

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Seventy-Ninth Session
March 8, 2017**

The Committee on Government Affairs was called to order by Vice Chairwoman Dina Neal at 8:31 a.m. on Wednesday, March 8, 2017, in Room 3143 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 Edgar Flores, Chairman
Assemblywoman Dina Neal, Vice Chairwoman
Assemblywoman Shannon Bilbray-Axelrod
Assemblyman Chris Brooks
Assemblyman Richard Carrillo
Assemblyman Skip Daly
Assemblyman John Ellison
Assemblywoman Amber Joiner
Assemblyman Al Kramer
Assemblyman Jim Marchant
Assemblyman Richard McArthur
Assemblyman William McCurdy II
Assemblywoman Daniele Monroe-Moreno
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None



STAFF MEMBERS PRESENT:

Jered McDonald, Committee Policy Analyst
Jim Penrose, Committee Counsel
Isabel Youngs, Committee Secretary
Cheryl Williams, Committee Assistant

OTHERS PRESENT:

Brett Kandt, Chief Deputy Attorney General, Office of the Attorney General
John Fudenberg, Coroner, Government Affairs, Office of the Coroner/Medical Examiner, Clark County
Rose Marie Floyd, Private Citizen, Las Vegas, Nevada
Kimberly Mull, Policy Specialist, Nevada Coalition to End Domestic and Sexual Violence
John T. Jones, Jr., Chief Deputy District Attorney, Legislative Liaison, Clark County Office of the District Attorney
Robert Roshak, Executive Director, Nevada Sheriffs' and Chiefs' Association
William H. Stanley, Executive Secretary-Treasurer, Southern Nevada Building and Construction Trades Council
Todd Koch, President, Building and Construction Trades Council of Northern Nevada
Warren B. Hardy II, representing Associated Builders and Contractors, Nevada Chapter
Pat Hickey, Executive Director, Charter School Association of Nevada
Tray Abney, Director of Government Relations, The Chamber, Reno-Sparks-Northern Nevada
Paul J. Moradkhan, Vice President, Government Affairs, Las Vegas Metro Chamber of Commerce
John Wagner, Carson City Vice Chairman, Independent American Party
Johnathan P. Leleu, representing NAIOP, the Commercial Real Estate Development Association, Northern Nevada Chapter
Ryan Reeves, Chief Operating Officer, Academica Nevada
Stephen Silberkraus, Private Citizen, Las Vegas, Nevada
Pat Fling, representing Acting in Community Together in Organizing Northern Nevada
Carole Kilburn, Private Citizen, Las Vegas, Nevada
James Halsey, representing International Brotherhood of Electrical Workers Local 357
Matt Lydon, Business Manager, Plumbers, Pipefitters HVAC/R Technicians Local 525
Don Campbell, Executive Director, Southern Nevada Chapter, National Electrical Contractors Association
Dan Musgrove, representing Mechanical Contractors Association of Las Vegas and Sheet Metal and Air Conditioning Contractors' National Association of Southern Nevada

Jack Mallory, representing International Union of Painters and Allied Trades District Council 15
Robert Kolnes, Private Citizen, Las Vegas, Nevada
Peter D. Krueger, representing Greater Sacramento Chapter, National Electrical Contractors Association
Nathan Ring, representing Laborers Local 872 and International Union of Operating Engineers Local 12
Rusty McAllister, Executive Secretary-Treasurer, Nevada State AFL-CIO
Pat Treichel, Private Citizen, Las Vegas, Nevada
Ruben R. Murillo, Jr., President, Nevada State Education Association
Priscilla Maloney, Government Affairs Retiree Chapter, American Federation of State, County and Municipal Employees
Robert A. Conway, Business Agent, International Association of Bridge, Structural and Ornamental Iron Workers

Vice Chairwoman Neal:

[Roll was called. Rules and protocol were explained.] We will start with Assembly Bill 57.

Assembly Bill 57: Revises provisions relating to coroners. (BDR 20-375)

Brett Kandt, Chief Deputy Attorney General, Office of the Attorney General:

I am here to present Assembly Bill 57 for the Committee's consideration. Assembly Bill 57 requires our coroners to make reasonable efforts to notify the next of kin of the decedent's death and who is authorized to order the burial or cremation of the decedent. It further authorizes a coroner to notify a decedent's loved ones of the death of the decedent and provide a copy of the coroner's report to those individuals, regardless of whether they are authorized to order the burial or cremation pursuant to *Nevada Revised Statutes* (NRS) 451.024 (Exhibit C).

Assembly Bill 57 follows up on important changes that were made by Senate Bill 286 of the 78th Session. That bill made some changes regarding the order of priority of persons authorized to order the burial or cremation of the human remains of a deceased person. Section 54 of S.B. 286 of the 78th Session amended NRS 451.024 subsection 3 to provide, in relevant part, that a person who is arrested for or charged with the murder or voluntary manslaughter of a decedent is not authorized to order the burial or cremation of that decedent. This addresses situations in which the death is the result of family violence.

Sections 1 and 3 of A.B. 57 make important changes to NRS 244.163 and NRS 259.045. First, it requires a coroner to notify the next of kin who is authorized to order the burial or cremation of the human remains of a decedent of the death of the decedent. Section 3 also authorizes a coroner to notify the loved ones of the decedent of the decedent's death and provide a copy of the coroner's report to those individuals, regardless of whether they are authorized to order the burial or cremation pursuant to NRS 451.024. Some amendments have been proposed by Clark County (Exhibit D). We consider those friendly amendments that further the intent and purpose of the bill.

John Fudenberg, Coroner, Government Affairs, Office of the Coroner/Medical Examiner, Clark County:

We have been working on this bill for well over a year. I want to thank Rose Floyd. She is in Las Vegas today. She will be testifying in support. Rose tragically lost three family members in 2015. As a result of old statutes, she had problems with being notified and potentially receiving copies of the Office of the Coroner/Medical Examiner reports at the time because she was not considered legal next of kin. Her daughter's next of kin was her husband, who was the suspect in the murder. This bill will take care of that issue. Additionally, it will ensure that coroners statewide will be allowed to release reports to someone who is not necessarily the legal next of kin when the legal next of kin is a suspect in the death. Needless to say, this is a no-brainer. The nonlegal next of kin under these circumstances should be entitled to reports of their family members.

I support A.B. 57 with our proposed amendment ([Exhibit D](#)). It clarifies things that occur in practice. I have been in communication with Dr. Laura Knight, the Washoe County Chief Medical Examiner, and Robert Roshak, the representative of the Nevada Sheriffs' and Chiefs' Association and the 15 sheriff coroners in the state outside of Clark County and Washoe County. They all support the bill with our proposed amendment.

Section 1, subsection 3, the amendment adds "make reasonable efforts to" ([Exhibit D](#)). Prior to that, it basically said, "shall." A logical question there would be: why should we not always make the notification in accordance to NRS 451.024? The reason we had to put "make reasonable efforts to" is because in Clark County we have 31 legal death investigators who are the people responsible for making death notifications throughout the state. The 15 sheriff-coroners' offices have dozens, if not hundreds, of deputies who make death notifications. They are not trained on how to identify a will and trusts.

The bottom line is that if we had to make notification pursuant to NRS 451.024, it would add a huge fiscal impact and take a huge amount of time to sift through wills and living trusts. We added "make reasonable efforts to" to ensure that they are in fact attempting to notify the proper person but not necessarily held accountable to notify the next of kin or the person who is legally responsible because of a will or legal trust. Section 3, subsection 1 basically clarifies the same issue. The more important section of our amendment is section 3, subsection 2 ([Exhibit D](#)). That allows for the nonlegal next of kin to obtain copies of our reports. The amendment there is to add "adult children or custodians as defined in NRS 432B.060" to allow for situations where family services may be the legal next of kin. They should be entitled to the reports when a decedent is in their custody.

Assemblyman Carrillo:

Did something happen? Is this a continuous problem?

Brett Kandt:

Our concern is that there should not be instances, in the event of a domestic violence fatality, where loved ones cannot get notice of the death and a copy of the coroner's report. It appeared from the current language that this was the case. We want to correct that.

Assemblyman Carrillo:

If my wife and I wanted that information and my son-in-law had received the information, would we not have access to that as well?

John Fudenberg:

Under the circumstances, if the legal next of kin is the suspect, then the nonlegal next of kin—the parents in this scenario—would be entitled to the report. A real-life example, Rose Floyd's daughter and two other family members were murdered by her daughter's husband. By law, the daughter's husband was the legal next of kin, so Rose was not notified right away. This will minimize that from happening in the future.

Rose would not have been entitled to receive coroner's reports because she was not the legal next of kin. I do not want to speak for the other 16 counties in the state, but in Clark County under these circumstances, we would release the reports to her although it is not clearly outlined in statute. In section 3, subsection 2, the bill allows us to legally release the reports to her as the nonlegal next of kin when the legal next of kin is a suspect in a murder.

Assemblyman Ellison:

Does that include suicide victims?

John Fudenberg:

No, it does not.

Assemblyman Ellison:

What if the suicide is being challenged? We had one recently. An officer committed suicide, and the parents thought it was not. That would not fall under this category at all?

John Fudenberg:

This bill does not address the challenge of a manner ruling. There are ways to challenge the ruling of a manner when the coroner or sheriff makes a ruling.

Vice Chairwoman Neal:

I have a question relating to section 1, subsection 3 in the amendment, where it says "make reasonable efforts to," and then when you go to subsection 4 of the bill where it says "violation or willful disregard." What are the reasonable efforts expected to be taken?

