

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

**Seventy-Ninth Session
March 27, 2017**

The Committee on Education was called to order by Chairman Tyrone Thompson at 3:18 p.m. on Monday, March 27, 2017, in Room 3142 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/79th2017.

COMMITTEE MEMBERS PRESENT:

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

COMMITTEE MEMBERS ABSENT:

Assemblywoman Heidi Swank (excused)

GUEST LEGISLATORS PRESENT:

Assemblywoman Shannon Bilbray-Axelrod, Assembly District No. 34
Assemblyman James Ohrenschall, Assembly District No. 12
Assemblywoman Ellen B. Spiegel, Assembly District No. 20



STAFF MEMBERS PRESENT:

Amelie Welden, Committee Policy Analyst
Brenda Erdoes, Committee Counsel
Sharon McCallen, Committee Secretary
Trinity Thom, Committee Assistant

OTHERS PRESENT:

Brian Lewis, Legislative Counsel, Uniform Law Commission
Diana J. Foley, Securities Administrator, Securities Division, Office of the
Secretary of State
Luis F. Valera, Vice President, Government Affairs and Compliance, University of
Nevada, Las Vegas
Tiffany G. Tyler, Ph.D., Chief Executive Officer, Communities in Schools of Nevada
Robert E. Lang, Senior Fellow, Metropolitan Policy Program, Brookings Institution,
Washington, D.C.
James Bilbray, Private Citizen, Las Vegas, Nevada
Marilyn Kirkpatrick, Commissioner, Board of County Commissioners, Clark County
Chris Giunchigliani, Vice Chair, Board of County Commissioners, Clark County
Sylvia Lazos, Vice Chair, Latino Leadership Council
Danny L. Thompson, representing City of North Las Vegas
Justin Harrison, Director, Government Affairs, Las Vegas Metro
Chamber of Commerce
Brian McAnallen, Government Affairs Manager, Office of Administrative Services,
City of Las Vegas
Marco Velotta, Private Citizen, Henderson, Nevada
Constance J. Brooks, Ph.D., Vice Chancellor, Government and Community Affairs,
Nevada System of Higher Education
Marc Johnson, President, University of Nevada, Reno
Mark Walker, Director, Cooperative Extension, University of Nevada, Reno
Dagny Stapleton, Deputy Director, Nevada Association of Counties
Kent M. Ervin, Ph.D., Legislative Liaison, Nevada Faculty Alliance
David Damore, Professor, Department of Political Science, University of Nevada,
Las Vegas

Chairman Thompson:

[Roll was called. Rules and protocol were explained.] I would like to welcome everyone here to Carson City. Those that may be in Las Vegas and hopefully people who might be online, we want to welcome you to our Assembly Committee on Education. Today we will hear three bills. We have a visitor here from Chicago, the Windy City. I want to make sure we do Assembly Bill 372 first.

Assembly Bill 372: Enacts the Revised Uniform Athlete Agents Act. (BDR 34-952)

Assemblywoman Shannon Bilbray-Axelrod, Assembly District No. 34:

With me this afternoon are Assemblyman Ohrenschall and Brian Lewis of the Uniform Law Commission. I will provide some background and then hand things over to Assemblyman Ohrenschall. Assembly Bill 372 enacts the Revised Uniform Athlete Agents Act. It is an update to the Uniform Athlete Agents Act that we currently have in statute. The original act was added into Nevada law by Assembly Bill 253 of the 71st Session. The main purpose of both the original and revised acts is to protect the interests of student athletes in colleges by regulating the activities of athlete agents. Student athletes are the ones who stand to suffer the most if a sports agent acts improperly or dishonestly. Students may not have the knowledge of all the rules surrounding eligibility for college sports. For example, if an agent recruits them or provides them with improper benefits, they may become ineligible to continue playing. Such a loss of eligibility could affect not only their college career but their long-term career as well. We want to make sure that student athletes are protected and that agents who may be in contact with student athletes are acting ethically and responsibly. That is why I am bringing this bill before you today. This revised act will enhance the current laws and continue our regulation of athlete agents for our students and colleges.

Assemblyman James Ohrenschall, Assembly District No. 12:

I am also here in my capacity as a commissioner for Nevada on the National Conference of Commissioners on Uniform State Laws. In the past, our commissioner was former State Senator Terry Care, who was liaison for the informal commission in Nevada. He asked me to take over this year and help shepherd the uniform acts through. Part of that job was trying to find sponsors. I want to thank Assemblywoman Bilbray-Axelrod, Assemblywoman Miller, Assemblywoman Monroe-Moreno, Assemblyman Watkins, Assemblyman Yeager, Senator Segerblom, et cetera. They are all sponsoring different uniform acts and working on this legislation.

I will give you a brief history of the Uniform Law Commission. The Uniform Law Commission is a group of attorneys and is over 100 years old. Some of the members are legislators, some are judges, some are law professors, et cetera. Since the mid-1880s, they have been working on uniformity in state laws where they feel it benefits states and national constituents. Certainly, there are many areas where, if laws are the same or similar, commerce is easier. This is a uniform act that has been promulgated by the Uniform Law commissioners. The original Uniform Athlete Agents Act was enacted in the law in Nevada in 2001 with some revisions in 2003. The last few years, due to things that happened around the country with unscrupulous sports agents not being fair to student athletes and not acting appropriately, the Uniform Law commissioners decided that some updating and revisions of the Uniform Athlete Agents Act was appropriate. What you see before you in A.B. 372 are the revisions recommended by the Uniform Law Commission.

I have Brian Lewis who flew in from Chicago. He is the legislative counsel for the National Conference for Commissioners on Uniform State Laws. He will walk us through the legislation because he is an expert in this area.

Brian Lewis, Legislative Counsel, Uniform Law Commission:

Thank you for considering A.B. 372, enacting the Revised Uniform Athlete Agents Act, promulgated by the Uniform Law Commission. Nevada has had a long, successful history of enacting Uniform Law Commission acts, including the Uniform Athlete Agents Act, the Uniform Commercial Code, the Revised Uniform Anatomical Gift Act, the Uniform Trade Secrets Act, as well as many others. The impetus for revising the Uniform Athlete Agents Act was to provide modernized legislation for the ever-evolving sport commercial marketplace and increased improper activity between athlete agents and student athletes. Under the National Collegiate Athletic Association (NCAA) bylaw 12.3.1, if student athletes have agreed to be represented by athlete agents for the purpose of marketing their athletic ability or reputation in a sport, or if they have accepted benefits from an athlete agent, those individuals become ineligible to participate in an intercollegiate sport. This can cause student athletes to lose scholarships and face sanctions that they may not expect. If the ineligibility is not disclosed to the school and an ineligible athlete is allowed to compete in violation of NCAA rules, the school may face a wide variety of sanctions, including suspensions, fines, possible loss of proceeds and play, and all the revenue this might represent.

Assembly Bill 372 is necessary because it improves current athlete agent law in Nevada to adapt to changing activities in the extremely competitive environment that athlete agents operate in. This bill provides rules not only to protect educational institutions in Nevada, but also student athletes that attend them. This legislation also delivers clear and succinct guidelines for athlete agents operating within the state.

Sections 1 through 20 of the bill cover basic definitions. Of important note, section 5 broadens the definition of "athlete agent" to now include an individual who, for compensation, procures, or attempts to procure, employment for a student athlete as a professional athlete. The definition also includes individuals who, for compensation or the anticipation of compensation, act as a manager for the student athlete's business affairs or advises a student athlete on finances, business ventures, or career management. It also includes individuals who, in anticipation of representing a student athlete as a professional athlete, give something of value to a student athlete or another person. This legislation explicitly excludes licensed, registered, or certified professionals acting within the scope of their license, registration, or certification, unless they are also otherwise acting as an athlete agent or receive consideration for providing their services on a different basis other than from an individual who is not a student athlete.

Section 21 of the bill authorizes the Secretary of State to adopt regulations related to the bill and make other provisions regarding the Secretary of State. Section 22 requires an athlete agent be registered in Nevada to act within the state as an athlete agent and provides for circumstances in which an individual can act as an athlete agent prior to being issued

a certificate or registration. This section also voids an agency contract resulting from conduct in violation of this section, and requires that the athlete agent return consideration received under the agency contract. Importantly, section 23 enhances information required to be disclosed to the Secretary of State by the athlete agent, such as employment and license history, certain criminal history, and information related to sanctions, suspensions, and revocations. These disclosure requirements create transparency in the interactions between athlete agents and student athletes.

Section 24 provides criteria for when the Secretary of State may refuse to issue a certificate of registration and further provides for a true reciprocal registration provision for athlete agents who are licensed in other states where the other state's law is equivalent or more restrictive than the provisions in this bill. Sections 25 and 26 make provisions related to an applicant or registrant's status with respect to child support obligations. Section 27 provides criteria for which the Secretary of State may limit, suspend, revoke, or refuse to renew the registration of an athlete agent.

Section 28 authorizes the Secretary of State to issue a temporary certificate of registration to an athlete agent while the application for registration or application for renewal is pending. Section 29 authorizes the Secretary of State to establish fees to carry out the provisions of this bill. Section 30 enhances agency contract requirements by now requiring an agency contract to contain provisions for parents or guardians to execute or void an agency contract if the athlete is a minor, as well as a separate record signed by the student athlete acknowledging that signing the contract may result in loss of eligibility to participate in the athlete's sport. Section 31 adds notification requirements that mandate athlete agents to notify educational institutions where student athletes are enrolled before contacting the student athletes when a pre-existing relationship between themselves and the student athletes exist if the relationship was motivated by the intention to recruit the student athletes to enter an agency contract or the agent actually recruited the student athlete to enter a contract and the athlete agent knew or should have known of the enrollment.

Section 32 provides a student athlete with a right to cancel an agency contract no more than 14 days after the contract. Section 33 requires athlete agents to maintain executed contracts and other specified records for a period of five years, including information about represented individuals and recruitments. Section 34 lists prohibited conduct in which the athlete agent must not engage. Section 35 provides that an athlete agent is guilty of a misdemeanor for violating prohibited conduct such as initiating contact with a student athlete without being registered or predating or postdating the agency contract.

Section 36 further provides remedies for student athletes by giving student athletes the right to sue an athlete agent for damages caused by violation of this bill. Educational institutions are also given the right to a civil action against the athlete agent as well. Section 37 requires consideration of the need for uniformity amongst the states when applying this act. Sections 39 through 41 of the bill revise provisions governing the enforcement of the Uniform Athlete Agents Act so that those provisions apply to the enforcement of the provisions of this bill.

Section 40 further increases the maximum administrative fine that may be imposed by the Secretary of State from \$25,000 to \$50,000. Section 42 provides for amendments to specific sections of the *Nevada Revised Statutes* (NRS) and sets out provisions for Nevada's open records law. Section 43 provides that persons who currently hold unexpired certificates of registration will be deemed to hold a certificate of registration under the provisions of this bill. Section 44 repeals relevant sections of NRS. Section 45 sets out effective date provisions for this act. Section 42 makes conforming changes to those repeals.

If passed, A.B. 372 will be an important step in modernizing athlete agent regulation in Nevada. This legislation tremendously improves your current enactment of the Uniform Athlete Agents Act.

Assemblyman Elliot T. Anderson:

Uniform acts are always a little tricky. Obviously there is a lot in front of us here. We cannot amend things much, or else it is not a uniform act. So it is usually just an up or down thing. I am wondering about the process of drafting an adoption of this. For a lot of these acts, I have an idea of who the stakeholders are at the table. Can you help me get some clarity on the stakeholders involved in drafting this measure and which groups are affected by it? I am wondering what the discussion was.

Brian Lewis:

In general, the drafting of a uniform act takes about four years. We spend the first two years in a study committee. That committee looks at the subject area and studies in detail what they need to know in terms of drafting the legislation. If it is approved by the study committee to move forward with the drafting process, it takes another two years of drafting before the act goes before the National Conference of Commissioners on Uniform State Laws and all of our commissioners for a line-by-line reading. In the drafting process of this act, we had a large stakeholder group.

Importantly, this act was drafted at the urging of the NCAA. The Sports Lawyers Association was involved as well. We have had assistant athletic directors from universities. The University of North Carolina was one. The National Football League Players Association, American Football Coaches Association, and a majority of the major coaches' associations were involved in this process. Even some NCAA head football and basketball coaches were involved.

Assemblywoman Bilbray-Axelrod:

I also want to add that the National Association of Secretaries of State were stakeholders.

Assemblyman Elliot T. Anderson:

Was there significant opposition? I understand not everyone was happy with everything.

Brian Lewis:

There was no significant opposition. Early on in the process, the NCAA was heavily involved, and the act was drafted to ensure we were not teetering into their wheelhouse. We did not want to determine whether a student athlete is eligible to participate in a sport or not, but other than that, we had all the key stakeholders involved in the process, and we did not see any significant opposition.

Assemblyman Elliot T. Anderson:

Thank you very much for that information although I do not think Nevada will have any problems with the NCAA.

Assemblyman Ohrenschall:

I have served as a commissioner on study committees, studying whether a model or uniform act might be appropriate to have. Assemblywoman Bilbray-Axelrod and I were on a conference call with Chairman Higer, the Chair of the drafting committee. He is a commissioner from Idaho. There was the same representation. The stakeholders brought in the NCAA, the National Association of Secretaries of State, et cetera, and there was no significant opposition. There should also be a statement of support from the NCAA ([Exhibit C](#)).

