Sutro indicated that The Grow Network had conducted professional development in every school district in the

State. Over 100 sessions and trainings had been conducted for parents and educators.

Ms. Sutro stated that educators received a login and password to an account where they could look at student data. There had been over 50 percent usage by school districts around the State over the past biennium, and Ms. Sutro reported that all the districts had logged on, with some districts showing 80 percent usage. The Grow Network had also commenced its innovative parent outreach program in Clark County, which defined the program throughout the country in other states and districts. Ms. Sutro said the key to that program was bilingual parent training and the report for Spanish-speaking parents came with a translation guide. In 2006 and 2007, The Grow Network would be able to dynamically print individual student information in Spanish. Ms. Sutro reported that The Grow Network had worked with a Nevada-based trainer who had become a significant part of the current project.

During the upcoming biennium, Ms. Sutro stated that The Grow Network would pick up the reporting of several additional tests, the norm-reference test, and the grades 4, 8, and 11 writing examinations, as well as the State criterion-referenced testing (CRT), which would be rolled out in additional grades over the next biennium. Ms. Sutro indicated that The Grow Network would continue with its professional development, and would reach more parents by full dynamic reporting of printed materials for parents in Spanish.

The cost for Nevada would be \$1.2 million per year going forward, and Ms. Sutro noted that the Clark County School District had expressed an interest in receiving the educator reports, which it had chosen not to receive during the last biennium. That would bring the cost up to \$1.4 million. Ms. Sutro indicated that the addition of Clark County would require an amendment to the bill for the additional funding.

Assemblywoman Giunchigliani asked whether the costs would become ongoing costs. Ms. Sutro said the cost would be \$1.4 million over the upcoming biennium, and funding beyond that point would be a decision for the Governor. Ms. Giunchigliani asked whether A.B. 335 would provide the funding to continue the project beyond what had been funded during the 2003 Legislature. Ms. Sutro said A.B. 336 was the continuation of the current project, which had been funded at a level of \$1.4 million by the 2003 Legislature. The requested amount for the upcoming biennium would again be \$1.4 million if Clark County received the full system of reports. The deepening of the project was included in A.B. 335 regarding the High School Proficiency Examination. Ms. Giunchigliani pointed out that the Governor had not funded the programs in The Executive Budget, and Ms. Sutro stated that was correct.

Ms. Giunchigliani said that The Grow Network had been specifically named during the 2003 Session, and she asked whether the project had been put out to bid, or was it assumed that the project would be handled by The Grow Network. Ms. Sutro said it was not necessarily assumed, particularly for the project in A.B. 335, and it was her understanding that it was unlikely there would be a bid for the continuation of the existing project, but it was likely that there would be a bid for the new project involving the study guides.

Assemblyman Marvel believed that there had been a bid for the project during the 2003 Session. Ms. Sutro replied in the affirmative. Mr. Marvel noted that the program had been in existence for approximately 2 years, and he asked whether there had been positive results. Ms. Sutro indicated that The Grow Network had seen many positive results, and the usage rates were an extremely

positive result. There had also been over 5,000 "hits" to the website that was available to parents along with the parent report, which was very positive.

Assemblyman Denis noted that the Nevada parent report would soon be printed in Spanish, and he asked when that would be available. Ms. Sutro indicated that the report would be available in Spanish during the 2006-2007 school year. Mr. Denis asked about the website for parents that had received 5,000 "hits" and he wondered if it could be determined where those "hits" were coming from. He stated that in his district, many parents did not have access to computers, and he asked whether The Grow Network found that resources were not used as much by parents in at-risk areas. Ms. Sutro said that The Grow Network had done a significant amount of printing web resources when it conducted outreach and sessions for parents, since web access was limited for some parents. Depending on the school community, and the school's ability to bring parents into involvement in technology within the school, it found that parents in those communities tended to have their Internet needs supported.

Mr. Denis asked whether The Grow Network offered a phone number that a parent could access if they wanted assistance with the report and, if so, was that number available for Spanish-speaking parents. Ms. Sutro indicated that there was a support number listed on the parent website and on the printed report. The Grow Network had received a request from a legislator to place an "800" number on the printed report, but there was a number already available on the website. Ms. Sutro emphasized that there were Spanish-speaking resources available at that site. Mr. Denis stated he would also encourage The Grow Network to put an "800" number on the printed report so that parents without access to the Internet would have access to a telephone number.

With no further testimony forthcoming regarding A.B. 336, the Chair declared the hearing closed. Chairman Arberry opened the hearing on S.B. 195.

Senate Bill 195 (1st Reprint): Increases number of district judges in Eighth Judicial District. (BDR 1-524)

Nancy Becker, Chief Justice, Nevada Supreme Court, advised that she was also the Chair of the Judicial Council of the State of Nevada. The Judicial Council and the Supreme Court, in looking at ways to deal with the enormous caseload growth in the State and the available resources, had devised a twofold plan, which had been unanimously adopted by the Council. Chief Justice Becker indicated that one prong of the plan had been partially approved by the Committee and would be further addressed by S.B. 369, and that was increased funding for the Senior Judge Program. She thanked the Committee for its consideration of that funding within the Court's budget. The second half of that prong would be additional judges for Clark County, as requested in S.B. 195.

