

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

**Seventy-Eighth Session
May 27, 2015**

The Committee on Ways and Means was called to order by Chair Paul Anderson at 3:02 p.m. on Wednesday, May 27, 2015, in Room 3137 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: www.leg.state.nv.us/App/NELIS/REL/78th2015. In addition, copies of the audio or video of the meeting may be purchased, for personal use only, through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman Paul Anderson, Chair
Assemblyman John Hambrick, Vice Chair
Assemblyman Derek Armstrong
Assemblywoman Teresa Benitez-Thompson
Assemblywoman Irene Bustamante Adams
Assemblywoman Maggie Carlton
Assemblywoman Jill Dickman
Assemblyman Chris Edwards
Assemblyman Pat Hickey
Assemblywoman Marilyn K. Kirkpatrick
Assemblyman Randy Kirner
Assemblyman James Oscarson
Assemblyman Michael C. Sprinkle
Assemblywoman Heidi Swank
Assemblywoman Robin L. Titus

GUEST LEGISLATORS PRESENT:

Assemblyman Richard Carrillo, Assembly District No. 18



STAFF MEMBERS PRESENT:

Cindy Jones, Assembly Fiscal Analyst
Stephanie Day, Principal Deputy Fiscal Analyst
Janice Wright, Committee Secretary
Cynthia Wyett, Committee Assistant

The Committee Assistant called the roll, and a quorum of the members was present.

Chair Anderson reminded the Committee, witnesses, and audience members of the Committee rules and protocol.

Chair Anderson opened the hearing for public comment. Hearing no public comment, he closed public comment and opened the hearing on Assembly Bill 146 (1st Reprint).

Assembly Bill 146 (1st Reprint): Revises provisions governing motor vehicle licensing. (BDR 40-15)

Assemblyman Richard Carrillo, Assembly District No. 18, presented Assembly Bill (A.B.) 146 (1st Reprint) and Exhibit C, "Proposed Amendment 7515 to Assembly Bill 146 (1st Reprint)." He testified that the proposed amendment made the changes that were needed to correct the bill.

Troy L. Dillard, Director, Department of Motor Vehicles, explained that he had worked with Assemblyman Carrillo on the bill, and the parties agreed to a moratorium to study the license plate problem. He suggested a two-year moratorium on the issuance of the following four vehicle license plate styles: "Old Timer," Street Rod, Classic Rod, and Classic Vehicle. Section 6.4 of the proposed amendment (Exhibit C) specified that the Advisory Committee on the Control of Emissions from Motor Vehicles shall conduct a study and submit a report of the results of the study by June 30, 2016. The report would propose an updated and modernized emissions program plan for the inspection and testing of motor vehicles. *Nevada Revised Statutes* (NRS) 482.381 governed the "Old Timer" license plates, NRS 482.3812 governed the Street Rod plates, NRS 482.3814 governed the Classic Rod plates, and NRS 482.3816 governed the Classic Vehicle plates.

Mr. Dillard said the amendment intended to put a cap on the model year of vehicles that would be eligible for those four types of license plates. The cap would be for model year 1995 and older vehicles. Each of those plates had unique qualifications relating to a 20-year, a 25-year, and a 40-year old vehicle.

Those qualifications would remain, but the cap would be added. The difference between a 1995 and a 1996 vehicle was the emissions monitoring system. Under today's program, vehicles that were tested for tailpipe emissions were 1995 and older. Vehicles that were tested through the modernized computerized systems were from 1996 and newer. That was the reason for the 1995 cap in the amendment.

Assemblywoman Kirkpatrick said there was support from the classic vehicles community for the date. The community supported the rolling date, but saw abuse of the classic plates. The state was unable to comply with the environmental protections. One solution that everyone agreed to was to spend the next two years studying the problem and stop the issuance of any new plates. Persons that currently had a classic plate would be able to continue to renew those each year, but no new plates of those four types mentioned would be issued during the next two years. A bill draft request would be prepared after the report was presented. Assemblywoman Kirkpatrick said the classic license plates were a long-term problem, and she wanted to ensure that the history of American automobiles lived on.

Mr. Dillard agreed that anyone who currently had a classic plate would continue to receive the same benefits that came with those plates.

Chair Anderson asked whether the moratorium and the amendment would remove the fiscal note from the Department.