Assemblywoman Tolles:

I always appreciate the value of the Uniform Law Commission. In your introduction, you stated we passed legislation in 2001 providing protections in regards to athlete agents [[A.B. 253 of the 71st Session](#)]. What does this add to what we already had in statute beyond making it uniform?

Assemblywoman Bilbray-Axelrod:

One thing that jumped out at me was that there was the use of runners. The registered agent might not have been physically in the state. They had people doing their jobs here. Those people were not registering. That was a bit of a problem. Someone may misrepresent the job because they are not registered agents themselves. This would expand the definition of an athlete agent and cover those people as well.

Brian Lewis:

I think Assemblywoman Bilbray-Axelrod did an excellent job providing for one of the key enhancements of this bill. There are a few. The definition of an "athlete agent" has been enhanced to not only include runners, but also financial advisors and consultants. For unscrupulous agents who have made use of runners or other individuals to skirt the current legislation, this was a significant addition that the stakeholders and uniform law commissioners felt needed to be made. In addition to enhancing the definition of "athlete agent," the definition of "educational institution" has been changed to not only include universities, but also high schools, middle schools, and elementary schools as well. Believe it or not, athlete agents are coming after kids at very young ages.

In addition, the disclosure requirements that have been added in the Revised Uniform Athlete Agents Act require athlete agents to disclose far more information than they had to previously, including criminal history background, social media accounts, past contract history, who works for their businesses, et cetera.

This creates an information database or platform that student athletes can go to in order to find out who these athlete agents are. It will help them in determining if they are dealing with someone who is aboveboard. Also, the prohibited conduct which an athlete agent must not engage in was enhanced as well, so they could not direct other individuals to act on their behalf. Another notable change in this legislation is that the right of action by a university against a student athlete, which is currently in the Uniform Athlete Agents Act, was removed. I think there was general consensus that for optics and general purposes, it was not good for universities to come after vulnerable individuals such as student athletes. It creates a right of action for the student athlete against the athlete agent.

Chairman Thompson:

I have a question about section 21. It talks about how the Secretary of State works with the athlete agent. There is a registration process. Here in Nevada, whenever you have a business, you have to register through the Secretary of State. Will the athlete agent have to also register with the jurisdictions in which they will be serving? Right now, a business has to have a business license in the county and the city. Does the registration on the state level suffice, or will they have to do so with the local jurisdictions as well?

Assemblyman Ohrenschall:

I believe Scott Anderson or Diana Foley from the Office of the Secretary of State can answer that. We had a lengthy discussion with them. My understanding is that the athlete agent would need to register with the Nevada Secretary of State. I think the requirements in other jurisdictions would depend on whether they are recruiting student athletes in that jurisdiction.

Assemblywoman Diaz:

Where do you think the balance of this bill lies? Is it to protect the student athlete or the agents doing the work?

Brian Lewis:

I think it is equally balanced in favor of the athlete agents, the student athletes, and the educational institutions. This legislation requires that the athlete agent provide specific notice to educational institutions if they have made contact with a student athlete. The educational institution needs to be notified before they step foot on the field. That is important because it protects the university from situations where you have an ineligible athlete participating in athletics. That can lead to significant sanctions and cost to the university as well as an investigation by the NCAA. It also protects student athletes because it provides a platform for them to know more about the individuals they are dealing with. It protects them from unscrupulous agents.

It is fantastic for agents who are by the book because it provides for a true reciprocal registration requirement. It makes registering as an athlete agent in the state a lot easier than it had been before. This was one of the things the athlete agents who took part in the drafting process felt was very important. They noticed the registration process was different from state to state. It was difficult for them to keep up with how to go about that process. This provides a true reciprocal registration provision for them as well.

Assemblywoman Diaz:

How many states currently have this in their statutes?

Brian Lewis:

This bill was enacted in Alabama, Washington, and Idaho. The Governor of Utah signed the legislation last week. It is also pending in nine other jurisdictions including Oklahoma, South Carolina, Colorado, et cetera.

Assemblyman McCurdy:

I see it being mutually beneficial for both the athletes and the agents. You said you spoke with stakeholders. Did that include the universities here in Nevada as well?

Assemblyman Ohrenschall:

I have reached out to representatives from the University of Nevada, Las Vegas (UNLV) and the University of Nevada, Reno (UNR). I believe UNLV is present to testify today in support. I have not heard back from UNR yet.

Chairman Thompson:

Is there anyone wishing to testify in favor of the bill?

Diana J. Foley, Securities Administrator, Securities Division, Office of the Secretary of State:

We are testifying in support of this Revised Uniform Athlete Agents Act. Many of the provisions in the act are similar to what we currently have. There have been some expansions on the "athlete agent" definition. That is much broader. We are wholeheartedly supporting this revision with a few requests. The current proposal seeks to remove the majority of the Uniform Athlete Agents Act. We are requesting that NRS 398.402, which deals with the jurisdiction of our authority over the athlete agents, be kept. We are also requesting that NRS 398.403 is kept, which deals with the investigation process and allows us to keep our investigations confidential until we take action. We are asking that those two provisions stay.

We are also asking that a "shall" in section 23, subsection 4, be changed to a "may." In that section, the Act asks that the Office of the Secretary of State "shall" cooperate with national organizations concerned with athlete agents' issues. Although we currently do cooperate, I think this portion of the act was designed for a uniform commission on athlete agents, which does not exist at this stage. We ask that this be changed to a "may."

Chairman Thompson:

Have the suggestions that you are giving been cleared with the bill sponsor?

Assemblywoman Bilbray-Axelrod:

Yes, they have.

Diana Foley:

The last request I have, I just mentioned in an email with the bill sponsor. It is found in NRS 398.496, subsection 5. It provides that the provisions of the uniform act "do not limit the power of the State of Nevada to punish a person for conduct which constitutes a crime pursuant to any other law." My concern is that the provision is current in the Act, and I did not want to see it taken out and someone possibly arguing that an athlete's agent who embezzles from an athlete would not be able to be prosecuted because of that change. With those four changes, the Office of the Secretary of State supports the revisions.

Chairman Thompson:

Can you answer the question I had earlier about the athlete agents registering in local jurisdictions?

Diana Foley:

I think you were asking if they have to register as an athlete agent and also register under the Commercial Recordings Division within the Office of the Secretary of State. Is that correct?

Chairman Thompson:

I was using the same analogy in the way in which a business in the community registers with the Office of the Secretary of State. When they want to work with different jurisdictions, they need proper business licenses with those jurisdictions. My question was whether that was the same way for athlete agents.

Diana Foley:

It will. That is the way the current process works.

Assemblyman Pickard:

I appreciate your presentation. You have answered most of my questions. The remaining question I have is whether this change will mean a substantial change in the way the Office of the Secretary of State does business. Are we expecting to see a ramp-up time before this is fully understood? Are these provisions consistent with what you are already doing?

Diana Foley:

We do not anticipate any ramp-up. These are largely definitional changes. There should not be a significant impact on the Office of the Secretary of State. I do suspect that we will see more athlete agents licensed.

Assemblyman Elliot T. Anderson:

Section 21 gives your office the ability to adopt regulations to carry out the provisions of the act. I wonder why that is not adequate to take care of a lot of your concerns regarding some of the clarifications you have been seeking. It is a pretty strong grant to clarify things that are not otherwise contrary to statute. Is that not correct?

Diana Foley:

Obviously, we have the ability to adopt regulations. I am not certain that, under the law, I could adopt a regulation that would keep the investigations confidential, given our public record laws, without it being in the statutes, so I am requesting that to be in there. Certainly, it is a jurisdictional statute that we are requesting in NRS 398.402. We are just requesting that it stay there. I also think that adopting a regulation that makes the legislative intent clear as far as criminal penalties is most appropriately left in the statute rather than a regulation.

Assemblyman Elliot T. Anderson:

How do you envision using the regulatory grant under section 21?

Diana Foley:

Specifically, in the Revised Uniform Athlete Agents Act, it directs us to adopt a fee. Currently, we only have one regulation that sets the fee. We will certainly consider that. I cannot envision at this time any additional regulations, but there may be additional regulations required for us to implement the act.

Luis F. Valera, Vice President, Government Affairs and Compliance, University of Nevada, Las Vegas:

We believe this bill provides greater protections for student athletes and the institutions they attend and brings universities closer in line with NCAA rules and regulations. We strongly support those things. I would also like to share a note I received from the UNLV athletics department Executive Associate Athletics Director, Mr. Eric Toliver ([Exhibit D](#)):

As the chief athletics compliance officer at UNLV, we support the Assembly Bill 372 (the Revised Uniform Athlete Agent's Act). As you are aware, the term "agent" includes actual agents and sometimes, "runners" or "birdogs", (individuals who befriend student-athletes and frequently distribute impermissible benefits) and financial advisors. Over the last few years at UNLV, there has been numerous individuals who fit the aforementioned definitions, and have motives that are not consistent with a student-athletes educational or athletic endeavors. As a result, our compliance program has had to be strengthened to protect the student and the institution from consequences associated with noncompliance with NCAA or State of Nevada laws. Any strengthening of the current legislation only helps UNLV and it's NCAA enforcement and educational endeavors.

Chairman Thompson:

Is there anyone wishing to testify in opposition to the bill? [There was no one.] Is there anyone wishing to testify as neutral to the bill? [There was no one.]

Assemblywoman Bilbray-Axelrod:

We had a conference call with the Secretary of State and Commissioner Higer. We are willing to make those changes. We just want to make sure we can meet the last request.

Assemblyman Ohrenschall:

Yes. We were on a conference call with Mr. Anderson, Diana Foley, and Chairman Higer, who is the commissioner from Idaho. Every suggestion that Ms. Foley made was certainly agreeable to us and the Uniform Law Commission drafting committee. The last suggestion in terms of retaining subsection 5 of NRS 398.496 was not mentioned on the conference call. I do not anticipate that there will be an issue with that. I will check with some of the other commissioners on the drafting committee and ensure it will still be considered uniform. I do believe this legislation will protect our student athletes whether they are at universities, high schools, or even younger.

[[\(Exhibit E\)](#), [\(Exhibit F\)](#), and [\(Exhibit G\)](#) were submitted but not discussed and are included as exhibits for the meeting.]

Chairman Thompson:

We will close out the hearing for A.B. 372. We will open the hearing for Assembly Bill 275.

Assembly Bill 275: Requires the establishment of a protocol for providing integrated student supports for certain pupils and their families. (BDR 34-920)

Assemblywoman Ellen B. Spiegel, Assembly District No. 20:

I am here today with Assembly Bill 275, which is designed to establish minimum standards for a statewide framework for the implementation of integrated student supports. I have a conceptual amendment that you should all have ([Exhibit H](#)). The conceptual amendment more or less revises the entire bill. We will replace section 1, starting out talking about how the Nevada integrated student supports framework needs to be defined and described in the section. Section 1, subsection 1, would define "integrated student supports" "as a school-based framework to promote students' academic success by developing or securing and coordinating supports that target academic and non-academic barriers to achievement."

In subsection 2, we would say that the purpose of the framework is five-fold. It will support a school-based approach to promoting the success of all students. It also fulfills a vision of public education where educators focus on education, students focus on learning, and ancillary supports enable teaching and learning to occur the way they are intended. The third is to encourage the creation, expansion, and quality improvement of community-based

supports that can be integrated into the academic environment of schools and school districts. The fourth is to increase public awareness of the evidence showing that academic outcomes are a result of both academic and nonacademic factors.

And finally, it will support statewide and local organizations in their efforts to provide leadership, coordination, technical assistance, professional development, and advocacy to implement high-quality, evidence-based, student-centered, and coordinated approaches throughout the state.

We will talk about how the framework must be flexible enough to adapt to the unique needs of different schools and districts throughout the state and provide all students with the individual supports that they need. In developing the framework, setting out parameters for the organizations that provide integrated student supports will do several things. They will provide needs assessments of the students. They will provide integration and coordination between the students and the schools. They will establish or maintain community partnerships. They will be data-driven and consist of evidence-based programs and ensure that there is a proper agreement with a local education agency before they begin service delivery. All of this will be done to the extent that funds are available.

Structurally, it will be done through the request for proposal process. The local education agency will issue a request for proposal saying that a contractor of integrated student supports would meet all of the criteria that are specified in section 1, subsection 2, paragraphs (a) through (f). Those providers will have to affirm that they meet all of those requirements.

Tiffany G. Tyler, Ph.D., Chief Executive Officer, Communities in Schools of Nevada:

I am here in enthusiastic support of A.B. 275. As an educational psychologist; a published researcher in the areas of dropout prevention, student intervention services, and program evaluation; a strong proponent of evidence-based practice and collective impact models; and finally, the Chief Executive Officer of Communities in Schools of Nevada, the nation's leading dropout prevention organization, I wholeheartedly endorse your commitment to undergird not only your educational investments, but to ensure there is a standard of practice in place for those who desire to move the needle for children in Nevada. As a part of that process, I can tell you that section 1 and its ideals are ones that I wholeheartedly endorse. The ideals place students at the center and ensure we will be able to leverage the best that Nevada has to offer through collaboration with the expectation that it be evidence-based. There is a recognition that work should be shared with the community. We need to bring this to each area of intervention in our state. I can tell you of many interventions that have been put forth. Without guidance, they went awry. We have to begin by ensuring that we will implement federal policy with a recognition of what our local needs are. We need to recognize there should be a North Star for organizations seeking to do that work. This is not only unprecedented, but welcomed.