Kathy Hardcastle, Chief District Judge, Eighth Judicial District Court, stated she was present in support of S.B. 195, which was the Court's request to increase judicial positions in Clark County. Judge Hardcastle referenced Exhibit F, which depicted the congestion found on an average day in the morning calendar of a Criminal Division Judge in Clark County. The photo in the exhibit showed just one example of the ongoing problems facing judges in completing an excessive workload while providing Clark County residents their day in court.

Judge Hardcastle stated that, simply put, Clark County's Eighth Judicial District Court faced the prospect of being unable to meet its mission of providing timely and efficient access to justice. Population growth, coupled with increased crime and litigation, had resulted in substantial increases in filings in the civil, criminal,

and family caseloads. Judge Hardcastle reported that, despite the Court's efforts to manage the enormous growth and filings, it had become abundantly clear that judges could not keep up and the timely resolution of court cases in Clark County was slipping.

Judge Hardcastle called the Committee's attention to Figure 1 within [Exhibit F](#) and explained that according to the American Bar Association (ABA), 100 percent of criminal cases should be completed or disposed of within 12 months. In Clark County's Eighth Judicial District Court, 63 percent of the criminal cases were disposed of within 12 months, which was 37 percent below the national standard. Figure 2 depicted that 100 percent of the civil cases should be completed within 24 months, and in the Eighth Judicial District Court only 76 percent of civil cases were resolved within 24 months, which was 24 percent below the national standard. Judge Hardcastle stated that Figure 3 told an even more compelling story. It took 12 months to get a trial date for criminal cases, 36-plus months to get a trial date for civil cases, and 10 months for a trial date in domestic relation cases.

Judge Hardcastle pointed out that Figure 4 within the exhibit indicated that an Eight Judicial District Court judge handled in excess of 30 percent more cases than the second busiest court in Nevada, which was the Second Judicial District Court in Washoe County. In Figure 5, when compared to other western courts of comparable size and jurisdiction, the Eight Judicial District Court judges had the highest number of filings per judge at 2,633 per judge and the lowest ratio of judges per 100,000 population. Judge Hardcastle explained that there were 1.9 judges per 100,000 population, and the next closest was 2.6 for Nevada statewide, and 2.9 for the state of Idaho. She noted that every comparison in the western states indicated that the Eighth Judicial District Court had the lowest ratio of judges per 100,000 population.

According to Judge Hardcastle, the consequence of not funding judicial positions when there were increases in population, arrests, and litigations was a bottleneck in the continuum of justice. In addition, the final page of [Exhibit F](#) depicted additional consequences, such as increasing wait time for verdicts, compromise of public safety because offenders were returned to the community, business litigation that increased costs and reduced availability for further commerce, and children suffered under the stress of divorce.

Judge Hardcastle said the Eighth Judicial District Court in Clark County had reached a compromise in [S.B. 195](#), which requested four new judges rather than the seven originally requested. She believed that the compromise struck a balance between maintaining the minimum current access to justice levels, while allowing the Court to move forward on much needed systematic changes. Judge Hardcastle remarked that those changes included the physical move to the Regional Justice Center, the daunting task of implementing a new case management system, merging the administrative functions of both the District and Justice Courts in Clark County, as well as the expansion of the Alternative Dispute Resolution Programs and specialty courts.

Judge Hardcastle stated she would like to commend Thom Reilly, Clark County Manager, and his staff, and Charles Short, Court Administrator, and his staff, for their ongoing commitment and their hard work in resolving those matters. She also thanked the Clark County Commissioners for giving justice a priority in Clark County.

Judge Hardcastle referred to the insert in [Exhibit F](#) regarding proposed solutions, beginning with the Criminal Division. The District Court would set a time to disposition goal of 90 percent within 12 months, and had proposed four changes:

1. Transferring one Civil judge to the Criminal Division, which had been done, and which reduced the number of Civil judges available to handle the Civil caseload, but it was necessary in order to handle the increase in the criminal caseload.
2. Add a Criminal Arraignment Master for Law and Motion calendars, and Clark County had agreed to provide that position.
3. Request a Senior Judge for probation revocation hearings, which would be provided through funding contained in [S.B. 369](#).
4. One of the additional four judges would become a Criminal Division judge in January 2007.

Regarding the Civil Division, Judge Hardcastle stated the time set to disposition goal was 90 percent within 24 months. To accomplish that, four changes had been proposed:

1. Expand the Alternative Dispute Resolution Program to cover cases with a value of \$50,000 or less.
2. Request two additional staff for the Short Trial Program.
3. Add two Civil Division judges; out of the four new judges requested, two would be assigned to the Civil Division.
4. Utilizing Senior Judges for a Settlement Conference program.

In the Family Division, Judge Hardcastle reported the Court was setting a time to disposition goal of 99 percent within 12 months. To that end, four changes had been proposed:

1. Add one new judge position to Juvenile.
2. Partner with the private sector to create a high conflict divorce case mediation alternative.
3. Add an abuse/neglect Hearing Master, which had been funded by Clark County. The Court expected the position to be filled shortly after July 1, 2005.
4. Request a Senior Judge to provide calendar continuity in domestic relation cases.

The total annual cost to the State of Nevada would be \$670,210, and the total annual operating cost to Clark County was \$4,448,563. Judge Hardcastle stated that the Court anticipated approximately \$9,994,300 in a one-time facility improvement cost to the county.