Mr. Dillard confirmed that the amendment eliminated the fiscal cost.

Charlene Albee, REM [Registered Environmental Manager], Division Director, Air Quality Management Division, Washoe County Health District, testified in support of A.B. 146 (R1) and the amendment. She had worked on a modernization plan that would be presented to the transportation committees during the 79th Legislative Session (2017). Her goal was to introduce modern technology into an old program that had worked well for the protection of air quality.

Peter Krueger, representing the Nevada Emissions Testers Council, explained the Council was the trade association that represented smog stations statewide that performed emissions tests on vehicles. The Council supported A.B. 146 (R1), the two-year moratorium, and the cap. The moratorium would provide an opportunity for the industry to work with air quality agencies and other stakeholders to modernize the emissions control plan and develop a program to satisfy air quality standards of the state and the divergent interests of all parties.

Assemblywoman Kirkpatrick asked Mr. Krueger whether he believed that the problem would get worse if something was not done.

Mr. Krueger stated that the moratorium would allow a study to be conducted and a plan to be proposed.

Assemblywoman Dickman recalled that Mr. Krueger was opposed to the bill in an earlier hearing and wondered what had changed.

Mr. Krueger explained that the amendment had resolved his earlier concerns. The original bill included language that no vehicle manufactured before 1995 would be smog-tested. That language failed to support business and air-quality interests.

Hearing no further testimony in support of, in opposition to, or neutral on the bill, Chair Anderson closed the hearing on A.B. 146 (R1) and opened the hearing on Assembly Bill 217 (1st Reprint).

Assembly Bill 217 (1st Reprint): Revises provisions governing off-highway vehicles. (BDR 43-994)

Assemblywoman Robin L. Titus, Assembly District No. 38, presented Assembly Bill 217 (1st Reprint) and Exhibit D, her testimony on the bill. The purpose of the bill was to accomplish three goals. Assembly Bill 217 (R1) encouraged more participation in the off-highway vehicle (OHV) registration program by allowing a local sheriff's office the option to initiate the registration renewal process. The bill eliminated the late fee for registration and renewal of OHVs and included many trucks in the definition of OHVs.

Assemblywoman Titus presented Exhibit E, "Audit Report, Commission on Off-Highway Vehicles." According to the audit report, approximately 40,000 OHVs were currently registered in Nevada. An initial estimate was there were approximately 200,000 to 425,000 OHV owners in Nevada. Assembly Bill 217 (R1) would make it easier for the 160,000 to 385,000 OHV owners who lacked registration to register their OHVs.

Assemblywoman Titus submitted Exhibit F, a letter from the Department of Motor Vehicles regarding the fiscal note added after the amendment to the bill. The Department of Motor Vehicles (DMV) noted the loss of the late-fee registration was \$104,133, the revenue diverted to the authorized sheriffs was \$550, and the cost of contract programming was \$23,900.

Assemblywoman Titus believed that increased participation in the OHV registration program would increase revenue. She presented [Exhibit G](#), proposed Amendment 6922.

Assemblywoman Carlton wondered how the registration fees were split. When the OHVs were registered, she understood a portion of the fee went to the OHV group for projects, and the balance went to the DMV. Assemblywoman Carlton wondered where the registration process for OHVs was currently performed.

Assemblywoman Titus said OHVs were currently registered at the DMV offices.

Assemblywoman Carlton asked why the OHVs would be registered at the offices of local sheriffs.

Assemblywoman Titus responded that the registration would remain at the local DMV offices. For convenience, local sheriffs could opt in or opt out to offer the OHV registration at their local offices, and the OHV dealers could also initiate the OHV registration at their business locations. The checks would be sent to the DMV, and the money would remain at the DMV.

Assemblywoman Carlton said she often heard about DMV problems related to technology, writing code, and the many hours required to make programming changes. She wondered whether the DMV could accept the OHV registration program and open a portal for the public to deposit the registration fees. She wanted to know how the OHV registration program would affect DMV.