In section 2, there are a set of standards set forth that really ensure that we are keeping the needs of students at the center. In section 2, there is a call for an annual assessment that will happen in partnership with leadership recognition that, as we enumerate what students' and schools' needs are, needs should not be a guesstimation, but a formal review and partnership with stakeholders to determine what should be the work's focus and foundation.

The next section calls for that assessment being the standard, or guide, by which we move forward for children. There are a number of promising practices and community members who share a strong will to move the needle forward. This particular requirement says that as we decide how we will move forward, the students' and schools' needs should be at the center of that discussion. It should be a foundation of how people proceed. Section 2, paragraph (c) of the amendment ([Exhibit H](#)), calls for us to ensure that we are developing relationships in support of students and families. As a proponent of school-to-community partnerships, I can tell you, across our state, there are any number of untold organizations seeking to move the needle for children. There is an expectation that we work together to do this work during a time when resources are limited to ensure there is mitigation of service duplication. When we say to others who hope to do the work that they need to communicate and coordinate together, that exponentially increases the impact of the work we can do.

I also want to note section 2, paragraphs (c) and (d) of the amendment, where we talk about the notion of resources and interventions for students. I want to draw your attention to nonacademic and academic support with effective protocols as well as community partners engaging in ways to move that needle. For many years, we have left the challenge of educating children solely on the shoulders of teachers. In recent years, we began to recognize that there are any number of factors that support or detract from our ability to help children graduate. Oftentimes, many of those factors fall outside the classroom.

I can tell you of a seminal report done that identified over 23 factors that contribute to whether a child will make progress. Over 80 percent of those factors had nothing to do with instruction. We should say, in policy, that there should be some recognition of all the things that contribute to children making it. There should be help for teachers in their journey. I think it is the least we can do as a community if we are going to be effective in eradicating student dropout.

Beyond that, I want to note the expectation of tracking progress. We have been tracking progress for over two decades now. It has allowed us to refine our services in ways that result in an exponential return for students. We should not just pilot things without making sure we are monitoring them throughout the course of their implementation. Checking in to see what works and what does not gives us the greatest return and should be the foundation of any intervention put into place for children in vulnerable communities.

Assemblywoman Miller:

I will ask my question in the most holistic way possible. I appreciate the idea behind helping schools and children. We know it takes a village. We know the school cannot meet every need a child has, although we are held accountable and responsible to meet every need

regardless of outside factors that contribute. However, it seems you are implying we are not tracking or not using evidence-based procedures. Why is there a need to legislate things that appear to already be in place? Second, it seems that this bill would legislate or mandate a request for proposal (RFP) process with certain vendors. It seems like we are outsourcing, and there is a mandate to work with certain vendors. If my impression is completely wrong, please tell me.

Assemblywoman Spiegel:

This sets up parameters and a paradigm for formalizing relationships between an outside provider of integrated student supports, the schools, and the school districts. It is not meant to erase what the school or school district is doing. It is meant to supplement it. For example, one of the things that led to this bill was that I was reading an article over the summer about students who did not go to school because they did not have clean clothing. I was reading about how, in a handful of schools—most notably in some inner cities—the schools were going to appliance manufacturers like Whirlpool and asking for donations of washing machines to have in the schools. This way students who do not come to school because they do not have clean clothing can be doing their laundry while they are at school. Programs like that have been found to be extremely successful in abating truancy and getting students to learn. It is taking one thing off of their minds. Similar programs include Breakfast after the Bell. Hungry students are not learning. But these are not necessarily supports the school itself is capable of amongst all of its other responsibilities. They cannot necessarily put together what is needed for this student and go out to talk to the Whirlpools of the world. We are figuring out how to modify the education experience provided to the student. We are doing it in a way that will meet the needs of the schools and the students in a cost-effective manner. It is meant to supplement what the schools are doing.

There are many organizations that provide services, but if we want to have a program that is comprehensive, then we need to have parameters. It is not designed to favor one provider over another.

Tiffany Tyler:

I also want to add that in 2015, the Every Student Succeeds Act (ESSA) was reauthorized. In that act, it memorialized integrated student supports as one of several interventions that should be implemented in support of either turning schools around or addressing the needs of children in poverty. While it memorialized expectations that it is used as a practice, states have the ability to determine exactly what is meant by some of the terms or conditions in that policy that relate to this work. There is a discussion about making sure that it is evidence-based. It gives criteria to programs that go from "strong" to "emerging promising." Rather than being about managing a vendor relationship or giving a vendor a particular advantage, it is really in anticipation of making sure we are positioned as a state to support the implementation of what is federal policy.

Assemblywoman Miller:

Is this operation not happening now? Are we not accepting RFPs that were not working with other contractors and programs? We know in certain situations we are. That is why I am asking about the need to legislate this. How will that affect the future credibility of future requests for proposals and grant proposals?

Tiffany Tyler:

I would say that it is a strong recognition that a number of those practices are happening and, as others seek to implement that work, it gives them guidance or protocols for how to effectively do it. It is not a commentary on what is not happening. Our strongest partners in this work are the educational stakeholders. With the advent of ESSA, which now requires that this be implemented, giving guidance to how it should be done in effective ways would be incredibly helpful, particularly because there is a need to define what "effective practice" is and set forth the expectation for what evaluating and monitoring should happen. We should also recognize there is a need to implement these services from a federal standard that recognizes our local context. There is a need to ensure basic principles around partnering with the community to do the work. It is not at all a commentary about the value of those partnerships now.

Assemblywoman Spiegel:

The reason to do it through the request for proposal process came about through a meeting I had with Washoe County School District. They said it would address the fiscal concerns they had.

Assemblywoman Miller:

Will there be boundaries in place that define what the responsibilities of the school district and the educational community are specifically for outsourcing partnerships?

Assemblywoman Spiegel:

Those parameters will be defined in the RFPs themselves. We are not saying that every single program has to be identical throughout the state, but each program needs to fall within this framework.

Assemblyman Pickard:

I appreciate it even more given the complete rewrite that occurred in the amendment. As I reviewed it, though, I see a lot of great buzzwords like "support," "fulfill," "encourage," "increase," et cetera. We see evidence-based everything. Do these evidence-based assessment tools and programs already exist, so is this intended to have a coordination function? You mention guidance, but I do not see much guidance in this. It is too generic in language. Is the RFP process where we see the guidance? Where do we get the substance of this? Do they exist, or are we starting from scratch?

Assemblywoman Spiegel:

The foundation of the specifics is going to be through the needs assessment that is required. What is needed at one school in Clark County might be very different than what is needed in one school in Humboldt County or Elko County.

Assemblyman Pickard:

That makes perfect sense. I am just wondering, does the needs assessment exist already? Do we already know what we are dealing with and we just need to implement it, or are we starting from scratch?

Tiffany Tyler:

As someone who represents several organizations, there are entities that implement evidence-based programs. They have a long history of independent research to support their outcomes. As I reviewed the bill, knowing it would have some impact on the work that we do as an organization, I was encouraged by some of the language, because it allowed for the flexibility needed to customize approaches to the communities that the work is happening in.

Assemblyman Pickard:

I am still unclear as to who is setting this up. Whose evidence-based tools are we using? Do we have some guidance? Do we know what we are dealing with? Or whatever someone wants to use can be used as long as someone is calling it evidence-based? How do we, as a body, make that assessment and know what we are authorizing here?

Assemblywoman Spiegel:

That is part of the RFP process. We are saying that everything within the RFP process must touch on each of these frameworks. The school districts and the agencies are putting together the requests, and they are the people who have the ability to assess how the various providers will stack up and compare as they submit their proposals. This was not written for any one organization. It is written for the entire state.

Assemblywoman Tolles:

I will harken back to the first time we heard your presentation on Communities in Schools. As I walked into a school in my district and had this conversation with the organization and the impact there, I shared some of the same questions as Assemblywoman Miller—how much of this is replicating what is already being done in terms of multitiered systems of support and the social workers in the schools? I went in with that question, and I walked out with the undeniable evidence that it is working. It is always great to know that the evidence is there. These programs are working well in conjunction with the existing district-based programs.

I have a few questions for you specifically. My impression is that this bill makes a uniform framework so that if and when, as funds are available, this can spread to more schools and work in conjunction with more existing programs to have those same results. I am taking

that as a correct assumption since you are nodding your head. How many counties and schools are currently utilizing these programs to the best of your knowledge? What do we envision expanding this across the state would do?

Tiffany Tyler:

From my own professional knowledge, I can attest to minimally twelve districts that have something akin to integrated student supports. Communities in Schools works in three counties—Clark County, Elko County, and Washoe County. In terms of the impact for students given the three districts, I can personally attest that, by how people go about this work in their communities, a significant number of students will be impacted by the standards we put in place.

Assemblywoman Tolles:

I want to check my understanding. In section 2, paragraph (a) of the amendment ([Exhibit H](#)) talks about the needs assessment. It was my original understanding that the needs assessment was per pupil, but based on your testimony, I got confused. Is it per pupil, per school, or per district?

Tiffany Tyler:

I can speak on behalf of my organization that does this work. There are others that do this in some capacity. Because we offer multitiered services, it begins with a needs assessment that is a site plan. It identifies services for the whole school in three tiers of support. The first tier is support that all children receive based on the needs of that school. The second tier is support for kids and groups. The third is for those who are facing the greatest challenge; they get an individualized plan. The way it is framed here, though, it says "needs assessment." So I am assuming the language hopes to give flexibility, but set the expectation that there be some objective review of what the needs are before any intervention is put into place.

Assemblywoman Tolles:

As I look at the amended version versus the original bill, I think that is where some of the confusion came in.

Assemblyman Edwards:

I still have a basic question. Why do we not have this kind of an assessment already done? We have highly-paid professional educators in headquarters in the school districts. It seems as though this is their job. Why are we trying to implement requests for proposals for what seems to be the job of the administrators?

Tiffany Tyler:

I want to make sure nothing is getting lost in translation. There has been a lot of discussion about the needs assessment and that the language is too general. This is in response to a federal policy that says schools in districts will now implement integrated student supports as a part of a turnaround strategy. This is an effort to support how that may look in this state, where there have been a few organizations that have adopted that as a part of

their framework. There are likely many more that will get into that work. There should be some expectation that, before the organization starts intervening, it should evaluate which interventions may be needed. They should not just take their own word for it, but partner with school leadership and others. It is not necessarily a commentary on others not already doing assessments. As we move forward as a state, we are required to implement integrated student supports as a part of federal policy. There should be some expectation that people are doing some evaluations. It is not necessarily a commentary on whether existing entities do because they do.

Assemblyman Edwards:

I just do not understand why we do not already have the information. What is confusing is that we talk about the State Board of Education apparently putting out the RFP, but the school district is where the data has to be collected so it can be applied to figure out the integrated services. I know we are not a money committee, but why would we spend hundreds of thousands, maybe millions of dollars, to pay for something that seems to be the job of administrators at each of the school districts? We are already paying out millions of dollars. Why can they not do that job?

Tiffany Tyler:

From my understanding, this is not a policy about interventions or whether school districts are doing needs assessments. There are a plethora of assessments around accountability happening throughout our districts. This specifically relates to a federal policy that says we will now utilize integrated student supports. Some organizations have said they are doing integrated student supports. As others join that work, we should set an expectation around ensuring they do some kind of assessment and include the resources already existing in the community to ensure it is coordinated and not duplicative in some ways. The students, families, and schools should be at the center of that work.

I want to underscore that, based on my review of it, it sets expectations specifically for entities that will now do this federally memorialized work called "integrated student supports." It is not necessarily a tie to any existing accountability efforts or valuation of work happening in schools or other nonprofit organizations. As a matter of fact, there are many people who work to help students and do not formally adopt any standard of practice. It is an effort to shore up the alignment between federal policy and possibly state policy. As people enter that work, it sets minimum expectations.

Assemblywoman Spiegel:

The other piece of it is that needs will change over time. Just because people know that this is what the needs are today, as the programs are implemented and are being worked on, the needs of the community, school, and students may change. We are not looking at what happens just on Day One. We are looking at the whole process, and we are looking for accountability. You cannot have accountability without assessing what you have done and what the needs are.

Tiffany Tyler:

I am not aware of an additional fiscal note. This is just saying to organizations that say they do integrated student supports that they need to commit to ensuring they leverage community resources, place the student at the center, formally partner with school districts, and adopt a standard of practice that is evidence-based consistent with the federal standards—which recently came out and has already begun forming the work. I personally attended a school improvement vendor fair that was held by the Department of Education. They made those federal standards an expectation for any contracting the districts would do across the state. It is not an attempt to establish another assessment entity, or add to the cost of resources for students, et cetera. It is to say to anyone who purports to want to move the needle for students through integrated student supports that they will take these things into consideration.

Assemblywoman Miller:

Do you envision this as an all-encompassing strategic plan on behalf of the school districts and the state? Do you want the schools to say that these are the needs and this is the approach to reach out for these needs to be met? Or do you find it more of a strategic plan on behalf of the supporting agencies and programs?