Chairman Arberry commended Judge Hardcastle for compromising in the number of new judges requested and, since the new judges would not be hired until 2007, he wondered whether the Court could hire temporary judges with the stipulation that those judges would not be able to run for office. That would give the Court some relief until the new judges could be hired. Judge Hardcastle explained that the Court was not able to put a judge in place temporarily, but part of the proposed solutions included the utilization of Senior Judges to help fill the gaps, and help the Court carry the programs forward. Also, Clark County had provided funding for two Hearing Masters and the Court was reformulating the way it conducted business in the Regional Justice Center.

Judge Hardcastle reported that the Criminal Arraignment Master would be instrumental in allowing the Court to free up time for judges to devote additional time to trials and less time to the everyday, ongoing, initial arraignments and simple motions. Judge Hardcastle said probation revocations, which took up a great deal of a judge's time and time away from trials, would be assigned to Senior Judges. That would also help alleviate the stress on the detention center because, hopefully, those cases could be heard, decided, and the individual either reinstated on probation or revoked and moved out of the Clark County Detention Center to the State facilities.

Assemblyman Marvel asked whether the Court would have sufficient space in the Regional Justice Center to accommodate the new judges. Judge Hardcastle explained that the tenth floor would be built out and Clark County had agreed to go forward with that build-out, which would provide the additional courtrooms and chambers needed. She reported that she would be temporarily housed on the fifth floor so that a trial judge could utilize her chambers and courtroom on a regular basis. Judge Hardcastle noted that all judges were cooperating to share courtrooms. Mr. Marvel asked when the building would be completed. Judge Hardcastle said the Court had been advised that it could move into the building in October 2005.

Assemblywoman Giunchigliani stated that action had been taken regarding S.B. 234 and she asked whether the Court had weighed-in on that bill. Nancy Saitta, Judge, Eighth Judicial District Court, indicated that the Court had taken no position on that bill for the obvious reasons. If Ms. Giunchigliani thought that the bill would, in any way, impact the number of qualified people who would run for the positions that the Court was anticipating, Judge Saitta believed the answer would be "no." The Court had a tremendous stock of attorneys who were prepared to meet those qualifications and who would be qualified to run for the positions.

Ms. Giunchigliani believed that the policy recently passed regarding the issue of the Public Employees' Retirement System (PERS) would level and equalize the playing field as far as compensation and retirement were concerned. Judge Saitta said the PERS retirement bill and the entire compensation package that would come together over the next 2 years would significantly help the qualifications and allow the Court to create a "box" of qualified people.

Dan Musgrove, representing Clark County, stated that the District Courts were in partnership with the State and the counties in terms of funding, and Clark County was completely supportive of S.B. 195, particularly the compromise in the number of judges requested. Mr. Musgrove indicated that Clark County appreciated the fact that the Court was willing to work with the County and compromise. Clark County's part in the solution was to provide the funding for the two Hearing Masters, the first of which would be in place July 1, 2005, and the second would be in place January 1, 2006. Mr. Musgrove believed that was a creative solution to help handle the caseloads. He emphasized that Clark County was aware of the huge caseloads and would continue to be supportive of the efforts of the Court in terms of creative solutions that it had put forth to work through those caseloads. Mr. Musgrove urged the Committee to pass the bill.

Chairman Arberry asked whether there was further testimony to come before the Committee regarding S.B. 195 and, there being none, declared the hearing closed.

The Chair opened the hearing on S.B. 242.

Senate Bill 242 (2nd Reprint): Requires Department of Motor Vehicles to perform certain inquiries to determine if vehicle is stolen and makes appropriation to cover additional costs. (BDR 43-350)

Tom Fronapfel, Administrator, Field Services Division, Department of Motor Vehicles (DMV), introduced himself to the Committee and stated that the DMV had worked with the sponsor of the bill, the Las Vegas Metropolitan Police Department (LV Metro PD), to develop language to amend the bill, which had resulted in the first reprint. The second reprint of the bill, which was under consideration by the Committee, reflected the fiscal note associated with the bill.

Mr. Fronapfel explained that S.B. 242 would require the DMV to run registration renewals and new registrations against the national database for all vehicles that were brought into the DMV for first time registration and renewals to determine whether a vehicle was stolen. Mr. Fronapfel said the DMV estimated there were approximately 1.38 million registrations per year and the cost to run each vehicle against the national database would be 4 cents per transaction, hence the fiscal note. Currently, said Mr. Fronapfel, the DMV only ran limited checks for new registrations on vehicles that were from out-of-state locations.

Assemblyman Hettrick asked what percentage of the out-of-state vehicles came back as stolen. Mr. Fronapfel stated he did not recall the number, but the LV Metro PD had statistics regarding the number of stolen vehicles, and the highest percentage was in the Clark County area. Mr. Hettrick said he was trying to weigh the \$55,000 fiscal note against how many stolen vehicles would be identified. Mr. Fronapfel stated he would provide the information to the Committee regarding the percentage.

Sergeant Robert Roshak, representing the LV Metro PD, explained that the LV Metro PD would support the amendments to the bill. Sergeant Roshak indicated that the LV Metro PD believed the bill would give it a handle in dealing with the auto theft problem. He stated that the LV Metro PD had worked with the DMV in 2003 and discovered there had been over 350 stolen vehicles registered through the DMV.