John Fudenberg:

I do not want to speak to the other 16 counties in the state, but reasonable efforts in Clark County are very extensive. Our investigators will be canvassing the scene, speaking to neighbors, and trying to figure out whom the legal next of kin is. Obviously, that can take some time. We have access to multiple databases. We will Google whatever we can find out, and several of our databases cannot be accessed by the public. There is a whole investigative process. We will spend hours and hours trying to find out who the legal next of kin is to notify them in a timely manner.

Vice Chairwoman Neal:

I was reading the letter you submitted ([Exhibit C](#)). I get it, you are saying the person who is responsible for the voluntary manslaughter or death of someone is not authorized to order the burial or cremation of that decedent. Is there legal precedent? What other states have the provision that if I committed a crime against someone, I am not allowed to participate in or authorize that person's burial?

Brett Kandt:

The policy that it is not appropriate for a suspect to be making decisions regarding the decedent's body was one the Legislature made when enacting S.B. 286 of the 78th Session.

Vice Chairwoman Neal:

I was not able to look at the minutes the way I normally do. Can you tell me if there was anything in the record so I can read later about other states or case law that says this is not a violation of someone's rights? I did not know your rights as a spouse terminated because of domestic violence.

Brett Kandt:

I can look at the legislative history. Senate Bill 286 of the 78th Session was not a bill our office brought forward. It was a very comprehensive bill that dealt with many things regarding burial and cremation of decedents. That was just section 54 of the bill. I would have to go back and look at the legislative history, but I will follow up with you.

Vice Chairwoman Neal:

Okay, thank you. Ms. Floyd, could you come to the table, please?

Rose Marie Floyd, Private Citizen, Las Vegas, Nevada:

Good morning. I am Veronica Caldwell's mom. March 4, 2015: I get up early as I normally do, make a cup of coffee and turn on the news. There it is—triple homicide/suicide in the apartment complex where my family lived. I remember thinking, Oh my God, how tragic for those poor people. I called my daughter Veronica to talk to her about what happened at her apartment complex, but no answer. I hung up thinking that she was probably in the shower. I called back at 6 a.m. We spoke every morning at 6 a.m. Still no answer. At this point, I am in absolute panic mode.

My phone rings and it is a neighbor of Veronica's. She asked me, "Are you watching the news? I think it is Veronica's apartment." Shaking uncontrollably, I call my granddaughter, Yvonne. No answer. I remember thinking, No! It cannot be my girls, I would have been notified!

I immediately call Las Vegas Metropolitan Police Department to inform them of the homicide at Veronica's apartment complex and to tell them I have not heard from my daughter. They took Veronica and Yvonne's name and said they would check on it. Shortly after, the coroner's office calls and verifies that it was, in fact, Veronica and Yvonne who were murdered.

On March 3, 2015, my daughter Veronica, my granddaughter Yvonne Rose Reyes, and her boyfriend Cory Childers were chased down and shot to death by Veronica's husband, Blake Widmar, in a triple homicide/suicide at approximately 10:15 p.m. The lone survivor to this brutal murder was my 8-year-old niece, Carly Trujillo, who ran for her little life that night along with her murdered family. After Blake shot Veronica, Yvonne, and Cory, he cowardly ran back to the apartment and shot himself in the head. He was found suffering from a single self-inflicted gunshot wound but was still alive.

The next thing I can remember, the paramedics were standing over me, telling me to breathe. Once I could compose myself, I called the coroner back and asked if I could come down and identify my daughter. The voice on the other end of the line says, "I am sorry. You are not considered her next of kin. Her next of kin is her husband." What? How can this be? He killed her!

Adding insult to injury, I was told that as long as Blake was alive, I would have no rights to her body. Furthermore, should he survive, I would need to petition the court to get the rights to my daughter. I remember hanging up the phone and screaming, but no words would come out.

Later that day, I was told Blake probably would not survive. The doctors were keeping him alive to harvest his organs. In the meantime, my Veronica lay in the coroner's office alone and unclaimed. It was as if she did not matter, as if she did not have a mom. I could not see my baby and say, I am here Veronica, you are not alone, and you matter to me! I could not get to her because I did not have the rights to her murdered body, and there was nothing I could do about it because her next of kin was technically still alive.

If that was not devastating enough, I was told that Veronica survived for an hour after the brutal shooting. She was transported to the University Medical Center of Southern Nevada, where she died alone. I should have been there. I should have been with her as she took her last breath. It was my right as my mom. It was my duty. Had I been notified, I could have held her. I was thrown into a state of hysteria that still haunts me every single day.

On March 5, 2015, Blake passed away. It was only then that I was allowed to identify my only child. Veronica's life was stolen from her by a senseless and brutal act of gun violence. I feel my rights as a mother were stolen from me by a defect in the law. Respectfully, I ask the members of this Committee to pass Assembly Bill 57 and to consider naming this legislation Veronica's Law after my daughter. This law would ensure that no mother or parent would have to go through the trauma and confusion I faced on March 4, 2015. Thank you for your time and for allowing me to tell Veronica's story.

Vice Chairwoman Neal:

We thank you for your testimony. Are there any other questions from the Committee? [There were none.] Is there anyone wishing to testify in favor of the bill?

Kimberly Mull, Policy Specialist, Nevada Coalition to End Domestic and Sexual Violence:

We are in support of this measure. I do not think there is anything we can say to add to Rose's testimony. We feel that this is an important issue. None of our families should have to go through what Rose went through.

John T. Jones, Jr., Chief Deputy District Attorney, Legislative Liaison, Clark County Office of the District Attorney:

We are here in support of A.B. 57, also known as Veronica's Law. We do encourage you to pass this bill. I met Rose about a year ago and heard her awful story. Based on that, we worked with Mr. Fudenberg and the Office of the Attorney General to come up with this bill. We urge your support.

Robert Roshak, Executive Director, Nevada Sheriffs' and Chiefs' Association:

We support this bill as amended. We worked with the bill sponsors to get something that would work for the rural areas. We appreciate your support.

Vice Chairwoman Neal:

Thank you. 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.] We will close the hearing on A.B. 57 and open the hearing for Assembly Bill 154.

Assembly Bill 154: Revises provisions relating to prevailing wages. (BDR 28-747)

Assemblyman Chris Brooks, Assembly District No. 10:

Today I am here to discuss Assembly Bill 154, which would revise some provisions relating to the prevailing wage in Nevada ([Exhibit E](#)). In this presentation, I plan to start with a brief overview of the bill, give some background information on the reason for this bill, explain why I and many others support it, and then walk you through the language of the bill section by section. Assembly Bill 154 will revise some provisions regarding the prevailing wage in Nevada in three ways.

It will decrease the minimum threshold for the applicability of the prevailing wage requirements from \$250,000 back down to \$100,000 for construction work on Nevada System of Higher Education (NSHE) projects. It will require school districts and NSHE to again pay the same prevailing wage rates on their public works and other construction projects as other public bodies are required to pay. It will also again require charter schools to pay prevailing wage rates on their public works and other construction projects.

Last session, Senate Bill 119 of the 78th Session was passed. It approved bond rollovers for school districts in Nevada in order to give them money for school construction. Unfortunately, some changes to the prevailing wage were included in the bill, which made it more controversial because there were many people who supported the bond rollover section of the bill but not the changes that the bill would make to the prevailing wage. The bill passed, and the several changes were made to the prevailing wage.

First, any contract for a public work to which a school district, a charter school, or NSHE was a party was excluded from the prevailing wage requirement. Instead, school districts and NSHE are required to pay, on their public works and certain other construction projects, 90 percent of the prevailing wage rates that are otherwise required to be paid by other public bodies.

Second, the requirement that NSHE pay prevailing wages on construction work with the estimated costs that exceed \$100,000 was eliminated. That minimum threshold was changed to \$250,000 instead. Finally, the requirement that NSHE pay prevailing wages on lease-purchase and installment-purchase agreements that involve the construction, alteration, repair, or remodeling of an improvement was eliminated.

My bill essentially returns the provision regarding the prevailing wage to what it was before S.B. 119 of the 78th Session. I think this bill is important to pass for several important reasons. I think that every one of us here can agree that Nevada needs a lot of school construction. That is not being disputed at all. In fact, in my district alone there are nine schools over 50 years old. I went to three of them. While we all know that schools need money to fund construction, eliminating the prevailing wage for these projects is not the answer. Having prevailing wage requirements benefits our communities in many different ways.

When it comes to public works construction projects, especially schools, we want buildings that are safe and will last many years, like the ones built in my district that I went to, my parents went to, and my kids have gone to. In order to achieve that, we need to hire the most highly qualified workers. Public works projects paying prevailing wage attract quality, local, and experienced construction workers who deliver high-quality work on time and on budget. Prevailing wage laws allow for more competition among contractors for construction projects, which ensures these projects will end up with more highly skilled workers. For example, after Maryland implemented a contractor living standard, the average number of bids for contracts in the state increased by 27 percent—from 3.7 bidders to 4.7 bidders per contract ([Exhibit F](#)).

Additionally, we need to build the local Nevada workforce and economy. Research shows that prevailing wage laws lead to more workforce training, a more educated and experienced workforce, safer construction, and government savings because workers depend less on social programs ([Exhibit G](#)). Prevailing wage laws are better for the economy because they support the middle class incomes that boost consumer spending.