Tiffany Tyler:

I would say it has to be an expectation for both. Any intervention we say will happen on behalf of children needs to take into consideration the school's priorities. There should also be an expectation for the partners.

Assemblywoman Miller:

That is my question. If the framework is developed together, then it seems like that already implies which partnerships will be involved, or which community programs will be used, as opposed to the state developing a framework and outlining the needs and taking the initiative to have those needs met.

Tiffany Tyler:

I do not think we can be certain about all the additional or existing entities that purport to already do this work. Does it delineate or dictate that certain partners will be at the table? I do not think it does that. I think what it really says is, if you are going to be at the table, and you are saying that you are working in this manner, then you are minimally committed to these standards of practice, which is a little different.

Assemblywoman Miller:

That seems like a typical RFP or grant proposal to begin with. I guess that is where my struggle is in understanding the need.

Assemblywoman Spiegel:

This is standardizing it across the board and saying we will have the minimum set of standards that must be in place for all of our school districts throughout the state.

Chairman Thompson:

Is there anyone wishing to testify in favor of the bill? [There was no one.] Is there anyone wishing to testify in opposition to the bill? [There was no one.] Is there anyone wishing to testify as neutral to the bill? [There was no one.]

Assemblywoman Spiegel:

I want to thank you for your consideration of this bill and say that having a parameter in place for minimum standards for integrated student supports can help us ensure that, statewide, all of our children are getting the help that they need from providers. That will hopefully lead to positive educational outcomes for all of our kids.

Tiffany Tyler:

Initially, when I reviewed the federal policy and heard they had memorialized integrated student supports as a turnaround intervention for schools, I had a bit of anxiety. I wondered what would happen now that federal policy establishes that others should be doing this work in this manner. I wondered how that would shake out in my community as a mother, an aunt, and an advocate. There are so many other reasons children drop out of school. There are factors that need to be addressed, but there are no guidelines for how people should do it. When I heard about A.B. 275, I welcomed it from the place of someone who is now responsible for the delivery of it. I also thought this provided a philosophy and framework for some of the first steps to help people link arms. From that perspective, having the benefit of this guidance is not only supportive, but also a step in the right direction for children.

Chairman Thompson:

We will close the hearing on A.B. 275. We will open the hearing for Assembly Bill 407.

**Assembly Bill 407: Makes various changes relating to cooperative extension programs.
(BDR 49-1162)**

Assemblywoman Olivia Diaz, Assembly District No. 11:

Today I bring forward Assembly Bill 407. I am presenting this bill because university cooperative extension programs are great resources of and for the state. They can better serve our communities. They are underutilized resources. Assembly Bill 407 proposes to change governance so university cooperative extension programs can be more responsive to both rural communities and southern Nevada. They can also become more integrated with the University of Nevada, Las Vegas (UNLV) faculty. The University of Nevada, Las Vegas has the largest student body in Nevada, and it serves a greater population. In its current governance structure, there is only one university with a cooperative extension program, and it is based out of the University of Nevada, Reno's (UNR) Department of Agriculture. That structure served us well 100 years ago. The new Nevada needs a cooperative extension system structure that reflects our diverse communities and our different and distinct regional economies.

University cooperative extension programs on land-grant universities focus on working in communities to extend the knowledge of the university for the benefit of local communities. In states where the university cooperative extension program is run well, the faculty work to help communities in business development, literacy education, workforce development, health, and education outreach.

In other states, county governments greatly depend on university cooperative extension programs for community programming, workforce development, and support for small businesses. They develop social supports with county governments in both rural and urban communities. In Nevada, the University of Nevada Cooperative Extension took a huge hit during the recession. Extension programming was depleted in southern Nevada, urban counties, and northern Nevada. Assembly Bill 16 also asks for greater investments in cooperative extension programs.

As we build this important part of the university system, it is important to rethink governance so we can ensure programs are responsive to each of our different counties. Robust cooperative extension programming would support the community. For example, in Kansas, faculty in the cooperative extension program help poor communities with literacy, parental leadership, and parental engagement. In the Midwest, bilingual cooperative extension faculty work with Latino and minority communities to help educate them on how to open a business and apply for loans.

One way to create small business support is to create a UNLV southern extension program and redesignate faculty to support small business entrepreneurship development. In Texas, university extension is the key player in workforce development. If we had similar structures, the UNLV southern cooperative extension program would have designated faculty to work with business and industry. The Nevada System of Higher Education's (NSHE) cooperative extension programming budget, supported with county funds, would be leading workforce training. I am bringing forth this bill for your consideration because we are a state that needs to ensure each of our institutions are functioning at their maximum potential to serve the people of Nevada.

I also believe these resources should be community-based and community-focused for Nevadans in order to get the maximum return on investment from university cooperative extension program services. I have invited Professor Robert E. Lang to educate the Committee on cooperative extension programs and how each region stands to benefit from this change. He is a professor of public policy, Executive Director of the Lincy Institute, and senior fellow at the Brookings Institution in Washington, D.C. After Mr. Lang, I ask that former University of Nevada Regent and Congressman James Bilbray be allowed to present on the history of cooperative extensions. We can come back to me, and I can walk you through the bill.

Robert E. Lang, Senior Fellow, Metropolitan Policy Program, Brookings Institution, Washington, D.C.:

I am a professor of public policy. I am the head of Brookings Mountain West at UNLV. I am also a senior fellow of the Brookings Institution. I do not represent UNLV in this meeting. Rather, I speak for myself as an expert in public policy. Thank you for letting me go first. I have a commitment right after this. Here with me is Bill Brown, one of the coauthors of the brief I will touch on. David Damore is the lead author of this brief, and he is a professor of political science. He is teaching right now. We are fully engaged faculty.

You have a copy of Dr. Damore's testimony ([Exhibit I](#)). The University of Nevada writ large is a land-grant institute. The University of Nevada, Las Vegas is a subset of that. As a land-grant institute, UNLV has been receiving grants specifically for land-grant institutions. In other words, it has qualified as a land-grant institution for many years. This impacts everything from the library to medical schools. It is better to start a medical school at a land-grant university than at a university without land-grant status.

There are different kinds of institutions with research capacity. I will use Arizona State University and the University of Arizona for contrast. They were established in the same year, 1885. One was designated as the state teacher's college, and the other was the state university under the Morrill Act of 1862. They are on separate tracks. The University of Arizona in Tucson is a land-grant university. Arizona State University is not a land-grant university. The difference in this state is that UNLV came out of UNR. Congressman Bilbray will speak to that specifically because he was a member of the Board of Regents in the 1960s, before he was a Congressman.

The whole University of Nevada system is a land-grant institution. The Attorney General found that the whole system had land-grant status in 1969. The Nevada System of Higher Education said everything under its umbrella is the University of Nevada, including the College of Southern Nevada. To the extent that is so, UNLV has been operating as if it were a land-grant institution, which is good for the state. It is free to the state. You have two institutions that are in the same entity called the University of Nevada. As subsets of that, they are eligible as land-grant institutions.

To put that in perspective, this is happening in a state that does not do well with sponsored research. There are very few dollars in sponsored research in this state. We spend just over \$100 million for UNR and UNLV combined. This state has a medical school, by the way. Nevada is the largest state in the U.S. that does not have a Carnegie Classification of "highest research activity." All the other states that do not have that classification have about 1 million people. They do not have 3 million people like we do. We could use more research dollars. It is an advantage of the system.

We have a table that shows that the entire state—UNLV and UNR together—are below Utah State University, New Mexico State University, et cetera, in research expenditures. I think there is a research institution in bioinformatics at the Virginia Polytechnic Institute and State University, where I used to be a professor of

urban planning, called the Biocomplexity Institute. On its own, I think it spends as much as the entire state of Nevada for research and development dollars. This will improve because you are putting a medical school in the largest city in the state. Medical schools are like IKEAs—they follow people. We were about to be the largest city without a medical school. We were about to be the only place that had an IKEA and did not have a medical school, ironically.

I want to touch on one key point about cooperative extension programs specifically. The Governor and the leadership in the Legislature asked the Brookings Institution, when it came to town, to prepare a report on the state's economy. This was in the depths of the recession. I am holding up the report here, called *Unify, Regionalize, Diversify: An Economic Development Plan for Nevada* by the Brookings Institution. I have a well-worn copy of this report. The push on this report was that economic development should be sent to the regions. It also noted that medical education should be sent to the regions as well. In 2011, I was one of the three authors of this report. It regionalized economic development. I think it has been a tremendous success when you look at the outcome. The state is still using the platform we developed.

The Lincy Institute did the original economic development study on the UNLV medical school in 2014. Again, the argument was to regionalize medical education because UNR was simply too far away as a branch. At 450 miles, UNLV was the farthest from medical education of any major population cluster in the U.S. That needed regionalization. Here, I would say that it is the cooperative extension system's turn to get regional extension. The University of Nevada, Las Vegas is land-grant eligible, and it is a coequal to UNR. It is at the same Carnegie Classification as UNR. We are both just below the top tier, "higher research activity." We also have the biggest graduate school in the state. It is the most complete graduate school in the state because we have medicine, dentistry, law, business, public policy, et cetera.

Finally, southern Nevada in general can run things like this. I see today that it is likely we will be a National Football League city. We are the 29th largest market in the U.S. We have run our own economic development. We will do great with a medical school. I think we can run a cooperative extension program. I think southern Nevada can handle it, and I think UNLV can manage it.

What does it mean to have something regionalized? In a nutshell, it means connectivity. We have demonstrated that in this report, and I encourage you to read it. We have developed previous research on this same topic that indicates UNR is not the most connected down in southern Nevada. I do not think if UNLV was running something in Reno, it would be well connected either. My guess is that we are not far away from a very substantial gift being given to the UNLV medical school. I do not think you would have seen that if it had not been that the school was placed under the stewardship of the southern branch of the University of Nevada. It is a beneficiary of all the robust connectivities, networks, philanthropic business partnerships, et cetera, that you would get in a region. Regions matter. States are important. They have their own governments, and they interface

with the federal government. States are protected under the 10th Amendment of the *United States Constitution*. They have a tremendous amount of autonomy in the federal system, but regions matter. That is the whole push from the Brookings Institution—the metropolitan revolution.

Our data shows something about UNLV that we did not even intend to show originally. We did an analysis a few years back when my funder asked me to look at where the nonprofits sit in terms of their connections to one another. [*Identifying and Describing the Network of Health, Education, and Social Service Non-Profit Organizations in Southern Nevada* by Shannon M. Monnat and Anne Smedley.] That person wanted to know if person A was taking the money and connecting with person B, are they leveraging the funds, or are the funds going into a hole? We set out to do a network analysis. We asked every institution in southern Nevada that dealt with things like social services, health, and education who they partnered and got grants with. We put together a matrix. The University of Nevada, Las Vegas was not predicted to be at the top, but it was. It also showed that the College of Southern Nevada also placed high. Nevada State College was extremely high, given how young an institution it is.

It makes sense—they are all indigenous to southern Nevada. The University of Nevada, Reno was among the least connected in that analysis. If cooperative extension programs are administered in the southern branch through the southern land-grant institution, UNLV, it would be the most connected manifestly by presence in our institution. Whatever connections UNLV has, cooperative extension programs would likewise have. I am guessing we would see more exchange activity and development.

Virginia Tech is the land-grant institution for the state of Virginia, not the University of Virginia. I worked through that cooperative extension program on all kinds of projects that helped Virginia. For example, I helped with the IKEA plant in Danville, Virginia. I was at Rutgers, The State University of New Jersey, before that. That is where both of my credentials come from. Rutgers has a storied land-grant tradition. It has the Rutgers tomato and the cranberry crop in the pine barrens. As a person who was educated fully through a doctorate at one land-grant institution and who was tenured to a full professor at another land-grant institution, believe me, I know land-grant institutions. I know this school I am in now is a land-grant institution, and I know this school as a land-grant university would do an excellent job of administering a southern branch of a cooperative extension program.

James Bilbray, Private Citizen, Las Vegas, Nevada:

I was a University of Nevada Regent in the 1960s. In fact, I was the first UNLV alumnus to serve on the Board of Regents, and the first to serve in the Nevada State Senate and the U.S. Congress. Recently, I was the Chairman of the Board of Governors of the U.S. Postal Service. The fact is, I was there in the 1960s when the problems began to arise. There was no question that in the 1960s, the University of Nevada was composed of UNLV, UNR, and the Desert Research Institute (DRI). They are all land-grant institutions. This was backed by the opinion of the State's Attorney General [pages 2 and 11, ([Exhibit J](#))]. We are all a part of the same institution. In fact, I brought the first yearbook from UNLV today.

You may not see it, but it says "La Rebel." This was the first one, and the next year they called it "The Epilogue." It shows Maude Frazier and the President of the University of Nevada at the groundbreaking ceremony. Dr. James Dickinson was the campus leader of the Southern Regional Division of the University of Nevada, not UNLV or Nevada Southern. I was one of the first students there at that time. The decisions of which state institutions hold land-grant status is decided by the State Legislature and the U.S. Congress.

On multiple occasions, NSHE has affirmed that UNLV is indeed a land-grant institution. Why does this matter? Land-grant status allows the university to receive preferential status for competitive federal funding from a wide variety of agencies and programs, which Dr. Lang has pointed out. Urban land-grant institutions such as UNLV are a vital part of the metropolitan regions, which have extensive contacts through nonprofit organizations. The University of Nevada, Las Vegas ranks as one of the most connected universities to nonprofits, as Dr. Lang has stated. I am almost repeating everything he said. We work with everyone.