Chairman Arberry declared the hearing on S.B. 242 closed, and opened the hearing on S.B. 369.

Senate Bill 369 (1st Reprint): Makes various changes regarding judiciary. (BDR 1-525)

Nancy Becker, Chief Justice, Nevada Supreme Court, stated that a detailed presentation had been made during the budget process, wherein the Committee had approved the increased funding for the Senior Judge Program.

Chief Justice Becker explained that S.B. 369 was the other half of the Senior Judge Program, and included the extension of the critical labor shortage designation for the Judicial Retirement System (JRS) and the Public Employees' Retirement System (PERS) for retired Senior Justices and Judges. Essentially, stated Chief Justice Becker, S.B. 369 was the JRS counterpart to S.B. 485, which the Committee would also hear. The bill provided the same reemployment retirement considerations for the PERS judges and extended the critical labor determination that had previously passed in A.B. 555 of the Seventy-First Legislative Session to June 30, 2009.

Chief Justice Becker advised that in the interim, PERS would conduct an experience study for the JRS and for PERS between July 1, 2005, and July 1, 2008, to determine whether or not the critical labor shortage positions should be extended and, if so, how long they should be extended.

Dana Bilyeu, Executive Officer, PERS, testified that PERS had requested the fiscal note on the bill, and she wanted to assure the Committee that with the extension of the experience review period to 2008, PERS would be happy to remove the current fiscal note in favor of future studies. Ms. Bilyeu explained that PERS could then truly examine the costs associated with the benefits and provide the 2009 Legislature an opportunity to review the costs.

The Chair declared the hearing on S.B. 369 closed, and opened the hearing on S.B. 462.

Senate Bill 462 (3rd Reprint): Repeals, reenacts, reorganizes and revises provisions relating to Department of Human Resources and Department of Employment, Training and Rehabilitation. (BDR 38-178)

Mary Liveratti, Deputy Director, Department of Human Resources (DHR), introduced herself to the Committee and referenced [Exhibit G](#), which provided a brief overview of the bill. Basically, S.B. 462 had been requested by the DHR to accomplish several things:

1. Change the name of the DHR to the Department of Health and Human Services.
2. Change the name of the Welfare Division to the Division of Welfare and Supportive Services.
3. Separate the *Nevada Revised Statutes* (NRS) pertaining to the Welfare Division and the Health Care Financing and Policy Division, which were currently combined and very confusing.
4. Make minor changes to the Senior Citizen's Property Tax Assistance Program.
5. Repeal sections regarding the Community Services Block Grant statutes, as they were redundant to the federal rules.
6. Reorganize and clean up the NRS pertaining to the Division of Child and Family Services.
7. Eliminate references to "children's homes" and "children's home superintendents," because those terms were no longer relevant.

Ms. Liveratti explained that clarification had also been added regarding the Director of the DHR as the appointing authority, except in three instances: 1. Administrator of Mental Health and Developmental Services; 2. Public Defender; and 3. Indian Commission Executive Director, who were appointed directly by the Governor, which would remain the same.

Additionally, said Ms. Liveratti, the Assembly Health and Human Services Committee had amended the bill to require that the Legislative Committee on Health Care conduct an interim study concerning the organization and delivery structure of services for the treatment and prevention of substance abuse in Nevada.

Assemblywoman McClain asked about the property tax relief program for seniors. Ms. Liveratti stated that pages 50 and 51 of the bill contained the information regarding that program. Ms. Liveratti explained that a husband and wife could not both receive a tax rebate, and only one rebate would be issued

per household. Language had been added to clarify that issue, and the other change was the addition of individual retirement accounts counting toward income.

Assemblywoman Leslie explained that the Senate had amended S.B. 462, without the benefit of public input, to transfer the Bureau of Alcohol and Drug Abuse (BADA) from the Division of Health to the Division of Mental Health, Exhibit G. That amendment had caused a public uproar and when the bill was heard by the Assembly Committee on Health and Human Resources, a significant amount of testimony had been heard regarding the amendment. Ms. Leslie advised that she had worked with Michael Willden, Director, DHR, on an amendment, which would have struck a middle position between what had come over from the Senate as S.B. 462 and the Assembly version with the amendment. Ms. Leslie said the amendment would have eventually transferred BADA to the Mental Health Division after 1 year of planning time. The DHR really felt that it needed additional planning time, and there was an "opt out" in the amendment, Exhibit H, that if the transition plan was not approved by the Governor prior to the next legislative session, the transfer would not take place. Also, Ms. Leslie stated that the DHR would be required to approach the Interim Finance Committee (IFC) with work program revisions. Ms. Leslie said she had attempted to forge a compromise, and the ultimate outcome had been a referral of the transfer to the Interim Committee on Health Care for additional study.

According to Ms. Leslie, some substance abuse providers did not want the transfer to be approved and were happy with the study, and there were those who wanted the transfer to take place, and who firmly believed that the BADA did belong in the Mental Health Division.

Ms. Liveratti said that, for the record, the DHR's main concern regarding the time for transition planning was to ensure the continuity of care for the people receiving services from the BADA, but the DHR would support any decision made by the Committee.