Assemblywoman Titus replied that one of the goals of [A.B. 217 \(R1\)](#) was to make the registration process easier for OHV owners. The DMV assured Assemblywoman Titus that it was able to quickly mail the registration tags to owners who would no longer be required to go to a DMV office. The owners of OHVs could go to a local sheriff's office or a local OHV dealer to initiate the registration. The sheriffs and the OHV dealers would be unable to present the registration tags to the owners because of the cost, but the tags would be mailed by the DMV. Many sheriffs supported the bill because the sheriffs had to perform the vehicle identification number (VIN) verification anyway and identify the vehicle to ensure it was not a stolen vehicle. The sheriffs could complete the registration and mail the documents to the DMV, and the owner would receive the registration tag in the mail from the DMV in a couple of days.

Assemblywoman Titus said the goal of the registration program was to make it easier to entice OHV owners who failed to register their vehicles. Her original intent was to eliminate the Commission on Off-Highway Vehicles because she

felt it was a failed program. After negotiation, she agreed to consider ways to make the program better.

Assemblywoman Carlton said for years she voted against the OHV registration program before former Senator Dean Rhoads convinced her to approve it. She said Clark County bore the brunt of the expense of the program. She wondered whether the program was solvent now or was still subsidized. She asked whether there were any projections about when the program would become solvent, because at some point the program had to be eliminated if it did not work.

Assemblywoman Titus agreed. She was assured that the Commission would complete the recommendations from the audit ([Exhibit E](#)) to improve the program. The Commission would soon begin to distribute some of the money. The new commissioner hoped to improve the program and make it a success. Assembly Bill 217 (R1) would benefit the registration program.

Assemblyman Oscarson wondered whether the OHV dealers had the ability to register OHVs at the dealership. He wondered why registration would be initiated by the sheriffs unless there were no dealers in the area. The dealership in Pahrump submitted the documents to DMV to register his OHV.

Assemblywoman Titus said there were many OHVs in rural areas, but not always many dealers. The registration of new OHVs had never been a problem. The real problem was registering OHVs that were not purchased from a dealer. Assemblywoman Titus wanted to make it easier for OHV owners to register their vehicles by removing the late fees and allowing local entities to initiate the registration process.

Assemblywoman Titus said A.B. 217 (R1) included snowmobiles in the definition of OHVs. The state received little snow during the last four years, and many owners failed to register their snowmobiles. The owners would be charged excessive late penalties to register the snowmobiles when a good snow year occurred. The bill eliminated the late penalty for not registering the vehicles. Owners who had OHVs in the garage, but failed to use them for a number of years, often would not register the OHV until a use was anticipated. The large late penalties deterred registrations.

Assemblyman Oscarson said he registered all his vehicles every year regardless of whether he intended to use them. He understood the rural areas might not have local OHV dealers in the vicinity and believed there was value to the OHV registration program.

Assemblywoman Kirkpatrick said Utah allowed local sheriffs to register OHVs. She believed wherever a person could buy a hunting or fishing license, the person could register an OHV. It was important to maintain the OHV registration program, because a lot of time and money was invested in it. Assemblywoman Kirkpatrick agreed making the registration program easier was important. She noted that the majority of the OHV registration fees were paid for smaller OHVs.

Assemblywoman Titus said that originally she wanted to eliminate the program or scale it back. She learned that a majority of the owners paid fees on small motorcycles and small OHVs. The Commission on Off-Highway Vehicles had assured her that it would make improvements to the program. The bill authorized some improvements, and Assemblywoman Titus looked forward to seeing progress.

Assemblyman Sprinkle believed the OHV registration was a good program. He wondered whether the fiscal note was reduced or eliminated because of the amendment.

Assemblywoman Titus said [Exhibit F](#) listed the late fees that previously were received by DMV. She believed the elimination of late fees would entice more OHV owners to register their vehicles, and registration fees would increase to offset the loss of late fees.

Assemblyman Sprinkle said he understood Assemblywoman Titus's logic, but still had to consider the fiscal note.

Assemblywoman Titus explained that the OHV registration fees were deposited in DMV's OHV operating account, and the funds could only be used for expenses related to OHV registrations. The funds were not permitted to be used for any other purpose.

Will Adler, representing the Commission on Off-Highway Vehicles, said the Commission supported the bill, but the effective date should be changed. The bill was the result of several compromises. Lack of a late fee might prevent the program from qualifying as a registration program, and it might be considered a user permit. The only conflict in the bill was the effective date of July 1, 2015, and he requested more time for the Commission to put the program in place. He supported the policy of getting all OHVs registered and having the VINs checked. He agreed that using dealerships and local sheriffs to perform registrations would be beneficial.