Eliminating the prevailing wage does not save money. It can actually cost more money. Studies have shown that workers who are paid the prevailing wage are more productive. Additionally, higher productivity can lower construction costs without lowering wages. Prevailing wage does not raise overall construction costs since higher construction wages are usually offset by greater productivity, better technologies, and other employer savings. In fact, national analysis of data on school construction costs specifically has revealed that prevailing wage laws do not have a statistically significant impact on cost ([Exhibit G](#)). For example, comparing school construction costs before and after Michigan's suspension of its prevailing wage law revealed no difference in costs. In Pennsylvania, when prevailing wage levels were lowered substantially in rural areas, school construction costs went up more in areas where prevailing wage levels fell the most ([Exhibit H](#)).

Additionally, average labor costs, including benefits and payroll taxes, are roughly one-quarter of construction costs. Thus, even if a prevailing wage regulation raised wages by 10 percent, the impact on contract costs would be less than 2.5 percent ([Exhibit H](#)). So, even if there is an increase in contract costs, it is likely to be small—to the point of being undetectable.

Prevailing wage can actually save money. A review of state and local construction practices by the National Employment Law Project found that adoption of contracting standards often has resulted in decreased employee turnover with corresponding savings in restaffing costs ([Exhibit F](#)). For example, after San Francisco International Airport adopted a wage standard, annual turnover among security screeners fell from nearly 95 percent to 19 percent, saving employers about \$4,275 per employee per year in restaffing costs ([Exhibit F](#)).

I would like to walk you through the language of my bill section by section. I have provided a section table where you can find explanations to each section ([Exhibit I](#)). In section 1, we amend the provisions of *Nevada Revised Statutes* (NRS) 338.018 to decrease the minimum threshold for the applicability of the prevailing wage requirements from \$250,000 to \$100,000 for construction work on NSHE projects.

Section 2 requires school districts and NSHE to pay the same prevailing wage rates on their public works and other construction projects as other public bodies are required to pay, eliminating the exception that currently exists which allows NSHE to pay on their public works and certain other construction projects 90 percent of the prevailing wage rates that are otherwise required to be paid by other public bodies. That takes the 90 percent back to 100 percent.

Section 3 of the bill amends NRS 338.020 to 338.090 to decrease the minimum threshold for the applicability of the prevailing wage requirements from \$250,000 to \$100,000 for construction work on NSHE. Section 4 requires charter schools to pay prevailing wage rates on their public works and other construction projects eliminating the exemption that currently exists. Section 5 provides that the amendatory provisions of this act do not apply to a public work or other project.

Assemblyman Ellison:

I am looking at section 1 of the bill. For some rural schools, if you drop the prevailing wage threshold from \$250,000 to \$100,000, it could kill some of their projects. If they had to do upgrades in refrigeration or air conditioning, they are so limited in funds that they could not pay the prevailing wage rates. Also, can you talk about why charter schools are being considered in this bill?

Assemblyman Brooks:

The threshold was \$100,000 for many, many years. It was raised to \$250,000, which puts Nevada at number two, if not number one, of prevailing wage trigger thresholds in the entire country. Compared to other states with prevailing wage laws, \$250,000 is incredibly high. \$100,000 is more along par with other states that have prevailing wages. I feel that it is an appropriate level to return to. Charter schools were included in the prevailing wage statutes before S.B. 119 of the 78th Session. This is returning it back. Charter schools are public schools. They receive public funds. A public body creates it. That is why I feel that it is appropriate to return it back to where it was before last session.

Assemblyman Ellison:

I did not look at the threshold of \$100,000 as construction. To me, that cost reflects a maintenance project. You cannot build anything anymore for \$100,000. If you had to replace windows, you would be looking at \$150,000. If you had to replace some doors or remodel from floods, it would cost more than \$100,000.

That is what I am saying: this is not a construction amount to me. It is a maintenance amount. Maybe we could address that. I can see reaching the \$250,000 threshold if you are doing major construction.

Assemblyman Brooks:

Maintenance is not covered under prevailing wage. While things are getting more expensive every year, \$100,000 is still a significant contract amount. That is why our public policy was for many, many years—and most other states with prevailing wage—was at \$100,000. In most other states, it is below \$100,000. That is where Nevada landed for many years. I feel it is in the best interest to the state to return it back there.

Assemblyman Carrillo:

There are a lot of apprentices that will be employed through this bill. How many apprenticeship programs are funded through collective bargaining agreements in the construction industry?

William H. Stanley, Executive Secretary-Treasurer, Southern Nevada Building and Construction Trades Council:

Currently in Nevada there are 58 construction apprenticeship programs approved by the State Apprenticeship Council, Office of Labor Commissioner, and 49 of those 58 are funded by Joint Apprenticeship Training Committees (JATCs) that are union contractors and the signatory contractors in the unions.

Assemblyman Kramer:

It has been a long time since I worked construction. I do not know whether schools have been contracted during the last two years when it has been at 90 percent. If you had a school paying 90 percent of prevailing wage, and schools cost between \$100 million to \$200 million, can you tell me how much money this saved the schools? Most of the cost of schools is usually materials, so how much of that is actually wages and what kind of number is the 10 percent reduction? Following up on that, under prevailing wage, what would a journeyman electrician make?

Todd Koch, President, Building and Construction Trades Council of Northern Nevada:

In theory, reducing prevailing wage on schools by 10 percent should have saved 10 percent of the labor. Your question is how much of the project cost is labor. There was a study done by the Department of Economics at the University of Nevada, Reno several years ago that studied public works projects. On vertical construction like schools, the total cost of a project attributable to labor, whether it was wages, benefits, workers' comp, and taxes, was about 24 percent. If you save 10 percent on that 24 percent, in theory, you should be able to save 2.4 percent in construction. That does not sound like much, but it is huge for the workers on the project. I cannot speak to the prevailing wage of an electrician, but I could tell you prevailing wage of a painter in Washoe County is \$36.59. The benefit package is \$11.79, which provides that family with health benefits, a retirement package, and training programs to upgrade skills and train the next workforce. Ten percent of \$36.59 is \$3.65. That has to come totally off the wages. When you do that, it is a reduction of wages of 15 percent. When you reduce the wages of a worker by 15 percent, that is huge, especially in a booming construction economy like this. It can make it very difficult for contractors to find employees to work at that.

Assemblyman Daly:

I know the 10 percent statute has only been in effect for a few years, but have you experienced your members or anyone you dispatch saying they would not take that job, but would go to a full-scale job? That hurts the ability for the public bodies or any school to get the best-qualified people. Instead, they are getting the people who are willing to work for 10 percent less.

Todd Koch:

I have experienced those things. I have had meetings with the superintendent of the Washoe County School District. She has expressed the concern that they are seeing fewer bidders on projects. In fact, there have been projects put out to bid where they received no bidders. That caused me to go back to the contractors I have relationships with and ask why they are not bidding. In the case of a mechanical bid, I went to those mechanical unions and asked why contractors are not bidding. The answer that comes back many times is this: to have to bid it at 90 percent, and there is so much work out there in the north with the Tesla effect, they fear that they will not get workers. When you go to dispatch workers to a project like that, the first thing they say is that they will get a job at 100 percent in two days, so they will not take this job. It has made things difficult for us to build what we need to build in this economy.

Assemblywoman Monroe-Moreno:

Have we found that we have gone down to the 90 percent that Nevada residents and companies are losing jobs to out-of-state competitors? Is this labor force that is not as skilled coming in to do this work and then leaving and not reinvesting money in our communities?

William Stanley:

I had some photographs sent to my office this last week of trucks on our six new elementary school projects in Clark County. People knew this bill was coming, and my inbox filled up. These trucks were registered to contractors: they had their insignias on the side of them. The license plates show that these contractors were from Utah and Arizona. They did not even bother to reregister their pickup trucks in Nevada, which is required after ten days. They have them on our school projects.

The semitrucks full of materials for that site have out-of-state license plates on them, which tells you that those materials were transported from somewhere else into our community. We had no sales tax collected on any of the materials that went into the construction of that project. I can assume the worker was from Arizona or Utah. The paycheck they receive returns with them to be spent in their community, not in ours, meaning we lose the economic effect of the construction in our community.

When you are constructing a school in Elko County and the contractor comes from Boise, Idaho, or Salt Lake City, Utah, that contractor has their relationship with their suppliers in those communities. That is where contractors get their best terms. Where are they going to purchase pieces and parts? Where they get the best terms. That is not in Nevada. Not only do we suffer a hit on wages, we are suffering the economic effect of people purchasing things in our community.

Assemblyman Brooks:

By the way, \$59 is the prevailing wage rate in southern Nevada for journeymen electricians.

Assemblyman Ellison:

I agree with Mr. Stanley. People coming in from out of state is one of our biggest fights all the way through. We want to keep the workers inside Nevada. On these big projects when they go to a union hall and there are not enough plumbers, they have to bring them in from other states, is that not correct? A lot of those license plates might be union members we brought in from different halls. Is that correct?

William Stanley:

I wish we had that problem in southern Nevada. That would be a great problem to have. Right now, 75 percent of iron workers in southern Nevada are unemployed. We have over 50 percent total unemployment across the construction trades in southern Nevada. That is much different from what you are experiencing in Washoe County and Storey County in northern Nevada. We have union halls full of union members looking to go to work. Many of our members have sought employment outside of the state because we have been in a devastating depression since 2008.

Assemblyman McCurdy:

I understand why this is needed. I get how this investment benefits our community, from construction workers to the projects they work on. Can you tell me if you have heard of instances where we had low-skill workers on certain projects, and they had to go back and fix things that were not done correctly the first time by skilled workers?