Chairman Arberry asked why the names of the DHR and its divisions were being changed. Ms. Liveratti explained that the DHR received many calls from people seeking employment, not necessarily with the DHR, but throughout State government, and it was felt that a name change to the Department of Health and Human Services would more closely reflect the nature of the DHR. Ms. Liveratti stated that to many businesses, "human resources" was considered the personnel department. Regarding the Welfare Division, Ms. Liveratti explained that the DHR simply wanted to expand the scope, because the Division currently dealt with issues other than welfare, such as child support enforcement, child care, and other programs that were broader than a typical public assistance program.

Chairman Arberry asked about the transfer of the BADA. Ms. Liveratti indicated that was suggested by the Senate, and the DHR had not proposed that transfer. Chairman Arberry asked whether the Senate had indicated the reason for the transfer. Ms. Leslie stated that she actually agreed with the transfer, and explained that there was a trend across the country to place mental health and substance abuse together because of co-occurring disorders. Ms. Leslie said there was significant stigma on both sides, with substance abuse providers indicating that a person was mentally ill and mental health providers indicating that a person was an addict and, meanwhile, the person was not receiving any treatment. Ms. Leslie opined that there were many instances where the problem could not be determined at the beginning of treatment and would have to be sorted out later. The feeling and the trend, which Ms. Leslie stated she

did agree with, was that combining mental health and substance abuse would create a much more integrated system and one that would alleviate "finger pointing."

Ms. Leslie pointed out that both divisions were in the DHR, and there was also some fear that funding would be lost in the transfer, however, she did not believe that would happen. The Legislature would not take funding away from substance abuse, but that was the fear of the substance abuse providers. Ms. Leslie said there was also fear that with the funding approved for mental health during the current session, that substance abuse issues would get lost. A competing theory by one Senator was that as the changes were being made in mental health, it was a good time to integrate substance abuse into the mental health system.

Assemblywoman Giunchigliani stated she had always supported BADA and believed that the Committee should adopt the proposed amendment that would give the DHR additional time to make the transition. That would give everyone the assurance that the transition would be seamless in order not to disrupt the quality of care offered by BADA. Ms. Giunchigliani also believed that such action would help with budget closings within the DHR, and the Committee could determine whether it would make policy sense.

Assemblyman Denis asked how much cost would be involved in the name change. Ms. Liveratti said the name changes would be phased-in and there would be no cost involved, because most of the DHR's letterhead paper was available on the computer and changes could be made quite easily. Signage would be negotiated with the appropriate building owners to make those changes.

Chairman Arberry asked whether there was further testimony to come before the Committee.

Rosetta Johnson, private citizen, stated that she had an adult son who suffered from schizophrenia and she had been an avid – and perhaps sometimes rabid – advocate for people like her son for many years, so that their lives could be improved with proper medication and treatment. Ms. Johnson advised that she had produced six conferences on mental illness from 1994 to 2002, which had led to the building of a new hospital in Sparks, the mental health court in Reno, the establishment of the Program for Assertive Community Treatment, and three pilot programs on systems integration.

Ms. Johnson stated those pilot groups included HIV/AIDS persons with co-occurring disorders, mental health, and the prison system, and there had been remarkable changes by integrating different organizations together with the primary organization.

Ms. Johnson indicated that systems integration was the practice of having systems, which people with mental illness and drug/alcohol abuse had to traverse in order to receive treatment, come together in consensus to share resources, clients, funding, and information in order to "fix" the "broken" system which had caused duplication, fragmentation, and gaps. Ms. Johnson noted that the broken system caused lives to become broken and at times irreparable. She believed that S.B. 462 would be a step in the right direction to bring about the type of organization that would provide an effective delivery of services to clients who needed treatment for mental illness and drug/alcohol abuse.

Over the years, Ms. Johnson stated she had come across many, many family members like herself, who were in dire straits in attempting to secure help, and she had seen many wonderful improvements in funding and programs, particularly in recent years. Ms. Johnson stated it was a very persistent and "ugly" problem.

Ms. Johnson advised that she had forwarded the following email to legislators:

BADA needs to be in Mental Health:

Senator Cegavske, D., Las Vegas, introduced Amendment No. 490 to S.B. 462, which sought to place the Bureau of Drugs and Alcohol (BADA) under the jurisdiction of the Division of Mental Health. That made sense. More than half of all people with severe mental illness also had a substance abuse disorder sometime in their life. Those with dual disorders were likely to have more problems with symptoms, and with just about every area of their lives. Integrated dual disorders treatment could help clients work toward recovery and would improve their lives. Understanding both illnesses was the key to recovery.

Recently, a client with a dual diagnosis was referred to a facility that dealt with only the drug problem and did not address the mental health problem during his 6-week stay for rehabilitation. As a result the client declared he did not have a mental health problem and his family was fearful that he would not seek mental health treatment and might end up in mental health court, as before.

Treatment planning was a collaborative process of working with a client and his family or support system to specify personal goals and the means by which treatment could help a client achieve those personal goals. Also, under the Mental Health Division, all providers, both public and private, would operate under the same excellence of standard. The federal government agency, Substance Abuse and Mental Health Services Administration (SAMHSA), had long promoted that process.

The action of consolidation of the Mental Health Division and the BADA would lead to quality improvement in both systems as they were integrated together. As the State sought to transform its mental health system so that services were not duplicated or fragmented, and money was not distributed inappropriately, S.B. 462 should be passed.