In the 1960s when I was a Regent, the cooperative extension program was handled by UNR because we were so small. I was the founder and president of the UNLV alumni association. We were a small school with a limited number of buildings. Over the last 50 years, we have become the biggest institution in the state. We are the biggest four-year university with all of the graduate programs. As a result of cooperative extension programs, they have built a large building with county funds. That comes from the property taxes from southern Nevada. As a result, the cooperative extension program has accumulated some \$13 million to \$15 million in Clark County property tax funds that have remained unused. I guarantee if UNLV was administering the cooperative extension program down here, those programs would be used for urban development.

I believe UNLV is poised to fill its urban land-grant mission and will work with NSHE institutions and the broader, southern Nevada nonprofit network to deliver services and programs in health care, social services, education, workforce development, et cetera, to our residents. Dr. Lang mentioned it was connected to the College of Agriculture in Reno. That was natural. When I was a kid, Clark County was a rural county. When I was born, there were around 8,500 people in Las Vegas. We were a small rural town, not an urban town. That has changed. I would not have thought in 1968 through 1972, when I served as Regent, to bring the cooperative extension program under the new Nevada Southern University management. By the way, I was on the Board of Regents that changed the name from "Nevada Southern University" to the "University of Nevada, Las Vegas."

The fact is, this needs to be transferred to UNLV to let them work directly with the people in this region. Reno is 450 miles away from here. My daughter just rolled back to the Legislature last night, she can tell you. I know how long it took her to get there. I am here to answer questions along with a representative from the Brookings Institution. I think the time has come. This has been a battle that has been fought for a long time. Many of you from southern Nevada know that, and some of you from northern Nevada. There are only two Regents left from the 1960s—Procter Hug and myself. We are just about the only ones

who know what happened there, but we absolutely made sure that Nevada Southern University was a land-grant institution with the other schools and the DRI. I am asking you today to support A.B. 407.

Chairman Thompson:

Thank you, Mr. Bilbray. I will say "Mr." Bilbray because you have a laundry list of titles! We also want to make sure we say "honorable." Thank you for the history. You even came with visuals! We appreciate that, that was great. We will walk through the bill.

Assemblywoman Diaz:

Thank you. I am trying to be nimble and work with stakeholders on the language of the bill. I reached out to Clark County Commissioners Chris Giunchigliani and Marilyn Kirkpatrick. They have some recommended amendments that are friendly ([Exhibit K](#)). I would like for them to educate the Committee on what those are before I walk you through the bill because I think we are headed at lightning speed in a different direction. I want the Committee to understand where we are headed.

Marilyn Kirkpatrick, Commissioner, Board of County Commissioners, Clark County:

I am excited that we are having this discussion about cooperative extension programs. We have tried for years in the Legislature to have this discussion. During the recession in 2009, we saw tough cuts to the cooperative extension program, which offers agricultural programs, 4-H programs, prekindergarten programs, et cetera. Assembly Bill 16 puts the money back in the program. Agriculture is a big part of Clark County. People do not realize that. From Mesquite to Nye County, we have tons of agriculture. Commissioner Giunchigliani and I have been working on this for months. It looks like the cooperative extension program will help with community gardens in schools. I do think there are a few amendments that need to be made in light of A.B. 16 and keeping in line with the original intent of cooperative extension programs.

We have had many discussions in Clark County about this very issue. Is it better for us to do it ourselves to ensure the money gets to the programming we would like, or does it help the entire state if we stay together and make cooperative extension work better for everyone? Currently, what is required is that a memorandum of understanding (MOU) be put into place based on the needs and wants of county commissioners. We recently did an audit of all the cooperative extension programs, and we found there was only one MOU in place. As opposed to letting the President of UNR or UNLV decide, I believe we should stick with the current MOU requirement. This should be decided by each county so that the programs are addressing the needs of those counties. I believe Assemblywoman Diaz wanted to put an advisory committee in that could help ensure we are getting the word out to the community and that the programming is in line with the county.

Cooperative extension programs like 4-H, Meals on Wheels, medical programs, et cetera, could be determined by each county. I will let Commissioner Giunchigliani follow up, but I appreciate that you are having this conversation. Cooperative extension programs are an amazing tool that we have in our state. I think they have been lost in the shuffle. To see so many bills about them this session tells me a lot. I appreciate that. Thank you.

Chris Giunchigliani, Vice Chair, Board of County Commissioners, Clark County:

I am here in support of A.B. 407 with some minor friendly amendments. I would like to commend the Legislature for taking up A.B. 16 with amendments a week ago. It complements what is being attempted by Assemblywoman Diaz in this case. Even as an urban person, we depend a great deal on programming in Clark County and rural areas. It complements what is needed in our area. The county puts in approximately \$5.8 million, which is 85 percent of the budget. That is funded from our property tax component.

We got frustrated around four years ago when I was working with the Nevada Association of Counties (NACO), Nye County, Esmeralda County, et cetera. They were having concerns about the proposal to pull all cooperative extension programs under UNR's Department of Agriculture. That happened under the guise that it was the only land-grant university in the state. We argued as commissioners at that time from the various counties, and we were able to slow it down. We thought it was stopped, but about a year and a half ago, it resurfaced again, unbeknownst to any of the county commissioners from Nye County, Esmeralda County, Clark County, et cetera. None of us knew about it. We found out by accident. The president of UNR was supposed to have been working on this with us, and no one had been reached out to. The Nevada Association of Counties told us what was going on, luckily, so we weighed in at that point, but by then, the deal had been done. It resulted in all of the cooperative extension programs being pulled under UNR's Department of Agriculture. I think the genesis of this bill and A.B. 16 is to really say that institutions under the NSHE umbrella have always been land-grant institutions. That is what has allowed them to qualify for federal grants as a land-grant institution at UNLV. The College of Southern Nevada could be one. We have to get past the turf part and dive into what cooperative extension programs should be doing for each individual county based on their individual needs and not being dictated to from one jurisdiction to another.

In Clark County, we should not tell Nye County what is needed for them. We should not tell Washoe County what is needed for them. Esmeralda County, Eureka County, et cetera, know best what is needed for their communities. Cooperative extension programs should work with counties through the MOU process to be implemented. Nothing needs to change in statute. I think *Nevada Revised Statutes* (NRS) 549.020 spells out that cooperative extension programs are for agriculture, community development, health and nutrition, horticulture, personal and family development, and natural resources. Nothing needs to change in that. Those are the missions we still believe help us. In Clark County, it allows us not only to focus on our urban areas but our rural areas as well. I would suggest that we do not need to make it more cumbersome. The whole intent was to make this easier.

I think section 1, subsections 1, 2, and 3 of the bill are the meat and potatoes. You could take out lines 17, 18, 23, and 24 on page 2 of A.B. 407, and just reaffirm that it is pursuant to NRS 549.020. With no disrespect, you do not want the presidents of the universities dictating what our budget should be, since each of the counties fund it. We may want an advisory structure as Assemblywoman Diaz has suggested. There is an advisory board now. I did not realize that. I ran into one of the former members, who is testifying on net metering right now. She said they have been gutted and not paid attention to. That is just hearsay. We need to firm that up. Each jurisdiction could create a small advisory board of community members to advise cooperative extension programs on how to draft MOUs in the county. They could provide the presidents with the budgets we have adopted. That would be fine. They can be entitled to that information; it should be public record anyway. It should not be started or stopped by those individuals. I think that is the intent of the bill Assemblywoman Diaz is attempting to draft here. I am happy to write up something if that is what you need to do. Just give us the timelines on that part of it.

Really, the other reiterations throughout the bill are not necessary because the MOU is already handled in NRS 549.020. I think reformatting and strengthening the fact that you do it by region is the whole intent. Let the regions work out what is best for their communities rather than being dictated to by the university system. It complements A.B. 16 as recommended for amendment last week. Those amendments were considered friendly amendments to A.B. 16.

Assemblywoman Diaz:

I think they basically ran through the amendments ([Exhibit K](#)). It was important to get on the record that this is a working piece of legislation. It is not perfect. I think Commissioner Giunchigliani did an excellent job clarifying that the main emphasis is section 1 with the caveat that we will probably remove the language that makes reference to the presidents of the universities. We will clarify that it is pursuant to NRS 549.020 where we draft that it is agreed upon in the MOU with each county. I think a lot of the language incorporated will probably be removed, and we will stick to section 1. In speaking to those in opposition, I will continue the conversations about the proposed amendment ([Exhibit K](#)) about whether or not we need to have an advisory body to help put together ideas. We call them "Cooperative Extension Education Boards," but I am getting some pushback on that. I will continue the conversations with NSHE and NACO. If it will be included, we should all be comfortable with it. If not, we might not need it.

Assemblyman Pickard:

I am confused by the amendment, particularly the last one. If these are cooperative extension programs of the universities, I am struggling with why we would remove the universities from their programs. If the counties want to establish their own programs, that is certainly within their purview. I am confused. I am not opposed to expanding their mission to include things other than agricultural programs, but I am confused about why we would remove the universities from the university extension.

Marilyn Kirkpatrick:

Today, you have the university system and you have the cooperative extension program. It is like a piece of UNR. Last year, they consolidated even more. Now it is under the Department of Agriculture. We are not taking that away. The way it works today, an MOU is required. That has been in statute since the early 1980s, but it has not been done. There was a level of trust. People did it and things were happening. The MOU needs to come back. People need to know where those dollars are going because cuts were made in 2009 to cooperative extension programming. All the building, maintenance, et cetera, is a partnership with Clark County today. We would like that to exist. However, we give \$5.8 million and we might only get \$3.2 million in programming. We are asking to let the county determine those dollars and where they go.

Nye County pulled out. They were putting their money in, and they were not seeing boots on the ground. Mr. Bilbray will probably tell you that the original concept of this was to have boots on the ground, not someone doing research. It was to put people out there in front of everyone else. That is the history. I researched all the history and legislative changes since it was established. I am happy to send that to you. We are not trying to take it away from the universities. This could just be a drafting error or a miscommunication, but at Clark County, we do not want to collect the dollars that our residents pay and turn it over to the president of any university and let them decide what our needs are. We are not trying to take the program away from them, but currently, the president does not have the ability to do that. An MOU is required in statute, and the money is required to be expended as parts of a boots-on-the-ground effort. That has been in statute for a very long time.

Chris Giunchigliani:

To follow up, years back, cooperative extension programs were elevated to a college-level status. The intent is not to take it away. It is actually to say that UNLV will work with your southern region in your MOU component, and you will be the body that works with them. Those noted in section 1, subsection 2 of the bill will work with UNR. It is trying to re-delineate those, but keep the universities and divide the roles so that they are more appropriate for each area of the state. Through the MOU process, those presidents would be informed of what the budget, jurisdiction, and work will be for that area. It is not intended to take the universities out, it is to split it. The University of Nevada, Reno will have the role of those delineated in section 1, subsection 2. The University of Nevada, Las Vegas will have the role delineated in section 1, subsection 3. We need to tighten up the language explaining the MOUs that are already in statute so they work and share that information with the presidents of both institutions.

Assemblyman Pickard:

I would love to hear from the institutions whose presidents will no longer be involved in the decision-making to see if they agree. Commissioner Kirkpatrick, I would certainly appreciate anything you have to shed light on this for me.

Chris Giunchigliani:

The presidents currently have no role. This would give them a superseding role in our budgets and determine where the money is generated. If that is the case, the county will pull out the way that Nye County did. We are trying to find that balancing act to ensure they are informed and participate. But currently, none of the presidents have direct say. At least they did not have direct say until they pulled it under the Department of Agriculture. Now I am not really sure where all of our funding goes.

Assemblywoman Joiner:

I have always supported cooperative extension programs. When we saw the cuts happening years ago, I was really devastated. My family has benefited from their different expertise in gardening and various other things. As a mom, the 4-H program and the Master Gardeners in Nevada program are incredible. As a community member, I have really seen the benefits of those particular programs. I am trying to wrap my brain around ensuring those programs are not harmed. In my mind, the cooperative extension program is more of a statewide program. We prioritize statewide and ensure all the areas are served according to their needs. My first main question is what specifically is the harm you have seen? Every time I have looked, there is a Master Gardener program in the south. What are you not getting that you feel that you deserve? How do you envision dividing up those really successful programs? I would be afraid that certain regions would be harmed if you divided them up, and possibly you would duplicate the administration, which would be a waste. I am curious how you envision that.

Chris Giunchigliani:

For the last several years, there has been pressure on the cooperative extension program in southern Nevada to produce those types of programs and expand them—whether it is 4-H or whatnot. The faculty were frustrated because they were told that everything would be dictated by the Department of Agriculture at UNR. Therefore, if Clark County, Esmeralda County, Nye County, et cetera, decided to do more 4-H, redirect into community gardening versus the Master Gardeners in Nevada, prioritize Chefs for Kids, et cetera, those counties did not have much say because the MOU had not been implemented. If we had known that was happening, we probably would have tightened that up. Now that we know, we can say what we think is best for our community, but it still has to go to northern Nevada. That push has been more towards the research component of the Department of Agriculture rather than the actual programming needs for the rural counties and urban counties. We wanted to reformatize that to ensure the agriculture, health and nutrition, horticulture, et cetera, were not lost as they restructured it.

