

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR**

**Seventy-Ninth Session
June 3, 2017**

The Committee on Commerce and Labor was called to order by Chair Irene Bustamante Adams at 9:30 p.m. on Saturday, June 3, 2017, behind the bar of the Assembly.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Irene Bustamante Adams, Chair
Assemblywoman Maggie Carlton, Vice Chair
Assemblyman Paul Anderson
Assemblyman Nelson Araujo
Assemblyman Chris Brooks
Assemblyman Skip Daly
Assemblyman Jason Frierson
Assemblywoman Sandra Jauregui
Assemblyman Al Kramer
Assemblyman Jim Marchant
Assemblywoman Dina Neal
Assemblyman James Ohrenschall
Assemblywoman Jill Tolles

COMMITTEE MEMBERS ABSENT:

Assemblyman Ira Hansen (excused)

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Kelly Richard, Committee Policy Analyst
Wil Keane, Committee Counsel
Judith Bishop, Committee Manager

OTHERS PRESENT:

None



Chair Bustamante Adams:

We are here to have a work session on two bills.

Senate Bill 392 (2nd Reprint): Revises provisions relating to energy. (BDR 58-663)

Kelly Richard, Committee Policy Analyst:

Senate Bill 392 (2nd Reprint) was sponsored by Senators Denis and Spearman, et al. and heard in Committee on June 1, 2017 ([Exhibit C](#)). It increases the total amount of incentives paid by utilities in this State for the installation of various solar energy systems, and authorizes the Public Utilities Commission of Nevada (PUCN) to pay incentives of not more than \$1 million per year for the installation of solar energy systems, community solar gardens, and distributed generation systems located throughout the service territories of utilities in this State, to benefit low and moderate-income customers.

Additionally, the bill requires the PUCN to adopt regulations establishing standards for the operation of community solar gardens. The bill requires that for a period of 25 years after a community solar garden begins generating electricity, a subscriber of the solar garden is entitled to a kilowatt-hour credit proportionally related to the amount of energy attributed to that subscriber.

Senate Bill 392 (2nd Reprint) also requires the PUCN to allow a utility to assess an adjustment charge on each kilowatt-hour credited to a subscriber that must equal the net metering adjustment charge in effect pursuant to section 28 of Assembly Bill 405 of this session at the time the community solar garden was allocated capacity. The measure requires a utility to purchase unsubscribed electricity generated by a solar garden within the service area of the utility and requires the PUCN to issue and designate portfolio energy credits generated, acquired, or saved from solar renewable energy systems. Further, S.B. 392 (2nd Reprint) requires a subscription to a community solar garden be subject to a written agreement containing various provisions and repeals section 704.786 of the *Nevada Revised Statutes* relating to the Lower Income Solar Energy Pilot Program.

Senator Denis submitted the attached amendment [page 3, ([Exhibit C](#))], which proposes to: in section 12, which will only go into effect if Assembly Bill 405 is enacted and becomes effective, delete the provisions allowing a utility to assess an adjustment charge on each kilowatt-hour credited to a subscriber that must equal the net metering adjustment charge in effect pursuant to section 28 of Assembly Bill 405 of this session, and instead, require a utility to apply a monetary credit on a subscriber's monthly utility bill equal to the amount of the reduced credit applicable to a customer-generator at the time the community solar garden was allocated capacity; in section 12.2, which will only go into effect if Assembly Bill 405 is not enacted or does not become effective, delete subsection 2, which allows the PUCN to adjust the value of the credits earned by a subscriber under certain circumstances, and instead, require a utility to apply a full monetary credit on a subscriber's monthly utility bill.

[Wil Keane, Committee Counsel, clarified the effective dates.]

Chair Bustamante Adams:

I will entertain a motion.

ASSEMBLYMAN ARAUJO MOVED TO AMEND AND DO PASS
SENATE BILL 392 (2ND REPRINT).

ASSEMBLYWOMAN JAUREGUI SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN PAUL ANDERSON, DALY,
AND MARCHANT VOTED NO. ASSEMBLYMAN HANSEN WAS
ABSENT FOR THE VOTE.)

We will move to Senate Bill 438 (2nd Reprint).

Senate Bill 438 (2nd Reprint): Revises provisions relating to time shares. (BDR 10-992)

Kelly Richard, Committee Policy Analyst:

Senate Bill 438 (2nd Reprint) was sponsored by Senator Farley and heard in Committee on May 31, 2017 ([Exhibit D](#)). It allows a time-share representative to associate with one or more developers and requires that an applicant for registration as a representative supply the Administrator of the Real Estate Division with proof that the applicant works from a fixed location.

The bill specifies that a time-share representative shall not make any material misrepresentation, make any false promises likely to induce someone to attend a promotional event, engage in any fraudulent, misleading, or oppressive techniques or tactics to induce or solicit other persons to attend a promotional meeting, or fail to disclose the representative's purpose to induce a person to attend a promotional event.

Senator Farley proposes to amend the bill by deleting section 2, thereby striking the provision requiring a registrant who associates with one or more developers to supply the Administrator with proof that the applicant works from a fixed location.

[Wil Keane, Committee Counsel, explained the constitutionality of the "if" clause in section 2.]

Chair Bustamante Adams:

I will entertain a motion.

ASSEMBLYWOMAN JAUREGUI MOVED TO AMEND AND DO PASS
SENATE BILL 438 (2ND REPRINT).

ASSEMBLYMAN BROOKS SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN ARAUJO, CARLTON,
DALY, AND FRIERSON VOTED NO. ASSEMBLYMAN HANSEN WAS
ABSENT FOR THE VOTE.)

This meeting is adjourned [at 9:45 p.m.].

RESPECTFULLY SUBMITTED:

Judy Bishop
Recording Secretary

Earlene Miller
Transcribing Secretary

APPROVED BY:

Assemblywoman Irene Bustamante Adams, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a Work Session Document for [Senate Bill 392 \(2nd Reprint\)](#), presented by Kelly Richard, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is a Work Session Document for [Senate Bill 438 \(2nd Reprint\)](#), presented by Kelly Richard, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.