Ms. Johnson emphasized that the State had been attempting to integrate services since the mid-1970s and now, in 2005, the State needed to take the steps required to truly integrate services in the best interest of the patients. Opponents were more interested in funding streams and administration matters than in coordinated patient care. Ms. Johnson stated that federal initiatives now recognized that over 75 percent of substance abusers also had mental health treatment needs, and substance abusers should have counselors who could also provide mental health treatment. Ms. Johnson emphasized that there must be better coordination of both available federal and State funding resources in an integrated delivery system to meet the needs of dually diagnosed patients, particularly in Nevada, which was not resource-rich.

Chairman Arberry asked whether there was further testimony to come before the Committee.

Jeanette Belz, representing the Nevada Alliance for Addictive Disorders, Advocacy, Prevention, and Treatment Services (Nevada AADAPTS), stated those were the organizations that actually provided the services funded through BADA. She stated she was present to support S.B. 462, particularly Section 192, which would allow for the study regarding whether the services provided by Nevada AADAPTS providers should be provided through the Health Division or the Division of Mental Health.

Ms. Belz believed it was extremely important, in light of the concerns brought forward by legislators, that the time and opportunity was taken to review the situation over the upcoming interim. The reason the bill had been reprinted three times was precisely because of that concern and controversy, and Ms. Belz said the bill had been amended several times. She noted that both the Senate Committee on Human Resources and Education, and the Assembly Committee on Health and Human Resources had moved to adopt a study because it was felt that would be a compromise, as opposed to the original proposal to move the BADA to the Mental Health Division as of October 1, 2005.

Ms. Belz noted there were many issues on both sides of the table, and Section 192 of the bill addressed a study that would evaluate the organizational structure and delivery system for both mental health and substance abuse services, and would allow for an examination of the collaboration between the two divisions in an effort to provide services and determine how services could be provided in the most effective way. Most importantly, said Ms. Belz, Section 192(3) read, "The Legislative Committee on Health Care shall ensure that the persons and entities which provide services for the treatment or prevention of mental illness or substance abuse in this State are involved in the study." She believed that was an extremely important part of the issue.

Ms. Belz reported that there were differing views, with the Mental Health Division's primary concern being the severely mentally ill. Representatives from the BADA had testified at previous hearings that approximately 10 percent of the people they served also had mental health issues. However, Ms. Belz said representatives from the Mental Health Division said that 70 percent of the people they served had co-occurring drug/alcohol abuse problems. Obviously, there were some issues that had to be discussed, and it should be determined what services were not currently being provided to persons with co-occurring disorders, and how to provide those services in the most effective manner.

Ms. Belz said she would argue that, because of the manner in which the transfer was proposed during the 2005 Session, and since it was not presented in the form of a recommendation by the Division of Mental Health, Section 192 would allow all involved parties the opportunity over the interim to study the matter.

Chairman Arberry asked whether there was further testimony to come before the Committee regarding S.B. 462.

Belinda Thompson, representing the Nevada Substance Abuse Prevention Council, Clark County, said the one thing that was consistently being heard was about treatment for severely mentally ill clients and treatment for substance abuse clients, but that did not include prevention for children.

Ms. Thompson emphasized that children were also a part of the Bureau of Alcohol and Drug Abuse (BADA); children were part of the services funded by the BADA and, in her opinion, were systematically being excluded from the conversations regarding what would happen in the field of prevention.

Ms. Thompson indicated that she had asked what would happen to the children. There were multitudes of agencies throughout the State that provided services to children in low-income areas, children who required remedial assistance, along with children the State was attempting to keep out of treatment facilities, and yet there was no mention of children in the conversations regarding what would happen in the field of prevention.

Ms. Thompson stated that the BADA was also given the charge to "raise the bar" regarding prevention services being provided throughout the State, which had been done. The State had brought in multitudes of model-based programs through the Substance Abuse and Mental Health Services Administration (SAMHSA), which Ms. Thompson noted had been a requirement for continued federal funding during the last application cycle that prevention programs actually utilize research-based model programs. Those programs produced outcomes regarding what was being done in the field of prevention to keep children and young adults drug-free.

Ms. Thompson said that in talking about moving the BADA into the Division of Mental Health, where would prevention fit into the scheme of the plan. Who would be most capable of handling that segment, or would it simply "go away." Ms. Thompson stated that in a transfer such as was being recommended, would the State simply forget about community-based issues and about the children who received those services. Ms. Thompson indicated that was the question being raised in the field because no one was addressing the needs, concerns, and issues regarding prevention. She indicated it was not about money because prevention had never received sufficient funding from the State; local prevention programs had received \$42,000 from the State over the past several years.

Ms. Thompson reiterated that it was not about the money, it was about what would happen to the children and the programs that had been so carefully and concisely built in the community over the past 5 years at the direction of the Legislature. Ms. Thompson said those were the questions she would like to have answered; she believed that someone should take the time and give the Nevada Substance Abuse Prevention Council the opportunity to present the issues it believed should also be addressed regarding such a move. The Council did know, as had already been discussed, that there had to be change and change was good, but change was not good when it completely excluded one part of the "family" and that part of the "family" was prevention, which included the services provided by the Council and the people it represented.