Management-wise, there is really no savings. They still have their professor managing in southern Nevada just as they do in northern Nevada. The real issue comes down to local governments, what their constituents should know is best as far as community planning. The state has never directed that, nor should they, other than through the research components. They have research stations across the state of Nevada. Other than that, they have not directed the programming until now with the new shift that came in opposition to many of us. That is why Nye County pulled out. Clark County was going to because we

funded the majority of the program. If that is the case, then cooperative extension programs would not have existed in southern Nevada, which would have hurt Esmeralda and Nye Counties, and we did not want that to happen. We made the decision to stick with it, work with the staff, and try to redirect those dollars. We just got awarded money for community gardens for about 16 schools in southern Nevada, but there are millions still sitting in that fund. Were we worried some of that might be transferred somewhere else? Absolutely. Has that happened? Not to our knowledge.

The budget should be established through the MOU with each local jurisdiction working with the cooperative extension programs under the presidents of those two land-grant institutions. Otherwise, there is fear, rightly so, that what works in Clark County does not always work elsewhere. We did not want to dictate it that way. Commissioner Kirkpatrick pointed out that there is an MOU process. We would prefer that process, alongside an advisory board from both the university and the constituents, to weigh in on what programming is needed. Working cooperatively with our conservation districts, cooperative education, and the local jurisdictions, we formed a working group to capitalize on the mission statement that is already in statute for the work that is supposed to be done.

Assemblywoman Diaz:

I think, when you get a second and read The Lincy Institute's "Rethinking Cooperative Extension in Southern Nevada," it really does connect all the dots ([Exhibit L](#)). I know it is a heady subject to take all in one bite at one hearing, but it has to do with how, traditionally, there have been arguments made that funds were not being appropriated or sent to UNLV because it did not have the land-grant status. Now we want to say that they are all one and the same and equal. The University of Nevada, Las Vegas should get their share of the money to do the projects and the cooperative extension programs that are needed for Clark County and the rural areas in southern Nevada just as much as northern Nevada. If you read this paper, it will be clear to you all.

Chairman Thompson:

Is there anyone wishing to testify in favor of the bill?

Sylvia Lazos, Vice Chair, Latino Leadership Council:

For community organizations that depend on the services of a well-functioning cooperative extension program, it is very important that there be input at the local level as much as possible. Those programs should reflect the needs of the community. I am a huge believer in cooperative extension programs. I started my midcareer at the University of Missouri, Columbia. It has a tremendous cooperative extension program faculty. It is like Commissioner Giunchigliani said. It is a separate college. The president gets to name the faculty and director of that separate college, but the separate college has to work intensively with the community in extending the knowledge and research of the university.

What Dr. Lang was trying to talk about is that it is very important for UNLV to have official land-grant status so that we can have UNLV faculty be a part of the extension—that is not currently the case. When that happens, you really see the transmission of research back to the community. An active partnership has to happen so that we, as university faculty, can be true resources to the community. The land-grant status also gives UNLV faculty access to research dollars that we cannot apply for right now. Third, it improves the program of the research extension. We have pointed out in the past that there is not a whole lot of collaboration between UNLV faculty at Maryland Parkway and the University of Nevada Cooperative Extension building over at Warm Springs. For extension and university knowledge to work, those have to be married and come together. I think that is what this bill is trying to create.

For those reasons, I know that the Latino Leadership Council was very disappointed when we saw how some of the far-reaching cuts were affecting good work that was happening in minority and low-income communities. We hope that this new arrangement can see these investments reinvigorated, and a new kind of partnership and collaboration between UNLV and cooperative extension services. Thank you for your patience in listening to this topic. It is very important because this is a key resource for us to utilize well.

Danny L. Thompson, representing City of North Las Vegas:

The City of North Las Vegas supports this bill. We are excited about the opportunity to leverage the existing funds and resources that are available to create partnerships. Certainly, in economic development and workforce development, we have the Apex Industrial Complex. You are all going to pass a bill that will give North Las Vegas control of its water there. It is a great opportunity for the city, and we are excited about the opportunity that this bill would create for us. We support it for that reason.

Justin Harrison, Director, Government Affairs, Las Vegas Metro Chamber of Commerce:

I am also here in support of A.B. 407 and the concepts that have been brought forward. I would note that southern Nevada has a large and diverse business community, but currently that community does not feel connected to cooperative extension programs. We believe that by making these changes, you allow for those relationships to be leveraged that are already there between the business community in southern Nevada and UNLV.

Brian McAnallen, Government Affairs Manager, Office of Administrative Services, City of Las Vegas:

I would first like to thank Assemblywoman Diaz for bringing A.B. 407 forward. I think it is important for our southern Nevada community. Everyone who testified, including the county commissioners who weighed in on this bill, hit the issues right on the head. If you read on page 6 of The Lincy Institute report ([Exhibit L](#)), there is a paragraph that talks about the fact that the cooperative extension services budget account in Clark County has accumulated a rolling surplus balance of between \$11 million and \$13 million. Personally, as a property tax payer in Clark County, it would be nice to see that the property tax dollars we pay towards the cooperative extension programs are used in our community and not left in a bank

account that is not being put toward the services our residents should have and need. A Cooperative Extension Education Board as proposed in the amendment ([Exhibit K](#)) would provide that community input as to where those dollars can go and which programs to expand. It is certainly essential, and we appreciate the sponsors bringing this bill forward.

Chairman Thompson:

Is there anyone wishing to testify in opposition to the bill?

Marco Velotta, Private Citizen, Henderson, Nevada:

I am here today representing myself personally to testify in opposition to [A.B. 407](#). That is a tough act to follow. Respectfully, I disagree, but I will give it the good college try. In 2014, we recognized the 100-year anniversary of the passage of the Smith-Lever Act of 1914, which gave birth to the Cooperative Extension System in the U.S. Department of Agriculture in the National Institute of Food and Agriculture. These were established to teach agriculture, horticulture, and economic and community development. They set up 4-H youth development programs that I hope my daughter can participate in when she is of age. They were designed to cooperatively bring research and education to every county in the state. I have utilized the education, publications, programming, expertise, and resources of University of Nevada Cooperative Extension program staff and faculty both personally and professionally, at not only the Lifelong Learning Center in Clark County, but also from other extension offices within the state. My backyard garden is currently growing pretty well thanks to the things I have learned from the university's Master Gardeners in Nevada program.

Those resources have been supported by the single best entity that rightly has the authority to provide extension education—the University of Nevada, Reno. For several reasons which have been discussed, this bill is unnecessary and would be punitive to the faculty, staff, and residents of southern Nevada. First and most importantly, UNLV, which does not have a school of agriculture, simply would not have the same capacity, focus, expertise, or resources that are already being provided by UNR to take on a new program. Cooperative extension programs rely heavily on the expertise of the parent institution. For example, it provides information to 4-H about best agricultural practices and other resources geared specifically towards the purposes of extension programs as described in the Smith-Lever Act of 1914. This information has been an important focus to UNR. Should this bill move forward and allow UNLV to take cooperative extension programs on, the programs in southern Nevada will greatly suffer.

Second, this effort would divert efforts away from other important community needs that UNLV has been focused on. The fact is that both UNLV and UNR have specialized areas of focus that are provided by one institution or the other. As an example, UNLV has the William S. Boyd School of Law and the William F. Harrah College of Hotel Administration, while UNR has a College of Agriculture, Biotechnology, and Natural Resources; the main Agricultural Experiment Station; and Cooperative Extension. Perhaps the most important

new endeavor for UNLV in the foreseeable future will be to fully launch the badly needed UNLV School of Medicine and the associated infrastructure in downtown Las Vegas' medical district. This is a monumental undertaking that should not be distracted by ancillary efforts that would cause cooperative extension programs to suffer.

I will not belabor my last point, but there has been some opinionated information disseminated about cooperative extension programs and the university's respective role as a land-grant institution. I would argue that the diversity provided by having UNLV and UNR as land-grant institutions within the region provides unique opportunities for collaboration and learning, especially in Clark County. It also does not change the fact that for more than a century, UNR has been providing cooperative extension education to Nevada's counties, nor does it change the fact that, in the eyes of the U.S. Department of Agriculture (USDA) and the National Institute of Food and Agriculture (NIFA), UNR has been the only Cooperative Extension System partner.

As you know, other discussions about cooperative extension programs has occurred. The bottom line is that I concur with the commissioners. What is needed is the increased support and funding from state, academic, and county partners. I am confident that with time, the Board of Regents, university administration, faculty, deans, and staff will address these needs with the counties on approving cooperative extension programs statewide and to not dictate what should be taught. However, a step in the wrong direction would be passage of A.B. 407. Ultimately, you would not find this type of legislation in other legislatures. It is most definitely not in the spirit of cooperation that has been espoused under the Smith-Lever Act that cooperative extension programs need. I, therefore, would encourage you to oppose this bill. I would like to thank you for the opportunity to testify and for your service this session ([Exhibit M](#)).

**Constance J. Brooks, Ph.D., Vice Chancellor, Government and Community Affairs,
Nevada System of Higher Education:**

I would like to state for the record that NSHE had no position on the original iteration of this bill. However, with the addition of the amendment, specifically with the creation of the cooperative extension boards, we find it to be unconstitutional per our legal counsel. We do appreciate Assemblywoman Diaz extending the olive branch to work with us behind the scenes. I do understand and thank the commissioners for mentioning the word "advisory" as they were explaining the creation of the boards. However, expressly stated in the amendment language before us, it nowhere says these are advisory boards. Therefore, we find it unconstitutional.

Marc Johnson, President, University of Nevada, Reno:

I would like to make a few points of clarification before making four other points. Then I will turn it over to the current director of the University of Nevada Cooperative Extension, Dr. Mark Walker. The two points of clarification are that we keep hearing about cooperative extension programs being turned over to the College of Agriculture. We do not have one of those. Our college is called the College of Agriculture, Biotechnology, and Natural Resources. Its scope is very broad and deals with water issues, dry land agriculture,

dry land systems, ecology, and basic scientific and genetic research in addition to agriculture. I would not want to leave the impression that the extension has been consolidated for administration in a narrow-ranged college. Actually, it is a very broad college.

The other point is that yes, Cooperative Extension received significant budget reductions during the recession. They have received no additional reductions since the recession. Many of the programs at UNR were, unfortunately, completely closed. But when we did our budget cutting at UNR during the recession, we paid attention not only to maintaining the teaching and research programs at the university, but we also were very specific in maintaining the basic infrastructure for all of our outreach programs, including Cooperative Extension, the Nevada Bureau of Mines and Geology, et cetera.

Setting aside the question of whether UNLV or DRI have land-grant status, we know that UNR is a land-grant institution. Setting that aside, when it comes to operating Cooperative Extension, UNR has been the cooperating entity. "Cooperative" means that the USDA is the federal partner. A cooperating university and county represent the state, so we have MOUs with each county in the state. To move beyond and have multiple cooperating entities would probably double the administrative expense for operating these programs. Before becoming President of UNR, I served as the director of Kansas State University Agricultural Experiment Station and Cooperative Extension Service along with being the dean of their College of Agriculture. I appreciate Assemblywoman Diaz's reference to one of the programs in Kansas because I was there.

I was also the director of Cooperative Extension when I was the dean of the College of Agricultural Sciences for Colorado State University. I know a bit about cooperative extension programs. When it comes to administering an operation that is outside of the university, it takes a great deal of administrative planning and resources to handle such things as human resources, finance, purchasing and billing, youth leader training, facilities management, and county cooperative relationships in each of our 17 counties. If, by July 1, 2017, we are going to turn the programs of three counties over to UNLV, I hope there is a very strong, well-organized plan to handle all of these administrative details so that we do not leave these programs, which affect thousands of citizens in the southern part of the state, without extremely well-run operations.

I think this bill comes about because of the "Comparing the Administration of University Cooperative Extensions in the United States: A Case Analysis" study by The Lincy Institute. This was a study of 15 university cooperative extensions in the United States. We arrived in the study at only one conclusion: The University of Nevada Cooperative Extension's southern division is dissimilar to the other 14 states. The report came to that conclusion in two ways. One is that during the survey, there were not a lot of UNLV-specific programs identified in cooperation with UNLV and the county. The second is that these other cooperative extension services did not have recruiting students as a part of the program. I will leave it to our director to talk to you about the specific programs with UNLV, but I have to make clear that there is no programmatic relationship between

Cooperative Extension in Clark County and our recruiting office in Clark County. We rent our recruiting office from Cooperative Extension. We pay \$56,000 a year in rent to Cooperative Extension so that we can have the space.

There is no program of recruitment within the Clark County extension, and almost all of the recruiting activity happens with individuals who happen to be housed in the Cooperative Extension building. The recruitment goes on in the high schools in the southern part of the state. I would like to see what our director of Cooperative Extension has to say.

Assemblyman Elliot T. Anderson:

I want to back up and just talk about the overall policy before we get into the details. My understanding is that cooperative extension programs are funded under a statewide account. Is that right?

Marc Johnson:

Cooperative Extension has its own budget. There are nine budgets under UNR, and Cooperative Extension is one of those separate budgets.