Assemblyman Brooks:

I was a contractor in my past life. I bid on prevailing wage jobs. I know that when you go into buildings and you are following other contractors, there are different levels of expertise. I think the building trades primarily working on prevailing wage laws provide a higher level of training than some of the people who come in from out of state or who are used to working on smaller projects because they do not have the prevailing wage attached to it.

Vice Chairwoman Neal:

How many schools were built from 2015 to now under S.B. 119 of the 78th Session?

Assemblyman Brooks:

I do not know that. I can try to get to for you by the end of this hearing.

Vice Chairwoman Neal:

I am curious in regard to the cost. I know the answer, but I wanted to know if you did. There were six new schools and two replacement schools according to Clark County School District. I was wondering if there were comparisons between the cost that occurred for those schools under S.B. 119 of the 78th Session and prior. At the end of the day, we are doing a comparison argument.

Assemblyman Brooks:

I spoke with Clark County School District about projects in the queue and some ongoing. They have quite a few ready to go and quite a few under construction, even if they are not new schools. We would have to take a look at the component of the project that is labor and pull that out of it. The study we mentioned earlier has labor coming in around 25 to 30 percent of the total cost of all school construction. Right now, they are ongoing. We could use those six schools as an example, but there are other variables there, like volatility and commodities markets. Those may affect materials and real estate cost.

Vice Chairwoman Neal:

In 2015 when we had this discussion, the conversation was around the market. Those seemed to be some of the arguments presented. But we knew that the market was prevailing wage before 2015. It would be interesting to see that comparison. If a building is currently under construction, what would be the effects of this law? I do not see retroactive language. Will there be new bidding?

Assemblyman Brooks:

In 2015, projects that were not let for contract were re-bid using the new law. I could imagine that would be the same scenario here.

Assemblyman Carrillo:

Whenever jobs come through, usually there is a change order involved. That is when extra costs are made up after the construction. Are these change orders making up the difference? I am not saying that is a justification. To me, the unintended consequences are still there from S.B. 119 of the 78th Session. If we have contractors trying to make up the difference, I would still like to see if there are more change orders. It could be the way it was bid. Is there a way to keep track of change orders?

William Stanley:

There are different types of capital project funds. We are constructing six and rebuilding two elementary schools in Clark County. We also have other capital projects that had previously been covered by prevailing wage. We had an extensive program going on in southern Nevada having to do with chillers. The chillers reached their life cycle, so they had to be replaced. We are currently investigating work that was recently let, in which the capital improvement was broken up into several bids. Electrical was removed from the bid that would normally have been included. Other pieces were taken out so that the bid bumped against the \$250,000 threshold, therefore not triggering prevailing wage.

What we believe that this did was introduce game playing into the prevailing wage world. With the \$100,000 threshold, it was not as hard to get there. It was harder for people to break projects into several projects to get in under the cap. We are investigating this now. When you see a bid come in at \$249,999, you should take a look. The change orders are exactly what will drive that contract over \$250,000, which triggers a whole new set of problems. Now you have to go back and pay all those people who worked on the project the prevailing wage because now the project has extended beyond the \$250,000 threshold. The change orders can trigger problems that were not contemplated in S.B. 119 of the 78th Session.

Vice Chairwoman Neal:

Are there any other questions from the Committee? [There were none.] Is there anyone wishing to testify in opposition to the bill? We are going to keep the testimony to less than two minutes.

Warren B. Hardy II, representing Associated Builders and Contractors, Nevada Chapter:

I will try to do it two minutes, but I do not think we have many people signed in for opposition, so we would appreciate a bit of consideration on that. Our position is nuanced. We are not opposed to prevailing wage. Our concern is that prevailing wage is not calculated correctly. When we talk about national studies, we are looking in large part at national prevailing wage laws. We are looking at the federal prevailing wage laws. We would have no objection to going to the federal prevailing wage laws. The problem with the prevailing wage laws in Nevada is that we calculate them in a different way than other states. We calculate them in a way that makes it impossible for anything other than the collectively bargained rate to be the prevailing wage rate. That is our issue.

I want to speak to the Vice Chairwoman's question regarding comparison. Last session did provide a perfect comparison with regard to what you are asking. K.O. Knudson Middle School in Las Vegas was bid in the interim between those bills. It was bid as a nonunion prevailing wage job, and it was bid as a prevailing wage job. I have not done an in-depth analysis, but the nonunion prevailing wage bid was \$2.7 million, and the higher bid for the prevailing wage was \$3.6 million. I would encourage you to dive into that.

I am concerned about the characterization that somehow the prevailing wage laws in Nevada impact local workers. There is nothing in the prevailing wage laws that speaks to local workers. There are other laws that deal with that. In addition, nothing speaks to quality of workers. What my friends in the unions are saying when they say we should get higher quality workers is that we should all use union workers. The overwhelming majority of small businesses, minority-owned businesses, and women-owned businesses are nonunion. The prevailing wage laws incentivize the hiring of union contractors. That disenfranchises small, women-owned, and minority-owned businesses. They are overwhelmingly nonunion contractors. If we are saying those individuals are not qualified to do construction on our public works, that is something we ought to look at. Every contractor should be guaranteed to do quality work. Prevailing wage laws do not address that. It is disingenuous for some of my friends on labor to say that. I agree with Assemblyman Brooks, it ought to be looked at.

Pat Hickey, Executive Director, Charter School Association of Nevada:

I am here today to specifically object and oppose sections 4 and 5 that relate to charter schools. It was mentioned by Assemblyman Brooks that these are public works projects. However, when you look at charter schools, many of them are leased or rented. Even when they are built, and some are, they are frequently done by consenting private parties and contracts that do not receive public dollars. Charter school construction at this point in time is not a public works project because it does not receive any public construction monies. I would point you to the study about charter schools by the Guinn Center for Public Priorities. It says the need for more funding is apparent ([Exhibit J](#)). That study points out that the average in Nevada for school districts in fiscal year 2015 for capital revenue sources, meaning for construction, was \$1,288 per pupil. Charter schools get absolutely none of that money. Mariposa Academy in Reno rents in a converted former medical office. Bailey Charter Elementary School rents out a converted office building. Sierra Nevada Academy Charter School, which has been there for 19 years, leases a facility in an old part of a strip mall. There is even a charter school in the back of a Catholic cathedral. The middle school took over facilities that formerly supported a parochial school. The church, because many parishioners attend the school from downtown Reno, helps with its maintenance. I would like to argue that this attempt to include charter schools is not fair. Charter schools are not receiving funding for any construction they do. I would make an example in conclusion. Nevada leases over 2.2 million square feet of office space, with over 330 leases, from private property owners. When a state agency or part of an agency moves in, the owner of the building is not required to have built the building, or even built out the changes, with prevailing wage conditions. Neither are the schools or donors that might give over a warehouse, like in Elko. Assemblyman Ellison's charter school is there.

Our objection is that we do not think it should apply to charter schools. These are not public works projects. I think it is a different discussion if we start giving public funding to charter schools. Then maybe it is fair to be treated like our friends in the school district.

Tray Abney, Director of Government Relations, The Chamber, Reno-Sparks-Northern Nevada:

We worked very hard on this issue last time. Something else The Chamber worked hard on was the Washoe County Question 1 (WC-1) campaign. That was a bill sponsored by Senator Debbie Smith in 2015. It created the committee to put a question on the ballot in Washoe County to increase sales tax to pay for new school construction and refurbish old schools. We supported that heavily. You heard from Mr. Koch, and I will give the labor community a lot of credit. They have put fence holders on the ground and a lot of money at the table to help with that campaign. That was a true partnership moving forward.

We hear about "the little guy" a lot in these committees. I think I read an article about "the little guy" and it used to mean labor. But let me tell you about another little guy; his name is Noah Carson Abney and he turned seven about a week and a half ago. He is in first grade at Brown Elementary School. It is the most overcrowded school in the Washoe County School District. We passed WC-1 to benefit him, our children, and our future workforce. This bill makes it more expensive to build schools. That is it. It benefits a few of your constituents at the expense of every taxpayer in the state and every child in the state that is in an overcrowded school. You were elected to move Nevada forward. This bill moves Nevada backwards. We heard earlier that there are a lot of people in Clark County looking for work. I am not sure how a bill and a law that would increase the cost, which means fewer projects being available and fewer jobs being available, helps people find work. We are not asking for any changes to prevailing wage. We just want this law to work. It has been in effect for about a year and a half now. I think we need more time to see how this truly affects not just union labor contractors but the 90 percent of the other people who are your taxpayers and constituents.

Assemblyman Daly:

I have spoken with Mr. Warren and Mr. Abney several times. There are all different points of view on everything you mentioned about cost and what prevailing wage has done. I am looking at your letter, former Assemblyman Hickey ([Exhibit K](#)). There were several things in there that I would like to clarify. The first line says charter schools are exempt under existing Nevada law ([Exhibit K](#)). That is true, under the existing law. But they have not always been exempt. In fact, they were covered by prevailing wage in the 2013 Session in Senate Bill 384 of the 77th Session. They were exempt from bidding and a few other things, but they did have to pay prevailing wage. *Nevada Revised Statutes* (NRS) 338.013 to 338.090 applied. That was a bill you voted for, as did I. I am curious about when you stopped supporting prevailing wage for charter schools.

Pat Hickey:

There is another individual, an attorney, who has been involved in the building of charter schools who I hope will testify. I believe he will give a more complete answer than I am able to. Regardless, that has not been applicable in Nevada. Where improvements have been made or new schools have been built with private financing prior to the passage of S.B. 119 of the 78th Session, prevailing wages were not applied because the statutes were not applicable. They were not public dollars or a public works project. That is why charter schools have not ever been paying on their projects.