Greg McKay, Commission on Off-Highway Vehicles, testified in a neutral position on the bill. He said the Commission planned to award law enforcement funding on June 15, 2015. The adoption hearing for the regulations submitted to the Legislative Counsel Bureau would also be held on June 15, 2015. He anticipated an early July announcement for grant awards statewide for the OHV program, and that process would require a couple of months. He said the Commission was nearing compliance with Chapter 490 of the *Nevada Revised Statutes*.

Robert Roshak, Executive Director, Nevada Sheriffs' and Chiefs' Association, testified in support of the bill. He said the OHV registration program would benefit from having local entities initiate the registration, especially in the rural areas, because vehicles were brought to the sheriffs to have the VIN checked, and initiating the registration at the same time was easier for everyone.

Troy L. Dillard, Director, Department of Motor Vehicles, said the effective date of July 1, 2015, would be impossible to meet because of the DMV programming changes needed and the need to adopt regulations. He proposed an effective date of January 1, 2016.

Mr. Dillard said there was no registration of OHVs performed at DMV offices for owners. The DMV was funded as a State Highway Fund agency, and the OHV program was not a Highway Fund program; therefore, all the necessary resources had to be provided by the fees generated from the OHV program. The fees were split 85/15, with DMV retaining 15 percent and the Commission retaining 85 percent of the funding. The Commission paid the costs of operating the OHV registration program, and DMV simply conducted the registration and titling portion of that program.

Mr. Dillard said the bill redirected the OHV program revenue to the Revolving Account for the Administration of Off-Highway Vehicle Titling and Registration. The DMV's costs would be paid first, and the balance would go to the Commission. Amendment 6922 ([Exhibit G](#)) contained the language eliminating the 85/15 fee split. Increased registrations would decrease the percentage of fees paid to DMV and increase the fees provided to the Commission.

Mr. Dillard said the removal of the late fees would eliminate the registration program, which would become more of an operational permit program. The DMV would agree to maintain the program, but the structure of the program would probably change.

Mr. Dillard said \$104,133 was generated from late fees in fiscal year 2014 from the approximately 40,000 vehicles registered each year. The bill would result in a loss of late fee revenue for the Commission. The DMV programming would require 239 hours at a total cost of \$23,900, which had to be paid from fees of the program to maintain the constitutional separation between Highway Fund and non-Highway Fund uses.

Assemblywoman Carlton asked about the cost per hour for the programmer and whether DMV had staff to perform the programming.

Mr. Dillard said the programmers cost about \$100 per hour. The DMV was fortunate, because it still employed the individual who originally created the program. Therefore, DMV intended to assign the programming to that individual and avoid the additional 480 hours of training needed for another person to learn the program.

Assemblywoman Dickman asked about the costs of the program and whether the Commission would receive less money.

Mr. Dillard replied that the bill changed the administrative cost funding structure and eliminated the 85/15 split. All the fee revenue would now be directed to one account, and the DMV administrative costs would be paid first and the remainder would be paid to the Commission. If the bill was not approved, the 85/15 split would remain, and DMV's share [15 percent] would be insufficient to cover the costs incurred to administer the OHV program.

Hearing no further testimony in support of, in opposition to, or neutral on the bill, Chair Anderson closed the hearing on Assembly Bill 217 (R1) and opened the work session on the remaining four bills on the agenda.

Assemblywoman Carlton said there were many guests in the audience, and she wanted to recognize the members of the Service Employees International Union and thank them for attending the hearing.

Assembly Bill 77 (1st Reprint): Makes various changes relating to the regulation of agriculture. (BDR 49-346)

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, advised that Assembly Bill (A.B.) 77 (1st Reprint) made various changes related to the regulation of agriculture. The bill was heard by the Committee on May 14, 2015. Assembly Bill 77 (R1) made various statutory changes aligning the statutes with the areas of responsibility within the State Department of Agriculture. The bill contained a variety of new or

increased fees. The proposed amendment ([Exhibit H](#)) would remove all the fees that were included in the bill.