The Chair closed the hearing on S.B. 462 and declared the Committee in recess. Chairman Arberry called the Committee back to order at 11:45 a.m. and opened the hearing on A.B. 98.

Assembly Bill 98: Makes appropriation to Motor Pool Division of Department of Administration for additional vehicles. (BDR S-1209)

Mr. Stevens explained that A.B. 98 was the one-shot appropriation of \$1.1 million as recommended in The Executive Budget to purchase Motor Pool vehicles. LCB Fiscal Analysis Division staff had reviewed the bill in an attempt to match the request with budget closings. Mr. Stevens indicated that staff would recommend that A.B. 98 be amended from the amount of \$1.1 million to

\$1,213,174. There had been adjustments in the number of vehicles requested by State agencies during budget closings, particularly within the Parole and Probation Division, where there were a number of vehicles that were not recommended, and the Division of Child and Family Services, where there were 16 vehicles that were not included in the original one-shot appropriation that staff would recommend adding to the bill. Ms. Stevens explained that the additional funding would be approximately \$100,000 if the Committee followed staff's recommendation.

ASSEMBLYMAN MARVEL MOVED TO AMEND AND DO PASS
A.B. 98.

ASSEMBLYWOMAN GIUNCHIGLIANI SECONDED THE MOTION.

Assemblyman Denis asked how many vehicles would be added. Mr. Stevens stated it would be a total of 63 vehicles.

THE MOTION CARRIED. (Speaker Perkins was not present for the vote).

The Chair opened the hearing on S.B. 4.

Senate Bill 4: Makes various changes relating to Commission for Cultural Affairs. (BDR 18-398)

Mr. Stevens stated that S.B. 4 had been heard by the Committee approximately 1 week earlier, and involved the Commission for Cultural Affairs. The bill would reauthorize the bonds that were utilized to finance the activities of that Commission. Mr. Stevens noted that the Commission currently received \$2 million per year, usually in general obligation bonds, for various grants approved by the Commission, and S.B. 4 would increase that amount to \$3 million per year. The bill would also provide per diem for Commission members.

ASSEMBLYMAN SEALE MOVED TO DO PASS S.B. 4.

ASSEMBLYWOMAN SMITH SECONDED THE MOTION.

THE MOTION CARRIED. (Speaker Perkins was not present for the vote.)

The Chair opened the hearing on S.B. 26.

Senate Bill 26 (1st Reprint): Revises provisions governing distribution of money in Pollution Control Account to local governmental agencies. (BDR 40-397)

Mr. Stevens explained that S.B. 26 involved the Motor Vehicle Pollution Control Account and would increase the minimum balance in that fund from \$500,000 to \$1 million. The bill would also change the procedures in transferring the amount of the smog check fee that was allocated to local governments.

Assemblywoman Giunchigliani asked whether the 17 steps had been streamlined to lessen the bureaucracy. Mr. Stevens stated that he had not seen information pertaining to streamlining the process. Ms. Giunchigliani stated that she did not want to hold action on the bill, but the Committee had requested that information, and she believed it should be submitted.

ASSEMBLYWOMAN GIUNCHIGLIANI MOVED TO DO PASS
S.B. 26.

ASSEMBLYMAN HETRICK SECONDED THE MOTION.

THE MOTION CARRIED. (Speaker Perkins was not present for the vote.)

The Chair opened the hearing on S.B. 89.

Senate Bill 89 (1st Reprint): Makes supplemental appropriation to Department of Human Resources for unanticipated shortfall in money for Fiscal Year 2004-2005 resulting from increased cost of maintenance of effort requirement for Substance Abuse Prevention and Treatment Block Grant. (BDR S-1190)

Mr. Stevens stated the bill had been considered by the Committee twice for vote, and had been held. The bill contained the supplemental appropriation for the BADA and since it was a supplemental appropriation, staff would recommend that the legislation be moved in some fashion. Mr. Stevens said the issue appeared to be whether to utilize approximately \$300,000 in MAXIMUS funding. The Senate Committee on Finance had lowered the appropriation amount recommended in The Executive Budget by utilizing MAXIMUS funds. Mr. Stevens advised that the Committee could vote to pass the bill according to the first reprint, which utilized MAXIMUS funds, or could amend the bill by replacing the funding with General Fund dollars, but in some fashion, staff would recommend that the bill be processed.

Assemblyman Hettrick stated that he would like to add sufficient funding to reimburse the Suicide Prevention Program in Douglas County. The 2003 Legislature had promised to fund the program via MAXIMUS dollars in the amount of \$100,000, however, the funding had not materialized, and the county had never been reimbursed for the program. Mr. Hettrick explained that the county could not continue the program without the promised \$100,000. Chairman Arberry asked how that amount could be allocated to Douglas County. Mr. Hettrick stated that an attempt had been made to reimburse Douglas County from MAXIMUS funding, without success.

Mr. Stevens explained that the original bill had included \$521,620 in General Fund dollars, and the Senate had reduced that amount by the available MAXIMUS funds; the current appropriation in the bill was \$261,620. Mr. Stevens indicated that the Committee could either go back to the original General Fund amount, or vote with the Senate, or take action somewhere in between. Mr. Stevens pointed out that the DHR had voiced concern via email regarding cash flow and the BADA would run out of money prior to the end of the year.