Assemblyman Daly:

I would invite you to go back and read S.B. 384 of the 77th Session. It was applicable, and you voted for it. The third paragraph of your letter says charter schools "are NOT 'public works projects.' To require private builders to pay prevailing wage for a non-public works project is simply unfair and wrong" ([Exhibit K](#)).

I would say, are you familiar with tax increment financing? Are you familiar with redevelopment agencies? Are you familiar with the sales tax anticipation revenue (STAR) bond statutes? All of those require prevailing wage to be paid on private jobs. The Cabela's and Scheels in Reno were built under STAR bonds. It does happen all the time. We are trying to get people to give us facts, and we want them to give us the complete story. To say that it is wrong and unfair for charter schools is misleading.

Pat Hickey:

Again, you have charter schools that are renting and leasing spaces. There are schools in the back of a church, in a strip mall, et cetera. Those leases, just as is with the State of Nevada, do not require prevailing wage or are not considered a public works project when an agency moves into a privately-owned building. Again, in the case with the STAR bonds and others, those were public dollars. New constructions have been the result of private contracts where monies have gone out to build those schools from private agreements. Public dollars have not been given to charter schools. I am correct on that.

Assemblyman Daly:

I would recommend talking to the gentleman sitting next to you about lease purchases. Prevailing wage does actually apply to that. We have worked on those issues on the Advisory Group to Conduct Interim Study on Lease-Purchase and Installment-Purchase Agreements by Public Entities. Mr. Hardy was the chair of that group, and I was a member. You have your view, understanding, and maybe limited knowledge, but what you are saying is, in fact, not correct.

Pat Hickey:

What we are really talking about are facilities for a public body, albeit a unique one, for schools. Nowhere are we mentioning the kids. We are talking about what might benefit employees who build these badly needed schools. However, the practice has not been for charter schools to pay prevailing wage. I think there is a good reason for it.

One, they are not receiving any money. If we are here about trying to solve some education problems, that is what charter schools are designed to be a part of. I think it will result in their having less money. They already do get less money. Not only facilities money, but also they do not receive class reduction money, transportation money, et cetera. Many of these schools, like the Delta Academy on Brooks Avenue in North Las Vegas are operating with a lot less money than regular schools.

If you require them, when they typically have parents come in and build a wall to separate a classroom, to now pay prevailing wage on any of the repairs, you are hampering the growth of one of our educational alternatives in the state.

Warren Hardy:

Assemblyman Daly did bring up an interim committee I chaired during the 2015 Interim where we looked at lease purchases. We did elect to use prevailing wage on all of those jobs, because we do not oppose prevailing wage. Prevailing wage makes sense from a bunch of perspectives. It was initially put in place during the Great Depression to ensure that public sector workers were not paid less than private sector workers were. I still believe that is an important objective and goal. The challenge we have is the way it is calculated. It increases the cost of prevailing wage. If we had a calculation to determine prevailing wage that brought it in line with what is paid in the private sector, which is what it was intended to do, we have no objection to prevailing wage. That is the reason I supported prevailing wage and always have supported prevailing wage on projects. It has an important function. We are just concerned with the way it is calculated.

Assemblyman Daly:

The final point I wanted to get to, charter schools are a public body. They meet the definition in NRS Chapter 338 of a public body. Unique, as you said. But they still have to follow the Open Meeting Law and other various things. The other thing I heard you say was that they do not receive public funding. I know you will qualify that by saying they do not receive public funding for construction and a few other things. But they receive public dollars and are a public body.

In the provisions under NRS Chapter 338 on the definition of a public body, the only thing a public body has to do is not simply finance. They only have to sponsor it. They are sponsoring these projects. They have to approve the expenditure of money through their board the same as any other public body. Regardless of whether it meets the definition of a public work, I believe it does. These are public schools. They have to follow other requirements. They are authorized under the State Public Charter School Authority or the local school district. I will not even get into achievement charter schools. If public schools are taken over and become charter schools, the cost of those schools are continued to be paid for by public money and funding that built them in the first place. Many of the things you are trying to build your case on are not actually correct in my view. That is what I am trying to point out to the rest of the Committee.

Pat Hickey:

Again, I think it would be a lot easier to stomach and fairer if charter schools were to receive facilities funding, as both the Spending and Government Efficiency (SAGE) Commission for the System of K-12 Public Education recommended ([Exhibit L](#)) and the Guinn Center recommended ([Exhibit J](#)). For instance, Senate Bill 173, sponsored by Senator Cancela, has to do with the Achievement School District. If they were to take over an existing school that had been built by the district and had contracts in place, I would be inclined to support that. Those schools were built with district or state dollars. Again, the financing of new charter schools without that funding is done by private agreements.

Assemblyman McCurdy:

Did you speak to the sponsor of this bill prior to coming up in opposition?

Pat Hickey:

We have communicated. I have emailed him and sent him a number of things, including my statement. We met briefly in the hall.

Assemblyman McCurdy:

Did you try to get on his calendar to have a meeting with him about this?

Pat Hickey:

No, I did not. I am not a full-time lobbyist. I am the executive director of the Charter School Association of Nevada. As such, I have other duties. We certainly have tried to communicate. He expressed to me that he looked forward to the discussion, as I have today.

Assemblyman McCurdy:

So this was not important enough for you to go and talk to him in his office?

Pat Hickey:

I simply did not have time to do that. I was not intending any disrespect because of that, I can assure you.

Assemblyman Ellison:

I agree, when I read this bill, I did not comprehend about the charter schools. Mostly charter schools are private. They are in private buildings. Is that a better way to put it? If you went in and requested that you go by state laws, I think it would end up in court. Am I reading this wrong? Why are charter schools in this?

Pat Hickey:

I did submit the *New York Charter School Ass'n v. Smith*, 15 N.Y.3d 403 (2010) decision ([Exhibit M](#)). The opinion is that contractors are not required to pay prevailing wages. Similar rulings have taken place in California.

Assemblyman Ellison:

Maybe you can get with the bill sponsor to address that issue and put an amendment into the bill. I think that would make it clear as far as the buildings go.

Vice Chairwoman Neal:

Senator Hammond sponsored Senate Bill 384 of the 77th Session. That bill allowed full faith and credit for the state to be used for the building of charter schools. Senate Bill 471 of the 77th Session was also introduced to create a revolving loan account around charter schools, which puts state money on the hook.

Pat Hickey:

To my knowledge, and my knowledge is limited because I am new to this position, I am not aware of schools that have accessed that and how it has been applied. I understand there are funding opportunities, but you are getting private financing in my understanding. I do not know of any schools that have accessed that.

Vice Chairwoman Neal:

I believe Senator Hammond's school, Somerset Academy of Las Vegas, actually accessed it within the year that it was passed, which I found interesting.

[Assemblyman Flores assumed the Chair.]

Chairman Flores:

I apologize for being late. I had two bill presentations this morning. I want to apologize to the first bill presenter for not being able to sit here and listen to your testimony. In the spirit of the three minutes that have been set, we will continue with that.

Paul J. Moradkhan, Vice President, Government Affairs, Las Vegas Metro Chamber of Commerce:

The Las Vegas Metro Chamber of Commerce is opposed to the current bill because of the concerns with the changes to the threshold. I did meet with the bill sponsor and shared some concerns with him. I appreciate his taking the time to do so. In full disclosure, the Chamber did support S.B. 119 of the 78th Session because they recognized the need to build more schools in Clark County.

John Wagner, Carson City Vice Chairman, Independent American Party:

We oppose this bill. I feel that it will hurt small business owners. A lot of these businesses are owned by families. They are also owned by minorities. I understand that they work in a different situation than if they were working for a private company outside of where they are working. I feel that this bill could put them out of business in some cases, or definitely limit what they can bid on. There was a reason S.B. 119 of the 78th Session was passed. I am sure those reasons might still be applicable. I think there will be higher costs imposed on the schools, which means more taxes. We have a bill coming up tomorrow at 4 p.m., Assembly Bill 43, where the counties are already going to be asking for more taxes.

Is a union worker better than a nonunion worker is? I think it depends on the individuals doing the work. If there is shoddy workmanship being done, usually performance bonds can be imposed. Someone should be inspecting the building as it goes along. Some of this stuff is done by subcontractors, so that affects them as well. A big contractor does not do everything. It will affect a lot of the minority-owned businesses.

Johnathan P. Leleu, representing NAIOP, the Commercial Real Estate Development Association, Northern Nevada Chapter:

We oppose the bill as written. I will say ditto. We will work with the bill sponsor on our issues. Our concerns are with one limited section. We will hopefully bring you back something we can all support.

Ryan Reeves, Chief Operating Officer, Academica Nevada:

Academica Nevada is a charter school support company that provides operational support to more than 15 charter school facilities in the state. I hesitate to acknowledge that I am the attorney that Pat Hickey referenced earlier. No conversation has ever gone well after being introduced as "the attorney." I support having highly qualified and well-trained individuals constructing buildings in Nevada and that they receive a fair wage. My message here is that the Legislature has a responsibility to fund any such mandate.

To give you more detail regarding the inequity charter schools face, the Clark County School District comprehensive annual financial report for 2016 states that the real estate transfer tax, the property tax, and the room tax are the main components of reaping outstanding bond obligations. They then provide those amounts and percentages. Property taxes are 25.69 percent of their governmental revenue sources. Real estate transfer tax is 1 percent, and room tax is 3 percent for a total of more than \$850 million. That constitutes more than 28 percent of their funding to go toward the repayment of their bond obligations associated with building facilities. Charter schools do not receive any of that money. The result is that charter school enrollment has grown to nearly 40,000 students in this state, almost 10 percent of the state's student population, equating to the third-largest school district in the state. It receives 30 percent less funding than schools attending traditional school models.