Chair Anderson clarified that the Committee would consider the bill as amended and understood all the fees would be eliminated, but the other changes remained.

Ms. Jones said the amendment was proposed, and if the Committee wished to process the bill, a motion to amend and do pass was required.

Assemblyman Hickey wanted to know why the fees were removed and whether there was significant objection to the bill.

Jim R. Barbee, Director, State Department of Agriculture, testified that the bill was a large "cleanup" bill that the agency proposed because many of the statutes cited were not relevant to the Department or its agencies. The Department removed the irrelevant sections. However, the Department was concerned that the original bill required a two-thirds majority vote because it contained new fees. The bill received support from the industry groups, and the fees were modified at an earlier hearing. The Department did not want to risk losing the entire bill and decided to eliminate the fees from the bill to gain approval.

Assemblywoman Kirkpatrick did not recall changing the penalties. If a person violated the provisions of the bill, that person would be guilty of a misdemeanor. This bill would delete the misdemeanor provision, and violators would be subject to a civil penalty instead.

Mr. Barbee said the change to the penalties was discussed during the hearing before the Assembly Committee on Natural Resources, Agriculture, and Mining. The penalties were changed because the Department was unable to convince district attorneys to prosecute violators. Some violations included hundreds of thousands of dollars' worth of cattle theft, but district attorneys were unwilling to take action on those violators. The Department decided to substitute civil penalties to allow the Department to assess fines on violators. The Department proposed to standardize its penalties across many of its statutes. Mr. Barbee cited an example of the pesticide program. The Department had civil penalties and a process for the challenge of penalties beginning at the Director's Office through the district courts.

Assemblywoman Carlton said the Department was a fee-based agency, and the fees supported the Department. She did not want the Department to return in the future to request funds. If the Department needed fees, the funding should

be discussed and voted on, especially if the industry supported the fees. She understood Mr. Barbee's concern. Assemblywoman Carlton wanted to make sure that the Department was adequately funded for the next two years and would not need to dip into contingency money. She told Mr. Barbee that this was the Department's opportunity to ask for fees it needed.

Mr. Barbee said the fees proposed in the bill were not substantial and would not make a difference in the budget, and some fees were specifically requested by the sheep industry for the State Sheep Inspection Account. The Department failed to receive an administrative fee, because all the proceeds went to the woolgrowers. Mr. Barbee did not want to hinder the approval of the bill because of a few insignificant fees.

Assemblyman Kirner asked about changes in the amendment ([Exhibit H](#)).

Mr. Barbee said the amendment removed the fees in section 8, section 99, section 102, section 124, and section 125.

Assemblyman Kirner asked about the opposition to section 136 and section 137 of the bill.

Mr. Barbee said there had been some opposition, but the Department removed that language.

Assemblyman Sprinkle asked about any remaining fiscal notes.

Mr. Barbee said no fiscal notes remained on the bill. The Department could accomplish the changes without any cost. Mr. Barbee cited an example of the vendor registration for out-of-state vendors who would be selling produce inside the state. The Department needed information about the produce for traceability in case some type of bacterial outbreak occurred. The Department needed to know the source of the produce. Mr. Barbee said there might be 25 to 30 vendors who would need a current producer's license or organic certification or other certifications to permit the Department to identify those vendors. The fees charged for the certification would not be significant.

Ms. Jones clarified that any of the new fees included in the bill were not used in the budget approved by the Committee. If the fees were removed, the bill would no longer require a two-thirds majority vote to pass.

Assemblywoman Titus said she contacted the woolgrowers associations and spoke to the leaders and members, who all expressed support for the fees because their concern was predator control. There was nothing that prevented

interested parties from forming a group and donating money for predator control.

Mr. Barbee replied that the woolgrowers associations could do whatever they wanted and had specifically requested this legislation in November 2013. The bill was requested by the agriculture industry and not the Department.

Assemblywoman Carlton said there was something wrong with the system when the public was afraid of the two-thirds majority rule and was unwilling to approach the Legislature to get needed help to do the required jobs. Assemblywoman Carlton said it was sad that the public could not ask for the needed resources because a vocal minority of persons refused to raise fees, even when the industry asked for those fees. She said the result was that some individuals believed the Legislature did not truly represent them.