Assemblyman Elliot T. Anderson:

There is a disconnect beyond the north-versus-south thing going on. If it is a statewide program account, why should there not be more statewide input into its governance?

Marc Johnson:

There is statewide input on the governance through the NSHE Board of Regents. Every one of our budgets gets proposed and is reviewed by the Board of Regents. Then each cooperative agreement with each county governs what we do programmatically.

Assemblyman Elliot T. Anderson:

To go on that point, it feels like we have a lot of local governments here that are supporting this change because they do not feel that those agreements are working for our local communities. Why should there not be more of that community connection with these programs?

Marc Johnson:

I believe there are many connections on the ground. We have been through two rounds of conflicts with counties. During our recession, we cut the budgets of Cooperative Extension significantly while maintaining the basic infrastructure so we could maintain programs in every county. The second conflict has been about how we organize. The university does not tell counties how to organize, but we wanted to organize Cooperative Extension to be connected with the university so we could extend the research of the university. We connected them with the other traditional land-grant institution, which was the College of Agriculture, Biotechnology, and Natural Resources. The people who

are trained and come into both of these units—Cooperative Extension and the College of Agriculture, Biotechnology, and Natural Resources—have a very large chance of being trained at land-grant universities and bringing in the land-grant philosophy of outreach and applied research.

Assemblyman Elliot T. Anderson:

I want to get into the land-grant issue of what qualifies as a land-grant institution. I think your position seems to be that UNR is the only land-grant institution, but that runs contrary to the Attorney General's opinion in 1969 [pages 2 and 11, ([Exhibit J](#))]. I think it runs counter to the Board of Regents' own theory of what fits under the constitutional charge of the Board of Regents to manage. For example, it seems like sometimes when we are having a legal fight, the Board of Regents claims that all of the institutions—the College of Southern Nevada, Truckee Meadows Community College, UNLV, et cetera—fit under that umbrella along with UNR to be governed by the Board of Regents. If those provisions allow the Board to claim that they have control over all of the institutions constitutionally versus in statute, why is there this disagreement of the Board's own position? Why is it on one hand UNLV is not a land-grant institution, but somehow is under the provisions of the *Nevada Constitution*?

Marc Johnson:

I believe that we have operated for decades with operating agreements with the USDA, the state, and the state's counties, such that the Agricultural Experiment Station, which was added to land-grant universities in the Hatch Act of 1887, was connected with UNR. The funds have been flowing there for decades to do research statewide for agriculture. Similarly, for decades, the USDA has worked with UNR to operationalize the cooperative agreements on Cooperative Extension. Also, we relate to USDA for all those federally and nationally supported educational programs.

I have a letter from Dr. Sonny Ramaswamy, the Director of NIFA, the agency that connects with all the states and territories for their land-grant activities. The letter says that, looking at the legal department, for years and years, the funds for the Agricultural Experiment Station, Cooperative Extension, and any teaching-related activities through USDA have gone to UNR. It says they recognize UNR as their land-grant connection.

Mark Walker, Director, Cooperative Extension, University of Nevada, Reno:

I have been the Director of Cooperative Extension at UNR for almost four years. I am speaking in opposition to A.B. 407, but I am not really speaking in opposition to continued and enhanced collaboration with UNLV. I will keep my remarks short. We have a short time here, and I will be judicious with your time, but I want to be sure that you understand that a cooperative extension, as part of the University of Nevada and throughout the nation, is charged with bringing information to people in communities that they can use. We also have Google that does that.

One of the big differences between Google and cooperative extension programs is partly that we take information that we find to be locally relevant and bring it to people so that they can apply it. We do that all over the state. Currently, we have educators based in 14 of our 17 counties. We had one in Nye County, but unfortunately, they chose to cut their funding as well as the funding they used to support veterans and emergency services. At the time, that seemed to be something primarily driven by a fiscal problem they were having. I will say that we have continued to provide services there, but one of the misunderstandings and misconceptions we are hearing today is that somehow UNR's campus and the dean of the College of Agriculture, Biotechnology, and Natural Resources, is dictating programs at the local level. This is simply not true.

All of our programs arise from needs assessments that we carefully conduct. We have conducted those for 20 or 30 years. We document the kinds of issues people have on their minds in these communities, and then we find the resources we need to help address those issues. Further, it is not just about finding resources. It is also about delivering programs and ensuring they actually work. One of the proponents of the education bill noted earlier mentioned that needs constantly change. They do. They change with economic conditions, they change with natural resource conditions, et cetera. For example, we are not in a drought now, but we were two years ago. So it is important to recognize that continued attention to the needs assessments that come from each county is a very important component of how we develop our programs. Cooperative Extension is very much a bottom-up institution.

We check with our counties, constituents, stakeholders, and county commissions to ensure our programs are appropriate and on-target. That is something we continue to check. The idea that we are delivering programs from the top down is not true. It does not work well in any state, it does not work well in Nevada, and it is something we simply do not do. We have a very active program in Clark County. I will skip all of that in the interest of time, but in 2016 alone, we had 382,900 face-to-face contacts. We had Master Gardeners in Nevada columns, radio programs, et cetera. We had many programs that helped many people in Clark County and southern Nevada with their lives.

We are working closely with UNLV now. There are no obstacles that I am aware of. In fact, our provost has consulted with the people who are the 82 staff members we have in southern Nevada to tell them that not only is it perfectly acceptable to work with UNLV, it is also something we encourage. Our faculty are working with people in the Department of Psychology, the School of Community Health Sciences, the Department of Kinesiology and Nutrition Sciences. I could provide details about any one of those if you wish.

One of the things about the proposal is that I think its intent is to encourage collaboration with UNLV. As I said, there are no obstacles or prohibitions to that. The Warm Springs office and the UNLV campus are very close together, and we actually all have working telephones there, too. One of the things on February 13, 2017, that we did was the provost of UNLV, the dean of the College of Agriculture, Professor Lang from The Lincy Institute,

and others met to talk about steps forward with collaboration between UNLV and University of Nevada Cooperative Extension. I think that represents a very good starting point and something we should continue to do.

We are not sure what the cost of this would be, who would bear those costs, and how they would affect the programs we have in other parts of the county. There are issues about having parallel 4-H programs and what kinds of services we could deliver to our military families in Nevada. I think the dialogue we are having now is a very good one, but I think it should include all our county partners, just as Commissioner Giunchigliani said. We need to consider not only the needs of southern Nevada, but how this might affect all of the programs that we have in the rest of the state.

Assemblyman Flores:

I will start with a basic question and depending on the answer, it might take me in one direction or another, but I think it would be easier if I start here. Do you think UNLV has the capacity to administer a cooperative extension program?

Constance Brooks:

The University of Nevada, Las Vegas is present in the room, and I think it is best that they speak for themselves in that regard.

Assemblyman Flores:

The reason I am asking the question of you is because you are presently saying that UNLV is incapable of taking on this program. That is what I feel the bill is bringing to the table, and you are opposing that. So I would like to hear your opinion. I think that is a very simple question. Your answer might be that you are not sure, but punting it to someone else is not satisfactory to me.

Marc Johnson:

We have never heard interest nor desire to allocate resources to Cooperative Extension from UNLV that suggests they are anxious to take on these programs.

Assemblyman Flores:

I appreciate that input. I was not aware of that. I am sure I can follow up with UNLV as to that as well. I appreciate the comments made about working with UNLV and UNR trying to help them, but I am still trying to grasp why we are making this argument. Working in collaboration will never be as strong as saying that UNLV is in the position to best work with their partners. It is stronger to let them handle that partnership, as opposed to UNR's lens of working closely with UNLV so they can work with their partners. I am trying to break that apart and see why that is the better approach.

Mark Walker:

I think one of the missed opportunities that we need to recapture is the opportunity to work more closely with UNLV. What is the difference between that and having UNLV take control of the program for three counties? I think it is not a difference, but there are

more questions. It goes to your earlier point. What is the intent? What problem are we trying to solve? Will this administrative solution be adequate to address the concerns that primarily have been one of distance. I think the fault is in the perception that programs in Clark County are managed by UNR and not by the staff in Clark County who do a very good job in assessing needs.

Assemblyman McCurdy:

I did hear that there was the housing of the recruitment and cooperative extension programs in the same building. Is that correct?

Marc Johnson:

Yes. They are housed in the same building. They are not programmatically connected.

Assemblyman McCurdy:

Does NSHE support this policy?

Constance Brooks:

I do not know that the Board of Regents has taken a position on how programs are housed at any of our institutions, let alone Cooperative Extension. However, I can investigate that and bring you back a more succinct answer, but as a blanket policy, the Board of Regents does not interfere with where programs are physically housed.

Assemblyman McCurdy:

This is currently paid for out of UNR's budget as opposed to being paid for by a statewide program budget?

Marc Johnson:

The rent for the recruiting office is paid for by our teaching funds.

Assemblyman McCurdy:

Are there similar resources allocated to other NSHE institutions?

Marc Johnson:

I am not aware of any.

Assemblyman Pickard:

If we were to enact this change, would there be contract requirements with the USDA and other current participants that would further complicate this matter?

Marc Johnson:

Yes, sir. There would be a whole negotiation with the USDA, including the identification from the state to the USDA to get them to recognize UNLV and to change the address on their checks.

Assemblyman Fumo:

Is it not a conflict of interest to have the recruiting office in the same building with the Cooperative Extension program? If not, why not? If they are paying their own rent there, how much are they paying commensurate with their office space?

Mark Walker:

Currently the recruiting office pays \$61,000 a year for rent. There is no connection between the two offices at all. They have separate entrances. There is no effort on the part of Cooperative Extension in any of its forms in Las Vegas to steer people to the UNR recruiting office. I am sorry that that precedes my time with Cooperative Extension, and I really do not know how this came to be.

Assemblyman Fumo:

Is the extension program in southern Nevada commensurate with the money they are putting into the program?

Mark Walker:

Right now we have 82 people working full time in Clark County alone. That represents half of all the people who work in Cooperative Extension at this point. You heard about the budget surplus. That is a large number, I admit that. I think part of that is a function of the fact that our real estate values have gone up in the last few years in Las Vegas. That has been a real windfall. One of the things I think we are all very careful about is how we spend money that we know is fairly ephemeral.

Assemblyman Elliot T. Anderson:

I started thinking about this, and over the last few years, the Board of Regents has deliberated and taken a number of steps to move a few different system offices down to the institution-level. I think, President Johnson, you are well aware of the ability to have more control over your athletic hires, and then you can justify it later. There is an idea that it might be better handled locally. Furthermore, the NSHE Health Sciences System, formally headed by Dr. Turner, evolved because part of the thought was that we have two medical schools with different workforce needs in two different communities. Those functions could better function on a local level. It seems strange to see that logic not continuing here, where you have local officials who are better able to understand what the local community needs. What we are hearing right now is a bunch of local governments coming to us and saying they are not being well-served. You can imagine, on one hand, we have a northern institution president telling us that we work well with UNLV and those local governments, but we are hearing the exact opposite from the people who represent our constituents. Why is it that this is seemingly different logic being applied based on the trends of the system?

Sometimes policymaking requires hard choices. You have to make decisions with the resources you have. If push comes to shove, what is to give us confidence that our constituents are being well-served? Obviously, you are engrained in Washoe County and you have a lot of community connections. We are looking for that confidence that our

constituents are being well-served. So I have those two questions: the difference in logic between the trends in the system and testimony today, and the confidence we can take back to our constituents.

Marc Johnson:

I would like to let the programming question be answered by Director Walker. As far as the trend of moving things out of central NSHE—it is not a matter of regionalization, it is a matter of where operations are done best. I will give you a few more examples. The University of Nevada Press used to be managed by NSHE. When Dan Klaich was NSHE Chancellor, he moved the press to UNR, and we expanded the Press's Editorial Advisory Board, which includes people from UNLV. An academic activity is being managed with academics. The second was the Nevada Industry Excellence, which is part of the nationwide manufacturing outreach unit. It used to be in the NSHE office, and again, this is a service to the communities. What does the NSHE administrative office know about service to the communities? That should be lodged in a university. It was moved to UNR, and it serves a statewide function with UNLV and some community colleges. The movement was not regionalizing, it was from a strictly administrative unit to the academic units.

Constance Brooks:

I wanted to comment about one of the examples you used with regard to NSHE Health Sciences System. There were budgetary reasons as well as the interest in having more support for the developing medical schools in both respective regions of the state. Neither the Board of Regents nor NSHE has staff dedicated to Cooperative Extension. There is a stark difference with respect to staffing. We would not have a role in regionalization of Cooperative Extension or any staff therein. That solely falls under the purview of UNR, which is designated as the land-grant institution currently.

Mark Walker:

Regarding programs, I want to say this one more time to be sure that it is clearly understood. Programs originate at the local level. Sometimes I feel like my only job as a director of Cooperative Extension is to ensure people who are trying to carry out programs at the local level have the resources to do that.

Dagny Stapleton, Deputy Director, Nevada Association of Counties:

Despite my appearing in opposition, we actually very much appreciate the Committee and sponsor forcing the conversation on cooperative extension programs. We think it highlights the importance of these programs. We also wholeheartedly agree with many of the concerns expressed by the sponsor and those in support. Our opposition is based solely on our concern regarding splitting the program into two and what that would do to the quality of either program—north and south. This is due to the fact that as a statewide program, cooperative extension programs have already been severely compromised. This is something counties across the state have experienced. We agree with the intent of increased,

regionally-appropriate programming as well as connectivity. We did reach out to the sponsor. We are committed to working with her on the bill. She expressed being open to doing that. We think we share some of the basic goals in regard to this program.