The parents, teachers, and students deserve equitable funding for their schools. Because they do not, the teachers working in our classrooms are making far less than the hourly rates for tradesmen contained in the current prevailing wage standards. If charter schools are going to be included in this bill, then they should also be included in all facility funding as a part of this bill, as was recommended by the SAGE Commission ([Exhibit L](#)). Since that has not been done, charter schools should maintain independence and autonomy in their facility construction.

I want to answer a comment from earlier. While it is true that there is a charter school facility funding portal through the Department of Business and Industry, that is conduit financing. It is not faith and credit financing. Therefore, the state does not lend their faith

and credit to the financing. Rather, the interest rates are based on the charter school's credit. They receive no other funds to pay those bonds other than the regular State Distributive School Account funding.

Assemblyman Daly:

As I was listening to your testimony about all the things you do not get, I recalled having the charter schools conversation and setting the laws up in order for charter schools to operate. Charter schools were meant to be an alternative delivery for certain students not fitting into the model of the traditional school district. Now, we are coming full circle and the charter schools are saying they want to be like the traditional schools, except they do not want to follow what the school district does.

I am trying to follow your circular argument. Charter schools do not get the same benefits as public schools, and they do not have the same restrictions or protocols that other schools pay for. How can you have it both ways? If you want to be a public school, I am sure you can hand your charter in, and they will take care of those students.

Ryan Reeves:

I was not here 12 to 15 years ago as a part of the conversation when charter schools were approved. I would never say that I considered them part of a special side model that would only take certain students. Therefore, I cannot say my particular argument is circular, as I have always viewed charter schools to be a full and complete alternative that allows a parent to choose a model that may work best for their student.

For that reason, I do think charter schools do deserve and have always deserved fair and equitable funding for those students. Even if there were such a model, there is no reason that one student in the state of Nevada should have fewer dollars attributable to their public education than one attending a traditional public school.

Stephen Silberkraus, Private Citizen, Las Vegas, Nevada:

Ditto. Today, I am here as a parent of a future student here in Clark County. I am in opposition of A.B. 154. Two years ago, the Legislature stood up and said that our children and their education were a priority for our state. We asked all Nevadans to sacrifice for the betterment of our kids and their future. I have heard a lot of talk about S.B. 119 of the 78th Session, but the provisions we are talking about are actually ones that came out of Assembly Bill 172 of the 78th Session. Labor, business, Republicans, and Democrats came together to find a solution that would protect workers and benefit our children.

Our school districts do pay prevailing wage only discounted 10 percent. That 10 percent, using the numbers provided today and just on the bond rollover from 2015, would represent approximately \$86.4 million of rollover of \$3.6 billion at 2.4 percent savings. That is more than enough to build several schools that we desperately need to address overcrowding in the Clark County School District, or repair dozens of schools that have issues that have needed to be addressed for many years. As an additional note, this will increase costs for higher education facilities such as the University of Nevada, Reno's new engineering building and

University of Nevada, Las Vegas' new medical school. The one thing I ask is to put our children first. Hundreds of thousands of parents in our state are greatly concerned and will be paying attention.

Assemblywoman Neal:

True, S.B. 119 of the 78th Session passed as a bipartisan effort. However, I think we can politically describe that as the Democrats being hog-tied and having to ensure we did not vote against schools even though we did not want the prevailing wage language in the bill. What is super interesting is that also in the record, in 2015, it was crystal clear that there were equal arguments on either side. No one won whether prevailing wage was increasing the cost or causing issues.

In 2015, under the prevailing wage, Clark County School District won an award for building good schools that were energy efficient. I found that to be interesting. Their standard is to build schools to a 50-year model. They got an award for the sustainability, efficiency, and building performance. That was 2015. I want to set that straight. At the end of the day, true, S.B. 119 of the 78th Session was bipartisan, but we were politically hog-tied to accept something we did not necessarily want.

Steve Silberkraus:

I was not addressing S.B. 119 of the 78th Session. I was addressing A.B. 172 of the 78th Session. That was the compromise where we came together to set up the percentage we are speaking about today. As far as being award-winning for construction, I would not dispute that many of our modern schools are fantastic. However, we have many schools that were constructed between 10 and 40 years ago that are in desperate need of repairs.

For those facilities, \$86.4 million—with the numbers presented in front of this Committee; I have heard numbers that are substantially higher than that. It would make a huge difference in the quality of our facilities, in our ability to repair them, and in our ability to build new facilities to address overcrowding in our classrooms. I know I have been into the schools here, and I have seen many issues that need to be addressed. These dollars could make a big difference in kids' lives.

Chairman Flores:

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

Pat Fling, representing Acting in Community Together in Organizing Northern Nevada:

Acting in Community Together in Organizing Northern Nevada (ACTIONN) was formed in 2009 to develop the leadership of people of faith at the grassroots level to achieve power necessary for creating positive systemic change. We support A.B. 154 to reinstate prevailing wage requirements in Nevada. Removing the loophole that higher education, charter schools, and others use to forfeit paying hardworking people the prevailing wage for their

work is the ethical thing to do. In Nevada, we need to give all our children the message that all work has dignity and should be paid fairly, and all work should be subject to the standards for wages. Our children are watching. Thank you.

William Stanley:

We are testifying in favor of A.B. 154. We would like to thank the sponsors for bringing this bill forward. The passage of this bill and a signing by Governor Sandoval will ensure that contractors signatory to collectively bargained employment contracts can compete for public works projects awarded by a school district or NSHE. When contractors signatory to collectively bargained employment contracts are awarded a public works project, these same contractors employ individuals who are covered by health care, pension, and other fringe benefits including apprenticeship and continuing education. Contractors signatory to collectively bargained employment contracts and their partners in the building trades fund educational opportunities that include both apprenticeship and journeyman upgrading.

Currently in Nevada, there are 58 construction-related apprentice programs. Forty-nine of those are apprentice programs funded through contractors signatory to collectively bargained employment contracts and their partners in the building trades. The building trades and our contractor partners support Governor Sandoval's emphasis on workforce development. The Governor's vision to "build the new Nevada" is music to our ears. Like the Governor, the building trades and our contractor partners support public policy that facilitates workforce development—public policy that provides apprenticeship opportunities.

However, Nevada law currently places contracts signatory to collectively bargained employment contracts at a disadvantage in the marketplace. It hurts contractors, their employees, and the economy. Therefore, the building trades are asking you to pass A.B. 154. It will help facilitate workforce development by created opportunities for apprentices. For example, the building trades are sponsoring an apprentice readiness program at Mojave High School and are working with partners in southern Nevada. These programs create career pathways for your constituents, and they cannot succeed without jobs. Governor Sandoval understands the importance of apprenticeships. He is proposing to move the State Apprenticeship Council from the Department of Business and Industry to the Office of the Governor. The building trades support this move.

However, we are mindful that moving the Apprenticeship Council is not the end of the process; it is the beginning. Apprenticeship opportunities do not materialize out of thin air. The building trades believe we should use our investment in public works like schools to invest in the workforce of the future. In our view, Governor Sandoval is on the right track, and we support his efforts. We want him to build a new Nevada. We believe passing A.B. 154 will do that.

Todd Koch:

Briefly, I want to give you a quick history of how we got to where we are at in northern Nevada. To begin, the Davis-Bacon Act is a federal law that protects contractors in a locality and their workers. We refer to it here as the prevailing wage law, NRS Chapter 338. That

law was meant to protect our contractors and residents from the poaching of jobs from Idaho, Arizona, Utah, New Mexico, et cetera. It does not matter if you are signed to a union contract or if you are an open shop, prevailing wage protects you. The less protection we have, the fewer tax dollars we get to keep in the state.

About three years ago, the Office of Economic Development, Office of the Governor did a wonderful thing for our economy in northern Nevada. We were suffering in the construction trades. That office convinced Tesla, Inc. to build their battery plant in northern Nevada. Now it is a battery and drive train plant. That has created the Tesla effect. That has been wonderful. We have growth in our economy. With that, we also have this pressure on workers wanting to work for contractors paying the best wages. When we reduce the wages in the schools by 10 percent, which is more like 15 to 20 percent on your paycheck, workers are going to make decisions to not work on those projects.

When you have fewer bids, the contractors realize this. Bid prices go up. It is simple supply-and-demand economics. It ends up costing the school district and therefore the taxpayers more money to build their schools. My friend Tray Abney and I worked very hard on Senate Bill 411 of the 78th Session to fix funding for schools in Washoe County. We got that passed; it was put on the ballot at WC-1. The Chamber and everyone in the Washoe County community worked hard on getting that passed. It passed by the taxpayers. That was wonderful. I think that will create somewhere in the neighborhood of \$782 million of construction over the next few years, maybe a decade.

Assemblyman Daly:

I want to follow up on school construction. If contractors, even if they might come from out of state, are signatory to a collective bargaining agreement in hiring union workers, they are going to the local union hiring halls and hiring local workers, regardless of where that contractor is. I wanted to make sure that this is understood for the rest of the Committee. Is that correct?

William Stanley:

Yes. Anytime a contractor signatory to a collective bargaining agreement hires, even if that contractor is not a Nevada contractor, their first source of hiring is the union hall. Those are predominately local individuals who live in that community.