ASSEMBLYWOMAN DICKMAN MOVED TO AMEND AND DO PASS
AS AMENDED ASSEMBLY BILL 77 (1ST REPRINT).

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

THE MOTION PASSED. (Assemblyman Oscarson was not present for the vote.)

Chair Anderson asked Assemblywoman Titus to present the floor statement on Assembly Bill 77 (1st Reprint).

Assembly Bill 135 (1st Reprint): Revises provisions relating to schedules for the retention and disposal of official state records. (BDR 19-547)

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, advised that Assembly Bill (A.B.) 135 (1st Reprint) was heard by the Committee on April 14, 2015. Assembly Bill 135 (R1) required the Division of State Library and Archives, Department of Administration, to develop a program of training for the proper retention and disposal of official state records. A fiscal note on the bill from the Division of State Library and Archives indicated a full-time position would be needed to develop and conduct the training. Fiscal Analysis Division staff worked with the sponsor of the bill on the fiscal note. Ms. Jones spoke to the Deputy Director of the Department of Administration and asked whether the Committee would agree to an amendment that would allow the Division of State Library and Archives to develop the program and training as resources became available. That type of amendment would eliminate the fiscal note from the bill. There was no formal amendment to the bill, but the Committee could approve a conceptual

amendment based on Fiscal Analysis Division staff's discussions with the bill's sponsor and the Deputy Director of the Department of Administration.

Assemblyman Kirner wanted to ensure agencies would not receive an audit violation for failure to have staff trained on the proper disposal and retention of official state records.

Ms. Jones explained that current rules existed regarding retention of official state records and the training available. Each agency was required to have a records manager. This bill expanded the training and the persons who would be required to take that training. Additional resources were required to expand the scope beyond what currently existed. Ms. Jones suggested adding the language to permit expansion when resources were available to eliminate the fiscal note.

Chair Anderson explained that the conceptual amendment would allow additional training as funds became available, which would remove the fiscal note.

ASSEMBLYWOMAN KIRKPATRICK MOVED TO AMEND AND DO
PASS AS AMENDED ASSEMBLY BILL 135 (1ST REPRINT).

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Edwards and Oscarson
were not present for the vote.)

Chair Anderson asked Assemblywoman Bustamante Adams to present the floor statement on Assembly Bill 135 (1st Reprint).

Assembly Bill 218 (1st Reprint): Revises provisions relating to emergencies in schools. (BDR 34-666)

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, advised that Assembly Bill (A.B.) 218 (1st Reprint) revised the provisions related to emergencies in schools and was heard by the Committee on May 26, 2015. The bill required the board of trustees of each school district and the governing body of a charter school to consult with certain persons and entities before constructing, expanding, or remodeling buildings for schools or related facilities; required each school district in certain counties to appoint an emergency manager; required the Department of Education to conduct an annual conference regarding safety in public schools; required the Department to employ certain licensed mental or behavioral health professionals and make

them available to public schools; required the board of trustees of each school district and the governing body of a charter school to provide drills to instruct pupils concerning lockdown procedures; required a licensed social worker who was employed or retained to provide services to pupils at a public school to provide certain services; and required that a plan be developed to respond to a crisis or an emergency prescribe certain procedures.

Ms. Jones advised that the Department of Education indicated the annual conference on safety in public schools could be combined with the standing omnibus conference that was currently conducted. The Clark County School District and the Washoe County School District representatives indicated that they currently had professional mental or behavioral health personnel that could be designated as required by the bill. Two amendments were submitted at the previous hearings: one amendment added a preamble to the bill and the second amendment made changes requested by the Department of Education and submitted by the bill's sponsor, Assemblywoman Benitez-Thompson.

Ms. Jones said the motion should be to amend and do pass with the sponsor's agreement to add both amendments requested by the Department of Education for the preamble and the technical changes.

ASSEMBLYMAN ARMSTRONG MOVED TO AMEND AND DO PASS
AS AMENDED ASSEMBLY BILL 218 (1ST REPRINT).

ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE
MOTION.

THE MOTION PASSED. (Assemblywomen Dickman and Titus
voted no. Assemblymen Edwards and Oscarson were not present
for the vote.)

Chair Anderson asked Assemblywoman Benitez-Thompson to present the floor
statement on Assembly Bill 218 (1st Reprint).