ASSEMBLYMAN HETTRICK MOVED TO AMEND AND DO PASS S.B. 89 BY ADDING A \$100,000 ALLOCATION TO DOUGLAS COUNTY FOR THE SUICIDE PREVENTION PROGRAM, MAKING THE CURRENT APPROPRIATION \$361,620.

ASSEMBLYWOMAN LESLIE SECONDED THE MOTION.

THE MOTION CARRIED. (Speaker Perkins was not present for the vote.)

The Chair opened the hearing on S.B. 98.

Senate Bill 98 (1st Reprint): Revises provisions relating to per diem allowances and travel expenses for members of Task Force on Prostate Cancer. (BDR 40-1210)

Mr. Stevens stated that S.B. 98 contained a one-shot appropriation that was included in The Executive Budget for assistance to the Task Force on Prostate Cancer.

Assemblywoman Giunchigliani stated if the Committee were to move the bill, she would ask that it also consider a similar amendment to A.B. 212 to include a task force for cervical cancer. She requested that the language regarding the task force in S.B. 98 be added to AB. 212, including the same dollar amount.

ASSEMBLYWOMAN GIUNCHIGLIANI MOVED TO AMEND AND DO PASS S.B. 98.

ASSEMBLYWOMAN WEBER SECONDED THE MOTION.

THE MOTION CARRIED. (Speaker Perkins was not present for the vote.)

The Chair opened the hearing on S.B. 99.

Senate Bill 99: Makes appropriation to Department of Administration for litigation costs incurred by Interstate Commission for Adult Offender Supervision. (BDR S-1214)

Mr. Stevens stated that S.B. 99 contained a one-shot appropriation that was included in The Executive Budget regarding litigation costs incurred by the Interstate Commission for Adult Offender Supervision.

ASSEMBLYMAN HETTRICK MOVED TO DO PASS S.B. 99.

ASSEMBLYMAN DENIS SECONDED THE MOTION.

THE MOTION CARRIED. (Speaker Perkins was not present for the vote.)

The Chair opened the hearing on S.B. 102.

Senate Bill 102 (1st Reprint): Makes appropriation to Office of Veterans' Services to pay for construction costs of shelter to protect state-owned vehicles. (BDR S-1219)

Mr. Stevens explained that S.B. 102 contained a one-shot appropriation that was included in The Executive Budget to fund an overhead shelter to protect vehicles at the Southern Nevada Veterans Home. The Senate had amended the amount of funding from \$126,000 to \$60,000.

Assemblywoman McClain asked whether Charles Fulkerson, Nevada Commissioner, Veterans Services, had indicated that \$60,000 would be sufficient. Mr. Stevens replied in the affirmative.

ASSEMBLYWOMAN McCLAIN MOVED TO DO PASS S.B. 102.

ASSEMBLYWOMAN KOIVISTO SECONDED THE MOTION.

THE MOTION CARRIED. (Speaker Perkins was not present for the vote.)

The Chair opened the hearing on S.B. 104.

Senate Bill 104: Makes appropriation to Department of Corrections for purchase of replacement vehicles. (BDR S-1222)

Mr. Stevens indicated that S.B. 104 was a one-shot appropriation that was included in The Executive Budget for approximately \$1 million to purchase 48 vehicles for the Nevada Department of Corrections.

Assemblywoman Giunchigliani asked how the appropriation in S.B. 104 compared with the previous appropriation for 63 vehicles in A.B. 98. Mr. Stevens explained that the cost depended on the mix of vehicles, and he had reviewed A.B. 98, which contained a different mix of vehicles. He noted that sport utility vehicles (SUVs) and trucks would be more expensive than compact vehicles. Mr. Stevens indicated that he could review the vehicle cost for the 48 vehicles included in S.B. 104 for comparison.

Ms. Giunchigliani asked whether the subcommittee had reviewed the cost of vehicles as had been done in the past, to ensure that the mileage policy was being adhered to. Mr. Stevens was unsure whether the subcommittee had reviewed those costs, but he noted that LCB Fiscal Analysis Division staff had reviewed the request to determine whether the amount could be reduced, and he was satisfied that the amount was correct.

ASSEMBLYWOMAN McCLAIN MOVED TO DO PASS S.B. 104.

ASSEMBLYMAN MARVEL SECONDED THE MOTION.

THE MOTION CARRIED. (Speaker Perkins was not present for the vote.)

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With no further business to come before the Committee, Chairman Arberry adjourned the meeting at 11:58 a.m.

RESPECTFULLY SUBMITTED:

Carol Thomsen
Committee Attaché

APPROVED BY:

Assemblyman Morse Arberry Jr., Chairman

DATE: _____

EXHIBITS

Committee Name: Committee on Ways and Means

Date: May 28, 2005

Time of Meeting: 9:00 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
AB 335	B	Carol Stonefield, LCB	Section Outline/AB 335
AB 335	C	Rhonda Glyman, Nevada PIE	Nevada PIE presentation
AB 335 AB 336	D	Martha Sutro, The Grow Network	Packet of information
AB 336	E	Carol Stonefield, LCB	Section Outline/AB 336
SB 195	F	Judge Hardcastle, 8th Judicial District Court	"The Need for Additional Judges"
SB 462	G	Mary Liveratti, DHR	Outline of Provisions of SB 462I
SB 462	H	Assemblywoman Leslie	Amendment to SB 462