Carole Kilburn, Private Citizen, Las Vegas, Nevada:

My husband and I are both International Brotherhood of Electrical Workers journeymen. I am here in support of A.B. 154. Please allow me a few moments to explain why this bill is so important. In the last two years, my husband has had to travel to several cities in California, including Barstow, Bakersfield, and San Jose, due to lack of work in this beautiful state we call home. My husband is still out of state working to keep our insurance and pay our house note.

My husband was forced to leave me one week after my third major operation this year six months ago to provide health insurance and a paycheck. It is sad to think we can spend our money here in southern Nevada but cannot earn it because working a living wage with

insurance is so difficult. Please help bring our families back together by providing more work for our locally trained and qualified workforce. I believe approving bill A.B. 154 can help do this for not only my family but also thousands of families that make their honest living by building with their hands in construction.

Many people tell me to go without insurance at another job, but that is not an option for us. In 2015, my medical topped out at \$2.6 million. In 2016, it topped out at \$1.4 million after a bout of septic shock and three major operations. I encountered my husband's presence six times last year. I was in the hospital each time, and the only reason he was there was to make the tough decisions I was incapable of at the time due to my health. Had there been work at home, he would have been home every evening, not just the ones critical to my life. My details may be unique, but my situation is not. Please consider bringing our qualified construction men and women home to their families in our beautiful state.

James Halsey, representing International Brotherhood of Electrical Workers Local 357:

When a bill is passed into law, it should be with the intention to make a positive impact on the community. I am sure that was the plan for Assembly Bill 172 of the 78th Session, but that is not the result. With labor making up about 24 percent of the cost of any construction project, A.B. 172 of the 78th Session amounted to a potential 2.4 percent savings on any school or university project. In the effort to achieve that potential savings, it unknowingly excluded hundreds of contractors and thousands of workers who are bound by collective bargaining agreements. The reality is that no qualified person wants to work for less than what they are worth. This bill will level the playing field and increase competition on school and university projects by guaranteeing that every contractor in the state has an equal opportunity to compete on these projects.

Matt Lydon, Business Manager, Plumbers, Pipefitters HVAC/R Technicians Local 525:

I serve as the liaison between my organization and our partners in the contracting industry. While it is obvious how the cut to area standards on school construction in Nevada has had a negative impact on workers, I would like to address what it has done to the contractors we work with as well as the quality of craftsmanship on school projects. The businesses in the piping industry that have chosen to contract with our organization for their workforce were put at a competitive disadvantage when area standards were reduced on school projects. While they were contractually bound to compensate workers to the standards set by the Labor Commissioner, other contractors, both local and out of state, could pay significantly less. Therefore, this law unjustly put a large segment of Nevada's contractors at a competitive disadvantage.

While my organization did what it could to come to the table and accommodate our partners' needs based on the reduced area standards, it resulted in unfortunate circumstances and led to many businesses withdrawing from the market. Plumbers, Pipefitters HVAC/R Technicians Local 525 prides itself in providing the most skilled and well-trained craftspeople in the industry. Many of you have taken a tour of our training facility and can speak to the extensive quality standards we mandate for our members. If you have not toured our facility, consider this your invitation to see what we offer the community. As the contractors

recognized their competitive disadvantage and withdrew from bidding on school projects, they took the most experienced and skilled workforce available with them, resulting in the life safety systems in the buildings we send our children to every day being constructed by a workforce with unknown and unverified credentials.

While our contractors mandate that the craftspeople they employ meet the industry standards for licensing and certifications, the same cannot be said for the contractors that performed much of the work on school projects during the reduction to area standards. Senate Bill 119 of the 78th Session not only reduced the fair compensation levels of workers across all industries, but it also gave one segment of contractors a competitive advantage over other contractors. It may have reduced the security in the quality of craftsmanship that we should expect in our schools.

Don Campbell, Executive Director, Southern Nevada Chapter, National Electrical Contractors Association:

I am here in support of A.B. 154, and I thank Assemblyman Brooks for bringing this forward. I represent signatory contractors that employ hundreds and thousands of workers in southern Nevada in the electrical construction industry. Senate Bill 119 of the 78th Session had an adverse effect on those contractors. The vast majority of them decided not to bid on the work. They were bound by a collective bargaining agreement. Even if they were not, they are a signatory contractor and they are paying a certain amount. No one wants to reduce that—not by 10 percent because we cannot take off their pension or health plans—by 15 to 20 percent. No one will want to do that to employees. I have had the opportunity of being an apprentice myself, having a career, owning a business, et cetera. I was an electrical contractor. That business took me throughout the world—not just though the United States, but the world. I have had the opportunity of working in countries like Singapore, where building is not a skilled trade. They do not use skilled trades. They would pay \$1 an hour to an immigrant from Indonesia or Malaysia. Singapore is a middle-class society. But the construction work is done by nonskilled labor. I have also worked throughout Europe. They do use skilled laborers in Europe, particularly in Germany. The apprenticeship programs in Germany are done and decided in high school. They decide if they will take the academic world through college or the technical and construction world through apprenticeship. They have a great model. I am worried that when we do things for prevailing wage, we are not supporting the apprenticeship programs that are so vital. You have heard that four out of five registered apprenticeship programs in Nevada are done through signatory contractors and their associated unions. That is an important fact. Without it, there are a lot of workers that are not being trained. We need to maintain prevailing wage in a low-bid world. We are in support of project-labor agreements. However, I have seen how it is done in other countries. We will end up there if we do not have a prevailing wage.

Dan Musgrove, representing Mechanical Contractors Association of Las Vegas and Sheet Metal and Air Conditioning Contractors' National Association of Southern Nevada:

The Mechanical Contractors Association of Las Vegas and the Sheet Metal and Air Conditioning Contractors' National Association of Southern Nevada comprise the entire slate of signatory mechanical contractors in southern Nevada. They are primarily contractors

performing plumbing, pipefitting, heating, ventilating, air conditioning (HVAC), and duct work in commercial settings. The bulk of these contractors are signatory to both the United Association Local 525 and Sheet Metal, Air, Rail and Transportation Local 88. These are life safety contractors in every sense of the word.

Today we have a number of our contractors represented down south from these two associations, including Hansen Mechanical Contractors, Inc.; MMC Contractors West, Inc.; Bombard Mechanical, LLC; Ryan Mechanical, Inc.; P1 Group, Inc.; and Southland Industries. In the name of brevity, their presence is the proverbial "me too."

The organizations I represent wholeheartedly support A.B. 154. The law currently makes it challenging to procure work in the school and university construction sector. It has created an uneven playing field and significantly impaired unions' ability to compete. These contractors are bound by a collective bargaining agreement, and they do not have the flexibility most normal businesses possess to be nimble and change direction following the passage of new laws or regulations. Plain and simple, these contractors are not allowed to deviate from these agreements. The law as written has created a tremendous amount of confusion for these contractors and their labor partners, who represent the employers. This has resulted in the mechanical industry's best contractors making the tough decision to not bid on projects, which is a lose-lose situation for the public entity, the contractor, the worker, and the end user.

Jack Mallory, representing International Union of Painters and Allied Trades District Council 15:

The last legislative session we were given the devil's choice: whether we would accept concessions to our employers to allow them to be competitive on prevailing wage for education projects in order to create opportunities for work for our members. Because of the recession, it was deemed to be important enough to do so. Even then, we were asked by our members why it was that they were working for less money on a school when they could be working on a project at McCarran International Airport for normal wages. They could be working on a project on Las Vegas Boulevard for normal wages. Really, what it came down to was that they were willing to accept those lower wages because those were the work opportunities available.

As indicated by Mr. Stanley and others, we are still coming out of the economic depression that has hit the construction industry in southern Nevada. The International Union of Painters and Allied Trades District Council 15 is unique compared to other organizations and crafts. Our wet trades—particularly painters, drywall finishers, and wallpaper hangers—do not rely on tower cranes to keep our members busy. We anticipate that in the next quarter, we will clear our bench. Our members will be working on remodel projects on Las Vegas Boulevard, creating a competitive disadvantage for those contractors that actively pursue prevailing wage projects, particularly those in higher education, K-12 education, and even those who pursue projects on charter schools. This is a competition issue in our eyes.

As alluded to, there were a number of concessions granted through the legislative process with A.B. 172 of the 78th Session. I participated in the discussions where the 90 percent rule was created, the threshold was raised to \$250,000, the charter schools were excluded, and the way prevailing wage itself was calculated. Mr. Hardy was sitting at the table when those discussions were happening. He was actively engaged in those discussions. It could be disingenuous to say that he is not fully in opposition to these things today.

Robert Kolnes, Private Citizen, Las Vegas, Nevada:

The company I am representing performs HVAC testing, adjusting, and balancing in the Clark County market in commercial and new construction. I am here to support A.B. 154 as it is written. I present our support from a unique position. The test and balance industry is a specialized field. We provide strictly labor onto a project in our instrumentations. We do not offer any materials. As a small business, it is a very competitive market. We think competing with an agency from Arizona is unfair, especially with the small margins that we have not been awarded a project by.

We are signatory to Sheet Metal Workers' International Association Local Union 88. We continue to receive valuable training from the JATC. We believe the training we receive keeps us at the lead in test and balance field and life safety. We adjust and operate systems that lead to the efficiency of the awards that Clark County School District has received, as was mentioned. For the life safety side, we work on smoke fire dampers, where we receive training from the International Training Institute certification board. I would like to ask for your support on A.B. 154 as an employee in Las Vegas.

Peter D. Krueger, representing Greater Sacramento Chapter, National Electrical Contractors Association:

As another contractors group, I will just say, "Me too." We recognize the importance of this bill, and we ask for your support of A.B. 154.