Briefly, from the county perspective, counties fund 40 percent of the cooperative extension programs. Counties are actually the largest funder of cooperative extension programs, and they have partnered with the university system for Cooperative Extension for over 100 years. Each of our member counties value the cooperative extension programs very much, and most contribute 1 cent of their property tax. That is also a testament to their value of the programs. Assembly Bill 16 was mentioned by the sponsor. That bill had the sole purpose of providing more support for Cooperative Extension. We appreciate the mention of that. I think that also expresses our intent to further support this program.

We share concerns about the lack of support for cooperative extension programs and the lack of stewardship of the program, mainly due to funding cuts. We also wholeheartedly agree that the faculty and programming at UNLV should be integrated into Cooperative Extension and vice versa. To the extent that has not happened, we believe that is one of the many ways the stewardship of Cooperative Extension has been lacking. We agree that surely there must be a better way to do this to connect UNLV and Cooperative Extension. We look forward to working with the sponsor on this bill in ways that we can better support cooperative extension programs statewide.

Finally, I wanted to mention the advisory boards. Counties are very much in support of that. In fact, there was an advisory board at one time and that was disbanded. There has been discussion about bringing that back. Counties have asked for that to be brought back. Regarding MOUs or cooperative agreements, currently there are none in existence, but counties have been in conversation with the university to bring those agreements back. We are very much in support of that also, and we think it would be a good tool in improving cooperative extension programs. It would also address some of the issues around transparency and concerns about programming that have been happening for the last few years.

Chairman Thompson:

Is there anyone wishing to testify as neutral to the bill?

Luis F. Valera, Vice President, Government Affairs and Compliance, University of Nevada, Las Vegas:

I am here to testify in the neutral position, but I wanted to take the time to answer Assemblyman Flores' question. Yes, we do have the assets and infrastructure to take over whatever role we are asked to take on. If we are asked to serve, we stand ready.

Assemblyman Pickard:

When you say you have the resources, that means funding? You will not need additional money, is that correct?

Luis Valera:

That is my understanding, yes.

Kent M. Ervin, Ph.D., Legislative Liaison, Nevada Faculty Alliance:

We are neutral on the organizational issue itself. The funding for Cooperative Extension clearly needs to be improved, but that is not this bill. The Nevada Faculty Alliance is concerned about preservation of employee rights and any reorganizations, especially when mandated by the Legislature. Will any faculty be terminated as a result of the reorganization? Will tenured leave and other rights be preserved for transferred faculty members between NSHE institutions? These are serious concerns, and we do not know the answers. In that regard, the July 1, 2017, implementation date seems quite quick to provide proper notices and allow the shared governance process of faculty review of changes of departments and so forth. For your information, I have been asked by the faculty senator who represents Cooperative Extension faculty to transmit the results of an anonymous survey that she took of her Cooperative Extension faculty. This was sent Friday around noon, with a deadline today of 2 p.m. There are 57 faculty in Cooperative Extension and 36 responded. That is 63 percent. That is kind of high for a faculty survey. Of those, 30 are opposed to A.B. 407, 3 support, and 3 are neutral. Thank you.

Assemblywoman Diaz:

I requested that legal counsel be here because, based on testimony given to our Assembly Committee on Natural Resources, Agriculture, and Mining on March 9, 2017, Marc Johnson was asked by one of the Committee members if land-grant status applies to UNLV. The University of Nevada, Las Vegas has historically obtained federal funding based on land-grant status. Mr. Johnson replied, "I do not think it does." I think this is the crux of this bill. We have to ensure that UNR, UNLV, and DRI have this land-grant designation. I wanted to ask our legal counsel to weigh in on who determines who has land-grant status. Is it the USDA or the Nevada Legislature?

Brenda Erdoes, Committee Counsel:

It is the opinion of my office that land-grant status is simply established. There is an Attorney General opinion, AG0556 (1-23-1969) that agrees with that [pages 2 and 11, ([Exhibit J](#))]. It says the University of Nevada system has land-grant status, and that it includes UNR, UNLV, and DRI.

Assemblywoman Diaz:

Thank you. I invited Mr. Damore, who missed the earlier part of the presentation to come and rebut some of the arguments the opposition brought up. Then I will close it out.

David Damore, Professor, Department of Political Science, University of Nevada, Las Vegas:

I am a professor of political science at UNLV, but I want to make perfectly clear that I am not speaking on behalf of UNLV today. I am speaking to you as one of the authors of the brief that was put in as an exhibit, "Rethinking Cooperative Extension in Southern Nevada" ([Exhibit L](#)). I wanted to clarify and build off of some of the earlier responses. The first was

that yes, it is not the USDA who makes these designations, it is the state that makes the designation. Second, with respect to the \$13 million surplus—that did not happen overnight. If you look at Figure 1 in the brief [page 7, ([Exhibit L](#))], we detail over ten years that this budget has had a surplus of between \$10 million and \$13 million. This is not a new problem. It has been a lingering problem. The third point is in response to the question raised by Assemblyman McCurdy. The University of Nevada, Reno statewide programs pay the salaries for the Las Vegas Office for Prospective Students. In 2014 or 2015, that was paid for out of UNR's main campus budget, but there was a change, and now it is paid through statewide programs.

There has been some concern that UNLV is not advocating for this. This is to some degree a function of board policy. Particularly under the prior chancellor, there was what was known as a "gag order" that prohibited university presidents from lobbying on behalf of their institutions. That might explain some of why you have not heard UNLV asking for that. The last point is in response to the Director of Cooperative Extension. He made the point that there is a lot of collaboration with UNLV. When the survey for "Comparing the Administration of University Cooperative Extensions in the United States: A Case Analysis " by The Lincy Institute was drafted, it asked what type of work cooperative extension programs do with other universities. The University of Nevada Cooperative Extension responder said that extension works closely with the University of Nevada, Las Vegas for activities focused on Clark County. The response provided no specific examples of that compared to the other states. However, after that brief was released, we were sent an email outlining the various things Dr. Walker talked about today. That is noted in footnote 13 of the brief [page 14, ([Exhibit L](#))].

Assemblyman Edwards:

I want one point of clarification. You are a professor of political science, but are you also a lawyer?

David Damore:

No, I am not a lawyer.

Assemblywoman Diaz:

I did want to note that on page 9 of the brief ([Exhibit L](#)), which I hope you take the time to read, it says that, ". . . UNLV is the top-ranked, non-profit organization in Southern Nevada in terms of 'cooperativeness,' 'activeness,' 'participation,' and 'extension' . . . Based upon these same metrics, NSC [Nevada State College] is ranked 21st and CSN [the College of Southern Nevada] is ranked 39th. Each of these institutions is more engaged in the community as compared to the 262nd ranked UNR's CES [Cooperative Extension System]."

I am just here to have a frank, honest conversation that the money did not accumulate there overnight. We heard from the counties how there has not been a very willful cooperation these past years. They do not feel that they have been given that level of collaboration and services for their communities. When there are different people in the process saying there is a problem and we can make it better, we need to listen to that feedback. We need to do what we can to ensure it is improved. Every constituent, regardless of where their geographic location is in our state, deserves it.

[([Exhibit N](#)) and ([Exhibit O](#)) were submitted but not discussed and are included as exhibits for the meeting.]

Chairman Thompson:

We will close out the hearing on A.B. 407. Is there any public comment? [There was none.] This meeting is adjourned [at 6:19 p.m.].

RESPECTFULLY SUBMITTED:

Sharon McCallen
Recording Secretary

Isabel Youngs
Transcribing Secretary

APPROVED BY:

Assemblyman Tyrone Thompson, Chairman

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a statement of support for [Assembly Bill 372](#) from the National Collegiate Athletic Association, referenced by Assemblyman James Ohrenschall, Assembly District No. 12.

[Exhibit D](#) is a copy of an email dated March 27, 2017, in support of [Assembly Bill 372](#), from Eric Toliver, Executive Associate Athletics Director, University of Nevada, Las Vegas, presented by Luis F. Valera, Vice President, Government Affairs and Compliance, University of Nevada, Las Vegas.

[Exhibit E](#) is a document titled "Why Your State Should Adopt the Revised Uniform Athlete Agents Act (2015)," submitted and presented by Brian Lewis, Legislative Counsel, Uniform Law Commission, regarding [Assembly Bill 372](#).

[Exhibit F](#) is a document titled "A Few Facts about The Revised Uniform Athlete Agents Act (2015)," submitted and presented by Brian Lewis, Legislative Counsel, Uniform Law Commission, regarding [Assembly Bill 372](#).

[Exhibit G](#) is a document titled "The Revised Uniform Athlete Agents Act (2015) A Summary," submitted and presented by Brian Lewis, Legislative Counsel, Uniform Law Commission, regarding [Assembly Bill 372](#).

[Exhibit H](#) is a proposed amendment to [Assembly Bill 275](#) presented by Assemblywoman Ellen B. Spiegel, Assembly District No. 20.

[Exhibit I](#) is a letter dated March 27, 2017, to Chairman Thompson and member of the Assembly Committee on Education, authored by David Damore, Professor, Department of Political Science, University of Nevada, Las Vegas, referenced by Robert E. Lang, Senior Fellow, Metropolitan Policy Program, Brookings Institution, Washington, D.C.

[Exhibit J](#) is material submitted by Assemblywoman Olivia Diaz, Assembly District No. 11, referenced by James Bilbray, Private Citizen, Las Vegas, Nevada; Assemblyman Elliott T. Anderson; and Brenda Erdoes, Committee Counsel, Legal Division, Legislative Counsel Bureau, regarding [Assembly Bill 407](#), consisting of the following:

1. A copy of Attorney General Opinion AG0556 (1-23-1969), regarding the University of Nevada's status as a land-grant institution.

2. A memorandum from Kwasi Nyamekye, Assistant General Counsel, University and Community College System of Nevada to Dr. Ron Yasbin, Dean of Sciences, University of Nevada, Las Vegas, dated May 25, 2004, regarding the University of Nevada, Las Vegas' status as a land-grant institution.
3. Two letters dated March 25, 2005, between Kwasi Nyamekye, Assistant General Counsel, University and Community College System of Nevada; and Richard C. Linstrom, General Counsel, University of Nevada, Las Vegas, regarding the University of Nevada, Las Vegas' status as a land-grant institution.
4. A letter dated March 3, 2015, from R. David Paul, Executive Director, Office of Sponsored Programs, University of Nevada, Las Vegas, regarding the University of Nevada, Las Vegas' status as a land-grant institution.
5. A copy of Attorney General Opinion AG0556 (1-23-1969), regarding the University of Nevada's status as a land-grant institution.
6. A memorandum from Kwasi Nyamekye, Assistant General Counsel, University and Community College System of Nevada to Dr. Ron Yasbin, Dean of Sciences, University of Nevada, Las Vegas, dated May 25, 2004, regarding the University of Nevada, Las Vegas' status as a land-grant institution.
7. A copy of an email dated September 29, 2011, from Catherine Cortez-Masto, Attorney General, Office of the Attorney General, and Gregory M. Smith, Chief of Staff, Office of the Attorney General, to the Board of Regents of the Nevada System of Higher Education, regarding the University of Nevada, Las Vegas' status as a land-grant institution.
8. A letter from Lori Brazfield, Director of System Sponsored Programs and Experimental Program to Stimulate Competitive Research, Nevada System of Higher Education, regarding the Nevada System of Higher Education's organization.
9. The organizational chart of the Nevada System of Higher Education.
10. A letter dated September 22, 2015, from Cynthia Montgomery, Deputy Director, Office of Grants and Financial Management, National Institute of Food and Agriculture, to R. David Paul, Executive Director, Office of Sponsored Programs, University of Nevada, Las Vegas, regarding the University of Nevada, Las Vegas' status as a land-grant institution.

[Exhibit K](#) is a proposed amendment to [Assembly Bill 407](#) submitted by Assemblywoman Olivia Diaz, Assembly District No. 11, presented by Marilyn Kirkpatrick, Commissioner, Board of County Commissioners, Clark County; and Chris Giunchigliani, Vice Chair, Board of County Commissioners, Clark County.

[Exhibit L](#) is a document titled "Rethinking Cooperative Extension in Southern Nevada," dated March 2017, submitted by David Damore, Professor, Department of Political Science, University of Nevada, Las Vegas, and referenced by Assemblywoman Olivia Diaz, Assembly District No. 11, regarding [Assembly Bill 407](#).

[Exhibit M](#) is a letter dated March 27, 2017 in opposition to [Assembly Bill 407](#) to members of the Assembly Committee on Education, authored and presented by Marco Velotta, Private Citizen, Henderson, Nevada.

[Exhibit N](#) is a letter dated March 27, 2017, in support of Assembly Bill 407 to Chairman Thompson and members of the Assembly Committee on Education, authored by Al Martinez, Chair, Latino Leadership Council, and Sylvia Lazos, Vice Chair, Latino Leadership Council.

[Exhibit O](#) is testimony in opposition to Assembly Bill 407, submitted by Marc Johnson, President, University of Nevada, Reno.