**Assembly Bill 399: Directs the Office of Economic Development to create
a pilot program to encourage the growth of existing businesses in the
State. (BDR S-46)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative
Counsel Bureau, advised that Assembly Bill (A.B.) 399 was heard by the
Committee on May 22, 2015. Assembly Bill 399 directed the Office of
Economic Development, Office of the Governor, to create a pilot program to
encourage the growth of existing businesses in the state. Proposed

Amendment 7609 ([Exhibit I](#)) was submitted by the bill's sponsor [Assemblywoman Dina Neal, Assembly District No. 7] that changed some of the provisions, including the name of the pilot program to the NV Grow Program. The bill included a \$300,000 appropriation to support a geographic information system (GIS) specialist position as part of the pilot program in southern Nevada, and the position would work with a Nevada System of Higher Education (NSHE) institution to coordinate with a GIS specialist in northern Nevada.

Assemblywoman Bustamante Adams said she was one of the primary sponsors of the bill. She clarified that Assemblywoman Neal testified that the money for the GIS position would go to the College of Southern Nevada (CSN) and not to the Nevada Small Business Development Center in Clark County. Assemblywoman Bustamante Adams said the mock-up should be corrected on line 30 in section 2, subsection 2, paragraph (c), subparagraph (3). She wanted her intent included in the record of the hearing.

ASSEMBLYWOMAN CARLTON MOVED TO AMEND AND DO PASS
AS AMENDED ASSEMBLY BILL 399.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Edwards and Oscarson
were not present for the vote.)

Chair Anderson opened public comment.

Brian Rasmussen, private citizen, Reno, Nevada, testified that Senate Bill 276 (2nd Reprint) was not on the agenda. The bill passed the Senate and was referred to the Assembly Committee on Ways and Means. The bill revised provisions governing a medical marijuana establishment (MME). Mr. Rasmussen lived in south Reno and represented about 200 households that were frustrated with the process of selecting preapproved MME sites without public input. Senate Bill 276 (R2) provided an amendment to Senate Bill No. 374 of the 77th Session (2013) that related to medical marijuana. Senate Bill 276 (R2) would allow MME locations to move within the local jurisdiction in which they were originally awarded as a site with the required public input.

Mr. Rasmussen said that currently an MME location was proposed for the Mount Rose Highway area within one mile of Galena High School, which was a terrible location for any type of MME. Mount Rose Highway was a dangerous stretch of road and was the route for 80 percent of the students of

Galena High School to travel to and from the school. The students would pass the MME every day.

Mr. Rasmussen said he supported S.B. 276 (R2) that would allow an MME to move within the jurisdiction of unincorporated Washoe County. He urged the Committee to receive the bill, review it, and pass it as amended as quickly as possible. Quick action was needed, because Senate Bill 447 (3rd Reprint) allowed for the movement of MMEs, but did not require public involvement. Mr. Rasmussen said it was urgent that the public be allowed to voice its opinion about the location of MMEs.

There being no further public comment, Chair Anderson adjourned the meeting at 4:03 p.m.

RESPECTFULLY SUBMITTED:

Janice Wright
Committee Secretary

APPROVED BY:

Assemblyman Paul Anderson, Chair

DATE: _____

EXHIBITS

Committee Name: Assembly Committee on Ways and Means

Date: May 27, 2015

Time of Meeting: 3:02 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 146 (R1)	C	Assemblyman Richard Carrillo, Assembly District No. 18	Proposed Amendment 7515
A.B. 217 (R1)	D	Assemblywoman Robin L. Titus, Assembly District No. 38	Prepared Testimony
A.B. 217 (R1)	E	Assemblywoman Robin L. Titus, Assembly District No. 38	Audit Report of Commission on Off-Highway Vehicles
A.B. 217 (R1)	F	Troy L. Dillard, Director, Department of Motor Vehicles	Department of Motor Vehicle's letter regarding fiscal effect of Amendment 6922
A.B. 217 (R1)	G	Assemblywoman Robin L. Titus, Assembly District No. 38	Proposed Amendment 6922
A.B. 77 (R1)	H	Jim R. Barbee, Director, State Department of Agriculture	Proposed Amendment
A.B. 399	I	Assemblywoman Dina Neal, Assembly District No. 7	Proposed Amendment 7609