Nathan Ring, representing Laborers Local 872 and International Union of Operating Engineers Local 12:

I think it is important to note that this is not a union versus nonunion issue. Even as I sit here as a representative of the labor union, prevailing wage is paid to union members and nonunion members alike on every prevailing wage project. If you are cutting 10 percent of wages on schools, you are saying, "Here is the prevailing wage rate developed by the Labor Commissioner, and for the building of our children's schools, we will do a cut rate and take 10 percent off the top." I do not know what that says about the value or quality we place on our school construction, but I know we are taking money out of our citizens' pockets. That is true whether they are union members or not.

My friend Mr. Hardy began his testimony by asking for more time because he said there were not many people in opposition. He was right. There are not a lot of people in opposition. We are talking about a fair day's pay with a pension, health care, additional training, et cetera. It is difficult for people to be opposed to that. Most importantly, if we are driving down wages, particularly in the construction of our children's schools, we are driving

down the ability and people's desire to get in the construction trades. They see lower wages. They see lower employment opportunities. When fewer people enter the skill trades, our workforce development programs—the things the Governor has talked about for workforce development and building a new Nevada—fall apart. Workforce development has been a priority of the administration. It is also a priority of the Legislature. Bringing back the 10 percent we are taking off our children's schools is very important to developing our workforce and continuing to protect the workers in Nevada.

Rusty McAllister, Executive Secretary-Treasurer, Nevada State AFL-CIO:

Please do not be fooled by the opposition's remarks making this a union versus nonunion situation. It is not. This is about Nevada workers, Nevada contractors, bringing jobs back to Nevada, ensuring Nevada workers are paid, making sure that sales taxes stay in Nevada, and that the wages paid in Nevada stay in Nevada to support the businesses in our communities. For the opposition to talk about children and taxpayers—well, every one of the workers on these jobs are taxpayers. A large number of those have children in these same schools. You cannot separate that out. They have the same concerns. They just want to work. In southern Nevada that is not happening. We ask that you work with us to bring these jobs back, help us stay in Nevada, and let us bring the new Nevada to the whole state.

Pat Treichel, Private Citizen, Las Vegas, Nevada

I am feeling out of place here. I am not a lobbyist, politician, or attorney. I did not plan on coming up here, but after listening to everyone, I am in support of A.B. 154.

I would like to thank Assemblyman Brooks for the courage to bring forward a bill to raise wages. In this country wages are falling, the cost of living is going up, et cetera. I think we need to be very careful of not getting caught up in a race to the bottom when it comes to wages. We are talking about a 10 percent shift, but that shift was down. With that, we lost some of the brightest, best-qualified, and skilled labor working these jobs.

We see the change in technology. We have LED lamps in our homes. Why would we go with them? They cost more today, but they save us money in the long run. The best labor has shown that it may cost a bit more, 10 percent, on the front end. But on the back end when these schools are opened, they may save us money later.

I am a product of the Clark County School District. My wife and my son are teachers. One is in a Title I school, and the other is in a high-end school in Summerlin. They will both tell you, it does not matter how nice the building is. It is secondary to the support they have at home. That is coming from parents who work these jobs and have insurance, higher wages, et cetera.

Ruben R. Murillo, Jr., President, Nevada State Education Association:

I am here representing the 40,000 teachers and education support professionals across Nevada ([Exhibit N](#)). I am also a special education teacher. We are speaking in support of A.B. 154. Investing in our community is an investment in our schools. We see this through a lens of fairness and improving wages and working conditions for everyone in and around school communities.

When parents of our students are taken out of state to seek work, it creates a vacuum in terms of their participation in their children's education. Since we are working in those schools that are constructed, we should have a high-quality school that will benefit educators and the school community.

Priscilla Maloney, Government Affairs Retiree Chapter, American Federation of State, County and Municipal Employees:

We are here today because we were concerned about and opposed to what we saw as the assault on prevailing wage laws in 2015. We see this as a remedial and restorative piece of legislation. We thank the sponsor for bringing this forward. This is a working families issue in Nevada. When we lift up our brothers and sisters who do this work, we are making our entire state a better community to live in. We also attract those who want to live here, pay taxes here, and go to school here. We are in support of A.B. 154 as written. My recollection of the situation in 2015 is commensurate with what Mr. Mallory and Assemblywoman Neal referenced.

Robert A. Conway, Business Agent, International Association of Bridge, Structural and Ornamental Iron Workers:

Probably 75 percent of my workers are on the road. In regards to things Mr. Hardy said, some of the surveys are being based on national data. There are a few project labor agreements close to us. One is the Los Angeles Unified School District, which is about 15 years old right now and approaching \$16 billion. Four out of ten contractors are working on that project. It is open shop. The same is true for the Los Angeles Community College District. It is bad when a majority of your members are working out of town.

I even have wives and children coming by the office asking when projects will start so they can see if their pop is back in town. It is pretty hard on the family with members out of town. It is not just about taking another job. Once you go through a four- to five-year apprenticeship program, you want to keep earning benefits towards your pension, health, and welfare. As far as numbers go, we have those school districts next to us where you can compare numbers. Assemblyman Kramer wants to look at numbers. Those are things happening right now. They have been going on for 15 to 16 years. I know this is more in regards to prevailing wage, not project labor agreements. But down there, the prevailing wage and the project labor agreements are tied together. It is easy to see the real-world benefits; 90 percent of the projects down there are coming in at 10 percent ahead of the original engineer's estimates. It is a good place to find data about that.

Assemblyman Brooks:

I appreciate the in-depth conversation about this very important issue this morning. I want to clarify one thing. I think the K.O. Knudson project that Mr. Hardy referenced is a good project to talk about. It demonstrated what can happen. They bid the job a few days before the bill passed that lowered the prevailing wage. When they first bid, they had four bidders. The high bid was \$3.9 million; the low bid was \$2.7 million. When they changed the law to lower prevailing wage in those schools, two things happened: they got the chance to rebid the project and the \$2.7 million bidder went back up to \$3.7 million, and the high bidder came back with another bid of \$3.65 million. It created some chaos and a lot less competition. It did not have the intended effect. I think that is the point these presenters made today. You lose the qualified contracting pool when you take prevailing wage out of the equation or lower it to the point that it is not effective anymore.

Chairman Flores:

I will close the hearing on A.B. 154. Is there any public comment? [There was none.] This meeting is adjourned [at 10:53 a.m.].

RESPECTFULLY SUBMITTED:

Isabel Youngs
Committee Secretary

APPROVED BY:

Assemblyman Edgar Flores, Chairman

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a letter dated February 3, 2017, in support of [Assembly Bill 57](#) to Chairman Flores and members of the Assembly Committee on Government Affairs, from Adam Laxalt, Attorney General, Office of the Attorney General and presented by Brett Kandt, Chief Deputy Attorney General, Office of the Attorney General.

[Exhibit D](#) is a proposed amendment to [Assembly Bill 57](#) presented by John Fudenberg, Assistant Coroner, Government Affairs, Office of the Coroner/Medical Examiner, Clark County.

[Exhibit E](#) is a document titled "AB 154 – Heard in Assembly Government Affairs Committee on Wednesday, March 8, 2017," presented by Assemblyman Chris Brooks, Assembly District No. 10, regarding [Assembly Bill 154](#).

[Exhibit F](#) is a copy of an article titled "Contracting that Works," by Karla Walter, David Madland, Paul Sonn, and Tsedeye Gebreselassie, dated November 13, 2015, published by the Center for American Progress Action, submitted by Assemblyman Chris Brooks, Assembly District No. 10, regarding [Assembly Bill 154](#).

[Exhibit G](#) is a document titled "The Benefits of State Prevailing Wage Laws," dated October 3, 2011, published by the Keystone Research Center, submitted by Assemblyman Chris Brooks, Assembly District No. 10, regarding [Assembly Bill 154](#).

[Exhibit H](#) is a document titled "The Benefits of State Prevailing Wage Laws," by Mark Price and Stephen Herzenberg, dated October 3, 2011, published by the Keystone Research Center, submitted by Assemblyman Chris Brooks, Assembly District No. 10, regarding [Assembly Bill 154](#).

[Exhibit I](#) is a table titled "Assembly Bill 154 Section-by-Section Explanation Table," presented by Assemblyman Chris Brooks, Assembly District No. 10, regarding [Assembly Bill 154](#).

[Exhibit J](#) is a copy of an article by the Guinn Center for Policy Priorities titled "As Charter School Enrollment Rises in Nevada, Need for More Funding Becomes Apparent," by Megan Rauch, dated May 6, 2016, regarding [Assembly Bill 154](#), submitted by Pat Hickey, Executive Director, Charter School Association of Nevada.

[Exhibit K](#) is a letter in opposition to [Assembly Bill 154](#) to Chairman Flores and members of the Assembly Committee on Government Affairs, authored and presented by Pat Hickey, Executive Director, Charter School Association of Nevada.

[Exhibit L](#) is a document titled "SAGE Commission Final Report," dated January 2017, submitted by Pat Hickey, Executive Director, Charter School Association of Nevada, regarding [Assembly Bill 154](#).

[Exhibit M](#) is *New York Charter School Ass'n v. Smith*, 15 N.Y.3d 403 (2010), submitted by Pat Hickey, Executive Director, Charter School Association of Nevada, regarding [Assembly Bill 154](#).

[Exhibit N](#) is written testimony authored by Ruben R. Murillo, Jr., President, Nevada State Education Association, dated March 7, 2017, regarding [Assembly Bill 154](#).